

***REAL WORLD ETHICS: A HOLISTIC, PROBLEM-SOLVING FRAMEWORK***

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**Personal Introduction**

Before I presume to talk to you about a "real-world" ethics, let me tell you a little bit about myself. I am a Professor of Integrated Professional Studies at the University of Vermont, teaching in the College of Education and Social Services where I have found an academic home for 38 years. I am the author of a 2<sup>nd</sup> edition of a book I originally wrote in 1996, "*Real World" Ethics* (published in 2002), which has become a best-seller in colleges and universities throughout the country.

As far as I can tell, I was one of the first persons in a college of education in this country to create an applied ethics course for educators. This was in 1969. I had no precedent for doing so in the late 1960s, except for a few nation-wide courses I was able to track down (this was before the age of computer internet searches) in medical ethics, business ethics, and legal ethics. I tell this interesting story in "*Real World" Ethics*. Since that time, I have had the wonderful privilege of teaching over 200 graduate courses in applied ethics across four programs in my college, in addition to dozens of courses in moral and character education. My thousands of students have included teachers, counselors, social workers and related clinicians, health care professionals, higher education and public school administrators, and a variety of other social service professionals, including law enforcement, clergy, and lawyers.

My particular approach to doing applied ethics is a holistic decision-making approach that I have taught to thousands of human-service professionals, and many, not *all* by any means, find it to be very useful. I approach ethical decision-making very holistically: both *personally* (from the head and the heart of where I and others live, and where we actually construct our moral lives). I also approach ethical decision-making *professionally* (as an activity that takes place in the actual organizations where you and I spend so much of our time trying to reach collective closure on the ethical problems that plague us).

Whatever I teach and write is inescapably influenced by my own personal moral beliefs, by both my informal and formal ethical training, by my career-long work as a teacher and scholar, and, perhaps, most important, by my personal interactions with students and colleagues who frequently seek my ethical advice in the work they do. *This, therefore, is what I think of as a “real world” ethics. It is a general way of thinking about, and resolving, ethical dilemmas of one kind or another. It grows out of the real-life stories that people like you and I actually live, and love, and tell. It is an all-inclusive approach to thinking about ethical problem-solving and decision-making that takes into consideration people’s acts, intentions, circumstances, principles, background beliefs, spiritualities, consequences, virtues and vices, narratives, communities, and the relevant institutional and political structures. This approach doesn’t tell us exactly what to do as much as it evokes important information from us in order to help us think more deeply and expansively about ethical issues.*

I am, I suppose, what one friendly student-critic of mine once called a “shameless bricoleur,” by which she meant that I am someone who patches together bits and pieces of a variety of ethical vocabularies, theories, and perspectives in order to help people think about, and resolve, real-life problems. She is right, if she means that I am less the dazzling, original theorist and more the applied, eclectic thinker. In fact, I am very proud to be a “bricoleur” (at least in the way that Jeffrey Stout, the Princeton philosopher, uses the term), although the modifier “shameless” bothers me. I do not think that a sense of right and wrong is ever possible without a capacity for people to feel shame over some improper behavior. I agree with the philosopher, David Hume, that morality begins and

ends with the human tendency to have feelings of remorse over deeds that are dishonorable or disgraceful.

### **We Actually Live in Three Moral Worlds**

Let me begin by laying out some moral assumptions that I make about people in general: Each of us lives our lives in at least three overlapping moral worlds, and each world features its own special moral language. Let me call these worlds *a private, spiritual/philosophical life-space, a concrete moral world of small communities, and a secular pluralist world of large organizations, such as universities, hospitals, and managed-care offices.* (I am indebted to such moral philosophers as Mary Midgley, H. T. Engelhardt, Jr., and the sociologists, James Hunter, and Robert M. Bellah, among others, for the notion of “moral worlds” and “moral languages.”)

The *private, spiritual-philosophical life-space* is an interior world of meaning. I will make the point that each of us constructs spiritual narratives which help us to make sense of an external material world that, for the most part, rejects any notion of moral and ethical certainty. What I mean by the word “spiritual” does not necessarily have anything to do with belief in god, or religious doctrines, institutions, rituals, or traditions, although, for many, it does, and this is good. Instead, for me, spirituality is all about finding and creating meaning, either ultimate or proximate, religious or secular, spiritual or material, transcendent or imminent. Spirituality is our deepest sense of who we are, what we believe, and what life is all about. This is a world where many of us hold a set of what philosophers call “zero-level” values (a bottom-line morality), expressed in *a language of background beliefs.* I sometimes call this the First Moral Language.

