

# **Ethical Dilemmas in Justice Studies**

By

**Julie B. Raines**

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## Foreword

Across many countries, public confidence in the institutions of justice is trending downward. Annual surveys conducted by the Gallup organization in the United States show a citizenry with little faith in the police, Supreme Court, and criminal justice system. Growing mistrust in the police, courts, and corrections knows no borders. Negative perceptions of the justice system are endemic across certain groups, especially those who are disproportionately targeted for arrest or too poor to mount an effective legal defense. The growing trust deficit between the justice system and community members is worrisome on many levels. Individuals who question the validity and fairness of the justice system are much less likely to abide by it. Why conform to the rule of law when it is applied unequally across the population? Declining confidence in justice institutions also has the effect of hardening the lines that already separate peoples according to race, economics, and country of origin. Under these circumstances, good governance and the maintenance of civil society are less assured and regimes become more unstable.

The antecedents for growing mistrust are complex and varied. Citizens are reporting less support for all types of civil institutions – both public to private – from political parties to organized religion. There is likely some connection between lower trust in institutions more generally and justice institutions in particular. Changing political understandings about the role of government in society and perhaps even generational issues may be influencing faith in government. However, there are many instances where the misbehavior of justice system actors contributes to its poor standing with the public. The world witnessed the murder of George Floyd as he struggled for breath under the knee of a Minneapolis police officer along a busy thoroughfare. Pictures of

the violent and dehumanizing tactics used by guards at Abu Ghraib prison in Iraq are still widely circulated. Recent revelations about U.S. Supreme Court Justice Clarence Thomas' receipt of lavish gifts and vacations add to the sense that justice can be bought for the right price. In many ways, these are self-inflicted wounds perpetrated on the justice system by the actors themselves.

So, how does one rebuild confidence in the institutions of justice? The solution largely rests in the age-old question inherent in democratic political systems -- how to keep government officials accountable to the citizenry and their elected representatives. Governments may coax law-abiding, public-spirited behavior from its justice system actors through a host of formal tools including legislative inquiries, transparency rules, and citizen oversight bodies. These are of limited effect without a complementary focus on the informal means of promoting integrity and fairness in official behavior.

This is the space that *Ethical Dilemmas in Justice Studies* seeks to fill. Taking an applied approach to ethics, the text offers an invitation to students and practitioners alike to anticipate the types of ethical questions they will face in the workplace. The book is peppered with numerous case studies and debate topics across all justice contexts to accomplish this purpose. The approach used by Julie Raines aligns with a sentiment expressed in Rosemary O'Leary's important book *The Ethics of Dissent*, "ethics is not a spectator sport—it is a contact sport" (p. 16). The idea is to study and debate complex ethical dilemmas *before* experiencing them in a professional setting. It is like any task in life, the more one practices, the better the results. This holds true whether the task is target shooting, solving a math problem, or navigating an ethical dilemma. In short, we cannot simply wait for someone else to tell us the right course, we must be proactive in searching out ethical questions and applying appropriate ethical reasoning.

The reader is encouraged to accept Raines' invitation to wrestle with the complex ethical questions she throws our way. By doing so, you not only contribute to the fair and equal administration of justice but help to rally public confidence in the institutions of justice.

James R. Brunet

North Carolina State University

December 2023

#### Reference

O'Leary, Rosemary. (2006). *The Ethics of Dissent: Managing Guerrilla Government*. Washington, DC: CQ Press

# Chapter 1

## Morality and Ethics

### Chapter Objectives

1. Define the concepts of morality, ethics, values, duties, moral dilemmas, and whistleblowing.
2. Identify conflicting values and duties and how these conflicts develop into moral/ethical dilemmas.
3. Examine moral/ethical dilemmas and how to approach these dilemmas.

### Introduction

Every Harry Potter fan can probably recite for you the tale of the three brothers as written by Beedle the Bard. It is a parable of sorts – a story that has several obvious moral lessons. Two of the three brothers try to cheat death and live forever which has negative consequences for both brothers. Their two stories highlight the dangers of wielding unbridled power, as well as the importance of accepting grief over the loss of a loved one. Each brother has a story that shows what they each value.

