

Lecture 1

Introduction

Morality (Introduction)

- Morality is a set of rules for right conduct, a system used to modify and regulate our behavior.
- It is a quality system in human acts by which we judge them right or wrong, good or bad.
- This system creates moral persons who possess virtues such as:
 - love for others
 - compassion
 - a desire for justice and equity etc
- Morality builds character traits in people.
- In particular, morality is a survival script we follow in our day-to-day living.

Morality (Definition)

- A descriptive definition according to which morality means a set of rules (code of conduct) that governs human behavior in matters of right and wrong.
- A normative and universal definition that is more prescriptive and refers to an ideal code of conduct that would be observed by all rational people under specified conditions.

Example

- An example of a moral value judgment is; “murder is immoral.”

Point to Note

- ✓ The definition of ‘Morality’ is synonymous with Ethics

Ethics

- Ethics is the systematic philosophical study of the moral domain.

Moral Decision Making

- Every human action results from a decision process (usually predetermined).
- A decision is morally good if the result from it is good.

General features of a good moral decision

- A good moral decision embodies nearly all moral theories and usually takes into consideration the following points:
 - (1) All the facts surrounding the situation
 - (2) Taking into account the interests of **all** parties involved, and
 - (3) The moral principles involved and how they will affect all others involved
- Combining points 1 and 2 implies there must be reasoning and impartiality in any moral decision.

Ways of ensuring reason and impartiality in moral decision

- Moral and ethical theorists have outlined four ways of ensuring reason and impartiality in moral decision making, as follows:
 - (1) The use of the rational intuition of moral principles, which helps us perceive moral principles such as the notion of justice and deciding what is good.
 - (2) The use of reason to determine the best way to achieve the highest moral good
 - (3) The ability to distinguish between primary and secondary moral principles.
 - Note:**
 - Primary moral principles are more general;
 - Secondary principles are more specific and are generally deduced from the primary ones.
 - (4) The rational calculation of the consequences of our actions. The calculation should tell us whether the action is good or bad depending on the consequences

Moral Codes

- Moral codes are seen as rules or norms within a group and usually represents what is proper behavior for the members of that group
- The norm itself is a rule, standard , or measure for us to compare something else whose qualities we doubt.
Moral codes are often complex definitions of right and wrong that are based upon well-defined (group's or entity's) value systems.

- In a way, moral codes are shared behavioral patterns of a group.

- Societies and cultures survive and thrive because of the moral code they are observing.
- History has shown failures of societies and cultures such as the once mighty civilizations and great empires (e.g., Babylonian, Roman) probably because their code failed to cope with the changing times.
- Although different cultures have different codes, and we have established that morality is relative to time
- There have been some timeless and culture-free (moral) codes that have been nearly universally observed. Such codes include this partial list:

- ***The Golden Rule :***

“Do unto others as you would have them do unto you.”

- ***The Silver Rule :***

“Do not do unto others what you would not have them do unto you.”

Great men like Mahatma Gandhi followed this rule almost to the letter

- ***The Bronze Rule :***

“Repay kindness with kindness.”

This rule is widely observed because of its many varying interpretations.

- ***The Iron Rule :***

“Do unto others as you like, before they do it unto you.”

This rule, if followed by a leader, can create dictatorships. It seems to say, “He who is on the floor cannot make rules” or “Do it if you can get away with it.”

- ***The Tin Rule :***

“Pay homage to those above you and intimidate those below you.”

This is what many call the bully rule

- ***The Nepotism Rule :***

“Give precedence in all things to close relatives, and do as you like to others.”

This rule legitimizes corruption.