It is one of my purposes as an ethics professor to help my students to access, and, when necessary, to be able to formulate and to articulate, their languages of background beliefs, both to themselves and to others. Any conversation about ethical issues in the workplace, I believe, is bound to be influenced by the private, spiritual life spaces that professionals inhabit. When we can speak openly with each other in what I am calling *the language of background beliefs,* then we can begin to meet each other where we truly live: in our life spaces of faith, meaning, purpose, and hope. In my own experience, this

kind of conversation is very rare in secular organizations. It is often perceived to be a threat to people's privacy, ethically irrelevant, too abstract, and idealistic. Yet, whenever I can help professionals to take a little time out to engage each other at this level, discussions of ethical behavior inevitably become richer and deeper. Hidden spiritual agendas tend to get surfaced openly and honestly. *The pivotal set of questions that this language asks is: What do I believe? Why? and How do these beliefs influence my thinking about particular ethical issues?*

The *concrete world of small communities* is the space where we actually develop our language of background beliefs, both in the past and in the present, and, most likely, in the future as well. What we believe morally and spiritually has its roots in, and is always mediated by, those smaller concrete communities that have shaped, and will continue to shape, us as ethical beings. Some of these communities, such as our families and churches, may be more permanent in our lives; some, such as college alumni groups and professional associations may be more transient. Of course, the reverse can also be true, depending on individual circumstances and temperaments. These groups, or what one of my students calls "nurturing moral nests," may be ideological, religious, ethnic, racial, political, recreational, instrumental, or familial. What all of these communities have in common, however, is that they send us powerful moral messages, and, what is more, they reinforce these messages in a variety of ways.

We often speak *a language of moral character* in this world, a content-rich, ethically-thick vocabulary that is concrete, sometimes colorful, and always particular. It is a psychological and sociological language. It is a language of personal narrative. It is a language of everyday morality, full of parables, down-home maxims, proverbs, and memorable moral bromides. It is not afraid to speak of feelings, intuitions, personal and communal stories, concrete communities, and desirable virtues. Whenever I can get students to examine, and to talk openly about, the concrete worlds of their small communities, it does not take long for them to realize that the origins of many of their operative moral and ethical beliefs are pretty deep-seated, rooted in relationships and traditions, and often freighted with feelings. I sometimes call this the Second Moral Language.

I remember a physical therapist once asking me in class: “Why does it seem necessary in the work that I do in the hospital for me to abstract out of my life all the truly important stuff, whenever my colleagues and I discuss professional and ethical dilemmas? It is like we are required to talk only by using nouns and verbs but no adverbs or adjectives. It seems so lifeless and empty. It makes ethical problem-solving appear to be an automatic, by-the-numbers process.” She really won me over when, for backup, she quoted St. Anselm’s assertion that “God does not save the world by logic alone.” This physical therapist was saying to me and to her classmates that a set of ethical rules and principles, often codified in professional declarations of ethics, while serving as helpful guides to ethical analysis and decision-making, need always to be concretized by appealing to real-world events and people, and tested by honest feelings and intuitions.

She was arguing, in her own eloquent way, that who she is as a moral person is an embodiment of a life lived in a variety of small communities, shaped by pivotal experiences in a number of organizations, and touched by influential others (real and fictional) who have come into her life at various points, and who continue to stay with her in lingering moral memories throughout her lifespan. The pivotal set of questions that this language asks is: *Who am I as a moral being? Where have I come from? Whom do I want to become? and Is it possible or realistic for me always to act IN, rather than act OUT OF, character in the workplace?*

The *secular pluralist world of large organizations* is the world of the workplace, the professions, the public arena. It is the world where each of us will spend the majority of our adult professional lives. I myself have spent upwards of 40 years in the American university. It is a setting where individuals with different background beliefs, and memberships in different communities, often meet as “moral strangers,” to use H. T. Engelhardt’s poignant phrase—which, in my experience, is only a little bit of an exaggeration. It is the public space where professionals of diverse political and philosophical ideologies, personal and communal values, and who are each living out their defining moral narratives in particular ways, frequently find themselves face-to-face with the challenge of making collective ethical decisions together. If you are ever able to visit my secular pluralist world at UVM, please come to a faculty-senate meeting, and you will get a sense of the extent to which many of us are moral strangers to one another.

