



## ethical dilemmas unit 3

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### *How and why we fail*

UP until now, our inquiry has been somewhat one-sided. We assumed – as it seemed reasonable to do – an audience whose only concern is to know *what to do* when faced with an ethical dilemma. But that ignores the fact that we don't always do what we know we should do; sometimes we would prefer that we didn't know; and sometimes try as we might we find we are unable to bite the bullet and do what we *know* is right.

There is no single term for this phenomenon: the familiar term, 'weakness of will' – much discussed by philosophers ever since Aristotle – covers many of the cases but not all. 'Moral failure' is too wide because every occasion when we make a wrong ethical judgement, is an example of moral failure. However, I will stick with the familiar term, with the proviso that it is not necessarily descriptive of the full range of phenomena which it denotes.

What I have in mind is a person who is prepared to learn all there is to learn about making ethical judgements, but whose actions for one reason or another don't always reflect this positive attitude. One would hazard a guess that this applies to almost everyone, at one time or another. This is surely a topic worthy of further investigation.

The reason for tackling this issue now, before we enter into a more detailed examination of the issues around ethical dilemmas, is that this is a factor that needs to be borne in mind as one of the permanent possibilities of human ethical – or unethical – conduct. It is in our very nature to be not only fallible in judgement but also to fail at the very point of putting our judgements into effect.

Such an inquiry illuminates the nature of ethical judgement and action, because the conditions under which one fails are no less relevant to understanding the phenomenon in question than describing the conditions under which one succeeds.

Thus, whether you are engaged in the process of teaching yourself to be a better judge of ethical matters, or devising training programs in business ethics, you need to understand how and why things go wrong when they go wrong; why knowing what is right in theory does not always translate itself into practice. In just the same way, if you are designing a new car - or a business process - you want to know the limits of the design, how much stress your design can take before it fails to perform as expected, or indeed undergoes catastrophic breakdown.

I shall be looking at examples of failure to do what is in one's own self-interest alongside failure to do the ethically right action, because the underlying explanation is substantially the same in both cases. In both cases, the considered judgement, 'I ought to do X' does not always suffice for doing X. That is to say, prudential or ethical knowledge does not always translate into prudential or ethical action.

### *Knowledge and action*

Last time I distinguished between decisions that are difficult because we don't know what we should do, and decisions that are difficult because we do know but can't summon the will to do it. How valid is that distinction, in real cases?

It is easy enough to point to cases, or alleged cases, where one knows what one should do but fails to do it. As philosophers, however, we have learned not to take things at face value. We need to be sensitive to the subtleties and complexities of real life examples. The 'facts' are not always what they seem. Nowhere is this more true than in the case of weakness of the will.

Socrates famously held that 'virtue is knowledge'. If you really know what is the right thing to do, he believed, you cannot fail to do it. Failure to do what is right is proof of failure of knowledge. When Aristotle came to discuss what he

termed the problem of weakness of will, or *akrasia*, he came to the conclusion that in many cases what we think of as 'knowledge' is not always as clear-cut as it seems. Knowledge is not just a simple process of *seeing* but involves a capacity to *respond* appropriately to practical as well as theoretical challenges. Sometimes, the challenges that we come up against demonstrate that our grasp of what we thought we knew is not as firm as we thought.

The assertion, 'virtue is knowledge' may seem a rather extravagant claim. Yet it is arguably nothing more than a consequence of viewing ethical questions objectively. If it is an objective fact that X is wrong, irrespective of our desires, or what we would like to the case, then cognisance of that fact ought, logically, to be sufficient to motivate an agent to not do X. If a further motive were needed – say, the hope for a reward or the fear of punishment – then the alleged wrongness of X would not be the objective fact it purports to be.

Another way of putting this is to say that if there exist ethical facts, then they must possess sufficient *motivational power* to affect the decisions that human beings make. Human beings decide on the basis of their desires and their knowledge of the facts. An ethical fact would have to possess the capacity to override the agent's desires, otherwise it is just another common-or-garden variety of fact, which one can view in a positive *or* negative light. If it is ethically wrong to tell a lie, then seeing its wrongness must in itself be sufficient to motivate me to tell the truth.

As indicated in unit 1, I am not going to try to defend the objective view here. It is not necessary to do so, because it turns out that the very same problem arises if you hold the subjectivist view that the ultimate basis for ethics consists in human conventions, or natural sympathy or some other motivation or blend of motivations which reliably produces ethical behaviour.

### *The example of lying*

Consider the example of the ethical rule, 'Do not lie.' Regardless of whether one takes an objectivist or subjectivist view, if you say, 'I know it is wrong to tell a lie, but I allow myself to tell lies whenever it suits me,' then this is the

clearest possible evidence that you don't really believe it is wrong to tell a lie. You might believe that you can get punished for telling lies, and therefore you do your best to avoid getting caught. You might believe that most people think it is wrong to tell lies. But that is not the same as *you yourself* sincerely holding that it is wrong to tell a lie. If it is wrong to tell a lie, then you are one of the people who still need to be convinced.

