Education for Justice (E4J)
University Module Series: Integrity & Ethics

Module 14
Professional Ethics[*]

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Introduction

Should a journalist publish very private information about someone to inform the public about an issue? Should a lawyer withhold confidential client information that would save someone's life? This Module is designed to introduce students to the nature, practices and importance of professional ethics. The Module first helps students distinguish professional ethics from personal and theoretical ethics, and then sensitizes students to a major issue raised by professional ethics, that of potential conflicts between role morality and personal morality. The Module also familiarizes students with professional ethics codes, something students will encounter when they begin employment in a profession. Students may have already encountered such codes that apply in the university environment, such as ethics

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codes for lecturers. The Module will help students realize the significance of professional ethics to various entities, including institutions, individuals, and society at large. By highlighting the importance of professional ethics, the Module will help lecturers encourage students to adopt an ethical orientation in their professional lives. If the Module is taught as part of a programme aimed toward preparing students for a specific profession such as medicine, business, law, education, or journalism, the lecturer is welcome to add examples and practices from those professions.

The Module is a resource for lecturers. It provides an outline for a three-hour class but can be used for shorter or longer sessions, or extended into a full-fledged course (see: Guidelines to develop a stand-alone course).

Learning outcomes

- Clearly distinguish between personal, theoretical, and professional ethics
- Think critically about ethical issues which are encountered first hand within a career, and apply personal, theoretical, and professional ethics to vexing moral decisions within specific professions
- Grasp the challenges posed by potential conflicts between role morality and personal morality, and consider ways of resolving those conflicts
- Understand the role of professional codes of ethics, the difference between aspirational and disciplinary codes of ethics, and how professional codes may apply in their career

Key issues

Professional ethics can be taught as a subject that deals with written codes and other standards of conduct that applies to all professions. Another approach is to teach professional ethics as it applies to a specific profession such as medical ethics, business ethics, legal ethics, bioethics, and media ethics. Occasionally, courses and degree programmes combine the two approaches by introducing general professional ethics at the outset and then applying these principles to one or more professions. This Module will primarily address the topic at large and then tackle overarching questions, such as role morality and conflicts with personal ethics, as well as professional codes and whether aspirational guidelines are effective. All professions raise ethical issues, so the need for professional ethics and for the consistent expression of integrity across all professions is highlighted. As many professions have their own set of professional ethics, conceptual room is made for lecturers to address issues arising from a specific set of professional ethics.

Personal, theoretical and professional ethics

To understand the subject of professional ethics, students need to understand the difference between personal, theoretical and professional ethics. As used in this Module, these three different but occasionally overlapping perspectives can be used to analyse and solve different ethical problems.

E4J Integrity and Ethics Module 1 defines ethics as "the attempt to arrive at an

understanding of the nature of human values, of how we ought to live, and of what constitutes right conduct" (Norman, 1998, p. 1). This definition of ethics is helpful in understanding the notion of personal ethics, which refers to the values and standards by which people determine how to act in their daily lives. Personal ethics are frequently deep-seated principles about what is right and wrong, and they help define who we are as individuals. Our personal ethics applies to a wide variety of issues, including what we do in our private lives, such as when we interact with family and friends, and how we treat the people we interact with in public.

Students will come to the Module with their own set of personal ethics. To be clear, personal ethics comprise the values and standards that determine how we act, but they are not merely our inclinations or preferences, even if we feel quite strongly that those preferences are right. To constitute an ethical position, personal ethics must be based on a principled belief, not merely a personal opinion.

Our personal ethics can have many sources. Some of these sources are related to what we might think of as our personal experiences, such as our family upbringing, religion, culture, societal norms, and peers. Our personal ethics are, however, likely to also include aspects of theoretical ethics. Theoretical ethics are the doctrines developed by philosophers to explain how to make the right ethical decisions, such as utilitarianism, deontology and virtue ethics. As noted in Module 1, utilitarianism states that ethical decisions should be based on an assessment of the likely consequences of an action, and that actions that create the greatest good should be pursued. Deontology posits that decisions must be based on principles and duties, so in this approach you should take certain positions because they are right even if they have negative consequences. Defenders of virtue ethics argue that ethics is fundamentally the study of the good character, of the character of the laudable person, rather than the consequences of our actions (utilitarianism) or the underlying principles that inform our action (deontology).

Professional ethics, by contrast, is concerned with establishing primarily the values, principles and standards that underlie a profession's responsibilities and conduct (Davis, 2003). To understand what is meant by profession, it is useful to compare it to the term occupation. Sometimes "occupation" and "profession" are used interchangeably, but they mean different things. An occupation is the work that someone does to earn a living, while a professional is usually a more highly trained person, a member of a professional body who must pass tests certifying that he or she can practice the profession. A professional is also subject to specialized professional rules. Any person could provide a good or service to the public, but a professional is normally associated with a group of persons providing the same good or service who organize themselves to achieve a societal good, in a morally acceptable way that sets standards for performance. For example, librarians organize to present information to the public, and doctors organize to cure sick persons (Weil, 2008).

We can briefly explore the distinction between personal, theoretical and professional ethics by using the example of lying. Lying is normally thought of as wrong, although most people lie on some occasions in a way that is consistent with their personal ethics. Different theories of ethics take different approaches to lying, and the

example of lying allows students to consider deontology and Kant's well-known position that one should not lie even when the stakes are very high. Students should also consider what professional ethics say about lying? Should a medical doctor lie to a patient about his or her condition if the doctor thinks it is in his or her best interest?

In addition to the differences between personal, theoretical and professional ethics, another distinction in this area is between professional ethics – the values, principles and standards associated with a particular profession – and workplace ethics, which are the rules that govern behaviour in the workplace. For example, employees are entitled to a safe, non-discriminatory workplace. If a supervisor realizes that employees are discriminating against or harassing an employee based on race or religion, the supervisor can raise this issue, implement an awareness training programme, and follow up with employees to ensure the measures are effective. This programme improves the workplace environment and makes it more likely that all employees are treated in an ethical manner, but it is not limited to one profession's set of ethics. A negative example of workplace ethics might be if a supervisor hands out discount vouchers for the supervisor's partner's beauty salon to the small group of employees under the supervisor's authority, thereby putting pressure on the employees to patronize the business. This activity may violate workplace ethics because the supervisor is using his authority over the employees to financially benefit the supervisor's partner. Both examples address workplace ethics, but their relevance is not limited to any particular professional group, so these issues would probably not be analysed as a matter of professional ethics.

