



INSTITUTE OF ACTUARIAL
& QUANTITATIVE STUDIES

Subject: Professional Ethics

Chapter: Unit 3 – Chapter 1

Category: Notes

Management of ethics

Organizational ethics is the ethics of an organization, and it is how an organization responds to an internal or external stimulus. Organizational ethics is interdependent with the organizational culture. Although, it is akin to both organizational behavior (OB) and industrial and organizational psychology as well as business ethics on the micro and macro levels, organizational ethics is neither OB or I/O psychology, nor is it solely business ethics (which includes corporate governance and corporate ethics). Organizational ethics express the values of an organization to its employees and/or other entities irrespective of governmental and/or regulatory laws. The Foreign Corrupt Practices Act (FCPA) restricts the United States business firms from engaging in bribery and other illegal practices internationally. There are laws that have the same type of prohibition for European companies which create a disadvantage competitively for both European and U.S. firms. Such laws are not a restricting element to organizations that have highly elevated ethical behavior as part of their values. Organizations that lack ethical practices as a mandatory basis of their business structure and corporate culture, have commonly been found to fail due to the absence of business ethics. Corporate downfalls would include, but are not limited to, the recent Enron and WorldCom scandals, are two primary examples of unethical business practices concerning questionable accounting transactions.

Ethical business practices of organizations has resulted in a solid financial bottom- line. This has been seen through greater sales and increased revenue by companies retaining talented personnel and attracting newly skilled employees. More importantly, an ethical organization will have the ability to retain employees that are experienced and knowledgeable (generally referred to as human capital). This human capital results in less employee turnover, less training time for new employees, and greater output regarding services (or production of goods).

Ethics analysis – Hosmer model

Manager's Decision Checklist

1. What are the best economic alternatives?
2. What are the legal alternatives?
3. Does a given decision result in greater benefits than damages for society as a whole, not just for our organization as part of that society?
4. Is the decision self-serving, or would we be willing to have everyone else take the same action when faced with the same circumstances?
5. We understand the need for social cooperation; will our decision increase or decrease the willingness of others to contribute?
6. We recognize the importance of personal freedom; will our decision increase or decrease the liberty of others to act?
7. Lastly, we know that the universe is large and infinite, while we are small and our lives are short; is our personal improvement that important, measured against the immensity of that other scale?

The Nature of Ethics in Management

"Right" and "proper" and "fair" are ethical terms. They express a judgment about our behavior towards other people that is felt to be just. We believe that there are right and wrong ways to behave towards others, proper and improper actions, fair and unfair decisions. These beliefs are our moral standards of behavior. They reflect our sense of obligation to other people, our sense that it is better to help rather than to harm other people. Moral problems are truly managerial dilemmas. They represent a conflict between an organization's economic performance (measured by revenues, costs and profits) and its social performance (stated in terms of obligations to persons both within and outside the organization).

Characteristics of Moral Problems in Management

1. Most ethical decisions have extended consequences.
2. Most ethical decisions have multiple alternatives.
3. Most ethical decisions have mixed outcomes.
4. Most ethical decisions have uncertain consequences.
5. Most ethical decisions have personal implications.

Analysis of Ethical Problems in Management

1. Economic Analysis (Pareto Optimality)

Ethics are not relevant in business, beyond the normal standards not to lie, cheat, or steal. All that is necessary is to maintain price-competitive markets and recognize the full costs of production in those prices, and then the market system will ensure that scarce resources are used to optimally satisfy consumer needs. A firm that is optimally satisfying consumer needs, to the limit of the available resources, is operating most efficiently and most profitably. Consequently, business managers should act to maximize profits, while following legal requirements of no conclusion and equal opportunity and adhering to personal standards of truthfulness and honesty. Profit Maximization leads automatically from the satisfaction of individual consumer wants to the generation of maximum social benefits. Profit maximization is the only moral standard needed for management.

If we look at microeconomic theory as an ethical system of belief, explaining our responsibility to others within the company and within the society - to employees, customers, suppliers, distributors, and residents of the local area - then it simply falls apart because of the unlikely assumptions about human nature and human worth.

2. Legal Analysis

The law can be defined as a consistent set of universal rules that are widely published, generally accepted, and usually enforced. These rules describe the ways in which people are required to act in

their relationships with others within a society. They are requirements to act in a given way, not just expectations or suggestions or petitions to act in that way.