A few years ago, there was an intensive year-long debate about whether we faculty should form a union on campus. This debate brought out the best and the worst among us. Some people whom I thought I knew as moral friends turned out to be moral strangers, and vice versa. Although all of this happened some years ago, it is still too early to tell, however, whether the vote in favor of forming a university-wide union has irreversibly divided or constructively united my campus.

The secular pluralist world requires *an ethical language of codified rules and principles*, rooted primarily in an understanding that professionals and clients deserve respect and tolerance of their moral differences. Secular pluralist language is, of necessity, a bloodless, somewhat formal philosophical language that diverse professionals can employ in order to reach mutual understanding, tolerance, and possible agreement, regarding the resolution of ethical conflicts. It is a logical, procedurally-rich discourse, well suited for rational, defensible ethical decision-making in organizations that are secular, diverse, and complex. Tom Beauchamp's and James Childress's well-known principles of autonomy, non-maleficence, beneficence, and justice, along with the theories of deontology and utilitarianism, have served well the needs of a generation of professionals in analyzing and adjudicating their ethical dilemmas. What I am calling secular-pluralist ethical language, some applied ethicists call "principlism."

Ironically, despite its strengths, the majority of my students never fail to be critical of this language. They don't know what to do whenever moral principles like autonomy and beneficence are in conflict, or when moral theories like non-consequentialism and consequentialism do not seem to exhaust the possibilities of ethical justification. Some feminists (both men and women) think of secular pluralist moral language as being uninspiring, masculine, linear, and much too impersonal and uncaring. One of my philosophical colleagues, Michael Davis at the Illinois Institute of Technology, claims that when ethical push-comes-to-shove, it is rare that professionals actually advert to rules, principles, and theories to think about, and to justify, their decisions. They prefer to use their common ethical sense, perhaps guided along by any problem-solving model that they find to be particularly useful.

Also, from another perspective, one of my students, a Catholic priest, recently said to me: "I believe that simply being able to defend an ethical action for the right

reasons is not enough to be a good human being. It is more important, in my estimation, to do the right action with the right attitude. In fact, I think that it is possible to be a good human being and even do the wrong action, with or without a principle-based, ethical rationale.”

Curiously, however, even though some students are openly suspicious of a total reliance on secular-pluralist moral language, most students, I have discovered, gladly resort to it whenever they need to formulate their thinking about ethical issues in clear, mutually understandable terms. It seems to be a natural recourse for professionals to think through complex ethical dilemmas in this quasi-legal and lucid moral language. The pivotal questions that this language answers are these: *How can I best defend the ethical decision that I must make? What does my professional code of ethics offer me by way of specific legal and moral guidance? How can I ever secure agreement on controversial ethical decisions unless I use a moral “lingua franca” that transcends individual moral differences?* I sometimes call this the Third Moral Language.

To summarize: I believe that all three moral languages overlap and, in many, ways they are mutually interdependent. Any attempt to discuss ethical issues in professional educational settings, and to resolve complicated ethical dilemmas, needs to take into account the existence, and persistence, of all three languages. We need to encourage each other to speak these languages openly in our organizations whenever we talk about specific ethical dilemmas. Make no mistake: these languages are always circulating in ethical discussions, but mostly undercover. Except for the third moral language of codified rules and principles, the other two are frequently repressed in professional conversations because of what I would call “moral silence.”

This moral silence occurs because the first and second moral languages seem less scientific and objective than the third. Also, the first and second moral languages seem touchy-feely and divisive to those professionals who want to present a “united theoretical front” to the world of human services. Finally, too much discussion about morality and ethics tends to be focused only on right and wrong conduct, prohibitions and injunctions, what is litigious and what isn’t, and not enough on what the older ethical traditions believed was most important about moral conversations. This is talking openly with each other about such perennial moral questions as “What is the good life?” “What is good

work?” “What are right relationships?” “What is it to be a moral professional?” “How can we construct moral communities that bring out the best, rather than the worst, in us?” “What am I willing to risk in my job by way of moral conviction?” “Just who is it I am striving to become as a moral being, and is this possible in the work that I do?” “If not, why not?” Ask yourselves: Have you ever had such a conversation in a professional meeting in your work setting? If so, have you ever had a series of such conversations?