A further distinction in this area is between professional ethics and organizational culture, or how the culture and structure of an organization impacts ethical decision-making. There are overlaps between professional ethics and organizational culture, especially in discussions of corporate structures such as companies. For focused resources on this issue, lecturers can review the Ethics Systems webpage on "Corporate Culture".

It should also be noted that some professions are guided by ethical standards that span multiple professions. For example, professionals involved in medical or biological research (or other areas of research involving human and animal subjects) are subject to both their professional ethical standards as well as a set of ethical guidelines pertaining to the conduct of research. The latter is often referred to as research ethics, and is the focus of institutional review boards (IRBs) or research ethics committees (RECs) that scrutinize and approve research projects based on whether they adhere to research ethics. On issues of medical ethics and research ethics lecturers can consult UNESCO's Bioethics Core Curriculum.

Professional ethics embody the values and goals of a profession, such as transparency and accountability, the provision of high quality and effective services, and responsibly to clients or customers. Compliance with professional ethics protects the individual professional as well as the honour of the profession. Because professional ethics reflect the values and goals of the profession, some aspects of professional ethics vary greatly between professions. In addition to containing goals and values particular to the profession, professional ethics can also reflect aspects of

theoretical ethics like utilitarianism, or the virtues that professionals should strive to attain.

Professional ethics may include standards for performing a professional service that are also required in legally binding sources such as laws and administrative regulations. Professionals frequently have an expertise that is beyond the understanding of a non-professional. This means that a client cannot fully assess the quality of a professional's work, and they place their trust in the professional because he or she is a member of a professional group that adheres to certain standards.

When professionals encounter ethical problems, they should be guided by their professional ethics. However, since it would not be possible to remove a professional's personal ethics, any ethical decision-making in a professional context should take personal ethics into account. This is normally not a problem, unless personal and professional ethics are in conflict, an issue addressed in this section's discussion of role morality.

Potential conflicts between role morality and personal morality

One of the most difficult issues raised by professional ethics are conflicts between role morality and personal ethics. Sometimes the issue is described as a conflict between professional ethics and common morality, with common morality meaning the personal ethics subscribed to by many persons. The "role" in role morality refers to the role played by a profession in society. Professions require that persons in their profession carry out specialized practices in order to reach professional goals, and these practices do not necessarily raise ethical issues. For example, most professionals are required to perform their duties up to a certain standard, and this obligation to clients is not controversial.

Sometimes, however, professions allow or require behaviours that conflict with personal ethics. Some behaviours that conflict with personal ethics are more widely accepted as justified, if not by everyone then by society in general. War creates destruction and horror that conflicts with personal ethics, but many people would argue that a soldier could be justified in killing an enemy soldier in a battle. This is an example of a conflict of personal and professional ethics. By contrast, if the facts were changed and the killing was necessary to protect loved ones from deadly assault, then an argument might be made that personal ethics could be used to justify killing another person.

Other examples of conflicts between personal and professional morality are also difficult to resolve. For example, lawyers maintain confidentiality of client information in order to encourage clients to confide in them, which in turn enables the lawyer to assist in resolving the dispute in the right way. But should a lawyer keep information provided by a client confidential, such as a confession to a crime, if it would result in the wrongful conviction of another person? Should a therapist, who keeps client information confidential in order to encourage disclosure of painful matters so that the client can experience improvement and relief, keep a client's threats to another person a secret? Luban (2007) reviews a number of examples like these, and he notes that many professions maintain some form of confidentiality obligations, which

in turn raise questions about potential conflicts between role morality and personal ethics.

When students become professionals, how will they handle these kinds of dilemmas? If someone agrees to enter into a profession and abide by rules of professional ethics, can he or she decide not to follow those rules because they conflict with personal ethics? The tension between personal and professional ethics is a true dilemma with no clear answer, because it raises the question of which set of ethical values (personal or professional) are more fundamental. Once the reason for both sets of values is understood, persons experiencing this dilemma may feel pulled toward both of sets of values. Luban's writings on role morality and lawyers suggests a four-step strategy to help resolve questions of role morality.

> ### Luban's four-step strategy for resolving questions of role morality
> ### (Luban, 1988, p. 131)
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> In order to follow a professional rule that conflicts with personal ethics, an individual would have to be able to:
>
> (1) justify the relevant societal institution, based on the moral good it does;
> (2) justify the professional's role, based on the structure of the institution;
> (3) justify the particular role obligation in question, by showing that the behaviour required is essential to that role; and
> (4) justify the act demanded by the role, by showing that role obligations require the action.

If the institution produces sufficient good, and all connections between the steps are established, then the professional act should be performed even if it conflicts with personal ethics (Luban, 2007, p. 490).This four-step strategy is not an algorithm that invariably leads to the right solution, but rather a heuristic framework that allows professionals and others to critique professional rules. If the occasion warrants, someone applying the framework could determine that despite widespread reliance on a professional rule or requirement, it should not be followed. An example, based on Luban (1988, pp. 129-133), is provided immediately below.

Assume that a charitable organization has the goal of getting food to countries suffering from famine. The organization hires people to fulfil different roles to get the food delivered, including an employee with the job of securing trucks inside a country that will transport the food from a warehouse to people in the country who need it. The trucks available to make this delivery in the country are held by an unscrupulous individual, understood to be involved in various kinds of illegal activity such as extortion. The employee is fairly certain that the money provided by the organization for the food delivery will be used by the truck owner for illegal purposes, some of which are likely to result in threats or actual injury to people. But trucks are needed for the delivery and there is no other available transport, so if the employee does not use the truck owner, the food will not get to the people who need it.

The employee is in a dilemma, because pursuant to personal ethics the employee would normally not give business to a criminal or even indirectly support criminal activities. The employee, however, can resolve the dilemma by evaluating the good done by the institution and the links between the institution and the employee's action. The act of giving business to the truck owner is required by the employee's role obligation (getting trucks to deliver food), which in turn is required in order to perform the institution's task (getting food to the persons who need it), which finally is required by the institution's positive moral good, that of saving the lives of people dying of starvation. Taken together, the employee could determine that the role requirement outweighs the personal ethics of not giving business to a known criminal.