Points to note

- Because most of these rules seem vindictive, corruptible, dictatorial, and abusive, Carl Sagan (the proponent/author of the codes) proposes the following as what seems to be a good culture-free and timeless universal set of moral codes:
 - ✓ Be friendly at first meeting
 - ✓ Do not envy
 - ✓ Be generous; forgive your enemy if he or she forgives you
 - ✓ Be neither a tyrant nor a patsy
 - ✓ Retaliate proportionately to an intentional injury
(within the constraints of the rule of the law)
 - ✓ Make your behavior fair (although not perfectly) clear and consistent
- Other timeless, culture-free, but less widely practiced and less universally accepted codes are those observed by small groups of people with similar interests (e.g., religious & professional groups).

Moral Standards

- A moral standard is a moral norm, a standard to which we compare human actions to determine their goodness or badness.
- This standard guides and enforces policy
- Morality is a system that, in addition to setting standards of virtuous conduct for people, also consists of mechanisms to self-regulate through enforcement of the moral code

Law

- A law is a binding custom or practice of a community;
- a rule of conduct or action prescribed or formally recognized as binding or enforced by a controlling authority; the whole body of such customs, practices, or rules

Types of Laws:

(1) Physical law

- This directs non-free irrational beings to uniform action toward their ends by inner necessity of their nature, that is, imposing physical necessity

(2) Moral law or natural law

- This directs free rational beings toward their ends by imposing obligations on the free will—thus imposing moral necessity
- **Natural law** is an unwritten but universal law.
 - It is a theory that an eternal, absolute moral law can be discovered by reason and is derivable from reason.
 - It is distinct from the law of nature, applies to all rational creatures, exists independently of human preferences and inclinations, and is applied cross-culturally.
 - Natural law “*follows from the nature of man and the world*”, and consists of rights like:

- the right to self-defense and
- the right to individual property
- So naturally it is 'higher' than any other conventional law enacted by a human authority like a government because no conventional law has jurisdiction over natural law.
- Natural law is the anchor of our rights of self-preservation, liberty, and property.

Conventional Law

- Conventional law is a system created by and for human beings, usually in public deliberations such as a council of elders or representatives in national legislatures.
- It derives from that part of the moral code that is enforceable and varies from society to society and from culture to culture.

Forms/Types of conventional law

- Conventional law takes two forms:
 - (i) **Declarative** - which simply restates what the natural law declares, e.g., forbidding murder, theft etc
 - (ii) **Determinative** - which fixes ways of acting in accordance with natural law, such as in:
 - Contracts
 - Taxes
 - traffic, and other types of laws.
- Conventional law has a long history of evolution from natural law
- Some of the outstanding examples are:
 - *Law of nature*
 - *State law (e.g., English common law)*

NB: The English common law gave birth to the modern English and American law.

The Purpose of Law

- Both conventional and natural laws exist to protect the life, liberty, and property of the group covered by these laws.

Why are laws needed?

- Laws are needed for the following reasons:
 - The ignorant need instruction and control by the wise
 - Earthly penalties are required for the safety of society (i.e., when laws are broken)
 - Concerted action demands teamwork and leadership

The Penal Code

- Laws are always useless unless there is a right to punish and an enforcement mechanism is in place
- The penal code is a system of set rules prescribing punishment for unlawful acts
- In a way, the penal code is that enforcement mechanism
- The punishment system consists of three functions
 - (1) **Retributive** —by paying back the victim for the crime committed, reestablishing the equal balance of justice, and reasserting the authority
 - (2) **Corrective**— by trying to improve the offender; in other words, rehabilitating the offender back into society.
 - (3) **Corrective— Deterrent** —by trying to prevent similar actions in the future by the offender, that is, forewarning the offender community by the state
- The enforcement is different in criminal and civil cases.
- In **criminal cases**, the punishment may lead to denial of certain individual rights for a period of time.
 - The period of incarceration depends on the nature and types of violations.

- In **civil cases**, punishments are usually damage awards to those whose rights were infringed upon.

Morality, Etiquettes, and Manners

Etiquette

- refers to a code of behavior, a set of norms of correct conduct expected by a society, group, or social class.
- It is a generally expected social behavior.
- These rules of the code or the set of norms are usually unwritten, but aspects of these may reflect an underlying moral code.

