

*Unwrapping Ethics...©*

*A Learning Moment @ ELLA*

*Designed, Developed & Delivered by*

**E-Sinc**

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### Course Guidebook (2023)

This course focuses on "hands on" or applied ethics addressing challenges we face in matters of moral awareness and decision-making. Considerable small group and team work will attempt to resolve ethical dilemmas in the face of obedience to authority, implicit self-serving and overconfidence biases, conflict of interest, ethical fading and role morality. Ethical vignettes will be presented to help focus the conversations. You also will delve into systematic moral analysis, moral imagination and cognitive dissonance in various cases central to each class experience.

#### Concepts for the Course:

The initial session focuses on a seemingly morally upright and rather devout person who only did what he thought was right and ended up in jail. The remaining cases will require you to determine the better ending. The aim: to help you *get to better ethical decision-making*.

#### **Session 1: You Don't Know Jack...** from the Ethics Unwrapped series<sup>1</sup>

*An Examination of a leader who slipped and fell...*

#### *Round Table Conversations* {ten minutes for small group prep'ns}

- Examine the behaviour of Jack and determine where he made critical ethical failures: why you think he did what he did? How did such a successful person (in the words of Professor Prentice) *go off the rails*?

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- Reflecting on Jack's behaviour, identify at least three [3] lessons you learned and explain how you would incorporate these lessons into your own personal life to help ensure you model a reasonably ethical life-style and do not make the same ethical missteps or errors.

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- Can you suggest any contemporary Canadian leaders who might fit this challenge/description?

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<sup>1</sup> Available for downloading at [www.ethicsunwrapped.utexas.edu](http://www.ethicsunwrapped.utexas.edu).

## Session 2: Unwrapping Some Major Ethical Flaws...

{initial preview of special vignettes}

Note: access relevant vignettes re **In It To Win**: [www.ethicsunwrapped.utexas.edu](http://www.ethicsunwrapped.utexas.edu)

{ten minutes for small group prep'ns}

### Team A

Consider the concepts of *Framing*...(evident in the film)

What might be a couple of examples of *Framing* in our own lives to date that we may have seen, witnessed or actually committed ourselves? What was the focus that led to that moment (the *metrics*)? Where did the *blindness* come into play? Was the environment all that *toxic*?

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### Team B

Consider the concepts of *Moral Equilibrium*...(evident in the film)

Present two or three examples of *Moral Equilibrium* that we might think could happen in our life as a grandparent or mentor? Where might one begin to *run up a scoreboard re our own self-image*? Does *looking at the good things we do* actually lead to *moral licensing*?

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### Team C

Consider the concepts of *Rationalization Bias*...(evident in the film)

What might be a couple of examples of *Rationalizations* in our own lives to date that we may have seen, witnessed or actually committed ourselves? Or perhaps how can one mentor to counteract this, to help mitigate *cheating just a little bit* or *is that really all that dishonest* or *everyone else is doing it*? How do we overcome the importance of the *end result*, is the *cause the real focus*?

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*Team D*

Consider the concepts of *Self-Serving Bias*...(evident in the film)

Identify at least two examples of *Self-Serving Bias* that we might think could happen in our life as a grandparent or mentor? How much does *selective memory* cause us to be *less than fair*, are our *minds tricking us into believing*? Does one really use *filters* to promote *self-interest* leading to the idea we are *100% right*?

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*Team E*

Consider the concepts of *Overconfidence Bias*...(evident in the film)

Present two or three examples of *Overconfidence Bias* that we might think could happen in our life as a grandparent or mentor? How do we determine that we are *more ethical than our neighbour* or perhaps just that we are *satisfied with our moral character*? Is *arrogance* really the trigger?

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*Team F*

Consider the concepts of *Role Morality*...(evident in the film)

Identify at least two examples of *Role Morality* that we might think could happen in our life as a grandparent or mentor? If we aren't working in our career any longer, how might this really be something to worry about, this idea of *win for my client* or *give them what they paid for*?

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**Presentations...**

### *Session 3: Henry's Daughters<sup>2</sup>*

*Henry*, sixty-five [65] is a retired but still well-connected automobile executive and sometime lobbyist. He is involved in an academia-industry-government smart highway design called *Sanshands*. The intent is to design & develop an automated highway/auto control system to take over driving from individuals within their cars.

*Laura*, twenty-nine [29] is Henry's older daughter, a professional engineer working as project manager on *Sanshands*. Her recommendations will be considered prior to final adoption of the preferred research project.

*Julie*, twenty-one [21] is Henry's younger daughter, is working as an intern with **Outocar** which is one of two organizations chosen to develop the test pilots (the other firm, **GuideMe**, has retained Henry as a consultant).