The four-step evaluation can result in a finding that the professional requirement should not be performed if the connection between any of the four steps breaks down. For example, if other trucks were available, but it would be a small amount of additional work for the employee to get them, then there is nothing wrong with steps 1-3, but the employee cannot satisfy step 4, justifying the act by showing that the role obligations require it. In that case, professional ethics do not outweigh personal ethics.

The four-step evaluation process is formulated to assist with dilemmas specifically arising out of conflicts between personal and professional ethics. However, as noted in the beginning of this Module, personal, theoretical and professional ethics are all perspectives that can be brought to bear on an ethical problem. Thus, it may be possible to resolve the employee's dilemma above using a different ethical perspective, for example, utilitarianism or how to achieve the greatest good for the largest number of people.

Professional codes of ethics or conduct

The subject of professional codes is something which most students will encounter when they start employment. Like professional ethics, professional codes normally include core values of a profession. Codes can embody professional ethics, but they are different from professional ethics, as they are more formal systems of regulation, they are usually written, and they are often promoted by a professional organization. Codes are one manner of articulating and sharing professional ethics, but there are others as well, such as the oath that some professionals take when they are approved to practice their profession. The Hippocratic Oath taken by medical doctors is a famous example. A modern version is the Physicians' Oath approved by the World Medical Association.

In addition to reinforcing profession-specific goals, codes are used by organizations to increase integrity in both the public and private sectors. Codes are also viewed internationally as a means to prevent corruption. For example, the United Nations Convention against Corruption recommends that states adopt codes of conduct for the "correct, honourable and proper performance of public functions" (article 8) as well as for the "correct, honourable and proper performance of the activities of

business and all relevant professions and the prevention of conflicts of interest" (article 12).

Highly detailed professional codes can raise the question of whether their provisions unfairly restrict professionals in their day-to-day performance. They can also raise the question of who has the authority to tell professionals, often highly trained individuals, what to do in their interactions with clients and the public. Some people argue that ethics cannot be legislated, as ethical decisions cannot be enforced from the outside but must spring from an individual's own ethics (Lichtenberg, 1996, pp. 14-17). This argument asserts that codes of professional ethics are not compatible with what ethics really is. Lichtenberg notes that this conception of ethics is synonymous with the notion of personal ethics, reviewed above. She agrees that associating ethics with autonomous and freely chosen action is correct to some extent. At the same time, Lichtenberg argues that there is value in increasing the probability that professionals will act in the right way, and that this is one of the functions of a code (Lichtenberg, 1996, p. 15). Professionals can come under pressure from others to act improperly, and a code can provide a reason for them to act in the way they know they should. Lichtenberg observes that sometimes we care a lot about whether someone reaches the right decision based on his or her personal ethics, and sometimes we care less about this. Taking on professional responsibilities means that professional behaviour becomes more important, and that personal ethics are not the only matters that should guide our decision-making.

Another potential problem with professional codes is that they sometimes seem to state the obvious, raising the suspicion that they are more public relations exercises than real guidance for required behaviours. Understanding this objection requires a distinction between aspirational codes (also referred to as codes of ethics) which provide goals for professionals to reach, and disciplinary codes (also referred to as compliance-based codes or codes of conduct) which provide sanctions for failure to meet code requirements. Aspirations can be standards to meet or matters to avoid. They can be stated with different degrees of precision. They are not necessarily addressed to actual behaviour, and they can recommend that the professional strives to have certain attitudes, character, and take certain points into consideration during a decision-making process. It should be clarified, however, that in many case the distinction between aspirational codes and disciplinary codes will not be so clear cut. Thus, for example, there are a number of professional ethics codes that despite being aspirational in part also provide for sanctions in the case of serious misconduct. In these cases, not every violation will warrant sanctions, but serious violations will.

By contrast, disciplinary codes impose sanctions for non-compliance with the professional code. Sanctions can take the form of fines, formal or informal reprimands, or ultimately expulsion from the professional group or removal of professional status. Disciplinary codes impose sanctions in order to motivate professionals to follow rules in the code. This raises the question of whether codes without sanctions have any effect on professionals. To help answer this question, we can note that professional codes without sanctions embody and reflect the experience of many people over time, and so they guide behaviour in ways that go beyond what an individual professional could anticipate. In some circumstances,

codes teach professionals new behaviours which, as non-professionals, they did not know about. Codes without sanctions may not affect professionals' intent on behaving wrongly, but some people violate the law even though there are extremely severe sanctions, so disciplinary codes would also be ineffective in those circumstances. Assuming that professionals want to carry out their professional duties properly, a professional code without sanctions helps them do that.

Lichtenberg provides a different example that shows how codes without sanctions can make the harmful effects of wrongful professional behaviour apparent, and in such cases, a professional willing to reflect on their actions would be helpfully guided (Lichtenberg, 1996, 18-19). University professors who engage in inappropriate relationships with their students may not see their behaviour as a violation of their professional ethics. After all, students can choose what to do. The professor may feel somewhat uncomfortable with what they are doing, but they may not have grasped all the consequences of their behaviour. A professional code that prohibits certain kinds of relationships between professors and students at a minimum increases the likelihood that professionals will think about the behaviour that the code addresses. Codes can make professionals see what they are doing in a new light.

Another reason for having professional codes, whether or not they include sanctions, is their symbolic value, in that they publicly express ideas or values (Lichtenberg, 1996, p. 23). Symbolic value reflects the fact that it is one thing for a person to act a certain way in private, but another thing to publicly advocate for that position. For example, if a professional code prohibits providing services below a certain standard, then individual clients benefit from that standard, but society as a whole benefits as well because the standard announces the profession's commitment to a certain standard.

Examining actual professional codes allows students to discuss issues arising out of codes in a real life context, and this Module suggests that students examine two professional codes. The sample codes provided in the Module are for psychologists, one from Asia and another from South Africa, and they offer sufficient detail for comparison. Lecturers should feel free to substitute these for other sample codes, particularly if students are being trained for a particular profession. For example, in the case of law students, lecturers can refer to examples of legal or judicial ethics codes to illustrate the issues discussed in the Module. Lecturers could also compare professional codes from different professions, but this kind of comparison might be appropriate for more advanced students or as part of a stand-alone course, as students at an early stage of study may have difficulty in comparing codes of different professions given the divergent goals that professions have.