Parables can typically be found in religious stories which is not surprising since moral philosophy and religious philosophy, not to mention legal reasoning, are all tightly connected in many ways. While Harry Potter is not a religious story, it has the same elements found in most parables – life lessons when values and/or duties come into conflict. As moral/ethical dilemmas happen because of competing values and/or duties/obligations, this chapter then focuses on values, duties, obligations, and ethical dilemmas. This is followed by a discussion of whistleblowing and considerations in the ethical collection of both quantitative and qualitative data in criminal justice research. We begin, however, much more broadly looking at the concepts of morality and ethics.

## Morality

Defining **morality** is complex, but most definitions include a behavioral code that rational, moral actors adhere to and endorse for the good of a larger group, namely society. **Morality** often also includes concepts of etiquette or small morals, religious morality, and legal or written behavioral codes (Gert & Gert, 2020). In the Harry Potter parable, the first brother uses an all-powerful magic wand to commit murder and then proceeds to boast about his invincibility. The first brother has violated both a legal and religious behavioral code of committing murder. He has also violated a religious moral code of boasting which is considered a sin of pride. Boasting could also arguably be considered a violation of etiquette as society does not generally approve of people who brag or boast.

We constantly judge whether human behavior is good or bad when determining whether behavior is moral or not. Some argue that we can't judge whether behavior is moral or not based on universal notions of moral behavior, but that **morality** is dependent on the individual themselves (also known as **moral relativism** where what is judged as good or bad conduct is determined by the individual), as well as the context, culture, and norms of the society they live in. Based on the first brother's behavior, we could judge his behavior to be bad or immoral, but according to moral relativism, the first brother may consider his own behavior morally justified which is one of the criticisms of **moral relativism**.

Our roles and status in society also determine how we are expected to act and contribute to how we are judged with respect to the morality of our behavior. I am a professor, and you are a student – these roles give us each certain levels of status within society. The expectations are that I will treat you in the way I treat other students, with expectations of completing assignments on time, and you will treat me the way you treat other professors, with expectations that I provide guidance throughout the semester on how to complete those assignments.

According to Socrates, bad behavior comes from ignorance or lack of knowledge and one can only achieve happiness by being virtuous which requires attaining knowledge. In the law, individuals who may have difficulty attaining knowledge measured by their IQ are often treated differently, excused from entering contracts, and spared from the death penalty. Aristotle, on the other hand, believed that bad behavior did not come from ignorance but from human weakness and that individuals who engage in bad behavior do so knowingly. This concept of "knowingly" also shows up in the law when determining a defendant's level of responsibility for committing a crime or culpability. An individual who is merely reckless, perhaps acting dangerously without realizing the potential consequences, is held to a lesser standard of culpability than someone who acts knowingly, whether they knew (actual knowledge) or should have known (constructive knowledge) their behavior would cause harm.

This brings us to the ultimate question – to whom does morality apply? Do we judge my dog on her behavior and whether it is moral or not? Philosophers agree that we look towards rational actors when judging morality and while I believe my dog to be quite brilliant, I would agree with philosophers that rational actors are generally limited to humans and their moral behavior. How we define rationality is a trickier question, however, but it's safe to say that morality applies to anyone who can understand what it means to be rational leaving out small children and individuals who have significant cognitive impairment.

### Case 1.1: Morality

Mel Gibson is an actor and director who has battled alcoholism. While intoxicated on multiple occasions he has made appalling homophobic, antisemitic, and racist comments. Each time he said something despicable, he apologized, and eventually he entered rehabilitative treatment for his alcoholism. He was ultimately blacklisted by Hollywood for about 10 years. Does being moral mean never making mistakes? Does alcoholism excuse Mel's behavior? Is it possible to atone for such behavior? Was blacklisting him from his profession for 10 years an appropriate response?

## Ethics

**Morality** and **ethics** are used interchangeably even though ethics is really the study of morality or what is judged to be good or bad behavior. **Meta-ethics** is the study of ethical systems and whether those systems follow the principles of moral relativism or a universalistic approach as with ethical formalism (which will be discussed in the next chapter). In this text, we examine **applied ethics** which focuses on a specific issue, our issue being the criminal justice system. We also examine several areas of **professional ethics**, which is a subset of **applied ethics**, including policing, courts, and corrections.

