A Model for Ethical Decision-Making: The Context of Ethics

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Abstract

This paper presents a model for ethical decision-making that is easy to teach, easy to remember, and easy to use. The model defines life, choice, and relationship as the three elements that comprise the context necessary for an ethical decision to present, and the paper proposes that maximizing each element is the best possible resolution to an ethical dilemma. The model proposes that further resolution of ethical dilemmas is impossible.
Keywords: social work ethics; ethical decision-making; ethical models; ethical context; context of ethics

Introduction

Social Work is a profession based in values and ethics, yet the NASW Code of Ethics gives relatively little guidance in resolving ethical dilemmas. When two or more ethical principles are in conflict, the Code of Ethics provides little guidance on how to proceed, and with so many principles, the possibility of two or more coming into conflict is great. Texts on ethics frequently discuss dilemmas from multiple perspectives but provide little direction about how to resolve the dilemmas, leaving the reader wondering which view is most likely to produce an ethical decision. The problem is not helped by the circumstance that ethics, as a branch of philosophy, has no external mechanism for determining correctness; philosophical systems necessarily rest on untestable propositions (Pojman, 2001). While there may be value in exploring many different points of view about ethical decision-making, it seems useful to develop a simple ethical system that can be easily taught and more importantly, easily applied in the field. This paper is an attempt to develop such a system.

Literature Review

Several writers (e.g., Abels, 2001; Loewenberg, Dolgoff, and Harrington, 2000; Reamer, 1990, Robison and Reeser, 2000; and Rhodes, 1991) have written about ethical issues for social workers. Many acknowledge the difficulty of making ethical decisions and of developing useful ethical systems. Rhodes (1991) says that difficult cases "contribute to the sense that understanding ethical issues in some rational, systematic way is impossible" (p. 2). Rhodes (1991) goes on to say that social workers have "received little useful help in making ethical decisions" (p. 19). Abels (2001) says, "Ethics within the profession seem unsettled, and unsettling" (p.4). She further observes, "Conflict frequently arises among reasonable individuals about what is right or moral" (Abels, 2001, p. 4). Robison and Reeser (2000) acknowledge that "appealing to the Code of Ethics does not give us sufficient guidance in difficult cases" (p. 45), and Loewenberg, Dolgoff, and Harrington (2000) acknowledge that social workers often cannot honor the values to which they are committed.

These writers proceed to provide guidance for ethical decision-making. Reamer (1990) provides six guidelines that prioritize some ethical principles over others. Loewenberg, Dolgoff, and Harrington (2000) provide an "Ethical Principle Screen" that orders seven ethical principles in a hierarchy. Rhodes (1991) argues for a "kind of informed relativism" (p. 45) that engages in dialog and that considers the context in which ethical decisions are made. She provides a list of questions to guide ethical decision-making. Robison and Reeser (2000) also provide a list of principles and questions to guide ethical decision-making. Abels (2001) challenges the profession to develop an empirical base that would permit review of other professional decisions. This idea appears consistent with Rawls' (1999) idea that a proper ethical principle can be determined by the consensus of a group of disinterested individuals.

Limitations of These Approaches

While each of these approaches has merit, each has limitations. Ethical decisions must sometimes be made quickly, and opportunities to work through several steps, to seek consultation, or to engage in dialog are sometimes impractical if not impossible. There appears to be little that would commend one system over another. In fact, Rhodes (1991) specifically criticizes Reamer (1982) for not giving "compelling reasons for accepting his account rather than some other" (p.

17). Rawls', Rhodes', and Abels' approaches rest on the assumption that what is right may be properly determined by consensus. If ethics is nothing other than consensus, it is no wonder that social workers are confused. Since different groups may arrive at different consensuses, ethical behavior can shift dramatically from place to place and from time to time. The limitations of time consumption, complexity, and necessity of consultation are difficult—if not impossible—to overcome. In the real world of social work education and social work practice, students and practitioners need an approach to ethical decision-making that is easy to understand, is easy to apply, and that does not require consultation. However, the approach must not trade breadth for convenience: It must provide adequate breadth to cover situations social workers actually encounter.