It is important to emphasize to students that ethics codes do not in themselves guarantee ethical conduct. It is not realistic to assume that each member of the profession will at all times know the correct application of their relevant codes and carry out ethical action. Therefore, to enhance compliance with ethics codes, it is important to cultivate ethical competence in parallel to educating professionals about their relevant ethics code. Ethical competence refers to the ability of professionals to

realize that they are facing an ethical dilemma which calls for applying the ethics code or seeking external advice.

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Exercises and case studies

This section contains suggestions for in-class and pre-class educational exercises, while a post-class assignment for assessing student understanding of the Module is suggested in a separate section.

The exercises in this section are most appropriate for classes of up to 50 students, where students can be easily organized into small groups in which they discuss cases or conduct activities before group representatives provide feedback to the entire class. Although it is possible to have the same small group structure in large classes comprising a few hundred students, it is more challenging and the lecturer might wish to adapt facilitation techniques to ensure sufficient time for group discussions as well as providing feedback to the entire class. The easiest way to deal with the requirement for small group discussion in a large class is to ask students to discuss the issues with the four or five students sitting close to them. Given time limitations, not all groups will be able to provide feedback in each exercise. It is recommended that the lecturer make random selections and try to ensure that all groups get the opportunity to provide feedback at least once during the session. If time permits, the lecturer could facilitate a discussion in plenary after each group has provided feedback.

All exercises in this section are appropriate for both graduate and undergraduate students. However, as students' prior knowledge and exposure to these issues vary widely, decisions about appropriateness of exercises should be based on their educational and social context. The lecturer is encouraged to relate and connect each exercise to the key issues of the Module.

There are three categories of exercises for lecturers:

> A. Case studies that can be used for the subject of professional ethics
> B. Case studies that specifically address role morality
> C. Additional exercises

To prepare for using case studies as a teaching methodology, lecturers can consult the short but informative "Leading Case Discussions" from the Illinois Institute of Technology, available from http://ethics.iit.edu/teaching/leading-case-discussions.

Discussion questions are provided for all case studies, but if lecturers identify a need to review ethical theories with students, they can begin discussion by asking how different theoretical ethical perspectives would analyse the problems, and then ask how students would analyse the discussion questions.

The case studies and the exercises that follow lend themselves to a variety of teaching techniques, including individual and group-based discussion, debates, and role plays. Students can take an initial vote on how to resolve a problem, then discuss the problem with the lecturer, and then vote again to see if they have altered their views. If classrooms have access to the Internet, lecturers can consider using software for creating and editing documents online (such as Google Docs) to record written responses of either individual students or groups. Debates are well-suited to students who are hesitant to express their personal views, because students are expressing a view that they do not have to defend as their own personal view. Role plays are well-suited to creating awareness of the variety of persons and interests involved in ethical issues, and may also help to create empathy.

Lecturers should also note that the University of Texas "Ethics Unwrapped" website has many case studies and resources lecturers could use, including videos, and is available from http://ethicsunwrapped.utexas.edu/subject-area/professional-ethics.

Finally, the Module uses sample codes of ethics for psychologists, from both Asia and South Africa. Lecturers can use sample ethics codes from any other area, such as law, medicine, or engineering, as students will likely find sample codes from their intended profession more interesting. If codes applicable to the intended profession are not available, students may find their university or school code of ethics or a code from another university or school as a relevant and interesting subject matter.

A. Case studies for professional ethics

Case Study 1

After discovering that one of her students tweeted foul language about her, a school teacher confronted the teenager during a lesson on social media etiquette. Inquiring why the student would post such hurtful messages that could harm the teacher's reputation, the student replied that she was upset at the time. The teacher responded that she was very upset by the student's actions. The teacher demanded a public apology in front of the class, and the student apologized. The teacher later stated that she would not allow young brats to call her those names.

➢ Lecturer guidelines

Use the following questions to guide student discussion of the case. Was the student behaviour wrong, and if yes, why? Next, what are the teacher's goals in this situation? How should the teacher have addressed the misbehaviour? Should the teacher have excused the student's action, or taken a different approach? If the teacher's actions are wrong, why is that? Is cyberbullying different from face to face bullying, and if yes, how? How should teachers as a profession treat student misbehaviour like this? Should teachers have a standard that they should follow, or should they be allowed to exercise their discretion?

This case study is based on "Cyber Harassment", available with videos, discussion questions and more from http://ethicsunwrapped.utexas.edu/case-study/cyber-harassment.

Case Study 2

A research team from a prominent laboratory published an article in a prestigious academic journal. It was considered a breakthrough paper that answered a major question in a scientific field. Papers produced in a laboratory normally list many people in the laboratory as authors, but the first named author is the primary person responsible for the paper. The first author of this paper was a postdoctoral researcher, working under her supervisor at the time. After the researcher left for another job, other researchers in the laboratory were unable to repeat the results following exactly the same methods. The supervisor, suspecting possible scientific misconduct, requested that the researcher return to the laboratory to redo her experiments and confirm the authenticity of her results, but she declined. An institutional investigation into the experiment concluded that there was no conclusive evidence that the results were actually achieved, but also that there was no conclusive evidence of misconduct or fabrication. The article was retracted without the researcher's agreement. The retraction damaged the researcher's career and reputation in the scientific community.

➢ Lecturer guidelines

Use the following questions to guide student discussion of the case. Did the researcher have an obligation to return to the laboratory to repeat the results? Why or why not? The decision to retract the article was based on two factors: the absence of records corroborating the researcher's results and the laboratory's inability to repeat the results. Are those the right standards to use? Assume there were four authors on the paper, including the researcher and the supervisor. Should the supervisor and the other authors also share responsibility for the retraction, and if yes on what basis?

This case study is based on "Retracting Research: The Case of Chandok v. Klessig", available with videos, discussion questions and more from http://ethicsunwrapped.utexas.edu/case-study/retracting-research-case-chandok-v-klessig.