**Normative ethics** takes morality a step further by proposing how one should act and live, as well as what kind of person one should be and this is achieved by “stating and defending the most basic moral principles” (Kagan, 2018, p. 2). Figuring out what are the basic moral principles, rights, or duties is at the heart of normative ethics. For example, the first brother in the parable doesn’t appear to have a moral justification for murdering another human being and harming another person is not considered a moral act except for rare circumstances such as self-defense or defense of others. Normative ethics would propose then that the first brother acted immorally under the circumstances.

**Situational ethics**, like **moral relativism**, takes an individualistic approach, but rather than solely focusing on the individual to determine morality, it focuses on the surrounding context of the moral dilemma. For example, the story of the first brother gives us no context regarding the dispute he had with the man he murders, nor does it give any context regarding his life in that moment. Would we judge the first brother differently if he had been wronged by the man he murdered? Or if he had recently endured terrible misfortunes leading up to his immoral behavior? These finer details give us the context we need to judge the first brother’s behavior according to situational ethics.

Until this point, we’ve considered judging the morality of specific behavior, but we haven’t considered what makes someone a moral or

ethical person. The first brother's behavior is ultimately immoral according to most codes of conduct, but is he an immoral person negating all the good he may have accomplished up until that moment in his life? **Virtue ethics** is a system of normative ethics that focuses on an individual's character. Good character or **virtues** include wisdom, justice, courage, and temperance according to stoicism. Similarly, Aristotle defined virtues as wisdom, understanding, generosity, and self-control and that individuals can develop good habits to flourish and achieve happiness. The other two systems of ethics, which focus on behavior, are discussed in the next chapter.

### Case 1.2: Virtue ethics

Consider stoicism and Aristotle's virtues and decide whether you would say any of the following individuals have good moral character:

1. Donald Trump
2. Joe Biden
3. Lindsey Lohan
4. Charlie Sheen
5. Michael Jackson
6. Britney Spears

## Values

**Values** consist of what we prioritize in life; things that have importance, are desirable, or are worth something to us. Most people highly value family, friends, good health, honesty, safety, security, and respect, but not everyone will rank order these elements of value in the same way. How we prioritize can fluctuate given the situation we find ourselves in, as well. If I'm sick, then my health will come before all else and if I'm pushing a deadline at work then my career may come before other elements on my list. Relativists argue that no values are universally more important than others while universalists argue that some elements of value are more important than others like altruism.

According to Parsons (1967), **values** and shared culture are the basis for social systems that motivate us in terms of what we *should* do and determine our behavior in terms of what we *would* do. The idea is that our values to some degree drive our behaviors, however, just because someone values honesty doesn't mean that they are honest all the time. While I may be motivated to be honest, there can be situational factors where some other value comes into conflict – protecting my friend's feelings, for example. I may decide to lie regardless of how strongly I value honesty.

### Case 1.3: Values

Everyone values the truth; however, we all lie at different times in our lives. Sometimes the truth isn't as valuable as protecting a relationship or avoiding emotional harm. Consider whether you would be willing to lie under any of the following circumstances and what competing values are at stake:

1. Your best friend is a drug dealer and doesn't want to be kicked out of college. They ask you to testify on their behalf at their student conduct hearing.
2. Another student broke into the online grading system and changed your grade from a "C" to an "A".
3. Someone you work with presented your work as their own.
4. You have access to top secret government documents that the general public should know about.
5. A friend applied to the company you work at and lied on their resume.

## Duties and Obligations

**Duties** and **obligations** are usually terms that are used interchangeably. There is a distinction, however slight, among philosophers between the two terms. Generally, we have responsibilities to one another depending on our relationships with one another. To be considered a moral agent, we are expected to behave according to our responsibilities to one another. As a mother, I am

expected to take care of my children – it is my special obligation because I have a special relationship with my children. If I do not behave according to this responsibility, then I'm shirking my moral responsibility and, in this example, there will also be legal consequences.

