Being Your Best Self, Part 2: Moral Decision Making Questions for classroom discussions

1. Professor Marianne Jennings noted in the wake of the Enron-era scandals: “[n]o one within the field [of ethics] looks at Jack Grubman [the scandal-ridden former telecom industry stock analyst]..., the fees structures, the compensation systems, and the conflicts [of interest] and frets, ‘These were very nuanced ethical issues. I never would have seen those coming.’” Do you agree or disagree that most white collar criminals that we read about in the newspapers and see on TV should have known that what they did was wrong?

2. How is it that respected members of the community who have been very successful in business make decisions to engage in inside trading, pay bribes to get business, and fudge earnings numbers?

3. Why is it that most people can easily see how conflicts of interest affect other people’s decisions, but many people have faith that they themselves can remain objective even in the presence of such conflicts?

4. This video talks about how the self-serving bias can make it difficult for people facing a decision with ethical dimensions to make the right choice when their interests are involved. What other factors that are illustrated in Ethics Unwrapped videos can make it difficult for a well-meaning person to make the right choice?

5. When you do use the cognitive processes in your brain to try to resolve ethical dilemmas, are you a deontologist who focuses more on rules or a consequentialist who focuses more on outcomes? Or are you both? How do you decide which approach is decisive in any particular setting?

6. Tilly is a pathologist. Late one night she was alone in the lab performing an autopsy. She was extremely hungry, but wanted to finish her work before she left for the evening. She notices some strips of flesh left from an earlier autopsy. She cooked the flesh on a Bunsen burner and ate it, then finished her work. Did Tilly act immorally? Why or why not?

7. Is it right to pay a bribe to induce a government entity to approve a program that will benefit people? How would you decide? How would you ensure that your self-interest was not unduly affecting your decision?
Case Study: Flying the Confederate Flag

On July 9, 2015, Governor Nikki Haley signed a bill requiring the Confederate flag to be removed from the South Carolina State House grounds. The flag and the pole on which it was flown were both removed the following day. Leading up to this removal was heated debate concerning whether or not the Confederate flag should be taken down. Similar discussions occurred across the United States in places where Confederate flags or other Confederate symbols were on display, ranging from governmental properties and university campuses to NASCAR venues and popular television series.

Prior to the flag’s official removal from the front of the South Carolina State House, police arrested activist Brittany Newsome for climbing the flagpole and removing the flag herself. The activist explained her act of defiance, stating, “because it was the right thing to do and it was time for somebody to step up. Do the right thing. We have to bury hate; it’s been too long.” South Carolina Representative Jenny Anderson Horne, a descendant of former Confederate President Jefferson Davis, argued that the Confederate flag should no longer fly in front of the State House. She chastised her colleagues in an emotional speech, stating, “I cannot believe that we do not have the heart in this body to do something meaningful—such as take a symbol of hate off these grounds on Friday.”

On the other hand, Confederate sympathizers contend that the flag is a symbol of historical pride, not of hatred. They claim that efforts to remove the flag are a misplaced reaction to photos of Dylann Roof, who was charged with the racially motivated killing of nine black people in a Charleston church, posing with a Confederate flag. South Carolina State Senator Lee Bright noted that symbols have been misused throughout history; as an example, Bright said that he believed the Ku Klux Klan abused the symbol of the cross, but there has not been a push to remove all crosses. Similarly, Kenneth Thrasher, the lieutenant commander of the Sons of the Confederate Veterans, urged decision makers not to act in haste because, “The flag didn’t kill anybody. It was a deranged young man who did.”
Resources:

Confederate Descendant’s Scathing Address In S.C. Flag Debate

Activist Arrested For Removing Confederate Flag At South Carolina Statehouse
http://newyork.cbslocal.com/2015/06/27/activist-removed-confederate-flag-at-south-carolina/

Flag Supporters React With a Mix of Compromise, Caution and Outright Defiance

Bright will fight the 'Stalinist purge' of the Confederate flag
http://www.goupstate.com/article/20150622/ARTICLES/150629916

A Guide to Moral Decision Making
http://www.ethicsweb.ca/guide/

Ethical Decision Making and Moral Behavior
http://www.uri.edu/research/lrc/scholl/webnotes/Ethics.htm

Thinking Ethically: A Framework for Moral Decision Making
http://www.scu.edu/ethics/publications/iie/v7n1/thinking.html


Discussion Questions:

1) Do you believe that flying a Confederate flag is ethically prohibited? Why or why not?