Imagine that you lived in a repressive dictatorship where telling the truth about things that you see and hear can get you into serious trouble. You can get punished severely just for passing along an everyday item of news. Perhaps after many years of oppression the population is so brainwashed that they have come to believe it is somehow 'wrong' to tell the truth. But that doesn't mean that *you* believe that it is wrong to tell the truth.

In general, if you say that you know that it is wrong to do X, but then you do X anyway, an explanation is required why you failed to obey your own ethical judgement. One possible explanation is that you are a straight forward hypocrite. You don't mean what you say. Your words are intended to deceive. In the country where people get punished for telling the truth, everyone is more or less of a hypocrite for the sake of self-preservation.

On the other hand, if you do mean what you say, then you are involved in a form of self-contradiction. It is not straightforward logical contradiction, but it is a form of practical incoherence or irrationality which we term 'weakness of will'.

As Kolakowski 's example from unit 1 shows - offering insincere praise because you are unable to tell a painter that his work is terrible - it is not always clear-cut where we have a case of lying in spite of your belief that lying is wrong, or a case of telling an untruth because you believe that in this particular case it is not wrong. However, there are sufficiently many examples where the case is clear-cut; where we tell a lie simply to save face, or because we are tempted by material rewards, knowing all the while that what we are doing is wrong and feeling guilty for it.

*The addicted smoker*

Fred is a warehouse manager and has been an inveterate smoker since his teens. Following the recent change in UK law, his company has introduced a blanket no-smoking ban. Now, Fred smokes in the toilets risking severe reprimand or possibly the sack if he is caught. Six months ago, Fred's doctor warned him that he is developing a serious lung condition, and if he continues at this rate he could be dead in five years.

Fred has an excellent reason to stop smoking. His wife has begged him to stop. Yet he has made one resolution after another and broken them all. Leaving aside ethical issues around the question of passive smoking, his actions are clearly not in his own self-interest. If knowledge could be effective anywhere, surely it would be effective here. What has gone wrong?

It is easy to say that Fred lacks will power. He admits it openly to his family and friends. Yet in other areas of his life Fred has exhibited remarkable character and resolution. Recently, he successfully completed a university Philosophy degree through correspondence, which required considerable self-discipline and many late nights of study. It is as if nicotine has somehow found Fred's weak spot and he is helpless to resist.

Consider a possible explanation couched in terms of knowledge. The resolution is never so strong as when Fred has just finished a cigarette. But as the positive effect of the nicotine wears off and the deadly alkaloid begins its campaign of physical and mental punishment, Fred finds he is increasingly disposed to entertain the notion that doctors don't know everything; that he can always escape detection at work if he is careful; and, anyway, he can still quit after the next cigarette.

This suggests that in Fred's case, the diagnosis that Socrates would offer is indeed correct: what Fred lacks is sufficient knowledge. It is not enough to tell oneself that one 'knows', or to repeat any number of times what a 'good decision' it would be if he gave up. Having broken his resolution time and again, Fred doesn't really believe *himself*. He is resigned to giving in when the temptation becomes sufficiently strong.

Let's try a simple thought experiment. Suppose cigarettes really were deadly in the most literal sense. After smoking a cigarette, there is a brief rush of pleasure and then in one in six cases you die instantly of a heart attack. Nobody in their right mind would want to smoke a cigarette unless they wanted to play Russian roulette. Or suppose that the company where Fred works has implemented elaborate CCTV and smoke detectors that make it virtually impossible to light up without detection. Then unless Fred wants to lose his job, he will not light up, regardless of how desperate he may be for a smoke.

It follows from our thought experiments that whatever Fred believes about the medical effects of smoking, or the consequences of being caught breaking the anti-smoking rule, is less than knowledge. He thinks he knows. He repeatedly says, 'I know'. But he doesn't *really* know. If he did know, he would stop. And the truth is that real life cases are seldom so cut-and-dried. Doctors are usually cautious about making predictions of death. Smoke detectors are generally less than a hundred per cent reliable. In Fred's case, the reasons for giving up may appear strong to us but they are still not strong enough to motivate Fred to survive the moments of greatest temptation.

### *The unrepentant thief*

Margaret is a customer service clerk. She is underpaid and not very well treated by her company. Whenever she can get away with it, she helps herself to stationery from the stationery cupboard – Sellotape, paper, envelopes, ring files, blank CDRs – for herself and for her children to use at home. She rationalizes that the total value of the amount that she takes is far less than the pay rise she believes that she deserves. But she also knows full well that this would be considered theft.

