

Ethical Theory: an Overview

Introduction:

1. Ethics or morality (and we'll use these terms interchangeably) is the broader arena in which any special set of ethical problems is found. One cannot study special issues in ethics without some knowledge of the basic ways in which ethical theorists have attempted to deal with the nature of the good life, the good person, good action, etc. It is the purpose of this outline to provide a very broad overview of ethical theory to help us in our more precise study of the problems of business ethics.
2. One can divide ethical theory into two basic categories: those theories that aim at achieving some result that is labeled the fundamental aim or good and those theories that aim at discerning which laws of action are the right or good. The former will be labeled, *consequentialist*, while the latter will be called, *deontological* (literally, "the study of duty").
3. Of course, though we shall examine these two basic kinds of theories separately, we must acknowledge that many consequentialist theories spend a lot of time speaking about laws, while important deontologists spend a lot of time discussing aims and good purposes.

Consequentialism:

1. *Virtue Ethics*
 - a. Virtue:
Virtue is a character trait or habit that maximizes the true potential of human nature (In other words, it aims to make a person all that she or he can be!). Of course, not all virtues are ethical virtues. Any project (and virtue ethicists see human nature as a shared project) will have virtues and vices (the opposite of virtues). For example, developing the habit of holding your head still is a virtue in golf. Looking to your right and left before crossing a street is one that insures safety.
 - b. *Socrates and Plato*:
 - i. The word for virtue in ancient Greece really meant, *excellence (arête)*: For the ancient Greeks, the good life required that one master the excellences or virtues that led to happiness. One of the most famous ancient thinkers was Plato (5th century BCE). He wrote down his teacher's conversations with other Greeks about many philosophical topics; especially virtue and the good life. Here is a quote from a discussion with his friend, Crito, while he was in prison waiting to be (unjustly) executed, about the value of the soul, or that highest part in us, and the importance of listening only to those who have knowledge of the human condition not the crowd who doesn't think very much about ethics or human excellence. Crito has just argued that Socrates must escape because people will think that his friends were cheap and not willing to help him.

Soc. This is what I want to consider with your help, Crito: whether, under my present circumstances, the argument appears to be in any way different or not; and is to be allowed by me or disallowed. That argument, which, as I believe, is maintained by many who assume to be authorities, was to the effect, as I was saying, that the opinions of some men are to be regarded, and of other men not to be regarded. Now you, Crito, are a disinterested person who is not going to die tomorrow—at least, there is no human probability of this, and you are therefore not liable to be deceived by the circumstances in which you are placed. Tell me, then, whether I am right in saying that some opinions, and the opinions of some men only, are to be valued, and other opinions, and the opinions of other men, are not to be valued. I ask you whether I was right in maintaining this?

Cr. Certainly.

Soc. Shouldn't we pay attention to the good ones and ignore the bad? **Cr.** Yes.

Soc. And the opinions of the wise are good, and the opinions of the unwise are evil?

Cr. Certainly.

Soc. And what was said about another matter? Was the disciple in gymnastics supposed to attend to the praise and blame and opinion of every man, or of one man only—his physician or trainer, whoever that was?

Cr. Of one man only.

Soc. And he ought to fear the blame and welcome the praise of that one only, and not of the many?

Cr. That is clear.

Soc. And he ought to live and train, and eat and drink in the way which seems good to his single master who has understanding, rather than according to the opinion of all other men put together? **Cr.** True.

Soc. And if he disobeys and disregards the opinion and approval of the one, and regards the opinion of the many who have no understanding, will he not suffer evil?

Cr. Certainly he will.

Soc. And what evil will come to the disobedient person?

Cr. Clearly, affecting the body; that is what is destroyed by the evil.

Soc. Very good; and is not this true, Crito, of other things which we need not spell out in detail? In the matter of just and unjust, fair and foul, good and evil, which are the subjects of our present consultation, ought we to follow the opinion of the many and to fear them; or the opinion of the one man who has understanding, and whom we ought to fear and reverence more than all the rest of the world: and whom deserting we shall destroy and injure that principle in us which may be assumed to be improved by justice and deteriorated by injustice; is there not such a principle?

Cr. Certainly there is, Socrates.

Soc. Take a parallel instance; if, acting under the advice of men who have no understanding, we destroy that which is improvable by health and deteriorated by disease—when that has been destroyed, I say, would life be worth having? And that is—the body? **Cr.** Yes.

Soc. Could we live, having an evil and corrupted body?

Cr. Certainly not.