The law is a guide to managerial decisions and actions, but it is not enough. And certainly, the absence of a law is not enough to excuse some of those decisions and actions.

3. Ethical Analysis

Philosophic analysis, based on rational thought processes. The view is that a manager should always act in accordance with either a single principle of behavior or a single statement of belief that is "right" and "proper" and "just" in and by itself. This is "moral reasoning": logically working from a first principle through to a decision on the duties we owe to others. Philosophy is the study of thought and conduct. Normative philosophy is the study of proper thought and conduct; that is, how we should behave.

Morality refers to the standards of behavior by which people are judged, and particularly to the standards of behavior by which people are judged in their relationships with others. Ethics, on the other hand, encompasses the system of beliefs that supports a particular view of morality. The difference between morality and ethics is easy to remember if one speaks of moral standards of behavior and ethical systems of belief.

4. Ethical Relativism

Are there objective universal principles upon which one can construct an ethical system of belief that is applicable to all groups in all cultures at all times? Fortunately there is one principle that does seem to exist across all groups, cultures, and times and that does form part of every ethical system; that is the belief that members of a group do bear some form of responsibility for the well-being of other members of that group.

Five Major Systems with Relevance to Managerial Decisions

Managers should use ALL FIVE systems to think through the consequences of our actions on multiple dimensions.

Eternal Law - Moral standards are given in an Eternal Law, which is revealed in Scripture or apparent in nature and then interpreted by religious leaders or humanist philosophers; the belief is that everyone should act in accordance with the interpretation. (Too many interpretations.)

Utilitarianism: A Teleological Theory - Moral standards are applied to the outcome of an action or decision; the principle is that everyone should act to generate the greatest benefits for the largest number of people. Differs from the economic concept of cost/benefit analysis in that the distribution of the costs and benefits has to be included as well. (Utilitarianism fails because we can probably all agree that there are some actions that are simply wrong, despite great apparent net benefits for a huge majority.)

Universalism: A Deontological Theory - The reverse of teleological theory. Moral standards are applied to the intent of an action or decision; the principle is that everyone should act to ensure that similar decisions would be reached by others, given similar circumstances. (Immoral acts can be

justified by persons who are prone to self-deception or self-importance, and there is no scale to judge between "wills".

Distributive Justice - Moral standards are based upon the primacy of a single value, which is justice. Everyone should act to ensure a more equitable distribution of benefits, for this promotes individual self-respect, which is essential for social cooperation. (Dependent upon acceptance of the proposition that an equitable distribution of benefits ensures social cooperation.)

Contributive Liberty - Moral standards are based upon the primacy of a single value, which is liberty. Everyone should act to ensure greater freedom of choice, for this promotes market exchange, which is essential for social productivity. (Dependent upon the acceptance of the proposition that a market system of exchange ensures social productivity.)

ETHICAL DILEMMA

Managers are responsible for upholding the ethical code and helping others to do so as well. Outline the role managers must play in implementing internal ethical standards and aligning the organization with external standards.

- Managers hold positions of authority that make them accountable for the ethical conduct of those who report to them.
- Managers monitor the behavior of employees in accordance with the organization's expectations of appropriate behavior, and they have a duty to respond quickly and appropriately to minimize the impact of suspected ethical violations.
- Managers may be responsible for creating and/or implementing changes to the ethical codes or guidelines of an organization.
- Managers may also be subject to a particular code of professional ethics, depending on their position and training. Fiduciary duty is an example that applies to some managerial roles.

The role of ethics

Morality and ethics

Morality refers to the social norms and values that guide both individuals and their interaction with their fellow human beings and communities, and with their environment. In all of these types of interaction there are important values at stake; rules and norms that are to protect these values; duties implied in social roles and positions that can foster these values and further these rules; and human virtues or capabilities that enable us to act accordingly. These moral factors are usually interwoven with religious practices and social power structures.

Ethics is a systematic and critical analysis of morality, of the moral factors that guide human conduct in a particular society or practice. As fisheries represent an interaction between humans and the aquatic ecosystem, fisheries ethics deals with the values, rules, duties and virtues of relevance to both human and ecosystem well-being, providing a critical normative analysis of the moral issues at stake in that sector of human activities.