If Margaret knows that she shouldn't steal, how is it possible that she fails to act in accordance with this knowledge? One plausible explanation that might occur to you is that Margaret accepts that the ethical thing to do is not to take the stationery, but she chooses in this case to act in her own self-interest rather than to do what is ethical.

We saw in unit 1 how the 19th century moral philosopher Henry Sidgwick failed to resolve the problem of the conflict between legitimate self-interest and the strictly disinterested view demanded by ethical altruism. However, it would be totally illogical to apply this to Margaret's case. The point of the example is that Margaret's judgement that it would be wrong to steal *already factors in* a legitimate element of self-interest. It is a judgement, 'all things considered'. If, all things considered, you judge that it is wrong to do X, you can't then go on to offer an attempted justification for doing X. Any possible justification has already been taken into account when you made your 'all things considered' judgement.

Contrast this case with another case which superficially would be described as 'stealing'. You have been given strict instructions to ask your supervisor before taking anything from the stationery cupboard. Failure to comply with this order is regarded by the company as theft. However, an important computer file which you need to access right away is on a CD which is jammed inside the CD-ROM drive of an old Macintosh computer. The only thing that will eject the CD is a straightened paper clip. But no-one has a paperclip and the supervisor is nowhere in sight. Plain common sense would tell you that in this case you have a fully legitimate excuse to take a paperclip without asking.

Taking things without express permission is not always 'stealing'. But in Margaret's case it is. There may be no fixed borderline between legitimately taking a paperclip and illegitimately helping yourself to bagfuls of items from the stationary cupboard, but there is a rough and ready, common sense understanding of how far you can reasonably go. Suppose you have an easy going boss who says, 'You can take some stationery for your own use, but not too much.' In this case, cleaning out the stationery cupboard is definitely theft, while taking one roll of Sellotape - even if you don't need it - is definitely not theft.

Margaret is a thief, there is no doubt about that. Or is there? Even if we are in no doubt, is she a thief in her own eyes? What exactly is her all-things-considered judgement? Is it that taking the stationery is wrong, or is it that taking the stationery would be described as 'wrong' by most observers, and indeed would be wrong were it not for the fact that in this particular case she

has a legitimate reason for taking the law into her own hands and awarding herself 'compensation' for her low pay?

I suspect that a lot of petty thieves do think in this confused way. It is said that in communist countries before the lifting of the iron curtain, theft, bribery and black-marketeering became the main form of resistance against a corrupt political system. In such extreme circumstances, to be a thief can be seen as the ethical choice. But in Margaret's case we feel confident in saying that she is in the wrong. This is not acceptable behaviour, whatever legitimate grounds she may have for complaint.

We can say that Margaret, like Fred, is unable to resist temptation when it comes. Or we can say that Margaret has somehow deceived herself into thinking that what she is doing isn't really wrong at all, but on the contrary fully justified. Or perhaps Margaret doesn't even know herself which explanation comes closest to the truth.

#### *The low achiever*

Nicole is an accounts executive whose talents far outstrip the demands of her job in a leading advertising agency. Overtaken by her less able male peers, she blames her lack of success on the 'glass ceiling' when in her heart she knows that she had every opportunity to be where they are.

Nicole's most glaring problem is that she gets periodically depressed, and in her bouts of depression gives in to self-pity and self-doubt. If just a few of the plans of action which she formulated in moments of clarity were put into effect, she would be up at the top of her profession. When her various schemes fail - as they inevitably do when the depression returns - there is always someone to blame other than herself. Most often, she simply perceives herself as the passive victim of discrimination.

Nicole's problem is a startling failure - startling, for someone of such intelligence and sensitivity - of self-knowledge. Everyone else can see the problem except her. When advice is offered, by those who have remained loyal friends despite her unpredictable moods, it is angrily repudiated. She doesn't want to know.



Hardly surprisingly, Nicole's self-hatred and resentment have led her to some otherwise unaccountable acts of unkindness towards her staff, which she always feels guilty for afterwards. Nothing arouses her ire more than when she recognizes her own faults in another person. This is needless to say an observation that Nicole is unable to make for herself.

On one occasion, a colleague whom she had just subjected to a roasting commented, 'You need therapy.'

In short, Nicole is the kind of boss that you hate, who fails to appreciate your good work and in her worst moods isn't satisfied until everyone feels as depressed as she does. The head of the agency, meanwhile, has reluctantly reached the conclusion that despite her considerable ability, unless there is a remarkable change in her attitude and behaviour, they will have to let her go.

As observers, we can see only too clearly what Nicole fails to see. If only someone would shake some sense into her. That is the way it is with some people: unless something drastic happens to cause them to see past their blind spot, they will never make progress. Their defence mechanisms are too highly evolved.