Manners

- These are unenforced standards of conduct or cultural norms that show that an individual is “refined” and “cultured” with a society or group.
- These norms codify or set a standard for human behavior.
- However, in contrast to laws, manners, just like morality, have no formal system for punishing transgressions other than social disapproval.

Professional Ethics

- A profession is a number of individuals in the same occupation voluntarily organised to earn a living by openly serving a moral ideal in a morally permissible way beyond what law, market,...and public opinion would otherwise require

The ‘professions’ embrace diverse occupations in medicine, nursing, law, accounting, engineering, teaching and computing/IT.

Characteristics of a person who performs a Professional role

Advanced Expertise

- The professional possesses sophisticated subject specific theoretical and practical skills which are underpinned by specialized formal education and augmented (supported) by continual development.

Occupation Complexity

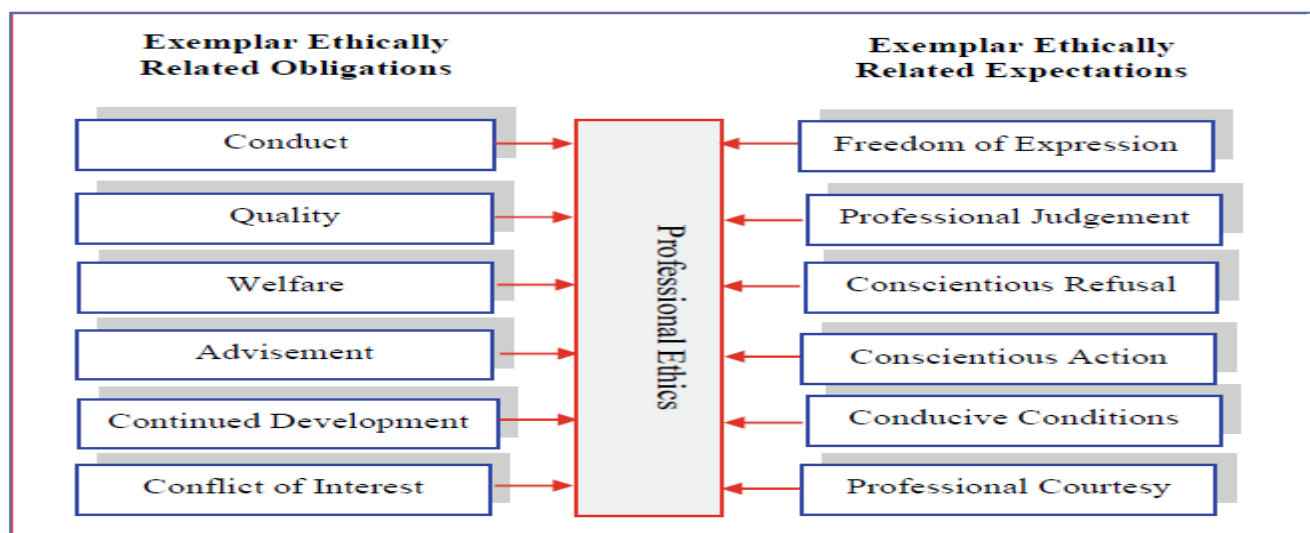
- The professional undertakes activities which are not routine, which involved expert judgement and which cannot be effectively automated (at least when viewed from a traditional perspective).

Autonomy and Self-Regulation

- The professional gains membership of specialist societies and/or organizations (this being conditional on qualifications and/or proven experience).
- These are regulated by professional members who set and enforce standards of conduct and represent the profession in public and governmental forums:

Contributing to Public Good

- The professional employs specialist knowledge in performing activities which make a significant contribution to society (the 'public good').



Indicative obligations and expectations associated with professional practice, which underpin our overarching duty of maintaining professional ethical conduct.