When actual moral values, rules and duties are subjected to ethical analysis, their relation to basic human interests shared by people, regardless of their cultural setting, is particularly important.

Moral values may change, and moral reasoning asks whether the practices that are traditionally and factually legitimated by religion, law or politics are indeed worthy of recognition. Indeed, the development of ethics in the past century has been characterized by a tendency to revalue and overthrow the moral conventions that have guided the interaction between the sexes, between human beings and animals and between human beings and their environment. A more recent task of ethics is to resist those tendencies of globalization, marketization and technologization that erode both biodiversity and valuable aspects of cultural identity - and may even have effects that threaten human rights. Although these tendencies are often presented as value-neutral, they carry with them hidden assumptions that are potential sources of inequity and abuse.

Human interests

Welfare implies material well-being, as well as the conservation of a productive ecosystem, and relates to fisheries as a provision of food and livelihood. Freedom, or human self-determination, relates to access to fishing resources, fishers' self-control and other life options related to fisheries. It relates to the distribution of the benefits of fishing and to the ownership of scarce resources. In attempting to identify which traditional and innovative practices are worthy of recognition, a moral argument asks whether - and how - actual moral factors further the well-being of human and non-human creatures. Moral reasoning always relates to the basic interests of humans and other sentient beings and to the value of the environment that sustains both human and non-human life.

An ethical analysis can play an important part in identifying human and nonhuman interests and the value of the ecosystem as a whole. It also asks how these values and interests may be threatened or undermined and how they may be furthered or protected. Ecosystem well-being is of crucial importance both in itself and for basic human interests and long-term social benefits. In this document, the main focus is on the way in which fishing policies and practices affect the living conditions, interests and well-being of fishers and fishing communities, as well as the well-being of the ecosystem. This is in keeping with sustainable development, the dominant concept of environmental ethics, enshrined in the FAO concept of responsible fisheries.

Basic human interests

A major aspect of an ethical analysis of fisheries must be to clarify the human interests and social benefits that can be considered necessary conditions for leading a decent human life. Basic human interests are related to the main tasks that humans need to undertake in life in order to satisfy their needs and lead their lives in coexistence with others. In line with classical ethical thought, these interests can be divided into three main categories: (i) Welfare: People need basic goods to survive and care for their offspring; (ii) Freedom: People seek to regulate their own affairs and realize their life plans in accordance with their own or culturally defined values; (iii) Justice: People need to find ways to share social benefits and burdens and facilitate peaceful coexistence. In this context, moral analysis aims to show, for example, how the human interests in welfare, freedom and justice are relevant and how they relate to social benefits in the management of fisheries.

These basic interests are intricately connected to the capabilities necessary for leading a decent human life and, thus, to the vulnerabilities against which people must be protected. They constitute the moral values that moral reasoning aims to defend, e.g. by framing fundamental principles that serve to guide our moral interaction and to protect basic moral interests. At the most general level,

the related vulnerabilities against which people must be protected are: poverty, domination and injustice.

ETHICS IN PRACTICE:

Although different ethical theories may have different priority principles and reasoning behind them, a consensus has been forming about the main principles of bioethics:

- Human dignity, human rights and justice, which refers to the duty to promote universal respect for the human person. In the context of fisheries, this principle relates, for example, to fishers' self-determination, access to fishing resources and the right to food. It is best represented by a rights based approach in ethics that emphasizes the protection of the personal domain of each individual. It may require, however, the establishment of individual or community rights, the exact nature of which will depend on local conditions.
- Beneficence, which concerns human welfare, reducing the harms and optimizing the benefits of social practices. In the context of fisheries, this principle needs to be observed when the effects of policies and practices upon the livelihoods of fishing communities are evaluated. The principle relates to working conditions (safety on board), as well as food quality and safety. The issue of genetically modified organisms should also be addressed in this context (FAO, 2001b). This principle invites an ethical approach to fisheries that puts consequences to general welfare in focus.
- Cultural diversity, pluralism and tolerance, which relates to the need to take different value systems into account within the limits of other moral principles. The pressing moral issues in fisheries take different shapes across different cultures, and it is an important moral demand that people themselves define how their interests are best served in a particular cultural setting. This principle squares well with dialogical ethics, which stresses the actual participation of those concerned.
- Solidarity, equity and cooperation, which refers to the importance of collaborative action, sharing scientific and other forms of knowledge, and nondiscrimination. In the context of fisheries, this principle underpins the moral imperative to eradicate poverty in developing countries and ensure equity within fisheries and between sectors. It also requires transparent policies and stresses the need to reduce the gap between producers and consumers. This principle is relevant at the level of policy as well as at the individual level of virtues and professional duties to further trust and tolerance among stakeholders.
- Responsibility for the biosphere, which concerns the interconnections of all life forms and the protection of biodiversity. This principle stresses that ecosystem well-being is a sine qua non condition of sustainable fisheries providing for the needs of future generations, as well as for the lives of those who currently rely on the natural environment and are responsible for its use. This principle combines ethical reasoning based on rights and on consequences for human welfare, as well as on individual virtues and duties to respect the environment.

