**Chapter One**

**Recognizing Ethical Decisions:**

**Ethics and Critical Thinking**

## **Learning Objectives**

1. To develop the ability to understand the essence of good character.
2. To distinguish between morals, values, and ethics.
3. To recognize the concept of moral relativism.
4. To understand the importance of critical thinking to ethics.
5. To increase awareness of the connection between etiquette and ethics.

## **Key Concepts**

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| --- | --- |
| Good character  Morals  Ethics  Values | Critical thinking  Etiquette  Moral relativism |

**Chapter Outline**

**I. What are Ethics, and What is Ethical?**

A. Are there actions you can take that have no moral content and, therefore, lie outside the scope of ethics?

B. Good character - can be defined as consisting of three qualities:

* good principles (to guide actions),
* conscience (to internalize those principles), and
* moral courage (to act on them).

**II. To What Types of Things or Beings Should We Limit the Discussion of Ethics?**

A. Discussions of ethics are limited to human beings.

B. Certain categories of human beings are exempt from discussions of ethics.

**III. What is the Difference Between Morals and Ethics?**

A. Morals - are good conduct; they constitute permissible behavior. Morals are the rules that prescribe proper action.

B. Ethics - is the study of morality, that is, the study and analysis of what constitutes good conduct (i.e., morals).

C. Ethics is central to criminal justice because morality is what distinguishes right from wrong—in differentiating the government’s moral authority to enforce the law from the immorality of the crime itself.

**IV. What are Values?**

A. Values - are judgments of worth of attitudes, statements, and behaviors.

B. Factual vs. value judgements - Factual judgments (i.e., judgments based on facts) can be verified empirically through observations, whereas value judgments can be verified only through reason.

**V. Why is Critical Thinking Fundamental to Ethics?**

A. Critical thinking - is the ability to evaluate viewpoints, facts, and behaviors objectively in order to assess the presentation of information or methods of argumentation to establish the true worth or merit of an act or a course of conduct.

**VI. Can Morality Be Taught?**

A. Morals and ethics are not acquired naturally; they must be taught.

B. Manners and etiquette - are precursors to morals. Etiquette tells how people should interact with others in all social relations, whereas morals express ethical obligations toward others in behavior.

**VII. What is Moral Relativism?**

A. Moral relativism - is the belief that morals can be different, but none are better than another. Moral relativism is synonymous with situational ethics, which holds that there are no universal moral standards.

**VIII. How Can We Choose What to Believe and How to Act Ethically?**

A. A framework for making ethical decisions is needed. Such a framework begins with a search for universal principles.

B. Moral rules can also be derived independently of religious beliefs because desirable human conduct can be prescribed and achieved through application of rational principles.

**Discussion**

**Ethics in Books**

*Ethics is everywhere, even in the books we read, which sometimes are written without ethics specifically in mind. Here is a summary of such a book, followed by questions that ask you to reflect on the ethical connections.*

**The World According to Mister Rogers**

*Fred Rogers*

(Hyperion, 2003)

*Fred Rogers* was host of the public television program *Mister Rogers’ Neighborhood* for more than 30 years. It was a children’s program that appealed to adults as well, because Mr. Rogers spoke directly to the viewer in a calm, conversational tone about significant personal and social issues of concern to children and young people.

The book is comprised of short quotes from Mr. Rogers on the subjects of courage, love, discipline, and relationships with others (“we are all neighbors”). In one excerpt, he recounts a story from his childhood:

“When I was a boy and I would see scary things in the news, my mother would say to me, ‘Look for the helpers. You will always find people who are helping.’

To this day, especially in times of ‘disaster,’ I remember my mother’s words, and I am always comforted by realizing that there are still so many helpers—so many caring people in this world.”

In another quote, at the very end of the book, he observes, “So in all that you do in all of your life, I wish you the strength and the grace to make those choices which will allow you and your neighbor to become the best of whoever you are.”

Fred Rogers received honorary degrees from more than 40 colleges and universities and was inducted into the Television Hall of Fame in 1999. He was also the recipient of the Presidential Medal of Freedom in 2002, the nation’s highest civilian award for exceptional public service. Fred Rogers died in 2003.

### Questions

1. Can you offer an explanation based on ethics of why there always seems to be so many “helpers,” offering to assist and ease those suffering from disasters, whether they are man-made or natural disasters?
2. In the book’s final quote, why do you believe he says it takes “strength and grace” to make choices in life, rather than simply making ethical decisions?