Personal Accountability

- The professional accepts responsibility for the quality of work undertaken and is required to maintain high ethical standards
- In practice those working in the professions sometimes fail to adhere to appropriate standards, and malpractice is by no means uncommon.
- Further, it may be said that professional bodies have lost some credibility by sometimes being slow and reluctant to be roused by issues relating to ethical principles.

Ethical Obligations and expectations placed on Professionals

Ethically Related Obligations:

(1) Conduct:

- Relating to both professional and personal behavior
- This supposes that a professional person has a responsibility to demonstrate ethically sound conduct both within the workplace and as a member of a broader community.
- In the case of many professions, demarcation between professional and personal life is somewhat blurred, with the former often spilling over into the latter

(2) Quality:

- Relating to the high quality of work undertaken and an unwillingness to sacrifice standards for the sake of expediency or as a consequence of unrealistic demands.
- Sacrificing quality is not only ethically inappropriate but counterproductive as the professional's name (and his/her reputation) is at stake.

(3) Welfare:

- Relating to the professional's conscious consideration of societal and environmental factors and/or ramifications.
- On the basis of expertise, experience, conduct, etc., the professional is entrusted to undertake work which will not result in harm through incompetence, inappropriate compromise or negligence.
- It is the professional's ethical responsibility to fully respect this trust.

(4) Advisement:

- Relating to a professional's responsibilities in providing impartial, accurate and relevant information or advice.
- This recognizes the confidence and trust that the wider audience tends to place in the professional, and the dangers implicit in the misuse of this trust

Example:

- The BCS (British Computer Society's) Code of Conduct indicates:
 - 'You shall NOT misrepresent or withhold information on the performance of systems or services (unless lawfully bound by a duty of confidentiality not to disclose such information)

(5) Continual Development

- In order to remain effective, the professional is obliged to ensure his/her expertise does not become dated and so must strive to remain abreast of developments across his/her field(s) of expertise.

(6) Conflict of Interest

- In all professionally related capacities, the professional must avoid possible conflicts of interest
- Such conflicts are likely to bias professional activities, judgement and impartiality.
- Furthermore, in the case that conflicts are revealed retrospectively via third parties, then the reputation of the professional is likely to be compromised

Ethically Related Expectations:

(1) Freedom of Expression and Professional Judgement:

- This is of crucial importance in ensuring that the professional is able to advise and express opinions on all matters relating directly or indirectly to his/her area(s) of expertise.
- Professional judgement may at times be controversial and/or unwelcome, however there should be recognition that from an ethical perspective the professional has both an entitlement and responsibility to speak out.
- In parallel (and again from an ethical point of view) the professional should limit professional judgements to his/her area(s) of expertise and consequently needs to clearly distinguish between professionally and personally based opinions

(2) Conscientious Refusal:

- The professional has a right to refuse to undertake tasks which are contrary to his/her fundamental ethical framework.

Example:

- For example, consider the case of a professional who is employed within an organization which develops high performance control systems. Let's assume that these have been developed for civil purposes, but an unexpected opportunity arises relating to their use in military applications.
- If the development of military hardware is contrary to the professional's ethical framework, then the professional should have the right to refuse to participate in this undertaking.
- Of course this would not be the case if the professional took up work in a company which already undertook military work or if any indication had been given at the time of employment that such a scenario might arise.

(3) Conscientious Action:

- Consider the case of a flawed technology which may be endangering life and the environment.
- On the basis of (1) above, the professional has a responsibility and entitlement to raise his/her concerns (based on expert opinion).

- In a scenario in which this proves to be insufficient, then from an ethical perspective the professional may believe that there is a 'worst case' entitlement to follow more direct lines of action.

(4) Conducive Conditions and Professional Courtesy

- As we have indicated, the professional is entrusted to carry out demanding activities which are not routine and which involved expert judgement.

- Further, he/she is required to ensure that this work is of an appropriate quality.

- The professional should therefore have an expectation that the working conditions