The distinction between **duties** and **obligations** often hinges on the relationship between the person who owes the duty and the person they owe the duty to (Jeske, 2021). **Duties** are considered by some philosophers as general duties we owe one another, like treating people with respect. These general duties are also sometimes referred to as natural duties and other times referred to as imperfect duties. **Supererogatories** are not required in the same way that duties and obligations are expected to be performed but are moral behavior that exceeds what is normally expected behavior. The most common example is a good Samaritan who intervenes at some personal risk to help someone that they don't owe a duty to.

**Prima facie duties** are acts where there is a significant relationship between the people involved in the moral dilemma at issue thus changing the nature of moral obligation that may exist between the parties involved. **Prima facie** means at first sight or on its face. It is a concept often used in the law to recognize special duties owed based on the relationship between parties involved in a dispute or legal thresholds that must be met in order to shift the burden of proof. For example, in discrimination cases, the plaintiff must make a **prima facie** case that they are in a protected class and that the person/agency discriminating treated them differently than others who are not in a protected class.

Within moral dilemmas, there are several types of **prima facie duties** which include:

*Fidelity* – explicit and implicit promises made between parties or agreements entered into that stem from previous actions between the parties

*Reparation* – a duty to make up for harms previously caused by others

*Gratitude* – a duty to repay others for past favors

*Justice* – prevent or correct mismatches between happiness and merit

*Beneficence* – improve conditions of others with respect to virtue, intelligence, or pleasure

*Self-improvement* – improve one's virtues or intelligence

*Nonmaleficence* – do not injure others (doing good for its own sake)

Duties and obligations are at the heart of deontological systems of ethics which we explore in the next chapter.

#### Case 1.4: Duties and obligations

You are in a lifeboat with four other people. You have enough food and water to last several weeks for the four of you. This will give you enough time to float into a shipping lane and be rescued. You will perish if the five of you consume all the food and water. There is a suggestion that one of you should die so the other four can live.

Identify the duties/obligations that you owe one another and the values that are relevant to the decision. Consider whether the values and duties/obligations shift depending on any special relationships between the five passengers on the lifeboat.

## Rational Choice Theory (RCT)

RCT is a theory that acknowledges we are all self-interested actors making decisions based on what benefits each of us the most. First recognized by Adam Smith in the 1700s, RCT is very similar to Ethical Egoism which is explored in the next chapter. RCT relies on a cost-benefit type analysis in decision-making. RCT has been explored by economists, social scientists, political scientists, and mathematicians. As an extension of RCT, Homans (1961) developed **Social Exchange**

**Theory** that applies cost-benefit analysis in personal and professional relationships. It is a system of exchange that determines the value of the relationship. Where the costs outweigh the benefits, then the relationship will suffer.

There are three issues that **RCT** struggles with explaining which include collective action, norms and obligations, and social structure. Collective action is altruistic behavior benefiting others more than it benefits the individual actor, which contradicts RCT. Following social norms and feeling a sense of obligation to others is also altruistic. And while RCT is a very individualistic theory, social structures are quite the opposite. Clearly RCT then can't explain all of our behaviors when making ethical decisions.

#### Case 1.5: Rational Choices

In a 2023 movie called *No Hard Feelings* a young woman, Maddie, is about to lose the home she grew up in. She can save her family home by taking a "job" dating a 19-year-old, Percy, as advertised by Percy's parents. Part of the assignment involves having sex with Percy while making sure that Percy doesn't discover the truth about their relationship. What should Maddie do? What if instead of taking this job, Maddie is using sex work to pay for her college education - does this change your opinion?

### Moral/Ethical Dilemmas

We've all faced **moral/ethical dilemmas** where we are required to do one or more actions but can't so we must choose between the required actions. The choice, however, comes with a price – some type of potential harm that will occur because of the choice. There are a variety of types of dilemmas including epistemic, ontological, self-imposed, other-imposed, obligation-based, and prohibition-based. And there are many factors that impact how we resolve dilemmas like emotions, relationships to people involved in the resolution of the dilemma, the harm that can result, and the amount of time available to consider the choice.