Ethics in the Movies

*Movies seek to entertain and inform the audience about a story, incident, or person. Many good movies also hit upon important ethical themes in making significant decisions that affect the lives of others. Read the movie summary here (and watch the movie if you haven’t already), and answer the questions to make the ethical connections.*

## *The Emperor’s Club*

## Michael Hoffman,Director

(2002)

*The Emperor’s Club* tells the story of a classics teacher William Hundert (Kevin Kline) at a private school for boys, who fixes the result of an academic competition, allowing a well-connected student to get away with cheating, and how subsequent events change him, but not the student.

The teacher is clearly very talented and works to build character in his students: “a man’s character is his fate,” “how will history remember you?” The problem student, Sedgewick Bell (Emile Hirsch), is a disrespectful rule violator, but the other boys think he is very cool. He is the son of a powerful U.S. senator, who seems to care little about his son but threatens him to do well in school.

The problem student does indeed improve greatly in school, and the teacher allows him to participate in the annual best final three competition conducted in a quiz show format—even though he actually finished fourth. During the competition, the teacher sees the student cheating, but the headmaster tells him to ignore it, and the teacher finds a way to make him lose the competition anyway.

The movie then jumps forward 25 years, and the problem student is now a rich man running for senator, who wishes to give a large endowment to the private school on the condition there is a re-run of the competition in which he cheated and lost years earlier. The class is reassembled, the competition is replayed, and his former teacher finds he has cheated again—and does not let him win.

The film ends in unpredictable fashion, but the teacher learns that he will not succeed in reaching every student and is gratified by the response he received from his other former students. The film succeeds in portraying an excellent teacher who makes a mistake, and how that mistake plays out years later, as the former problem student appears to make the same mistake with his own son as his father did with him.

### Questions

1. Was it ethical for the teacher to allow the student into the competition to reward his improvement even though he did not actually finish in the top three?
2. Was it morally permissible for the headmaster to ignore the cheating student (probably because his father was a powerful senator)?

Discussion Question

If the study of ethics does not guarantee ethical conduct, why do it?

**Critical Thinking Exercises**

*All ethical decisions affect others (by definition), and ethical decision making is achieved consistently only through practice. Even though the discussion of the principles of ethical decision making begins in Chapter 2, please respond to the following scenarios based solely on your ability to think critically. It will be interesting to see if your reasoning or answers change if you examine these first five critical thinking exercises after finishing this book!*

Important note on method: *Critical thinking requires the ability to evaluate viewpoints, facts, and behaviors objectively to assess information or methods of argumentation to establish the true worth or merit of an act or course of conduct. Please evaluate these scenarios, starting with analyzing pros and cons of alternate views,* before *you come to a conclusion. Do* not *draw a conclusion first, and then try to find facts to support it—this frequently leads to narrow (and incorrect) thinking.*

*To properly evaluate the moral permissibility of a course of action using critical thinking skills*

1. *Begin with an open mind (no preconceptions!),*
2. *Isolate and evaluate the relevant facts on both sides,*
3. *Identify the precise moral question to be answered, and*
4. *Apply ethical principles to the moral question based on an objective evaluation of the facts, only then drawing a conclusion.*

#### 1-1 Teenagers and Drug-sniffing Dogs

Drug use by teenagers is a fundamental fear of most parents. Coupled with images on the news, reports of government statistics about rampant drug use, and periodic tragedies at schools around the country, most parents have been shown a clear link between drug use and tragedies of all kinds.

You are the parent of a teenager, who is showing all the signs of being a teenager. Your child is not very talkative to you, but is very talkative with friends; doesn’t want to be seen with you or the family at stores or on vacation; does not seem interested in being an “A” student anymore; has lousy taste in music; wears unattractive clothing and hairstyles; and wants to get even more body parts pierced. These behaviors have not gone unnoticed by you, and you fear that drug use might be at the root of it.

You contact Detector Dogs against Drugs, one of a growing number of private security firms in the United States that trains dogs and is licensed by the Drug Enforcement Administration to contract with schools, corporations, or parents to conduct dog-led searches of teenager’s rooms and lockers for drugs.14 The fee is $250–$750 for the search, but you don’t know what some of today’s drugs look like or the places where your teenager might hide drugs in the house.

You wait for your teenager to leave for school one day to have the search conducted without his or her knowledge or presence. You don’t believe that confronting your teenager with your suspicions will be fruitful, and if the search turns up nothing, then you will know your fears are unfounded.

• Evaluate the moral permissibility of your Detector Dogs against Drugs search of your child’s room. (*Hint*: You will find that in ethical scenarios, there are usually the interests of two competing parties to consider.

1-2 Sentenced to the Newspaper

Judges in several states are now permitted to sentence men who solicit prostitutes to buy ads in local newspapers to run their photos and the charges against them as a form of humiliation and shame. In some places, the names of the men can be placed on Web sites or even on a billboard.