An Extremely Brief Introduction to Ethical Thought

Ethical thinkers are often divided into two camps: teleologists, or relativists—who believe that what is right is determined by the consequences of the decision—and deontologists, or absolutists—who believe that what is right is not determined by consequences but that instead, certain actions are inherently right or wrong (Reamer, 1990). These two camps reflect the difference between ends and means or between outcome and process. The former argue that a decision is ethical if it produces a good result while the latter argue that a result cannot truly be good unless it is achieved through good processes.

The former view, teleology, is further divided into two major schools: egoism and utilitarianism. Egoism argues that people should pursue their own self-interests and that good will be accomplished when they do so. Utilitarianism argues that an action is right if it promotes the maximum good. Both egoism and utilitarianism are concerned with end results, but the former is concerned with end results for each individual while the latter is concerned with end results for as many individuals as possible.

Critique of Ethical Thought

Because they are philosophical systems, there is no external way to validate any of these approaches to ethical decision-making (Gödel, 1992), and each can be criticized on numerous grounds. The weaknesses in those systems are the motivation for the proposed model.

One weakness of the deontological approach appears when good principles lead to bad outcomes. For example, telling the truth can lead to great harm if individuals who have evil intent use that truth to find and kill innocent people. It seems hard to claim that one has acted ethically by reporting on the location of individuals who are hiding from a genocidal regime. We somehow want our ethical principles to lead to desired outcomes, and when they don't, we intuitively question the principles.

Another weakness of the deontological approach appears when two or more ethical principles conflict with each other, which is, by definition, an ethical dilemma. The presence of two or more ethical principles creates the possibility of dilemmas. A desire to behave in accordance with right principles cannot be fulfilled if two principles conflict with each other. If both principles are right, and one must choose one or the other, one cannot behave ethically because ethical behavior has already been defined as behavior that is consistent with the conflicting principles. This problem can be addressed, (see, e.g., Reamer, 1990) by developing prioritized lists of ethical principles with the guidance to adhere to the principles in order of priority. Nevertheless, the more principles on the list, the greater the potential for conflict among them.

The teleological approach can appear to ignore principles and to allow any process that leads to good outcomes. From a teleological perspective, individual actions are justified if they produce desired results for the individual, and group actions are justified if they produce desired results for the majority. The teleological perspective would support stealing to feed the hungry, lying to achieve personal gain, and subjugation of a minority to support economic advantages for the majority. This perspective tends to ignore rights of minorities, and it appears to hold that methods are justified by their results.

Neither perspective addresses the fundamental question about what constitutes good, and it is in the effort to decide what is good that we need guidance. Ironically, or perhaps it is a paradox, attempting to define what is good appears similar to the challenge in deontology of deciding what the universal principles are. How, then, should we proceed?

A New Model

I propose an approach to ethical decision-making that attempts to reduce choices to a set that is necessary and sufficient. In its simplest form, this approach has three values and one principle. It can therefore be easily taught, easily understood, and easily used.

Consistent with Reamer (1999) and with Loewenberg, Dolgoff, and Harrington (2000), it appears that prioritizing values or ethical principles can help resolve ethical dilemmas. Because an ethical dilemma is, by definition, a conflict between two or more values or principles, it follows that the fewer values and principles there are, the lower the possibility of an ethical dilemma.

I propose that a small set of elements constitutes the context in which ethical decisions are made. These three elements are life, choice, and relationship. Only the living can make ethical decisions, so life is a necessary part of the context. Ethical decisions involve choices about behaviors in relationships with other people. Therefore, choice and relationship are also essential elements of the context. Together, life, choice, and relationship form the context in which an ethical decision is made, and they therefore provide the values necessary for an ethical decision. While it is tempting to arrange these three elements in hierarchical order, I propose that doing so is artificial, unnecessary, and counterproductive. Further, since all three are necessary for ethical decision-making, elimination of anyone removes the possibility of an ethical decision.