**Epistemic and ontological dilemmas** involve conflicts between obligations and are very similar. If one is faced with a conflict of obligations and struggles to figure out which of the obligations has precedence over the other, then this is an **epistemic dilemma**. An example would be where a parent must choose between attending an event for one child over the other – one may take precedence over the other depending on the circumstances, but the parent will struggle none-the-less trying to determine which of the obligations they should attend. If there is no clear choice between obligations because neither of the obligations takes precedence over the other, then this is an **ontological dilemma**. An example is *Sophie's Choice* based on the movie with Meryl Streep (see Case 1.5). Sophie must ultimately decide which of her two children will live or die, a situation with no clear choice.

**Self-imposed dilemmas** happen because of one's own wrongdoing while **other-imposed dilemmas** happen because of another person's wrongdoing. If I double-book myself with two different engagements, then I've created my own dilemma. *Sophie's Choice* is an example of an **other-imposed dilemma** as Sophie is forced to choose between her children by a Nazi guard. An **obligation-based dilemma** is one where the possible choices are each obligatory (the example where I've double-booked myself) while a **prohibition-based dilemma** is one where all possible solutions are prohibited (*Sophie's Choice*).

Notice that these types of ethical dilemmas are not mutually exclusive. The *Sophie's Choice* dilemma is an ontological dilemma, other-imposed, and prohibition-based. And each dilemma can be resolved differently depending on many factors. For example, in *Sophie's Choice*, what impact does the age, gender, personality, and overall health of the child have on Sophie's decision? And with the Kobayashi Maru (Case 1.6 below), potential harm will play a big role in determining how a no-win scenario is resolved.

**Case 1.6: Sophie's Choice**

Sophie is the mother of two children sent to a Nazi concentration camp. One of the guards tells Sophie that she must choose which of her children will live or die and if she does not choose, then both will die. How can Sophie make this choice? What factors will she take into consideration? Age of the children? Gender? Relative health of each?

**Case 1.7: Kobayashi Maru**

This is a test administered to cadets in Star Fleet within the Star Trek universe. It is another name for a no-win scenario. It is a test to see how cadets handle intense situations where no matter what decisions they make, everything is lost. One cadet cheats and reprograms the test simulator so that they can beat the test and save everyone in the program. Is this fair? Would you be willing to cheat to avoid facing a no-win scenario? Have you faced a no-win scenario in your life? If so, how did you face this type of dilemma?

**Case 1.8: The trolley-car dilemma**

Perhaps the most famous moral dilemma is one where a trolley-car is barreling down the tracks about to hit five men who happen to be on the tracks. You are near a switch that will divert the trolley-car away from the five men, however, it will then be on a path towards a man sleeping on the other track. Would you divert the trolley-car? What factors impact your decision? Does it matter whether you know any of the men who might die? What if pushing someone in front of the trolley-car is the only way to divert it from hitting the five men who are on the tracks – would you be willing to push someone in front of the trolley-car to stop it?

## **Whistleblowing**

Most people have seen someone cheat on a test or steal something from work. We can all identify with that feeling of knowing the right thing to do in those situations, but still not wanting to do it. Turning someone in for wrongdoing is a difficult decision even though it seems like a simple one. When someone decides to turn a coworker in for

wrongdoing, this is known as **blowing the whistle** and the person turning in their coworker is known as a **whistleblower**. The term comes from police officers who used to blow whistles when they observed criminal behavior. **Whistleblowing** is:

The disclosure by organization members (former or current) of illegal, immoral and illegitimate practices under the control of their employers to persons and organizations that may be able to effect action. (Near & Miceli, 1985, p. 4)

Types of wrongdoing in the workplace include stealing, waste, mismanagement, safety problems, sexual harassment, unfair discrimination, and legal violations (Near et al., 2004). People who blow the whistle on wrongful conduct within an organization do so for altruistic reasons typically, but whistleblowers can also be motivated to earn some type of reward offered by the organization for turning in stealing, for example.

**Whistleblowers** are not disgruntled employees. According to Brewer and Selden (1998), they rank among the most productive, valued, and committed members of their organizations. **Whistleblowers** are normal people who have a strong conscience, are highly committed to the formal goals of their organization, and they have a strong sense of professional responsibility. **Whistleblowers** are less motivated by job security and more motivated by regard for the public interest. They report high levels of job commitment and job satisfaction (Brewer & Selden 1998).

