



Markkula Center
for Applied Ethics
at Santa Clara University

A Framework for Ethical Decision Making

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Ethics, Organization and Personnel Committee

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Item 5a





The Markkula Center for Applied Ethics

Founded in 1986. Now 21 Staff and 75 faculty affiliates. The most comprehensive university-based applied ethics center in the world.

Bioethics, Business Ethics, Campus Ethics, Environmental Ethics, Government Ethics, Internet Ethics, Journalism & Media Ethics, Leadership Ethics, Social Sector Ethics, Technology Ethics

Work with: tech companies of all sizes, consultant firms, the World Economic Forum, the Partnership on AI, the Vatican, governments, etc.





Why Ethics?

Ethics is about seeking the good together, not just avoiding bad

Ethics is not just rules, not just compliance, not just laws, not just culture, not just opinion

Ethics is about how to make good choices, become better decision-makers, and create better organizations

Ethics is a way to talk about moral values and communicate on issues of moral significance

Good ethical process will help eliminate blind spots, facilitate communication, and lead to better solutions

Ethics helps us to understand each other and balance and protect what is important to all of us





RECOGNIZE AN ETHICAL ISSUE



- Could this decision or situation be damaging to someone or to some group, or unevenly beneficial to people?
- Does this decision involve a choice between a good and bad alternative, or perhaps between two “goods” or between two “bads”?
- Is this issue about more than solely what is legal or what is most efficient? If so, how?



GET THE FACTS



- What are the relevant facts of the case? What facts are not known? Can I learn more about the situation? Do I know enough to make a decision?
- What individuals and groups have an important stake in the outcome? Are some concerns of some of those individuals or groups more important? Why?
- What are the options for acting? Have all the relevant persons and groups been consulted? Have I identified creative options?



EVALUATE THROUGH ETHICAL LENSES



- **Rights:** Which option best respects the rights of all who have a stake?
- **Justice:** Which option treats people fairly, giving them each what they are due?
- **Utilitarian:** Which option will produce the most good and the least harm for as many stakeholders as possible?
- **Common Good:** Which option best serves the community as a whole, not just some members?
- **Virtue:** Which option leads me to act as the sort of person I want to be?
- **Care Ethics:** Which option appropriately takes into account the relationships, concerns, and feelings of all stakeholders?



MAKE A DECISION AND TEST IT



- After an evaluation using all of these lenses, which option best addresses the situation?
- If I told someone I respect (or a public audience) which option I have chosen, what would they say?
- How can my decision be implemented with the greatest care and attention to the concerns of all stakeholders?



ACT & REFLECT ON THE OUTCOME



- How did my decision turn out, and what have I learned from this specific situation?
- What, if any, follow-up actions should I take?



REPEAT

Ethics, Organization and Personnel Committee

06/27/2023

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Identify the Ethical Issue

Could this decision or situation be damaging to someone or to some group, or unevenly beneficial to people?

Does this decision involve a choice between a good and bad alternative, or perhaps between two “goods” or between two “bads?”

Is this issue about more than solely what is legal or what is most efficient? If so, how?





Get the Facts

What are the relevant facts of the case? What facts are not known? Can I learn more about the situation? Do I know enough to make a decision?

What individuals and groups have an important stake in the outcome? Are the concerns of some of those individuals or groups more important? Why?

What are the options for acting? Have all the relevant persons and groups been consulted? Have I identified creative options?





Evaluate Alternative Actions

Which option best respects the rights of all who have a stake?

Which option treats people fairly, giving them each what they are due?

Which option will produce the most good and the least harm for as many stakeholders as possible?

Which option best serves the community as a whole, not just some members?

Which option leads me to act as the sort of person I want to be?

Which option appropriately takes into account the relationships, concerns, and feelings of all stakeholders?





Choose an Option and Test It



After an evaluation using all of these lenses, which option best addresses the situation?



If I told someone I respect (or a public audience) which option I have chosen, what would they say?



How can my decision be implemented with the greatest care and attention to the concerns of all stakeholders?





Implement Your Decision and Reflect on the Outcome

How did my decision turn out, and what have I learned from this specific situation?

What, if any, follow-up actions should I take?





The Rights Lens

Some suggest that the ethical action is the one that best protects and respects the moral rights of those affected. This approach starts from the belief that humans have a dignity based on their human nature per se or on their ability to choose freely what they do with their lives. On the basis of such dignity, they have a right to be treated as ends in themselves and not merely as means to other ends. The list of moral rights – including the rights to make one's own choices about what kind of life to lead, to be told the truth, not to be injured, to a degree of privacy, and so on – is widely debated; some argue that non-humans have rights, too. Rights are also often understood as implying duties – in particular, the duty to respect others' rights and dignity.