ETHICS FOR MANAGERS

In a broad construction of the ethical role of the manager, managing and leading can be said to be inherently ethics- laden tasks because every managerial decision affects either people or the natural environment in some way—and those effects or impacts need to be taken into consideration as decisions are made. A narrower construction of the ethical role of the manager is that managers should serve only the interests of the shareholder; that is, their sole ethical task is to meet the fiduciary obligation to maximize shareholder wealth that is embedded in the law, predominantly that of the United States, although this point of view is increasingly accepted in other parts of the world. Even in this narrow view, however, although not always recognized explicitly, ethics are at the core of management practice.

The ethical role of managers is broadened beyond fiduciary responsibility when consideration is given to the multiple stakeholders who constitute the organization being managed and to nature, on which human civilization depends for its survival. Business decisions affect both stakeholders and nature; therefore, a logical conclusion is that those decisions have ethical content inherently and that managerial decisions, behaviors, and actions are therefore inherently ethical in nature. Whenever there are impacts due to a decision, behavior, or action that a leader or manager makes, there are ethical aspects to that decision or situation. While some skeptics claim that business ethics is an oxymoron, the reality is that decisions and actions have consequences, and that reality implies some degree of ethics, high or low. Thus, ethics and the managerial role cannot realistically be teased apart.

Ethical Leadership

The ethical role of managers, or what the business ethicist Linda Treviño and her colleagues call leadership, is a combination of being a moral person and being a moral manager. Being a moral person rests on a combination of key traits such as integrity, honesty, and trustworthiness. Integrity involves not only forthrightness and honesty or truthfulness but also consideration for the soundness of the whole entity that one manages as well as of the society in which the organization is located. Integrity also means firm adherence to a code, such as an ethical code of conduct. Thus, being a moral person suggests that the individual has integrity and can be trusted.

In addition to these traits, being a moral person also involves behaviors such as doing the right thing, concern for people, being open, and standards of personal integrity. The essence of ethics, ofcourse, is doing the right thing, especially under difficult circumstances, and that involves being able to reason well about what the right thing to do actually is. To be able to reason well about a difficult ethical situation, a person needs to be open to learning from multiple sources about the situation while taking care not to harm people and actually attempting to treat people well in the decision-making process or when decisions are being implemented. To be able to make good decisions ethically, an individual needs to have thoughtfully developed his or her personal set of standards or values, a personal code of conduct or integrity. Personal standards allow an individual to think through a decision with a clear rationale in mind.

When decisions involving ethical considerations need to be made, Treviño and her colleagues argue, the moral person sticks to her or his core values, tries to be objective and fair, exhibits concern for society and the welfare of those in society, and follows ethical decision-making rules. But being a moral person is not the only requirement for becoming a moral leader. Moral leadership also includes being a moral manager, which involves recognition that the leader or manager serves as a role model for others in all his or her duties. It also means providing rewards and discipline around the ethical and unethical decisions made by others, so that a clear message is sent about what

behaviors are and are not acceptable in the organization or situation. In addition, moral management means communicating openly, explicitly, and frequently about ethics and values.

One question that frequently arises in considering the ethics of management is whether individuals can be considered moral leaders or managers in their work lives if they act unethically in their personal lives or vice versa. Considering that an individual's character is reflected in all his or her decisions and actions, such an inconsistency would reflect badly on the individual as a whole. The branch of ethical theory called virtue ethics explores this relationship in depth.