Unfortunately, **whistleblowers** can face negative consequences for turning someone in formally or informally. Under the Whistleblower Protection Act (1989), The Sarbanes-Oxley Act (2002), as well as many state laws, **whistleblowers** are generally protected from retaliation. Many famous examples exist of **whistleblowers** who were not treated well, despite the many legal protections that exist. The existence of unions is a direct result of the many workplace safety issues and poor working conditions found within manufacturing, as well as unethically

low pay for workers, and while unions generally protect **whistleblowers**, they are not always successful in doing so. Within the justice system, there are several high-profile instances of **whistleblowing** (see Cases 1.9 and 1.10 below).

#### **Case 1.9: NSA and classified documents**

Edward Snowden was a former employee of the National Security Agency (NSA) who claimed to notify his superiors and other employees about the unethical misuse of private information collected unnecessarily from U.S. citizens. Out of frustration, Snowden leaked highly classified information in 2013 regarding surveillance programs the NSA operated. He eventually fled to Russia to avoid espionage charges and theft of government property. What would you do if you were in Snowden's shoes? Would you leak highly classified government documents?

#### **Case 1.10: Fair Game**

In 2003, President Bush famously declared in his State of the Union address that Saddam Hussein was trying to acquire Uranium from Africa to bolster Iraq's nuclear weapons program. In response, Joe Wilson, a former U.S. Diplomat, wrote an opinion piece in the New York Times disputing President's Bush's claim. One week later, Wilson's wife, Valerie Plame, was outed as an undercover CIA agent, having her identity leaked illegally to the press by several members of the Bush administration. Plame had to be released from the CIA after having her identity released and her operations were shut down, placing many people at risk of great harm. The movie *Fair Game* depicts the events that led up to Plame ultimately testifying before Congress regarding her identity being illegally leaked. Should Wilson have challenged the President? Was Plame's identity leak retaliation?

## **Collecting Data**

When social scientists collect data, whether it's quantitative or qualitative, they must follow some rules to prevent harm to the subjects of their study. This is why every research study usually begins with going through a review process by an independent body known as an

**Institutional Review Board (IRB).** The **IRB** will ensure that the researchers comply with protecting the research subjects. Researchers must submit to their **IRB** an explanation in detail of what data they plan on collecting, how long they plan on collecting the data, and how they will collect the data. IRBs typically have an expedited process for reviewing research plans that are low risk to their subjects (e.g. simply reviewing existing data that has already been collected through a survey). Where there are special populations that are particularly vulnerable, like juveniles and individuals who are under correctional control, extra review is necessary and can often require an informal or possibly a formal hearing with the **IRB** to ensure proper controls are in place to protect the research subjects.

Social science research requires protecting the identity of the research subjects by promising anonymity where possible. This is easy to promise where surveys are collected without identifying information from the research subjects. If it is not possible to collect data anonymously, then the researchers must promise confidentiality with respect to the research subjects' identifiable information which is possible by not connecting the test subject's identifiable information to their responses. Research subjects should also be made aware of their ability to refuse to be part of the research study at any time during the process of collecting the data. All these protections of identity, confidentiality, and voluntariness are articulated to research subjects either in writing or orally which is known as informed consent.

Even with all these protections for research subjects, some ethical issues still arise with the collection of data specific to the field of criminal justice. For example, it is nearly impossible to have a randomized experimental design when conducting tests in the field. In a randomized experimental design, the researcher can choose which subjects are in a control group that don't receive an intervention being tested. For example, if I want to test to see whether diversion courts are effective, I can't as a researcher decide which subjects will be placed into the diversion courts and which will not. Only a judge can make those

types of decisions. Studying police officers can also be challenging as their jobs are very dangerous making it difficult to collect observational data that places the researcher in precarious circumstances. These are the types of dilemmas that come from studying subjects in the real world as opposed to within the confines of laboratory setting where the environment is easily controlled.