2) In what ways is displaying a Confederate flag similar or different to displaying other types of flags? A tribal flag? A national flag? A corporate flag? A sports team flag? A rainbow flag?

3) Should retailers bow to public pressure to discontinue sales of controversial items even if they are not illegal, such as toy guns, fur coats, or Native American headdresses?

4) Is it possible to make an objective decision in the case of the Confederate flag? How might you come to a decision that is both reasonable and defensible?

5) Can you think of an example of another situation in which there were two views that were strongly opposed to each other? How was the situation resolved? Do you think the ethically ideal decision was reached? Why or why not?
Additional Teaching Note

*Moral Decision Making* is the second of a four-video package that addresses how people can be their best selves. As noted in other teaching notes, it seems sensible to conclude that a person who wishes to act ethically must (a) recognize ethical issues when he or she runs across them (moral awareness), (b) have the ability to reach a defensible resolution of the question as to what is the right thing to do in that setting (moral decision making), (c) desire to do the right thing (moral intent), and, finally (d) be able to act on that intent (moral action). The four videos in this package address these four aspects of leading a moral life.

Moral decision making is such a broad topic that it can hardly be captured in a single video (or book or encyclopedia, etc.). Many ethics teachers sensibly spend much of their time contrasting deontological (rule-based) approaches to deciding ethical issues to consequentialist approaches. Understanding these approaches is critical, but it is also important to understand that many ethical decisions are made intuitively before the brain’s cognitive processes can implement these approaches and that people are often deontologists in some settings and consequentialists in others, and it is unclear why they choose one approach in one setting and the other in a different setting (except that the self-serving bias and other cognitive biases, organizational and social pressures, and situational factors seem to have an impact).

To make the point that people’s ethical decision making is often not completely rational, a professor can use the trolley scenarios, perhaps contrasting the Denise and Frank scenarios. Prentice (2014) explains how he uses these scenarios to illustrate “moral dumbfounding”—the fact that in many situations people make ethical judgments and feel deeply that they have made the right choice, but cannot logically explain that choice. The Tilly scenario noted in the sixth discussion question is another example. Here are the contrasting Denise and Frank scenarios:

- Denise is standing next to a switching lever near some trolley tracks when she sees an out-of-control trolley. The conductor has fainted and the trolley is headed toward five people walking on the track; the banks are so deep that they will not be able to get off the track in time. The track has a side track leading off to the left, and Denise can flip the switch and turn the trolley on to it. There is, however, one person on the left-hand track. Denise can turn the trolley, killing the one; or she can refrain from flipping the switch, letting the five die. *Is it morally permissible for Denise to flip the switch, turning the trolley onto the side track?*
• Frank is on a footbridge over the trolley tracks. He knows trolleys and can see that the one approaching the bridge is out of control, with its conductor passed out. On the track under the bridge, there are five people; the banks are so steep that they will not be able to get off the track in time. Frank knows that the only way to stop an out-of-control trolley is to drop a very heavy weight into its path. But the only available, sufficiently heavy weight is a large person also watching the trolley from the footbridge. Frank can shove the large person onto the track in the path of the trolley, resulting in his death; or he can refrain from doing this, letting the five die. Is it morally permissible for Frank to push the large person onto the tracks?

The main point of this video is that often well-meaning people make the wrong ethical choice not because they are insufficiently conversant with Kant (deontology) or Bentham (consequentialism), but because cognitive biases such as the self-serving bias, social and organizational pressures such as obedience to authority and the conformity bias, and various situational factors can make it hard for people to make the right choice. Due to length constraints, this video focuses on the self-serving bias, but that it obviously just part of the picture.