Soc. And will life be worth having, if that higher part of us be depraved, which is improved by justice and deteriorated by injustice? Do we suppose that principle, whatever it may be in us, which has to do with justice and injustice, to be inferior to the body?

Cr. Certainly not.

Soc. More honored, then?

Cr. Far more honored.

Soc. Then, my friend, we must not regard what the many say of us: but what the one person who has understanding of just and unjust, will say, and what the truth will say. And therefore you begin in error when you suggest that we should regard the opinion of the many about just and unjust, good and evil, honorable and dishonorable. Well, someone will say, "But the many can kill us."

Cr. Yes, Socrates; that will clearly be the answer." (Plato, *Crito*)

c. *Aristotle:*

- i. Introduction: Aristotle refined his teacher's, Plato, position and argued that all human persons are born with certain basic emotional capacities or desires (for example, the capacity to be frightened) and that each of us is born with the ability to exercise these capacities (that is, newborns immediately begin to be angry, hungry, frightened, etc.). Neither the capacity nor its mere use, however, is sufficient for understanding ethics. Instead, Aristotle argues that the ethical question involves *how much* one ought to exercise one's capacities or desires.
- ii. Which capacities? It doesn't make any sense to try and develop capacities in the right way if the capacity in question is fixed in its disposition, that is, is really not under one's control. Thus, coughing in class is neither praiseworthy nor blameworthy. What interests Aristotle are those capacities that can be shaped deliberately through education so as to maximize or perfect our human nature. This is a state or condition (disposition) of our emotions (that is, a certain amount) and our character is what determines the *state* we get ourselves into when confronted with everyday events.
- iii. His definition of virtue is therefore: "A state that decides, consisting in a mean, the mean relative to us, which is defined by reference to which the prudent person would define it." (*Nicomachean Ethics*, II, 7).
- iv. The question, then, is what is the essence of the human soul or person that the wise person understands?
- v. The Structure of the Soul
 1. **Theoretical Reason:** *Disinterested examination of Reality ("Contemplation")*
 2. **Practical Reason:** *Adapting our physical and social circumstances according to reasoning*

3. **Sense-Perception:** Ability to “see” the thing and retain it so as to later desire it (this causes motion)
 4. **Basic Living Functions:** Eating and reproducing like a plant (mere living)
- vi. Some Virtues:
1. **Cardinal:** Justice, Courage, Wisdom, and Moderation
 2. **Spiritual:** Faith, Hope, and Love
 3. Some **other** famous ones: patience, honesty, loyalty, etc.
- vii. If virtues are the appropriately shaped capacities, the *vices* are the inappropriately shaped capacities. For example, the person who is frightened of a charging 18-wheel truck is not a coward because such a truck can kill a human being (if you weren’t afraid, you would have the bad habit (vice) of being *rash*); but a person who is afraid of a fly (unless they are allergic or the fly is carrying a deadly disease) is a coward.
2. *Natural Law:*
- a. Introduction: Natural law is deeply indebted to Virtue ethics, but its emphasis is slightly different.
 - i. Like virtue ethics, Natural Law Theory bases its views on a theory of human nature and its ultimate ends or purposes.
 - ii. Unlike virtue ethics, Natural Law Theory focuses on laws that can be derived from these purposes rather than character traits (virtues).
 - iii. For example: Though NLT was much more influential in the past, it has had a revival in some areas—especially in sexual ethics. It is often associated with the Catholic Church. For example, our sexual nature is aimed at procreation, so it is against natural law to interfere with this (and so the Church’s ban on contraception).
3. *Utilitarianism or Consequentialism Proper*
- a. Definition: Utilitarianism defines what is ethical according to what actions or rules maximize some general social goal or practice. In other words, an action or rule is good insofar as it is useful (hence the word, *utility*) for this goal or practice.
 - b. Hedonic or Happiness as the main goal: There can be many forms of utilitarianism, but the most famous and enduring version, however, is Hedonic Utilitarianism; that is, the theory that proclaims the following: “*The creed which accepts as the foundation of morals, Utility, or the Greatest Happiness Principle, holds that actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure.*” (J.S. Mill, *Utilitarianism*)
 - i. One important point to take note of is that the pleasure or happiness in question here can be understood qualitatively as well as quantitatively. In

other words, if human beings generally (after full reflection and knowledge of the facts) have valued friendship over Cheetos, then one would resist betraying a single friend (quality) even if one is promised a lifetime supply of Cheetos (quantity) in return.