Other moral dilemmas arise simply because of the nature of crime and victimization itself. Studying crime focuses on illegal behavior which can be difficult to observe. Social scientists in the criminal justice field often rely on self-report data from those who are committing illegal acts, victims of crime, and bystanders who will be affected by the trauma of the criminal event itself. Crime is very traumatic for victims, perpetrators of crime, and even bystanders. Crafting questions that avoid causing further trauma becomes rather tricky in these circumstances as a result. Finding research subjects who are willing to talk about their traumatic experiences within the criminal justice system can be difficult, as well. And getting agencies to allow access to research subjects is difficult since most agencies do not want bad publicity from a research study that exposes problems within the system.

#### **Case 1.11: Taser study**

Todak et al. (2018) conducted a study to test the impact that tasers have on cognitive ability. They began their research with 21 new recruit police officers who are exposed to tasers during their training. The researchers tested cognitive functioning prior to taser exposure and then at several intervals after the taser exposure. What ethical issues do you see researchers facing with the collection of this type of research with respect to the effects of tasers on the human body? What problems do you suppose the researchers might have encountered when collecting this data? How can the researchers overcome these obstacles?

## **Conclusion**

What would you do if presented with a wish as the three brothers were given from the Harry Potter parable? Would you wish for world peace?

A cure for cancer? Even the third brother who fares better than his siblings, wishes for a cloak of invisibility so that he can hide from death. His only saving grace is that he eventually sheds the cloak after living a long and fruitful life, passing it along to his son. The three brothers themselves were powerful wizards so presumably they could conjure up quite a lot for themselves as it stands. So, while the third brother didn't succumb to the same vices as his siblings, he still wished for something that is rather selfish.

While this chapter explores what morality is, how we study morality, what we value, whether we owe one another any duties, and what our obligations are to society, the next chapter looks at systems of ethics. We now have the foundation necessary to apply these ethical systems to a variety of moral/ethical dilemmas. The systems of ethics we explore next will focus both on duties one owes, as well as the consequences of our behavior.

## Debate Topics for In-Class Discussion

1. Raising the minimum wage
  - a. *Pro* – giving earners a living wage; increases taxes collected by the government which benefits society overall
  - b. *Con* – hurts small business owners; costs are passed onto the consumer
2. Forcing homeless to be hospitalized for mental health
  - a. *Pro* – provides mental health care for individuals who may not be capable of helping themselves; gets people off the streets which is a dangerous place to live
  - b. *Con* – violates individual rights of autonomy; may overburden the mental health care system

## Terms

Morality  
Moral Relativism  
Ethics  
Meta-ethics  
Professional ethics  
Applied ethics  
Normative ethics  
Situational ethics  
Virtue ethics  
Virtues  
Values  
Duties  
Obligations  
Supererogatories  
Prima facie duties  
Rational Choice Theory (RCT)  
Social Exchange Theory  
Moral/ethical dilemmas  
Epistemic dilemma  
Ontological dilemma  
Self-imposed dilemmas  
Other-imposed dilemmas  
Obligation-based dilemmas  
Prohibition-based dilemmas  
Whistleblowing  
Whistleblower  
Institutional Review Board

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# Chapter 2

## Systems of Ethics

### Chapter Objectives

1. Identify various systems of ethics and whether they are deontological or teleological.
2. Apply each of the systems of ethics to a variety of ethical dilemmas.
3. Demonstrate an understanding of how ethical systems impact our daily lives, as well as society.

### Introduction

In the last episode of the final season of Black Mirror, a demon comes to earth and mentors a young woman. She has been commanded to kill three people in three days or Armageddon will be unleashed destroying all of civilization. What will she decide to do? If she kills only bad people, does that make her behavior seem more acceptable? By what guidelines do we observe her behavior and determine whether it is moral? Ethical systems consist of sets of principles that define what is moral so depending on which ethical system one subscribes to, then we can judge whether her decisions are moral or not.

In the last chapter, we explored two theories of human behavior – rational choice and social exchange - that are not considered ethical systems but impact our perceptions of what is socially considered to be good and bad conduct. Now we turn our attention to ethical systems that guide behavior and give us a way to judge whether an action is moral or not. Ethical systems are prescriptive in terms of giving us the principles that should guide our behaviour. They are also authoritative and considered valid mechanisms for judging behavior. Ethical systems are logically impartial or universal and not self-serving. Within normative ethics, there are two primary types of systems of ethics