Case Study 3

In 1984, the Union Carbide pesticide plant in Bhopal, India, accidentally released large amounts of toxic gas. According to the magazine *The Atlantic*, "gases stayed low to the ground, causing victims' throats and eyes to burn, inducing nausea, and many deaths", and "estimates of the death toll vary from as few as 3,800 to as many as 16,000, but government figures now refer to an estimate of 15,000 killed over the years" (article available from https://www.theatlantic.com/photo/2014/12/bhopal-the-worlds-worst-industrial-disaster-30-years-later/100864/). The catastrophic chemical leak and the subsequent deaths, injuries, environmental damage, and claims, has generated extensive commentary and teaching tools, which lecturers should consult when considering use of this case study. For a succinct summary and discussion questions regarding ethics for a variety of professions, lecturers can review case materials available from http://www.onlineethics.org/cms/6559.aspx?id=6559. Lecturers can also consult Dominique Lapierre and Javier Moro's *Five Past Midnight in Bhopal* (2002) translated from French by Kathryn Spink (London: Scribner).

➤ Lecturer guidelines

Use the following questions to guide student discussion of the case. Assume that the safety regulations that were in force in India were lower than the same kind of regulations that existed in the United States, where the parent company, Union Carbide, was based . Is it ethical to apply different standards at the India plant based on lower legal requirements? Assume that the local and national government in India has maintenance and upkeep obligations that are not being fully carried out. What ethical issues does that raise for employees in the India plant, and for the U.S.-based parent company? Does it relieve the parent Union Carbide of ethical responsibility? Assume that it was widely understood that persons should not be living in close proximity to the plant, but that there is no affordable housing within a reasonable commuting distance, and so a large community had set up temporary housing around the India plant. There are no company or legal regulations telling plant employees how to deal with persons living in close proximity to the plant. What ethical obligations does the plant have to this community? If the plant needs a large workforce, and the surrounding community needs jobs, how should the plant resolve this situation? Should it police the area around the plant, or build housing and commuting facilities for workers?

These questions are based on case materials available from http://www.onlineethics.org/cms/6559.aspx?id=6559.

Case Study 4

A professor needing funding for her medical research on the causes and cures for a disease accepted a large, multi-year grant from a pharmaceutical company. The research tested the efficacy of medicines currently on the market, including a medicine produced by the pharmaceutical company. The research results suggested that the pharmaceutical company's medicine did have a positive effect, but the research also contained some ambiguous data that could be interpreted as demonstrating that the medicine has a negative side effect on some patients. As a condition of the grant, the professor was required to submit a preliminary draft of the report to the pharmaceutical company, for review and feedback. The professor

submitted the report as required, and the pharmaceutical company wrote back to ask whether the professor would consider deleting the ambiguous data, as it may reflect badly on the pharmaceutical company and it is not strong data to begin with. The professor has reached the end of the grant funding, and to continue the research would need to get additional funding, with one obvious source of funding being the pharmaceutical company.

➢ Lecturer guidelines

Use the following questions to guide student discussion of the case. What ethical goals guide a medical researcher's profession? Does the professor have any ethical obligation to patients who might experience a negative side effect? Assuming that one ethical goal in medical research is to produce unbiased research, what should the professor do in this situation and why? Is the professor in a conflict of interest, and if yes, exactly what is the conflict or conflicts? Can the professor ignore what seems to be a conflict of interest, and just adopt the principle that any ambiguous data in this research can be deleted? Should the professor have taken the grant, knowing that the research would have to be submitted for review by the pharmaceutical company? In order to continue doing the research, which seems like a benefit to society, could the professor delete the ambiguous data from the current report, and then try to pursue that data in the next round of research?

The lecturer can note that the prevention of conflicts of interest is recommended by the United Nations Convention against Corruption as a means for increasing integrity in both the public and private sectors. For a definition and overview of the concept of conflict of interest, lectures can see pages xiii-xviii in the Asian Development Bank's publication on Mananging Conflict of Interest (2007). For an extensive treatment of conflicts of interest in medical research, lecturers can consult the U.S. National Academy of Sciences' publication on Conflict of Interest in Medical Research, Education, and Practice (2009). For more general resources on bioethics, lecturers can consult UNESCO's Bioethics Core Curriculum.

B. Case studies for role morality

Case Study 1

A journalist won the trust of a public employee involved in a corruption scandal in order to write an article about it. The journalist sympathized with the employee, who provided the detail the journalist needed to write the article. The journalist and the employee made no agreement that the journalist would not publish information about the employee, but the employee thought that the journalist was the employee's friend, something the journalist encouraged with text communication and friendly meetings. The journalist published the article, which exposed a large corruption scandal that had been going on for years and which diverted badly needed public funds. The employee was not named in the article as the source of the information, but was arrested with others involved in the scandal following the publication of the article. The employee was also publicly criticized on social media and is unable to find employment.

➢ Lecturer guidelines

Use the following questions to guide student discussion of the case. Begin by comparing the journalist's behaviour to what people would normally consider acceptable. Would people normally be able to treat another person in this way? Why or why not? Why did the journalist do this? Do those reasons excuse or justify the way the journalist treated the employee? Should the employee have realized that talking to the journalist could result in the corruption being exposed, and the employee being subject to criminal proceedings? Has the employee been injured by the journalist's actions or the employee's actions, such as the employee's failure to report the problem?

Case Study 2

Doctors are required to keep the information shared by patients confidential. A doctor treating an HIV-positive patient was told by the patient that he had unprotected intercourse with several partners and did not tell the partners about his condition. The patient told the doctor that no one would want to be his partner if he disclosed his condition. The doctor explained the risk he exposed his partners to, and the patient agreed not to do this again.

➢ Lecturer guidelines

Use the following questions to guide student discussion of the case. Start by considering the patient's actions; he is not a professional but his actions have raised issues for the doctor. Has the patient acted wrongfully, and if yes, what exactly is wrongful? Now consider the professional, the doctor. Assuming the doctor knows the identity of the partners because the patient told him, should the doctor take any action toward the partners? If yes, what exactly should he or she do? What if the patient objects and wants to keep the information confidential? Do the patient's wrongful actions mean that the patient should no longer have a claim to confidentiality? If the doctor contacts the partners over the patient's objections, should the patient complain about the doctor widely online, so other patients know what the doctor might do? What guidance can you formulate that could be offered to the doctor to help him or her resolve the problem? During the discussion, the lecturer may wish to mention that the patient's behaviour could amount to a serious crime in some countries, and explore the relevance of this point to ethical issues.