### **My Problem-Solving Framework**

At this point, now that I have sketched out my assumptions about the three moral worlds that we inhabit, and the corresponding moral languages that we speak in these worlds, I would like to talk some about a reflective, problem-solving framework that I have created and have been using with human service professionals for many years. I am always refining it, according to feedback that I get from practitioners like yourselves. My framework includes pieces of all three moral languages. Much of it is based on good common sense, as you will see, and some of it reflects my own obvious philosophical biases. I apologize if my framework’s simplicity insults your intelligence, or if I am merely going over old ground that you have already covered. I have no way of knowing *a priori* what each of you might need in a problem-solving, applied ethics framework. Therefore, I hope that we can talk more in-depth about my framework in a little while. My framework consists of nine simple questions, and they are meant to evoke much reflection and conversation among professionals trying to come to terms with troubling ethical dilemmas. I will comment briefly on each question.

1. *What are the central moral issues in your case-dilemma?* Frequently, moral issues are those matters that touch on themes of goodness, rightness in conduct, principle and duty, and character. What makes moral issues troubling in the professions is that they provoke us to wonder about our personal and professional responsibilities in certain cases. Most of the time these moral issues will be in dispute, waiting for you and others to decide how to resolve them. A good first question to ask is this: What is there in my case dilemma that seems to be bothering me on *moral* grounds, and why? What is the



ethical itch that I cannot easily scratch? It might be an issue of confidentiality, promise-keeping, fairness, truth-telling, an end-of-life question, or whistle-blowing.

What signals an encounter with morality as opposed to legality or politics, for example? Any action that you take which has the potential of affecting other human beings for good or bad puts you squarely in moral territory. In this sense, morality precedes legality. Your ultimate ethical decision will have a definite effect on the welfare of the people you serve, and you will not be able to avoid the consequent conflict. Identifying the central moral issues in any case-dilemma is an exercise in discernment, and the more practice you have in doing this, the better you will get at it. I love the idea of somewhere, somehow, instituting an organizational “ethical grand rounds” like they have in hospitals. This would be excellent training in ethical discernment (the more you talk about ethics, the better you get at identifying what is morally relevant and what is not).

2. *What are the ethical conflicts in your case that make it an actual dilemma needing rigorous ethical analysis and resolution?* Some cases might be logistical, some technical, and some the result of interpersonal differences of opinion and temperament. It is essential to be able to tell the difference, and when you do, you can usually resolve these latter conflicts by applying some good common sense. Moreover, not all case-dilemmas which contain moral content are necessarily problems that require sustained ethical analysis. Sometimes the best moral action to take in an ethical dilemma is self-evident. Intuitively, you and others will know just the right thing to do, because all the other possible choices will seem far less ethically satisfying to you.

You need to ask yourself if there are some viable alternatives to ethical courses of action in your case-dilemma. What you see initially as an *ethical* dilemma, upon closer look, might actually be too restrictive. There might be no dilemma at all, ethical or otherwise. Other alternative courses of action may be available to you. There are times when it is perfectly acceptable for you to use your practical imagination when confronted with what looks like a *moral* challenge. Look at all the possible *non-ethical* problem-solving processes open to you as you reflect on your case-dilemma. To do less is to lock yourself into a lengthy exercise in ethical analysis that could be time-consuming and unnecessary.

First, make it a point to check out all your facts, and then list all your viable options. It is illuminating that the Latin root of the word *viable* is “being able to live with.” Thus, the question you need to ask is this: “What alternative solutions to my problem am I able to live with?” This is the literal meaning of viability, and it is a good guide for any kind of decision-making, particularly the ethical kind. The caution, of course, is to know the difference between *viability* and *expediency*. Figuring out this distinction can itself pose a moral dilemma, and, alas, if recent history is any judge, few politicians at the highest levels of American government appear to have learned the difference. Second, exploring viable alternatives means sounding out colleagues and superiors whose advice you respect on possible courses of action in your case. Third, it might also mean thinking outside the dilemma (either-or) ethics box for awhile. I enjoy working with human service professionals because they tend to be excellent fact-finders and viable-alternatives explorers. They also tend to be perceptive moral crap-detectors.

I hope that the majority of your ethical dilemmas are of the type where a good fact-finding expedition and talks with colleagues are enough to resolve them, but don't count on it. One of the meanings of the word “conflict” in *Webster's New World College Dictionary* is the “emotional disturbance that results from an inability to reconcile initial impulses with moral considerations.” Most of your genuine ethical conflicts will produce considerable “emotional disturbance,” so be prepared for the hard cases, while hoping always for the easy ones.