• Is such a sentence for soliciting prostitutes morally permissible?

(*Hint*: Here again it is necessary to comparatively assess the competing interests of the community [i.e., judge in sentencing] versus the interests of the offender.)

#### 1-3 Brewing Up a Storm

An undercover police officer was on duty inside a bar conducting surveillance activities on crime suspects. The officer bought a beer to maintain her cover. Unbeknownst to the officer, buying the beer automatically qualified her for a contest sponsored by a beer company. The grand prize winner would win a new car worth $20,000. It was later announced that the undercover officer was the grand prize winner.

Her employer, the New York City Police Department (NYPD), believes the car should be turned over to the department because she bought the beer with department money and was on duty at the time.

The officer argues that the car should be hers because her employer did not require her to buy beer at the bar. She merely had some good luck, and the department wishes to capitalize unfairly on her good fortune. The case was sent to the city’s Board of Ethics to settle the dispute.

* As a member of the Board of Ethics, how would you evaluate the competing claims of the officer and the NYPD?
* Would your answer be different if the undercover officer walked into the bar and was awarded the new car for being the 10,000th customer inside the bar?

#### 1-4 Internet Predator Sting

A number of local law enforcement agencies are working with Perverted-Justice.com, a private organization that received nationwide attention after assisting a television news program, *Dateline*, to run sting operations to catch men using Internet chat rooms to meet children for sex. Founded in 2003, the private organization claims to have done work with police resulting in more than 200 convictions of online predators thus far.

Perverted Justice’s volunteers pose as children online in Internet chat rooms. Very quickly, they receive private messages from men of a sexual nature. If a man solicits sex, the volunteer works to obtain his phone number and address. In a phone call, a volunteer with a young-sounding voice sets up a meeting for a rendezvous. Law enforcement officials are brought in to make an arrest at the meeting location.

NBC television’s *Dateline* series is titled “To Catch a Predator,” which videotapes the men lured to locations around the country where they believe they are meeting a minor for sex. Perverted Justice sometimes telephones the men’s wives, girlfriends, employers, and neighbors, labeling them as pedophiles. Only after the men apologize and enter counseling does Perverted Justice consider removing their information from their Web site.16

Supporters say the volunteer organization is a grassroots movement that is protecting children from online predators in a preventive way. Critics call it a vigilante effort that harasses suspects prior to their conviction and invades their privacy rights and also of those who know them or are related to them.

* Do you believe that police agencies should work with Perverted Justice?
* Can you identify the potential ethical issues in dealing with Internet predators in this way?

#### 1-5 An Honest Golfer

J.P. Hayes is a professional golfer who faced an interesting moral dilemma. While playing a qualifying rounds for the PGA (Professional Golfers’ Association of America), which is a requirement if one wishes to play in professional tournaments, he pulled a ball out of his bag to play on the 12th hole. He noticed when he got to the putting green that the ball was not the same type/model of Titleist ball with which he had started his round. This is a violation of a PGA rules, requiring that a player must play with the same type/ model of ball for the entire round.

The penalty for violating the rule is 2 strokes deducted from your final score. But after the round, during which he qualified to move on to the final round, he noticed a further problem. The Titleist ball he used was a prototype not yet approved for playing in professional events. He had been given the prototype balls by Titleist to test and practice with.

He could have chosen to do nothing and kept quiet, or blamed his caddy for the inadvertent switch of balls, but he chose to inform PGA officials what occurred. He was disqualified for using an unapproved ball, and as a result could not play on the PGA tour for an entire year until he tries to requalify after that. This decision clearly cost him significant potential earnings and career stability.

• Evaluate the moral permissibility of Hayes’ decision to report on his own actions.

#### 1-6 Massage parlor police tactics

The Dove Spa was a massage parlor, which the police suspected was operating as a prostitution enterprise, but they had no direct evidence to prove it. The police department decided to initiate an undercover operation in which a plainclothes detective entered and asked for the services of one of the women working there. The woman, of course, did not know he was a police officer, or was wearing a hidden microphone. For $100 and a $35 tip, she fondled the officer’s genitals. The same officer went back to the massage parlor four more times. Over a period of five months, the same officer also visited the massage parlor in another town and allowed the women, who were Chinese immigrants, to fondle him in exchange for cash. This was done in an apparent effort to investigate suspected prostitution and human trafficking. Ultimately, 30 police officers raided two businesses and arrested six people—four alleged prostitutes and two alleged pimps. The undercover methods were defended by the police, but were criticized by legal experts and women’s advocates as “excessive, unnecessary, and misapplied” to an investigation that involved suspected human trafficking.

* Evaluate the moral permissibility of police officer’s actions in conducting this investigation.