Case Study 3

Lawyers have a professional duty to preserve the confidentiality of the information they gain while representing a client. They are also supposed to act in the best interests of their client. In one case, a lawyer represented a defendant in a case involving injuries from a car accident. The claimant was badly hurt but recovering. To determine the extent of the current injury, the claimant agreed to be examined by a doctor hired by the defendant's lawyer. The doctor discovered that the claimant had a heart problem, which was almost certainly caused by the accident, and forwarded this information to the lawyer. The heart problem was serious and could cause further injury to the claimant, but the lawyer did not disclose this information to the claimant, because he was representing the defendant and disclosing this unknown injury could increase the amount the defendant would have to pay to the claimant in

settlement negotiations.

➢ Lecturer guidelines

Use the following questions to guide student discussion of the case. Normally a patient would be entitled to this kind of information from a doctor. Why is that? Why was the claimant not given the information in this case by the doctor hired by the defendant, or by the defendant's lawyer? Assuming that part of the reason for the lawyer's non-disclosure was the lawyer's duty of confidentiality, what is the reason for that confidentiality? Should an exception to the requirement of confidentiality be made, and how would that be articulated? Assuming such an exception were allowable, should the claimant's lawyer have requested the results of the examination? Does the claimant's lawyer's failure to do that relieve the defendant's lawyer of responsibility?

This case study is based on the case of Spaulding v. Zimmerman (1962) available from https://law.justia.com/cases/minnesota/supreme-court/1962/38-526.html. It has been subject to extensive academic commentary, one example of which is available from http://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=2227&context=facpub.

C. Additional exercises

Exercise 1

Identify a photograph published in a reputable newspaper of an individual experiencing extreme suffering, such as a victim of war or famine or someone about to jump from a high building in an attempt to commit suicide. Lecturers can provide the photograph or ask students to identify and suggest photographs. Lecturers then assign roles for the students to play, and ask students to express the opinions of the person in those roles regarding the publishing of the photograph, e.g. the victim, parents of the victim, a professional photographer seeking permission from the parents to publish the photograph, a professional photographer dispatched to the scene to take the photograph by the assignment editor, the editor who determines whether or not to publish the photograph, and the editor who decides whether to adjust (crop, photoshop, blur, etc.) all or parts of the photograph. In their roles, students should express role-appropriate views, ethical concerns and priorities, and suggest what they would do and why. From their role's perspective, students can also discuss what other roles should do and why. Lecturers can continue this exercise by choosing a different kind of picture that raises slightly different issues, and then ask students to change roles and answer the same questions in the new roles. Lecturers can also extend this exercise by comparing the ethics of other professions that publish private pictures, such as the medical profession, which publishes pictures of disease and illness but hides the person's identity.

Exercise 2

Lecturers wishing to address engineering ethics and codes of ethics can review "Thinking Like an Engineer", on the explosion of the space shuttle Challenger, available from http://ethics.iit.edu/projects/thinking-like-engineer. For a discussion on the political sensitivity of the investigation into the explosion and the urge to cover it

up see Feynman (1988) in the Advanced readings section.

Exercise 3

To spice up class discussion, lecturers might want to compare the ethical reasoning done by students with an online ethical reasoning app from Santa Clara University's Markkula Center for Applied Ethics, available from https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/what-is-ethics/. Can a list or online ethics tool help or hinder ethical reasoning? Does student reasoning produce results that differ from those of the app, and if so, which result is better?

Possible class structure

This section contains recommendations for a teaching sequence and timing intended to achieve learning outcomes through a three-hour class. The lecturer may wish to disregard or shorten some of the segments below in order to give more time to other elements, including introduction, icebreakers, conclusion or short breaks. The structure could also be adapted for shorter or longer classes, given that class durations vary across countries.

Understanding personal, theoretical, and professional ethics (45 minutes)
- Students need to understand the difference between personal, theoretical, and professional ethics. The Module begins with this distinction.
- Students consider the example of lying and evaluate whether people should lie using personal, theoretical, and professional ethics.

Potential conflicts between role morality and personal morality (1 hour):
- Define and discuss the concept of role morality, which is the question of what to do if personal ethics conflict with professional ethics.
- Lecturers choose a case study to analyse and resolve with students.
- David Luban's article on role morality and lawyers is primarily relevant to this segment of the Module.

Professional codes: aspirational and disciplinary (1 hour and 15 minutes):
- Students distinguish professional ethics from professional codes and learn the difference between aspirational and disciplinary codes.
- Start with one code, and after reviewing the code structure and content, pose a problem that students can resolve with assistance from the code. Try to choose a problem that arises in everyday practice, as opposed to a rare problem not encountered by most professionals. After resolving the problem, consider whether a code is effective, and why and in what way.
- Then move on to a second code, and compare the two codes.
- The Module suggests two professional codes for psychologists, one from Asia and another from South Africa, but lecturers should feel free to substitute other sample codes, especially if students are being trained for a particular profession.
- Wrap up the Module by considering why students should seek ethical training in their professional careers, and how they might get it.

Core reading

This section provides a list of (mostly) open access materials that the lecturer could ask the students to read before taking a class based on this Module.

BBC Ethics Guide. Lying. Available from http://www.bbc.co.uk/ethics/lying/lying_1. shtml. *See the following excerpts: "Consequentialists (utilitarians) and lies", "Deontologists", "Philosophers on lying: Immanuel Kant", and "Lying and medical ethics". These readings define lying, review approaches for deciding when lying might be acceptable, review lying in the context of medical ethics, and provide helpful references to other relevant readings.

Britz, Johannes (2013). Understanding Information Ethics. *Information Ethics in Africa: Cross-Cutting Themes*. African Centre of Excellence for Information Ethics. Available from http://www.africainfoethics.org/pdf/ie_africa/ manuscript.pdf. *Basic definitions of professional ethics can be found on page 2.

Illinois Institute of Technology, Center for the Study of Ethics in the Professions (2003). Language of professional ethics. Available from http://ethics.iit.edu/teaching/language-professional-ethics. *Basic definitions of professional ethics.