Some authors (e.g., Reamer, 1990) propose that ethical principles must be hierarchically organized, but I reject that argument on the grounds that all three elements I have proposed are necessary for an ethical dilemma to exist and that arranging them hierarchically introduces as many problems as it solves. For example, asserting that life is the most important provides no guidance when one must choose between lives, and it would allow third parties to make life-or-death choices for others. I submit that these three contextual elements constitute the heart of ethical dilemmas and that only by treating all three as necessary and equal parts of the context can we develop a system to guide us.

According to Festinger (1957), when an individual holds two inconsistent beliefs, psychological discomfort results. The discomfort is in proportion to the strength of the beliefs. Individuals seek to reduce the discomfort by changing one of the beliefs. I concur with Festinger that the inconsistent beliefs that constitute an ethical dilemma produce discomfort, but I submit that an additional element contributes to the distress, and that is the belief that the dilemma can be

resolved. Technically, the dilemma can be resolved by changing one of the beliefs that produces the dilemma but attempting to change a belief that one's social group considers to be right produces its own cognitive dissonance. Attempting to resolve an ethical dilemma by prioritizing one value over another is ineffective because although doing so may reduce the distress—in effect by changing the intensity with which one holds a belief and thereby by reducing the dissonance—it does not eliminate the dissonance because the two beliefs remain inconsistent. Our belief that unresolvable conflicts can be resolved contributes to our distress, and unless one of the ethical principles that creates the dilemma can be changed, the best we can do is to accept that the dilemma is unresolvable. By giving each principle equal weight and accepting that the conflict cannot be resolved, we can reduce the distress. We must learn to accept that there is no resolution to a genuine dilemma. Because all three contextual elements are essential, any situation that requires one to be sacrificed for another cannot be ethically resolved. Therefore, when an ethical dilemma exists, the best one can do is to maximize all three elements of the context, and this is the one overriding ethical principle in the proposed model. And this leads to the crux of the ethical system I propose: No individual may ethically violate the context. Context, as stated, includes life, choice, and relationship. For one to make decisions regarding the life, choice, or relationship of another violates the ethical context.

Before explaining, some definitions may be helpful. Maximizing means to maintain as much as possible without compromising any of the three elements. To maximize life means to support life and its processes. To maximize choice means to acknowledge available options and to allow free selection from among them. To maximize relationship means to communicate in ways that promote continued communication. Relationship is the voluntary interaction between two individuals. It includes the spoken and unspoken rules about that interaction. Relationship is part of context because the ethical dimensions of choices that exist outside of relationships are immaterial. For example, if I had no living relatives, no friends, and lived off the land in the great north woods, how much I ate, drank, cursed, and engaged in autoeroticism would be of little consequence. I am proposing that choices independent of relationships do not contain an ethical component.

Now it is necessary to explain how choices may be ethically made. The nature of the relationship determines what is ethical, and the nature of the relationship may be properly determined only by open, voluntary negotiation. This open, voluntary, negotiation requires truth-telling, not as its own value or ethical principle but as a necessary ingredient for free choice to be exercised. Choices made without knowledge of truth cannot be free, and choices that are not free can hardly be called choices. Openness involves honest disclosure of information, thoughts, and feelings about the issue at hand. Voluntariness involves the capacity to give or withhold consent for participation in the relationship and in the negotiation.

Individuals may voluntarily enter into unequal relationships. When they do, the person who has greater power must accept greater responsibility for maintaining the context: life, choice, and relationship. This is the situation for professional social workers. Because the professional relationship is inherently unequal, the social worker has greater responsibility to assure that the life, the choice, and the relationship with the other are maintained. Having said that, it is also important to say that the social worker does not give up the right to life, choice, and relationship. A social worker who determines that her life, choice, or relationship is unreasonably compromised in relationship with a client may properly renegotiate the relationship, and if necessary, end the relationship, after appropriate but unsuccessful good-faith negotiations. The contextual element of choice would require the social worker in that situation to maximize the choices of the client by exploring alternatives for service and by facilitating appropriate referrals.

Summary

In summary then, are the following elements of the proposed ethical system.