- ii. A second important point is that while the happiness in question includes my own personal happiness its scope is much larger. An action or rule is good if it maximizes the **total** happiness (that is, for the whole society affected). This makes the theory objective in the sense that a law is not just based on my preferences but on the general (knowledgeable) preferences of the entire society.
- iii. Act vs. Rule: One final consideration: Some Utilitarians argue that the thing to be evaluated ethically is individual actions. In other words, the ultimate moral question is always: What are the consequences of this *particular* action. These thinkers are called, *Act-Utilitarians*. Others, however, argue that this is impractical and that what we should do is examine laws or rules for acting that can be tested over time. For example, we can't test every particular case of lying to see if over time this specific act will be damaging. Instead, we must acknowledge that history has shown us that honesty is the best policy. These theorists are called, appropriately, *Rule-Utilitarians*.

Deontology

Introduction: The word, “deontology,” simply means “the study or science of duty.”

Deontological theory sees the fundamental question to be what duties or laws must be obeyed. Such thinkers do not ground such laws in any higher morality or ethical foundation or purpose (like becoming virtuous or maximizing happiness or wealth), but argue that the laws or duties themselves are what constitutes morality.

1. *Command Theory*

a. Introduction:

- i. Command Theory argues that the laws or duties that we must follow are created by an authority; an authority whose right to issue the laws or duties is not determined by some further reasoning within ethics, but is simply (without further **moral** reason) accepted as authoritative.
- ii. All command theories have the following structure: *Any law “X” is right or just if it is commanded by authority, “Y”.*
- iii. The most famous of the command theories is probably the Divine Command Theory.

b. Divine Command Theory

- i. A law is right or just if God commands it.
- ii. Though it is famously difficult and controversial how we come to know God's commands, it is not impossible. In fact, religions throughout history have developed complex and productive ways of determining the divine will: for

example, prayer, religious leaders, holy texts (Bible, Koran, Torah, etc.), mystical inspiration, etc. Certainly, people fight over these issues, but many cultures across the centuries have had broad agreement on these issues and put them to use ethically. In any event, such disputes (about what the divine wants) are not ethical in nature but theological.

- iii. This is so; because the major point to be understood in Command Theories in general and the Divine Command Theory in particular is that the authority in question *cannot be determined or judged ethically!*

c. Other forms of command theory: state, culture, family, etc.

- i. Though the Divine Command Theory is one of the most popular, in principle, anything can be put in as the authority. For example, one could claim that the final authority is the legal system of one's nation (Legal Command Theory). Thus, if it is legal, then it is morally permissible. Or one might place one's parents in such a position and argue that if one's mother or father says it is permissible, and then it is.
- ii. Finally, all forms of Command Theory are forms of relativism in the strict sense; that is, the rightness or wrongness of a law or duty is *relative to* some authority. Thus, if the authority upon which one is relying is one's culture, then one has a Cultural Command Theory—or Cultural Relativism.
- iii. Egoism as a special form of command theory: Another form of Command Theory that is often given a separate place in ethical theory, is Ethical Egoism. Such a theory says that a law or duty is right or wrong if **I** affirm it. Thus, morality is relative to **me**. This is not to say that what I believe is right or wrong is simply what I desire it and that I have no choice in the matter. This is a psychological claim, and is sometimes called, Psychological Egoism. Since the psychological egoist claims that there is no choice in the matter for anyone (we are all psychologically determined in this way), she or he is not putting forward an ethical theory at all but describing a situation in which we are all necessarily stuck. Since we are examining theories that one could or could not adopt, we must stick to Ethical Egoism with its claim that this the best way to deal with ethics is to go with your deepest feelings or convictions—"Look within and see what you fundamentally believe."

2. Kant

- a. Intention or will versus consequences and happiness:
- b. The German philosophy, Immanuel Kant (1724-1804) was a great opponent of Consequentialism. He argued that what truly made an action moral was not the consequences but the intentions. One can be saved by a fall, for example, by a branch that happened to be there just as much as by someone grabbing your hand, but Kant would point out that it is only the latter event that we call "moral."
- c. Kant argues, therefore, that the true moral question has to do with our will or intention. Here is a selection from his *Grounding for the Metaphysics of Morals*:

d. *“Introduction to the Good Will*

*Nothing can possibly be conceived in the world, or even out of it, which can be called good, without qualification, except a **good will**.* Intelligence, wit, judgment, and the other talents of the mind, however they may be named, or courage, resolution, perseverance, as qualities of temperament, are undoubtedly good and desirable in many respects; but these gifts of nature may also become extremely bad and mischievous if the will which is to make use of them, and which, therefore, constitutes what is called character, is not good. It is the same with the gifts of fortune. Power, riches, honor, even health, and the general well-being and contentment with one’s condition which is called happiness, inspire pride, and often pre-sumption, if there is not a good will to correct the influence of these on the mind, and with this also to rectify the whole principle of acting and adapt it to its end. The sight of a being who is not adorned with a single feature of a pure and good will, enjoying unbroken prosperity, can never give pleasure to an impartial rational spectator. Thus a good will appears to constitute the indispensable condition even of being worthy of happiness. There are even some qualities which are of service to this good will itself and may facilitate its action, yet which have no intrinsic unconditional value, but always presuppose a good will, and this qualifies the esteem that we justly have for them and does not permit us to regard them as absolutely good. Moderation in the affections and passions, self-control, and calm deliberation are not only good in many respects, but even seem to constitute part of the intrinsic worth of the person; but they are far from deserving to be called good without qualification, although they have been so unconditionally praised by the ancients. For without the principles of a good will, they may become extremely bad, and the coolness of a villain not only makes him far more dangerous, but also directly makes him more abominable in our eyes than he would have been without it.

e. *Good Will and Consequences (Kant continues)*

”A good will is good not because of what it performs or effects, not by its aptness for the attainment of some proposed end, but simply by virtue of the volition; that is, it is good in itself, and considered by itself is to be esteemed much higher than all that can be brought about by it in favor of any inclination, no even of the sum total of all inclinations. Even if it should happen that, owing to special disfavor of fortune, or the stingy serving from a mean-spirited Nature, this will should wholly lack power to accomplish its purpose, if with its greatest efforts it should yet achieve nothing, and there should remain only the good will (not, to be sure, a mere wish, but the summoning of all means in our power), then, like a jewel, it would still shine by its own light, as a thing which has its whole value in itself. Its usefulness or fruitfulness can neither add nor take away anything from this value. It would be, as it were, only the setting to enable us to handle it the more conveniently in common commerce, or to attract to it the attention of those who are not yet connoisseurs, but not to recommend it to true connoisseurs, or to determine its value.

There is, however, something so strange in this idea of the absolute value of the mere will, in which no account is taken of its utility, that notwithstanding the thorough assent of even common reason to the idea, yet a suspicion must arise that it may perhaps really be the product of mere high-flown fancy, and that we may have misunderstood the purpose of nature in assigning reason as the governor of our will.

Therefore we will examine this idea from this point of view. In the physical constitution of an organized being, that is, a being adapted suitably to the purposes of life, we assume it as a fundamental principle that no organ for any purpose will be found but what is also the fittest and best adapted for that purpose.”

f. *Good Will and Happiness* (Kant continues);

Now in a being which has reason and a will, if the proper object of nature were its conservation, its welfare, in a word, its happiness, then nature would have hit upon a very bad arrangement in selecting the reason of the creature to carry out this purpose. For all the actions which the creature has to perform with a view to this purpose, and the whole rule of its conduct, would be far more surely prescribed to it by instinct, and that end would have been attained thereby much more certainly than it ever can be by reason. Should reason have been communicated to this favored creature over and above, it must only have served it to contemplate the happy constitution of its nature, to admire it, to congratulate itself thereon, and to feel thankful for it to the beneficent cause, but not that it should subject its desires to that weak and delusive guidance and meddle bunglingly with the purpose of nature. In a word, nature would have taken care that reason should not break forth into practical exercise, nor have the presumption, with its weak insight, to think out for itself the plan of happiness, and of the means of attaining it. Nature would not only have taken on herself the choice of the ends, but also of the means, and with wise foresight would have entrusted both to instinct. And, in fact, we find that the more a cultivated reason applies itself with deliberate purpose to the enjoyment of life and happiness, so much the more does the man fail of true satisfaction...

For as reason is not competent to guide the will with certainty in regard to its objects and the satisfaction of all our wants (which it to some extent even multiplies), this being an end to which an implanted instinct would have led with much greater certainty; and since, nevertheless, reason is imparted to us as a practical faculty, i.e., as one which is to have influence on the will, therefore, admitting that nature generally in the distribution of her capacities has adapted the means to the end, its true destination must be to produce a will, not merely good as a means to some-thing else, but good in itself, for which reason was absolutely necessary. This will then, though not indeed the sole and complete good, must be the supreme good and the condition of every other, even of the desire of happiness. Under these circumstances, there is nothing inconsistent with the wisdom of nature in the fact that the cultivation of the reason, which is requisite for the first and unconditional purpose, does in many ways interfere, at least in this life, with the attainment of the second, which is always conditional, namely, happiness. No, it may even reduce it to nothing, without nature thereby failing of her purpose. For reason recognizes the establishment of a good will as its highest practical destination, and in attaining this purpose is capable only of a satisfaction of its own proper kind, namely that from the attainment of an end, which end again is determined by reason only, notwithstanding that this may involve many a disappointment to the ends of inclination.