The kind of ethical dilemma that I am talking about, however, is one that presents you with a conflict between two or more relatively equal moral alternatives. Each of these choices or decisions will appear to be personally and professionally defensible, and this is the hell of it. What makes an ethical dilemma particularly confounding is that even though you scrutinize your case from all sides, you just do not seem to know the right course of action to take. You could go in any number of directions. And there is no way that you will ever know for sure that you took the right path. You will need to consider a variety of factors before making your final decision, not the least of which is assessing the validity of a number of competing moral claims on your conscience. Sometimes, the simple act of stating your choices in simple binaries (“On the one hand, I could . . .”; “On

the other hand, I could . . .”) crisply at the outset is enough to point you in the right direction, because it clarifies and targets the options available to you.

3. *Who are the major stakeholders in your case?* The major stakeholders are all those people who have a vested interest in your ethical decisions. Obviously, these include your direct constituencies, your patients and colleagues, but they also involve a number of other individuals and groups directly or indirectly affected by your decision. These are your hidden moral constituencies, and we know enough about bad political, religious, educational, media, and business decisions, to mention just a few, to understand that short-visioned and cramped ethical decision-making can be a disaster to forgotten stakeholders. The lesson for all of us should be that we will never be caught making our ethical decisions in an interpersonal vacuum. What we do will always affect others.

Our ethical orbits are almost always larger than we think. Because each of us moves within a circle of stakeholders that is continually expanding, we need to ask such questions as Who else matters in this dilemma? What rights and interests do they have? What promises and commitments have we made to them? How can we evaluate the direct and indirect impact that our actions and policies might have on them? Sartre may have said somewhere that “hell is others.” I am here to say unequivocally that “ethics is others,” and our interests and activities inevitably overlap with countless, relevant others in our professional orbits.

4. *What are some foreseeable consequences of the possible choices in your case-dilemma? What are some foreseeable principles?* This question is calculated to get you to consider as many of the foreseeable outcomes as possible in your decision-making. I am not asking you to become crystal-ball gazers, because if the future has a name, it is probably called “unintended outcomes.” There is a group of applied ethicists, whom you may or may not know about, who call themselves “consequentialists.” They believe that our actions are good or bad depending on their consequences. They contend that every ethical decision will unavoidably produce good, bad, or mixed results, and these are what count in ultimately deciding what to do.

But I also maintain that it is not enough simply to list all the perceived consequences of an ethical decision, and then do a cost-benefit, comparative analysis of each item before acting. There is still the annoying, but equally important, matter of

moral principles to consider. So-called “non-consequentialists” hold that a principle-based decision is far more preferable than one that merely computes good and bad outcomes. Non-consequentialists want you to consider what moral principles are important to you, and whether or not you are acting in a way that is consistent with your principles, regardless of the consequences.

Even though I am somewhat sympathetic to those critics of theories and principles who contend that most normal people don’t ordinarily refer to such technical concepts in their problem-solving, I am troubled with the way these critics tend to stereotype professionals. To them, practitioners in the workplace are harried, practical people, narrowly pragmatic problem-solvers, with little personal inclination or time to think deeply and reflectively about ethical issues. For the most part, I believe this to be an inaccurate caricature of all the professionals I have worked with over the years.

One good place to look for those particular controlling principles intrinsic to any profession is in its official *Code of Ethics*. Most professional *Codes* are embodiments of which rules of behavior, as well as which outcomes, are preferable to the profession and which are not. The upshot, in my opinion, of considering both your *consequences* and your *principles* while analyzing an ethical dilemma is that you are leaving no moral stone unturned. You are blending both outcomes and fundamental beliefs in thinking about your case. You will soon learn, if you haven’t already, the truth that no ethical decision can ever be complete without such synergy.

5. *What are some important background beliefs that you should consider in your case-dilemma?* Here is a good centering, first moral language question: How does the proposed action I am thinking about taking in my ethical dilemma mesh with the important beliefs that tend to guide my life? Intriguingly, the Old English etymology of the word *belief* is to desire or to love. Thus, without our background beliefs, we are unable to love. We are bereft of convictions. Nothing is real or true anymore. We have nothing to give to others, and they have nothing to give to us. We can neither love nor be loved. We are empty, and so is our professional practice. If, however, we do have beliefs, we are able to desire. We can help others, because we believe that this is both possible and desirable. We can help ourselves, because we believe that we have selves worth helping. We know that our lives have meaning, because we believe they do.