- Life, choice, and relationship are contextual elements in which ethical decisions are made.
- Any situation that requires one element of the context to be sacrificed for another cannot be ethically resolved.
- The best possible solution to a conflict among the contextual elements is to maximize each element.
- No individual may ethically violate the context of another.
- The nature of a relationship determines what is ethical within that relationship.
- The nature of the relationship may only be properly determined by open, voluntary negotiation.

Application

Social workers can use the proposed system in daily practice. As they enter into helping relationships, they can openly negotiate the terms of those relationships and maximize the choices of both parties. As the encounter dilemmas, they can identify the elements of life, choice, and relationships that interact to produce the dilemmas. After they recognize the elements creating the dilemma, they can decide how to maximize each element. They can also teach the model to clients who encounter ethical dilemmas of their own.

Social contract theory (Rousseau, 1762) provides the necessary guidance to apply the above system on a larger scale. Social contract theory holds that participation in society requires the sacrifice of some individual freedoms if society is to function. The society as a whole can appropriately and ethically develop processes to respond to the problems that arise when individuals behave unethically, i.e., violate the context of another. Through democratic processes, members of society can establish laws that balance the interests of individuals with each other and between individuals and the society. They can establish courts to interpret and apply the laws, and they can create justice systems to enforce the laws as they are interpreted by the courts. By maximizing life, choice, and relationships, legislatures and courts can promote a more ethical society.

An example may be useful to illustrate application of the approach.

Linda works in a community mental health agency. Juan, who is 16 years old, is one of her clients. Juan's mother, Carmen, brought him to the center with concerns about his moodiness, which Linda has described as anger and depression. Linda is also concerned about Juan's risky behaviors such as alcohol and marijuana use and associating with other teens who carry weapons and commit crimes such as armed robbery. Linda views herself as caught in an ethical dilemma among her duty to protect Juan, her responsibility to fulfill her commitment to Carmen to address his anger and depression, and her obligation to maintain Juan's confidentiality.

The proposed model identifies three elements that are relevant to the situation—the potential threat to Juan's life if he continues dangerous behaviors, the nature of her relationships with Juan and with Carmen, and the right each person has to make informed choices. Use of the model would require Linda to discuss these factors with Juan and with Carmen. Through

discussion, each individual would clarify the nature of their relationships, and each would clarify the choices that each one has in the current situation. Juan would understand that Linda has a duty both to him and to his mother, and Carmen would understand that Linda has a duty both to her and to Juan. Linda would have the opportunity to clarify Juan's and Carmen's expectations for confidentiality and for protecting Juan from potential dangers. Through these discussions, each person would gain additional information about the elements that create the context, and each would have the opportunity to make informed choices about how to continue. Without the discussion, none of the participants can make an adequately informed choice, which would violate the proposed model. The choices that each individual might make are limitless, but for the sake of continuing the illustration, consider that Juan might decide that he does not want treatment if there is any possibility that his mother will find out about his risky behaviors, Carmen might decide that Linda's primary duty is to help her parent Juan, and Linda might decide that she cannot adequately fulfill the expectations that both Juan and Carmen have for the professional relationship. The dilemma would then be clear, and she might decide either not to continue treatment because she cannot accept the terms of the relationship or she might decide to negotiate with Carmen and with Juan to find acceptable terms. Either outcome is consistent with the model, i.e., either outcome maximizes life, choice, and relationship.

Conclusion

Because ethical questions are philosophical questions, there can be no ultimate answers. Although the proposed model has weaknesses inherent in any philosophical system, it offers some advantages over other systems. By reducing the number of values to three, it reduces the opportunity for conflicting values. If the argument that these three constitute the context in which ethical decisions are made, they are necessary and sufficient. By reducing the number of values that must be considered to the smallest possible number, it brings clarity to situations that are less clear when attempting to manage larger numbers of conflicting values. By reducing the number of values to three and the guiding principle to one, it reduces the amount of information that must be recalled implementing the decision- making model. And because of its simplicity, it is easier to teach and to use than those models that incorporate more elements.

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