ROLE & FUNCTIONS OF ETHICAL MANAGERS

Managers in both large and small enterprises face difficult ethical situations daily as they attempt to do their jobs. Since management decisions inherently involve ethical considerations, however, it is important that managers recognize the ethical elements that are embedded in their day-to-day job functions. They need to be able to reason through ethical decisions, just as they would reason through any managerial problem facing them. Many times, ethics- laden situations involve issues that are clearly right or wrong when judged by the manager's or organization's values or code of conduct. Furthermore, most managerial decisions and actions are legal, although there are occasions when a certain decision would clearly go beyond legal boundaries and be illegal.

Assuming that the law itself is just, these decisions are not really ethically problematic in that what to do to make an ethically sound decision is quite clear. In these cases, making a decision to break the law or to do something that disagrees with a code of conduct or set of values is clearly unethical. It is not difficult to know what the right thing to do is in such situations.

Ethical decision-making problems arise for managers and leaders when decisions involve amoral conflict—that is, a moral situation in which a person must choose between at least two equally bad choices, or when there are multiple ethical considerations, some of which conflict with each other. In such circumstances, which are common in business, the manager has to be able to think through the consequences and ethical implications of the decision thoroughly and mindfully so that the best possible decision can be made given the constraints, implications, and ethical considerations. If the decision itself cannot be reframed as a situation in which all parties can benefit—that is, a win-win situation—then the manager needs a decision-making framework to help.

To help managers think through ethical moral conflicts, the business ethicists Gerald Cavanagh and his colleagues have developed a decision-making framework that relies on the ideas of philosophers and ethicists and applies those ideas to business decisions. This approach combines four methods of ethical reasoning rights and duties, utilitarianism, justice, and the ethics of care—into a framework that helps managers and leaders step through a logical thinking process to sort out the ethical dimensions of a difficult and inherently conflictual situation.

Rights and Duties

Rights are justifiable claims or entitlements, frequently based on the law or other authoritative documents, such as treaties and international declarations that allow people to pursue their own interests. Rights can be viewed as the positive things that people are allowed to do, but they come with an obverse side as well, in the form of duties or obligations that go along with the rights. For example, in democracies, one right is the ability to vote. Along with that right comes the duty to exercise that right by actually voting. In many countries, employees are granted certain rights, such as the right to safe working conditions or a minimum wage, and employers have corresponding

duties to ensure that these conditions are met. These rights are based on laws and regulations. Other rights are based on moral grounds and are frequently written into international treaties, such as the United Nations Declaration of Human Rights and the Natural Environment. Such rights include respect for human dignity, which enables communities, organizations, and societies to thrive. In using Cavanagh's ethical decision-making framework to assess a moral conflict, one question that needs to be asked involves rights and duties: Would this decision respect the rights and duties of the individuals involved?

Utilitarianism

A second way of reasoning through a moral conflict involves using utilitarian analysis, or assessment of the greatest good of the greatest number. This type of cost-benefit analysis is a very common management approach, but as the framework suggests, it may not be a sufficient basis by itself to make an ethical decision in a moral conflict. In a utilitarian analysis, the harms and benefits of a decision to the different parties that would be affected by the decision are evaluated, with some sort of weight given to the various harms and benefits that assesses their degree. Most utilitarian analysis focuses on the good of the group or collective as a whole over that of any given individual, unless the most serious harm is to the individual—for example, if the decision would be fatal to the individual. Putting the collective, which can include an organization's interest, over that of the individual avoids the problem of self-interest. A second question in the ethical decision-making framework for managers, then, would be as follows: Who will be affected by the decision and to what extent will the various parties affected by this decision be harmed or benefited?

Justice

Principles of justice are a third way for managers to reason about ethical decisions. Just decisions require fairness, equity, and impartiality on the part of decision makers, particularly with respect to the ultimate burdens and benefits that will accrue from the decision. The philosopher John Rawls has discussed the justice criterion in terms of a concept of what he terms distributive justice, which invites decision makers to make a decision behind a veil of ignorance that suggests that they do not know where in the system they will be after the decision is made. This veil-of-ignorance consideration forces managers to take into account the fairness of the decision to any party that will be affected. Similarly, the philosopher Immanuel Kant suggests that justice can be taken into account using the concept of —categorical imperative; that is, one should only act a given way or make a given decision if the decision maker can agree that it would be all right if any person in a similar situation acted that way. Alternatively, one can think of the categorical imperative as asking the decision maker whether this action or decision would be all right if it became a universal law. In considering justice, then, decision makers have to ask, How does this decision square with the canons of justice?