We have then to develop the notion of a will which deserves to be highly esteemed for itself and is good without a view to anything further, a notion which exists already in the sound natural understanding, requiring rather to be cleared up than to be taught, and which in estimating the value of our actions always takes the first place and

constitutes the condition of all the rest. In order to do this, we will take the notion of *duty*, which includes that of a good will, although implying certain subjective restrictions and hindrances. These, however, far from concealing it, or rendering it unrecognizable, rather bring it out by contrast and make it shine forth so much the brighter.

g. Pure practical reason or the willing of the form of the law.

- i. If this will is not to be shaped by any consequence or inclination that is given to it naturally (that is, not willed by the person), then what will be the aim or goal? Kant claims that the only thing left is the desire to be lawful itself, and, since the basic form of law is its universality, this desire to be lawful or universal corresponds to the desire to be objective or rational.
- ii. Morality, for Kant, is thus the desire to be a creature who chooses rationally and thus freely rather than a creature bound by deterministic psychological desires or circumstances.

h. Categorical Imperative:

- i. Kant develops a number of formulations of this desire to objective, lawful, and rational in the form of moral commands or imperatives. This imperative is not based on any particular experience or fact in the world that might change—Kant calls such particular changeable imperatives, “hypothetical,” because we don’t know if the conditions apply. For example, “Clean your room, if you want to go out tonight!” In this case, you will clean your room, only if you want to go out. Since the moral imperative must be a law (that is truly universal, not something that only holds sometimes, that is, “hypothetically”), Kant calls it a *Categorical Imperative*, that is, it holds in every category or case.
- ii. Here are the first two versions of his imperative as Kant gives them in his *Grounding for the Metaphysics of Morals*: “There is therefore but one categorical imperative, namely, this: [**First Formulation of C.I.**] *Act only on that maxim whereby you can at the same time will that it should become a universal law.* Now if all imperatives of duty can be de-duced from this one imperative as from their principle, then, although it should remain undecided what is called duty is not merely a vain notion, yet at least we shall be able to show what we understand by it and what this notion means. Since the universality of the law according to which effects are produced constitutes what is properly called nature in the most general sense (as to form), that is the existence of things so far as it is determined by general laws, the imperative of duty may be expressed thus: [**Second Formulation of C.I.**] *Act as if the maxim of your action were to become by your will a universal law of nature.* We will now enumerate a few duties, adopting the usual division of them into duties to ourselves and ourselves and to others, and into perfect and imperfect duties.”

- iii. Examples: Kant gives four moral examples to show how his theory works: suicide, making false promises, helping others, and developing one's talents or skills. Here is his account of the case of making a lying promise:
- iv. Another formulation of CI: The first two formulations of the CI are rather abstract, so Kant asks whether there might be something more tangible that represents the goal of willing solely according to pure lawfulness or reason. He finds it in the very essence of our humanity. We are rational creatures, we are different than other beings because we are not driven solely by our natural inclinations or psychology, but rather we can use our reason to choose rationally and thus freely. Because of this special gift, human beings are not simply things that have a price and can be exchanged. Human beings, as the possessors of rationality and freedom, have dignity rather than a price. Kant argues that insofar as we respect the dignity of other human beings in our actions and intentions we are in fact respecting or achieving universality or lawfulness itself. Kant thus comes up with another version of CI that he argues is equivalent to the other two: "Supposing, however, that there were something whose existence has in itself an absolute worth, something which, being an end in itself, could be a source of definite laws; then in this and this alone would lie the source of a possible categorical imperative, i.e., a practical law. *Now I say: man and generally any rational being exists as an end in himself, not merely as a means to be arbitrarily used by this or that will, but in all his actions, whether they concern himself or other rational beings, must be always regarded at the same time as an end.* Accordingly the practical imperative will be as follows: [**Third Formulation of C.I.**] *So act as to treat humanity, whether in your own person or in that of any other, in every case as an end withal, never as means only.*" (Kant, *Grounding for the Metaphysics of Morals*)