Think of your *general* background beliefs as those behavior-guiding stories that you tell yourself about the world in order to make sense of it, and in order to function in it with some degree of integrity and sanity. Then think of your *moral* background beliefs as those stories that you tell yourself about your relationships with close others, including your confidantes, intimates, friends, and neighbors, in order to do what is right by them and to avoid doing what is wrong to them. Then think of your *ethical* background beliefs as stories you tell yourself about your professional relationships with your colleagues and patients, in order to benefit them and to avoid harming them.

I contend that it is impossible to do the work of educational professionals without our moral stories to guide us. Not only is it impossible to be an effective professional without guiding ethical beliefs; it is inconceivable that one can be an effective human being without a story to give life a sense of purpose, to foster community, to inspire moral action, and to explain the unknown. I have always been moved by the first-moral language questions that Leo Tolstoy, at age fifty, asked after he jettisoned all his religious and moral beliefs as unprovable. Contemplating the possibility of suicide, he asked: “Why should I live? Why should I wish for anything? Why should I do anything? Is there any meaning in my life which will not be destroyed by the inevitable death awaiting me?” Happily, Tolstoy understood that without first-language beliefs to anchor his life, he could neither desire nor love. He went on to find a meaning to his life in an ethically-based, non-violent, naturalistic Christianity. He became a religious believer once again, but this time a religious anarchist, and he proudly accepted excommunication from the Russian Orthodox Church, which he felt was much too authoritarian and coercive.

6. *What are some of your initial intuitions and feelings about your case-dilemma?*  
I often get my strongest criticism from applied ethicists whenever I ask this question. For many ethicists, decision-making is exclusively a matter of rational analysis, argumentation, and defensibility. They tend to agree with Immanuel Kant who said that “feelings are probably always an illness of mind because both emotion and passion exclude the sovereignty of reason.” My position, in contrast, is that your intuitive stirrings and your feelings can frequently be powerful guides to moral deliberation. But you must learn to trust them, even while you need to treat them with caution. The best approach to ethical decision-making, I would argue, is one that fully integrates feelings,

intuition, reason, logic, facts, context, socialization, and professional norms and codes. Obviously, when professionals separate feelings and intuitions from all the other factors that I mention in this problem-solving framework, they run the very real risk of relying too much on their subjective hunches and emotions in trying to solve their ethical dilemmas.

It is my understanding that feelings and intuitions are complex combinations of sentiments, biological responses, and thinking patterns which can signal possibly fruitful directions to take in sorting through the moral complexities in an ethical dilemma. Sidney Callahan, the psychological and theological ethicist who writes for *Commonweal Magazine*, cites some empirical research that demonstrates how moral problem-solving can actually activate the limbic system and other brain pathways. It can arouse biochemical, muscular, and related physiological mechanisms. I know from first-hand experience as an ethics consultant that tempers can flare and tears can be shed whenever professionals engage in honest and open ethical discussions about very difficult cases. Some of this expression of feeling can be harmful, and some can be helpful, but it is always worth examining. Therefore, why should we be so willing to discount the cognitive worth of the strong sensations we feel whenever we discuss tough ethical issues?

From another angle, feelings and intuitions are actually adaptive responses, and they confer survival benefits on us. This is one of the great findings of socio-biologists and evolutionary psychologists. Think of the fight-or-flight responses to presentiments of imminent danger, whether in the wilderness of the forest or in the wilderness of a public school or university. To feel does not mean that you must necessarily surrender to irrationality. In a sense, feeling and intuiting can be understood as alternative ways of thinking, and, thus, surviving. I have had several educators and administrators tell me that they have often had second thoughts about an impending ethical decision, provoked by a strong emotional or intuitive moment of unease. Many have reported that they were glad they did, because they wisely changed their minds at the last minute.

Respected scholars as diverse as David Hume, who referred to morals as “sentiments,” Sidney Callahan, who calls feelings “hot ethical cognitions,” and Daniel Goleman, who believes that morality is impossible without feelings of empathy, refuse to

view ethics narrowly. They agree that ethical judgment, moral character, and the art of living wisely and well require emotional maturity, or what Goleman calls “emotional literacy.” Absent feelings of empathy, compassion, caring, and love, for example, there can be no ethic worth practicing. Feelings are the basis for how we treat others. At times, our feelings can educate us, push us in the ethically-appropriate direction, signal a right or wrong turn. So too can our intuitions, those flashes of remarkable insight that come oftentimes from who knows where? It is time, I suggest, for bioethicists to catch up with the real world. Our students and clients think *and* feel *and* intuit, and so do we.