Ethic of Care

In addition to assessing a moral conflict from the perspective discussed above, ethical managers and leaders also need to look at the impact of a decision on the network of relationships that will be affected. This perspective is called the ethic of care. Based on feminist writings, the ethic of care proposes that one's moral responsibilities vary according to how closely one is linked to other people. That is, if a person is very close to another person, say, a family member, there will be more

moral responsibility for ensuring the well-being of the family member than the well-being of an unrelated person. In an organizational context, using an ethic of care, more consideration might be given to the impact of a decision on long-term employees, who are more tightly connected to the organization and its goals, than to its impact on newly hired employees.

COMPARATIVE ETHICAL BEHAVIOUR OF MANAGERS:

Managers, according to Gerald Cavanagh, can use a combination of ways of moral reasoning based on rights, justice, utility, and care when they face a moral conflict and when these different ways of reasoning conflict, as they often do. To decide effectively, managers need to take several factors into consideration as they weigh decisions based on the principles of rights, justice, utility, or care. For example, they can consider whether there are overriding factors in the decision.

If a decision might result in the death of a person made one way and the unemployment of a group of persons made another way, then the overriding factor might be the life-death decision. There are, however, no clear rules for making such decisions, and the judgment of the decision maker is needed to determine which of the relevant factors should carry the most weight.

Another consideration is whether one criterion is more important in a particular situation than others. For example, if the rights of a whole group of people are to be overrun by a decision, that factor might override the fact that one or two individuals would not be treated fairly when the decision is made. Similarly, a consideration might be whether there are incapacitating factors (such as force or violence) that would come into play in making the decision—for instance, to stop a strike, which might violate a person's right to strike but forestall the destruction and injury if the strike turned violent. The decision can be considered ethical when there is no intent to make an unethical decision, when a bad effect is simply a by-product, and when the good outcome is sufficiently good that it outweighs the bad.

Other decision-making aids for managers include thinking about whether they would want their decision made public—for example, to appear on the front page of a newspaper or on television. If they are uncomfortable with such transparency, it would be well to apply an ethical analysis to the decision. For managers operating in different countries around the world, it is useful to remember that virtually every nation of the world has at its core some version of the Golden Rule: Do unto others as you would have others do unto you. By keeping some of these principles in mind, managers can avoid the problem of relativism in their decision making. Relativism suggests that a decision is all right if it is apparently culturally acceptable, irrespective of the consequences or harms.

Moral Development

The ethical decision making framework for managers relies on reasoning using the principles of rights, justice, utility, and care. It presupposes that managerial decision makers have the capacity to reason from principles in making an ethical decision. Unfortunately, not everyone reasons from moral principles in making ethical decisions. A good deal of research on individual development suggests that people develop their cognitive reasoning skills over time and to different levels, generally termed preconvention, conventional, and post conventional.

Research on moral reasoning in men by Lawrence Kohlberg and on women by Carol Gilligan indicates that moral reasoning passes through similar stages, lagging behind cognitive development, which must come first. At the preconvention stage of development, the rationale for

ethical decision making is rewards and punishments or self- interest. Most managers have passed beyond the preconvention stage to the conventional stage of development. In the early stages of conventional reasoning, individuals use their peer group as a reference point for determining what is right and wrong. At the later stages of conventional reasoning ,individuals focus on the rules, regulations, and norms of society as bases for their ethical decisions. Only at the post conventional stages of development, which only about 20% of adults reach, does reasoning from principles emerge.

Reasoning from moral principles is a relatively high- level or post conventional skill. The fact that only about 20% of adults reach the post conventional level of development highlights the need for ethical leaders and managers who are able to reason not just from society's or their peer group's norms but also from core principles such as those discussed above so that decisions can be made with multiple stakeholders' needs and interests in mind. Some of the needed principles are laid out in organizational or more generalized codes of conduct, which can also help managers in their decision-making roles.



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