Illinois Institute of Technology, Center for the Study of Ethics in the Professions (2008). Professional ethics. Available from http://ethics.iit.edu/teaching/ professional-ethics. *Basic definitions of professional ethics.

Luban, David (2007). Professional ethics. *A Companion to Applied Ethics*. R.G. Frey and Christopher Heath Wellman, eds. Malden, MA: Wiley-Blackwell. *See especially pp. 585-595. This reading defines role morality, explains why it raises such difficult ethical questions, and suggests a method of resolving issues of role morality.

Markkula Center for Applied Ethics (2017). Make your code of ethics matter. Available from https://www.scu.edu/ethics/focus-areas/campus-ethics/ programs-for-students/student-government-ethics/resources/make-your-code-of-ethics-matter/make-your-code-of-ethics-matter.html. *This reading introduces the concept of codes and ethics, the basic distinction between aspirational and disciplinary codes (here called "prohibitive" codes), and provides a list of questions students can use to analyse sample codes.

Lichtenberg, Judith (1996). What are codes of ethics for? *Codes of Ethics and the Professions.* Margaret Coady and Sidney Bloch, eds. Victoria: Melbourne University Press. *The book is a classic treatment of codes of ethics. The excerpt reviews reasons for and against having codes of ethics, explains the difference between aspirational and disciplinary codes in more detail, and considers whether codes which are merely aspirational are worthwhile.

Advanced reading

The following readings are recommends for students interested in exploring the topics of this Module in more detail, and for lecturers teaching the Module:

Eichenwald, Kurt (2005). *Conspiracy of Fools: A True Story*. New York: Broadway Books/Random House. *For lecturers interested in business ethics, this book portrays the story behind the fall of the U.S. company Enron due to greed, conflict of interest, and misrepresentation regarding company finances. It handles a lot of detail in an interesting way that is fairly easy to read.

Feynman, Richard P. (1988). *What Do You Care What Other People Think?* London: Norton. *For lecturers interested in engineering ethics, the second part of this book contains an interesting account of Feynman's participation in the investigation of the Challenger space shuttle disaster, which reveals the political sensitivity of the investigation and the urge to cover up.

Frey, R. G., and Christopher Heath Wellman eds. (2007). *A Companion to Applied Ethics*. Malden, MA: Wiley-Blackwell. *Lecturers can read or assign chapters that provide focused treatments of professional ethics in different fields, including "Media Ethics", "Engineering Ethics", and Business Ethics".

Journal of Mass Media Ethics (1985-6), vol 1, No. 1. *The following three companion articles take different positions on the value of codes of professional ethics: one advocates for codes of ethics, one emphasizes their limitations, and one offers a completely different perspective about codes. See Jay Black and Ralph Barney, "The case against codes of ethics"; Clifford Christians, "Enforcing ethics codes"; and Deni Elliot-Boyle, "A conceptual analysis of ethics codes."

Kidder, Rushworth M. (2009). *How Good People Make Tough Choices*. New York: Harper Collins. *For lecturers who want to address ethical issues arising out of end of life decisions.

Kim, Won Oak (2012). Institutional review board (IRB) and ethical issues in clinical research. *Korean Journal of Anesthesiology*, vol. 62, No. 1. *Students may be involved in university or other level research, and may come into contact with issues of professional ethics arising out of human subject testing. For a brief review of the history of abuse in this area, and current practices and critiques of Institutional Review Boards, lecturers can consult this article, available from https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3272525/.

le Sueur, Candice, Erin Hommes and Coetzee Bester (2013). *Concepts in Information Ethics: An Introductory Workbook*. African Centre of Excellence for Information Ethics. Available from http://www.africainfoethics.org/pdf/ 2014/Concepts_PreFinal_Online%20version_21Jan2014.pdf. *Examines basic definitions of professional ethics.

Luban, David (1988). *Lawyers and Justice: An Ethical Study*. Princeton: Princeton University Press. *This book is a detailed but readable treatment of role morality and related issues arising out of legal ethics.

MacKinnon, Barbara (2015). *Ethics and Contemporary Issues*. 8th edition. Stamford, CT: Cengage Learning Company. *A comprehensive introduction to ethical concepts, theories, and analysis.

Maxwell, Bruce (2008). *Professional Ethics Education: Studies in Compassionate Empathy.* Dordrecht; London: Springer. *Addresses the emotional aspects of moral functioning in professional ethics.

National Academy of Sciences (2009). Conflict of interest in medical research, education, and practice. *An extensive, online text regarding conflicts of interest that focuses on the medical field in the U.S., including research, education and practice, available from https://www.ncbi.nlm.nih.gov/books/NBK22942/.

Oakley, Justin and Dean Cocking (2006). *Virtue Ethics and Professional Roles*. Cambridge; New York: Cambridge University Press. *An advanced book that considers how virtue ethics apply to professional roles and ethics.

In addition to the recommendations above, lecturers can consult University of Texas, Ethics Unwrapped. Curated Resources on Professional Ethics, available from http://ethicsunwrapped.utexas.edu/subject-area/professional-ethics.

Student assessment

This section provides suggestions for post-class assignments for the purpose of assessing student understanding of the Module. Suggestions for pre-class or in-class assignments are provided in the Exercises section.

To assess the students' understanding of the Module, the following post-class assignments are proposed. Some require class time and some do not, so lecturers should adjust class structure as needed.

Assignment # 1: Group presentation or video

Before class, ask students to research professional ethics concepts that were emphasized by the lecturer in the Module, and prepare a group presentation for the class. Possible concepts to assign are professional ethics, codes of ethics, and role morality. One or more of the concepts noted below can also be assigned, especially if there is interest in exploring corruption related topics. Lecturers can also let groups choose which concept they want to present, or suggest concepts to be approved by the lecturer. If students have access to a video or recording resources, available on many mobile phones, the lecturer can ask students to make 1-2 short videos illustrating these or other Module concepts. Lecturers should be sure to review presentation materials or videos prior to discussing them in class. In addition to

serving as an assessment tool, assignments delivered in and interspersing throughout the class meeting can energize class discussion.