7. *What choices would you make if you were to act in character in your case-dilemma?* When I first started teaching courses in applied ethics in the late 1960s, few people like me taught in professional schools, and even fewer bothered to teach an applied ethics course that seriously considered the interplay of such factors as narrative, community, and virtue in ethical problem-solving. And yet questions of character are central to ethical decision making, particularly the moral characters of human service professionals who struggle with moral decision-making. Amitai Etzioni once said that “Character is the psychological muscle that moral conduct requires.” Or, better still, as one young, higher education administrator declared publicly in a recent workshop I offered:

*Who* I am often speaks more definitively to my co-workers than *what* I know. And this is the independent variable that begins the trust process with my colleagues, notwithstanding all the necessary directives and interventions that I have to make in their lives. The dictum, “know thyself,” is the prerequisite in higher education leadership nowadays for making a real connection with colleagues and students. I need to know myself if I am to resist the constant injunction to see my constituents as customers to be moved through my office at 10-minute intervals, like some HMO health care office.

Acting in character means being consistent: knowing who you are, where you came from, and who you would like to become. It means being acutely aware of the ethical story about your life that you would like to “write” in the best of all possible

worlds, of your past and present communities that been so central in defining you as a moral being, and of those dispositions, qualities, motives, and intentions that define you to yourself as an ethical professional. To act out of character is to betray everything that is precious to you. It is to compromise, to turn away from your “best moral self,” to abandon those communities, stories, and qualities of character that nourish and sustain you. Asking questions about moral character is one way to remain true to yourself. In my opinion, professionals go awry whenever they lose sight of all those moral characteristics which make them truly unique and for which they strive. Here are some questions you might consider asking as you process your ethical dilemmas:

- Could I live with myself after I make the decision, even if I can rationally defend it?
- Could my professional community support me enthusiastically and without equivocation?
- If my decision were to receive heavy media coverage, would I blush in shame or beam with pride?
- Could I explain my ethical decision clearly and honorably to those I love?
- Would my personal integrity remain intact? And, if not, am I willing to compromise it for the sake of doing the expedient thing, or merely pleasing others?
- Could I defend my decision before a legal jury of my peers, or better, before the church community or neighborhood group to which I might belong?
- Could I defend my decision before my professional organization’s ethics committee?
- Would I be happy and supportive if my colleagues, friends, or family members were to make the same decision if they were in my shoes?

The advantage of asking these types of questions is that they force us to be honest with ourselves. “They are devices which challenge our own self-deception,” according to Michael Rion. They are a wake-up call for us to remember who we are and what we would like to become. It is true that many human service professionals must do all they can to avoid costly lawsuits and charges of malpractice. But they must also do all they can to avoid acting out of character, as a way to hold on to their sense of moral integrity. We must always be something more than litigation-wary people who do what we do



mainly in order to avoid costly legal suits. The questions I ask can be unsettling and irritating, but we need to ask them continually in order to avoid lying to ourselves about our presumed virtuousness as professionals.

8. *What does your profession's code of ethics say regarding the relevant moral issues in your case-dilemma?* Before you go to your professional code, and I think that this exercise is always worthwhile, you need to understand just what a code is *not*. It is not meant simply to be a formal, self-evident list of legal principles, sanctions, or rules. Neither is it a lengthy commentary on professional standards, policies, and practices. Furthermore, it is not, and was never meant to be, a final moral edict. What a code *is* is a concise statement of general moral principles and ideals which your profession values, a succinct set of normative guidelines meant to help you understand the extent of your rights and responsibilities toward the profession itself, as well as toward its client public. Codes generally feature a service orientation, an emphasis on competent practice, the importance of maintaining trust and confidentiality, and proper professional credentials. Most also uphold the ethical principles of autonomy, fairness, veracity, fidelity, and promise-keeping in relationships with colleagues and clients.

Here is my decades-old take on codes of ethics: They are largely, well-meaning statements on professional manners and deportment, whose impossible job is to secure obedience to what is essentially unenforceable. Codes, at best, *point* the way to the good; they do not *stipulate* the good. They *remind* professionals of the rights and wrongs of practice; they do not (and cannot) by themselves *regulate* that practice. They rely on the goodwill and integrity of professionals to observe the moral *spirit* of the code, because not only is the *letter* of the code subject to multiple interpretations, but the code itself is virtually unenforceable unless the profession unanimously agrees on the the precise meaning and application of its various prescriptions and proscriptions. In all my years working in this field, I have rarely found this unanimity of agreement to exist in a profession.