### *The anxious presenter*

Mark is a senior purchasing officer who has saved his company hundreds of thousands through his inspired design and implementation of an order tracking system that is the envy of rival companies. Great behind a desk, or in one-on-one discussions, his weak spot is giving presentations. He succumbs to stage fright every time. At the slightest whiff of criticism he caves in.

Unknown to his friends and colleagues, Mark has been in psychotherapy for a number of years, and understands all-too well the causes of his debility. An unforgiving and hyper-critical father, together with his unfortunate experiences at school where he was bullied and mocked by classmates for being a 'swot', have severely undermined his social confidence.

Rising through the ranks of his company through the sheer undeniable quality of his work, and helped by his sympathetic boss Christine, he has so

far managed to avoid putting himself in a position where his problem will be uncovered. On the few occasions where he has given presentations, Christine was on hand to field the difficult questions.

Now he is on his own. Tomorrow, he has an important presentation to give and Christine will be away. Mark has every reason to believe that he knows enough about his topic to be able to field any hostile questions. No-one in the audience has such a firm grasp of his area of speciality. Yet he also knows that the occasion will be an ordeal.

On the day, things turn out worse than Mark could have possibly predicted.

One of the members of the audience, taking advantage of Christine's absence, has secretly decided to use the occasion to attack Christine's record and question her professional competence. At the end of his rant, he even goes so far as to insinuate that the relationship between Christine and her protégé is more than just professional. After the unexpected outburst all eyes are fixed on Mark. He knows what he should say in his own and Christine's defence, but the words just won't come. The enormity of the accusation has left him dumbfounded. He stands rooted to the spot, his lips move but no sound comes.

This is the clearest possible example of a case where knowledge is not enough for right action. Surely, one would think, here the doctrine that virtue is knowledge cannot be maintained, however one qualifies that principle. Knowledge alone does not suffice to motivate right conduct if you suffer from a debilitating mental impairment that prevents you from acting on that knowledge.

#### *Some tentative conclusions*

Good people *can* do bad things: they can act unethically, or imprudently, where the fault is very clearly theirs – not their situation, or their company, or society at large. Yet, as we have seen, there is no simple or straight forward diagnosis of why things go wrong when they do.

Margaret the customer service clerk seems to be the one whom we have the best chance to reach through philosophical dialogue. If she could only see herself as we see her, or indeed as she is viewed by her work mates who have all fallen under the finger of suspicion as a result of her thieving, it might be sufficient to motivate her to stop. Does she really understand why her thieving is wrong? Has it even occurred to her to see her actions as an example of the general maxim, 'If you want X then it is all right to take X, even if X does not belong to you'?

Fred the warehouse manager needs help which philosophy alone cannot give. He is an example of Aristotle's 'incontinent man', who in some sense 'knows' what is the right thing to do but whose reasoned decision is overtaken by his desires. It was Aristotle who recognized the vital importance for ethics of cultivating habit. Fred can be helped, not through learning even more about the harmfulness of smoking, but rather by being shown how to develop practical strategies that will enable him to cope with his cravings until he has successfully rid himself of his addiction.

Nicole the advertising executive was told she needs therapy. That diagnosis is surely correct. Of our four examples, she is the clearest case of lack of self-knowledge. Perhaps Socrates would indeed have recognized therapy as a legitimate method for applying the principle, 'Know thyself.' At any rate, there does seem hope that she will listen to a professional counsellor even if she refuses the advice given to her by her friends.

On the other hand, Mark the purchasing officer understands his condition perfectly from a psychological standpoint, but the understanding is no help at all. As in Fred's case, the solution will involve a program of practical help or training, which over time will enable him to modify or change his behaviour. There may be no miracle cure for lack of self-confidence, but the ability to act as if you are confident combined with success and positive feedback that this brings goes a long way to compensate.

What do our conclusions show about the role of ethics and moral philosophy in a business context?

We have seen that philosophical understanding and theory only go so far. Moral philosophers may be highly skilled in analysing ethical problems, or

arguing the case for or against a particular moral view, but it is ordinary people, with all their complexities and character flaws who have to struggle through to some kind of understanding for themselves, under conditions where mere understanding is seldom enough.

Perhaps it could also be said that those who would call on the help of philosophers do not appreciate sufficiently the extent to which philosophy is a *second-order* activity, involving analysis, theory construction and critique. Philosophers also – like Socrates, or like Aristotle – have practical advice to offer which flows from their theoretical understanding, but giving good advice to real people in practical circumstances also requires something else: it requires *wisdom*. It is wisdom, not mere theoretical knowledge, which enables us to judge when the solution to a problem can be expressed in the form of knowledge, and when the only acceptable solution is *action*.