1) "Conflict of interest": What does this phrase mean? How is it related to professional ethics? Can you provide examples of such conflicts, from different professions? Lecturers can consult the relevant entry from Ethics Unwrapped, available from http://ethicsunwrapped.utexas.edu/glossary/conflict-of-interest.

2) "Quid pro quo": What does this phrase mean and when might quid pro quo be unethical in professional practice? Quid pro quo means that one person gives something to another with the understanding that something is owed in return, and in its extreme form it can constitute bribery or trading in influence.

3) "Dirty hands": What does this phrase mean? Is its use limited to politicians? Is it a necessary part of public life that cannot be avoided? Dirty hands means that someone violates an ethical principle supposedly for a greater good, and is frequently discussed in connection with politicians. Lectures can consult The Ethics Centre's *Ethics Explainer – The Problem of Dirty Hands*, available from http://www.ethics.org.au/on-ethics/blog/june-2016/explainer-dirty-hands, and the Stanford Encyclopedia of Philosophy entry on dirty hands, available from https://plato.stanford.edu/entries/dirty-hands/.

Assignment #2: Written essay

1) Students select a question from a list provided by the lecturer (see below). Some of the questions are based on recommended readings and are easier to answer, while some questions are more challenging because the student has to supply more of the essay structure. Lecturers may also encourage students to choose their own topic, and then submit it to the lecturer to determine whether it is suitable. Essays can range from a response paper of 2-3 pages, which primarily presents the student's summary of and views on the article, to a more detailed critical treatment of the article in 8-10 pages. Lecturer could suggest that students save their essay for future reference and consult it three years from now, or if possible, lecturers can save the students' essays and ask students to contact them in three years.

Option 1: In their article, Black and Barney (see Advanced Readings) argue that codes of ethics actually do more harm than good. They feel that (paradoxically) codes of ethics are unethical. Is their view valid? Does their reasoning make you doubt whether you should rely upon professional codes?

Option 2: Clifford Christians (see Advanced Readings) argues that someone must write and enforce codes to make professionals accountable to their constituencies and to the public at large. Do you agree with his views? Why or why not? Assuming he is correct, how can codes be effectively implemented?

Option 3: Psychologists, historians, sociologists and others have sometimes argued that one cannot truly change human nature in any substantial way. If that is true, do any ethical trainings, policies, codes, or guidelines really matter?

Option 4: What would be the best way for you to insure that you would remain accountable and responsible year after year within the profession you wish to enter? Imagine yourself working within the profession of your choosing three years from now. Where will you draw the line regarding what you will not do to make money or achieve fame? What will you not do no matter how much profit you could make or how much recognition you could receive? Can you think of behaviour you would like to exhibit to be a role model for others? Are there shades of grey where you are not sure how you should act or make decisions? If so, what would be the best way for you to determine how to be ethical in difficult situations when you must make vexing choices?

Assignment #3: Community assignment

Lecturers with more resources can consider an assignment that takes students into the community to address a problem faced by a professional community and propose solutions. Lecturers would have to organize the logistics ahead of time, but if for example there is a current issue of professional ethics in the news or known to students, lecturers can identify persons to interview and resources to check and assign work to individuals or groups of students. Students should be advised to come to class with the results, which can be discussed in class, and then students can submit a report incorporating their research and making suggestions for resolution or improvement.

Additional teaching tools

This section includes links to relevant teaching aides, such as PowerPoint slides and video material, that could help the lecturer teach the issues covered by the Module in an interactive and engaging manner. Lecturers can adapt the slides and other resources to their needs.

PowerPoint presentation

- [Module 14 Presentation on Professional Ethics](#)

Video material

1) Ethics Unwrapped. A variety of videos on Role Morality are available from http://ethicsunwrapped.utexas.edu/video/role-morality.
2) Gibney, Alex (2005). *Enron: The Smartest Guys in The Room*. New York, NY: Jigsaw Productions. This documentary analyses one of the largest business scandals to occur in the United States and the corrupt business practices that lead to its downfall. Lecturers can see more detail regarding the documentary from http://www.imdb.com/title/tt1016268/, and view a short two-minute trailer from http://www.jigsawprods.com/enron-2/.
3) Jhally, Sut (2010). *Killing Us Softly IV*. Northampton, MA: Media Education Foundation. This documentary is the most recent treatment of representations of women in advertisements. Lecturers can see more detail regarding the documentary from http://www.imdb.com/title/tt2507550/.

Guidelines to develop a stand-alone course

This Module provides an outline for a three-hour class, but there is potential to develop its topics further into a stand-alone course. The scope and structure of such a course will be determined by the specific needs of each context, but a possible structure is presented here as a suggestion.

Session	Topic	Brief Description
1	Module introduction	Introduce Module themes and assessment methodology. Explore student familiarity with professional ethics. Review the definition of professional ethics, the role of professional ethics in society, and why students should study professional ethics, in their field and in other fields.
2	Ethical foundations	Review the field of ethics and basic concepts and terminology used in the Module.
3	Personal, theoretical, & professional ethics	Expose students to the important distinction between personal, theoretical, and professional ethics.
4	Ethical decision-making	Review and critique models for ethical decision-making and their respective roles in personal and professional ethics.
5	Role morality: introduction	Introduce students to the concept of role morality and the potential ethical dilemmas raised by conflicts between professional and personal ethics.
6	Role morality: approaches and resolution	Students address particular case studies and try out and critique methods of resolution.
7	Professional codes: introduction	Students consider the difference between professional ethics and professional codes, and learn the difference between aspirational-based and disciplinary-based codes.
8	Professional codes: examination of a code	Students examine one code in detail, and discuss the origin of the code (e.g. a professional body?), the professional values reflected in the code, how the code would apply to different case studies, and any disciplinary mechanisms. If the code is directly relevant to the student's profession, resources available to assist with ethical issues should also be addressed.

| 9 | Professional codes: comparing codes | Students compare the code studied in the previous class with a code from a different profession, and discuss similar and different professional values underlying the respective codes as well as other aspects. |
| 10 | Student presentations or guest lecturer | As a wrap up for the course and segue into the real world of professionals, the final session should be reserved for student presentations on challenging ethical issues, or a group discussion with a guest lecturer who can share his or her experience dealing with difficult issues of professional ethics. |