My advice to professionals regarding codes of ethics is this: Approach your code as an inspiring story that your profession is trying to tell to itself *and* to outsiders. This story is your profession's ideal construction of what ought to matter morally, both to itself and to you. Thus, your profession's official code of ethics is more of a "profession"

of moral ideals, laid out in a kind of third moral language narrative, than a precise blueprint of specific ethical behaviors that you must display in each and every circumstance. Look to your code for information, inspiration, guidance, and support in thinking about your ethical dilemmas, but not for the final word. Look for the “angel” in the moral aggregate, and you will be less likely to be overwhelmed (or underwhelmed) by the “devil” in the moral details.

Here are some questions to ask:

- Which particular ethical principles and practices in my code might be directly, or even indirectly, applicable to my case and which are not?
- Which specific principles and procedures appear to be congruent with my own personal code of ethics, and which are not?
- Which codified standards, principles, procedures, and practices seem most open to my personal interpretation, and which do not?
- How is my own, evolving moral narrative compatible or incompatible with the overall story that the code is telling me about my profession?

Remember that, in the end, you must always *interpret*, not simply read and enact, the specific prescriptions and proscriptions in your code of ethics. This requires a keen understanding of the complex interplay that exists among all the morally relevant facts in your case-dilemma, the profession’s codified principles and practices, and your own background beliefs, feelings and intuitions, personal story, and mode of analysis. On those occasions when there is a conflict between your personal code of ethics and your professional code, then you have an additional dilemma, itself demanding resolution. Nothing will ever be easy.

9. *What is your decision in the case-dilemma, and do you have any nagging afterthoughts?* It is at this point that you need to pull together all the material in this problem-solving framework into an integrated, defensible statement, clearly elucidating the reasons for your ultimate ethical decision. You will need to find what Harvard’s philosopher of justice, John Rawls, calls a “reflective equilibrium” among your feelings, intuitions, background beliefs, principles, and how you experience yourself as a particular

type of moral person. Ethical decision making, is, only in part, like a legal process. Be thankful that it is. In ethical deliberations, frequent appeals to the law, while helpful, can sometimes lead to an abdication of *moral* responsibility on the part of both the profession in general and its practitioners in particular.

Objective factors such as rationality, logical thinking, data collection, rule-following, legal precedents, and appeals to professional codes must always be balanced by subjective factors and *vice versa*. These include feelings, intuitions, background beliefs, and your perception of yourself as a moral agent who embodies certain virtues, represents certain communities of memory, and is living out a particular moral story. The most effective ethical reasoning process, I can only repeat, will avoid the extremes of both moral relativism and moral objectivism. A pure moral relativist believes that ethics exists only in the eye of the beholder. A pure moral objectivist believes that ethics exists only in the eye of God. Despite the traces of truth in each view, in my opinion, there is no room for “purity” in ethical problem-solving, because dilemmas are usually so complex and challenging that they are always susceptible to interpretation, compromise, and concession, and nobody ever has the luxury of possessing the “final word.” You and I both know that in ethics, as in all the professions you practice and love, another “final” word will always be possible. Ethical “bottom lines” are always a matter of perspective and persuasion, and today’s “bottom line” often becomes tomorrow’s “unnecessary jumping to conclusions.”

In truth, no solution to an ethical dilemma will ever be fully adequate or fully self-satisfying. You will soon discover that you could have gone in another direction, made another decision, second-guessed yourself yet one more time, gathered more data, consulted another authority, and re-parsed another codified ethical principle in a different way. The upshot is that you need to continue to do the best you can, let the ethical chips fall where they may, and explain and defend your final decision with what I like to call “tenuous tenacity.” And you need to do all of this with dignity, intelligence, and grace, and, with an uncommon generosity as well.

Finally, I say to you to be grateful for your nagging afterthoughts. You are bound to have them, regardless of how airtight a case-resolution you think you have constructed. Afterthoughts are an important check on ethical arrogance, because they continually

remind us of how arbitrary and fragile moral decision-making really is. The doubts you have about the ethical roads not taken are exactly what you need to remember when you face the next ethical dilemma in your life. Afterthoughts allow you to revisit your case many times, sometimes step-by-tedious-step. Best of all, they keep you humble and open to alternative views.

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