The Justice Lens

Justice is the idea that each person should be given their due, and what people are due is often interpreted as fair or equal treatment. Equal treatment implies that people should be treated as equals according to some defensible standard such as merit or need, but not necessarily that everyone should be treated in the exact same way in every respect. There are different types of justice that address what people are due in various contexts. These include social justice (structuring the basic institutions of society), distributive justice (distributing benefits and burdens); corrective justice (repairing past injustices), retributive justice (determining how wrongdoers should be treated), and restorative or transformational justice (restoring relationships or transforming social structures as an alternative to criminal punishment).





The Utilitarian Lens

Some ethicists begin by asking, “How will this action impact everyone affected?” – emphasizing the consequences of our actions. Utilitarianism, a results-based approach, says that the ethical action is the one that produces the greatest balance of good over harm for as many stakeholders as possible. It requires an accurate determination of the likelihood of a particular result and its impact. For example, the ethical corporate action, then, is the one that produces the greatest good and does the least harm for all who are affected – customers, employees, shareholders, the community, and the environment. Individual cost/benefit analysis is another consequentialist approach.





The Common Good Lens

According to the Common Good approach, life in community is a good in itself and our actions should contribute to that life. This approach suggests that the interlocking relationships of society are the basis of ethical reasoning and that respect and compassion for all others – especially the vulnerable – are requirements of such reasoning. This approach also calls attention to the common conditions that are important to the welfare of everyone – such as clean air and water, a system of laws, effective police and fire departments, health care, a public educational system, or even public recreational areas. Unlike the utilitarian lens, which sums up and aggregates goods for every individual, the common good lens highlights mutual concern for the shared interests of all members of a community.





The Virtue Lens

An ancient approach to ethics argues that ethical actions ought to be consistent with certain ideal virtues that provide for the full development of our humanity. These virtues are dispositions and habits that enable us to act according to the highest potential of our character and on behalf of values like truth and beauty. Honesty, courage, compassion, generosity, tolerance, love, fidelity, integrity, fairness, self-control, and prudence are all examples of virtues. Virtue ethics asks of any action, “What kind of person will I become if I do this?” or “Is this action consistent with my acting at my best?”





The Care Ethics Lens

Care Ethics is rooted in relationships and in the need to listen and respond to individuals in their specific circumstances, rather than merely following rules or calculating utility. It privileges the flourishing of embodied individuals in their relationships and values interdependence, not just independence. It relies on empathy to gain a deep appreciation of the interest, feelings, and viewpoints of each stakeholder, employing care, kindness, compassion, generosity, and a concern for others to resolve ethical conflicts. Care ethics holds that options for resolution must account for the feelings, concerns, and relationships of all stakeholders. Focusing on connecting intimate interpersonal duties to societal duties, an ethics of care would counsel, for example, an expansion of public health policy to include food security, transportation access, fair wages, housing support, and environmental protection alongside physical health.





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The Ethics Toolkit

EXPANDING THE ETHICAL CIRCLE

Ensuring that the legitimate moral interests of all stakeholders have been taken into account, and that impacted communities have been consulted.

ETHICAL PRE-MORTEM

Exercising the skill of identifying how ethical failure of a project might happen and understanding the preventable causes so they can be mitigated.

CASE-BASED ANALYSIS

Reviewing existing use cases with similar ethical dilemmas, to transfer knowledge and skill across ethical situations.

REMEMBERING ETHICAL BENEFITS

Keeping the ethical benefits at the center of the project, framing clearly its positive outcomes.

THINKING ABOUT THE TERRIBLE PEOPLE

Identifying those groups or individuals who may abuse or misuse the technology and setting mitigation plans.

ETHICAL RISK SWEEPING

Ethical risks are choices that may cause harm to persons or other entities with moral status or spark acute moral controversy. Failing to anticipate such risks can constitute ethical negligence. Ethical risk sweeping is an essential tool for good design and engineering practice.

CLOSING THE LOOP

Creating channels to invite ethically salient feedback, integrating with post-project data gathering and user support, and developing procedures for ethical iteration.

ETHICAL POST-MORTEM

Ensuring that the legitimate moral interests of all stakeholders have been taken into account, and that impacted communities have been consulted.





These Resources Are All Free on Our Website

The Framework for Ethical Decision Making: <https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/a-framework-for-ethical-decision-making/>

Ethics Toolkit (part of the Ethics in Technology Practice resources):
<https://www.scu.edu/ethics-in-technology-practice/ethical-toolkit/>





Thank you!

Questions?