A jolting example of the impact of the self-serving bias was recently reported by DeSteno (2014), p. 211-12. To (very) briefly summarize, consider a situation where you can flip a coin and if you get heads, you can play a short, fun video game. But if you get tails, you have to complete 45 minutes of boring, onerous work. Whichever task you don’t get, goes to a stranger. When asked, every single person in a group of more than 100 people said that it would be wrong to cheat in flipping the coin. Yet, when asked to do so, some 90% cheated to make sure that they got to do the video game and stuck the stranger with the onerous work. DeSteno asked the people about their actions, here’s what happened: “Even though their transgressions were exactly the same as the other person’s, they believed that their behaviors were acceptable, even fair. They didn’t feel they were letting themselves down by breaking the rules. They were perfect hypocrites—absolving themselves of guilt for the same moral failures for which they condemned others—and as such were immune to self-reproach.”

Ethics Unwrapped’s videos on the Self-Serving Bias and Conflict of Interest are nice complements to this video.
Additional Resources


Transcript of Narration
Written and Narrated by Professor Robert Prentice

Being aware that an issue presents a moral dimension is step 1 in being your best self. Step 2 is Moral Decision Making—having the ability to decide which is the right course of action once we have spotted the ethical issue. Sometimes this can be very difficult, as multiple options may seem morally defensible (or, perhaps, no options seem morally acceptable). Sometimes people face difficult ethical choices, and it is hard to fault them too much for making a good faith choice that they think is right but turns out to be wrong. However, most white collar crimes—overbilling, insider trading, paying bribes, fudging earnings numbers, hiding income from the IRS, and most other activities that lead people to end up doing the perp walk on the front page of the business section—do not present intractable ethical conundrums. They are obviously wrong. The problem isn’t that we haven’t read enough Kant or John Stuart Mill.

More commonly, the problem is that we are unaware of psychological, organizational, and social influences that can cause us to make less than optimal ethical choices. Our ethical decision making is often automatic and instinctive. It
involved emotions, not reasoning. When we think that we are reasoning to an ethical conclusion, the evidence shows that we typically are simply rationalizing a decision already made by the emotional parts of our brains.

Our brains’ intuitive system often gets it right, but not universally. So, we should never ignore our gut feelings when they tell us that we are about to do something wrong. But, our intuition does not always choose the ethical path. An important reason that the intuitive/emotional part of our brain errs is the self-serving bias, which often leads us to unconsciously make choices that seem unjustifiable to objective third parties observers.

As a simple example, a U.S. News & World Report survey asked some people: “If someone sues you and you win the case, should he pay your legal expenses?” Eighty-five percent of the respondents thought this would be fair. The magazine asked others: “If you sue someone and lose the case, should you pay his costs?” Now, only 44% of respondents agreed, illustrating how our sense of fairness is easily influenced by self-interest. If we are not careful, we will not even notice how the self-serving bias influences our ethical decisions. Authors Bronson and Merryman report that “[i]f you’re a Red Sox fan, watching a Sox game, you’re using a different region of the brain to judge if a runner is safe than you would if you were watching a game between two teams you didn’t care about.” How can we combat the self-serving bias?

There is some experimental evidence that if we know about the self-serving bias, we can arm ourselves against it and minimize its effects. We must focus not just on being objective, but on doing what it takes to ensure that others see us as objective. We will naturally judge our own decisions with a sympathetic eye, but we know that others will not necessarily do so. So if we do what it takes to cause objective third parties to trust our judgments, we should go a long way toward overcoming the impact of the self-serving bias.

We should also pay especially close attention to our profession’s code of conduct and our employer’s code of ethics, because such standards are normally aimed primarily at minimizing conflicts of interest and their unconscious impact on our decision making. The self-serving bias is far from the only psychological or organizational factor that can cause us to make the wrong ethical choice, but it is certainly a big one!

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