The two [2] sisters live together and often talk about their work. As the story unfolds they both see disconcerting actions/activities including excessive influence by **GuideMe** on the key decision-makers and plagiarism by co-workers. Pressures build within government towards choosing **GuideMe** prompting allegations from **Outocar** that lead to a state senate ethics commission hearing. Two key witnesses are *Laura* and *Henry*.

This story highlights ethical issues encountered by the characters, such as professional relationships, conflicts of interest, favouritism, confidentiality of proprietary info, sexual harassment, and individual privacy. The individuals disagree over the tradeoffs between technical performance, safety, reliability, *sustainability*, flexibility and cost. They also find that political and social factors can influence technical decisions.

Several ethical observations to note...

- ethics is an integral component of ordinary technical and business decision-making...
- technically competent, ethically sensitive, reasonable people may have different perspectives on an ethical issue, and can disagree when faced with complex ethical issues...
- negotiations resolve some of the conflicts but others remain unresolved – ethical problems should be resolved by rational methods...
- codes of ethics and guidance from licensing boards can be helpful in resolving ethical challenges...

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<sup>2</sup> Film produced by the National Institute for Engineering Ethics, Edward Whitacre College of Engineering, Texas Tech University (2010). For access, this will be shared by the prof..

- it is sometimes necessary to make decisions under pressure with incomplete data, insufficient time and inadequate information

As the story unfolds...

*ALL GROUPS:*

Identify at least two significant dilemma(s) you see emerging?

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Identify the two (2) biggest ethical decisions that need(ed) to be made regarding at least one of the dilemmas you recognize...

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Upon reflection, at the conclusion of the story, what was the real moral problem, and where did it start?

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What were the good decisions that were made? Why do you pick them?

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**Session 4: Team Tasks (& Presentations)...**

*Group 1, 3, 5*

Regarding the two [2] sisters, there are numerous questions that could be raised but consider these in particular: *was it ethical for Henry to pull strings to get Julie her internship?* and, *was Laura given the project because of her professional talents + work ethic or because of Henry's connections?* (And if so, would this raise a conflict of interest issue?) plus *the cake eating scene* raises what ethical issues?

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*Group 2, 4, 6*

Relate the comments, *keep it in the family, don't rock the boat, and it's just normal business* to the overall ethical challenge(s) of Henry & his daughters

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From your assigned character, and from that person's perspective how would you have done things differently?

*Groups 1 & 6 – Laura*

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*Groups 2 & 5 – Julie*

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*Groups 3 & 4 – Jeff*

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*Groups 4 & 5 – Henry*

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Group 6 & 3 – Senator Bob

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Group 2 & 1 – Barry

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**Presentations...**

Group 6

- **professional issues:** *to what extent should you consider political factors and social impacts in your decision-making? And, should Laura have said something about Marty’s treatment of Warren like she did about the ogling of Julie?*

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Group 3

- **conflict of interest:** *to what degree was it appropriate for Henry and his daughters to work on the same project, but for different parties? Should Senator Bob have recused himself from the investigative committee?*

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Groups 2 & 1

- **gender issues:** *does the appropriate response to sexual harassment depend on the setting – e.g. whether one is in a situation with one’s peers vs. with one’s supervisor vs. dealing with a client? Are sexist comments disguised as jokes acceptable? Is it ever permissible for an employee of one gender to put their hand on the shoulder of another employee or compliment an employee of the other gender?*

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Groups 4

- **intellectual property issues:** *what is proprietary information? How should you decide whether to share some of your information from work when you get home?*

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Groups 5

- **privacy issues:** *as a matter of interest, does tracking vehicle location cause a violation of privacy? If you knew an individual was illegally dumping environmentally unhealthy waste and a neighbour was willing to attach a GPS device to his truck, to what extent would you use the resultant information to track him down and catch him in the act?*

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## **An Ethics Unwrapped BLOG CASE**

### **Session 5: Baylor Football: A Brief Behavioural Autopsy**

*The darkest days in college athletics since the Jerry Sandusky child sex abuse scandal brought down the sainted Joe Paterno and permanently sullied Penn State University's reputation are at this writing playing out in Waco at the nation's largest Baptist university. The Baylor sexual assault scandal raised the question: **How can values become so skewed when leadership is in the hands of such good Christian men?***

*Baylor's chancellor and (now former) president, Ken Starr, is an indefatigable promoter of Christian values and interests, as well as the former relentless investigator of President Bill Clinton's sexual indiscretions back in the 1990's when he served as Independent Counsel.*

*When hired at Baylor, athletics director Ian McCaw was described by former Clemson football coach Tommy Bowden as someone who **walks the walk of a fine Christian man.***

*A columnist noted: **...that Baylor head football coach Art Briles is polite, courteous and respectful in a way that harkens back to a different era. He is a good man with a good family. Briles is a church-going Christian whose recent book is titled *Beating Goliath: My Story of Football and Faith.****

*One hundred miles down IH-35 in Austin, many University of Texas Longhorn fans are enjoying a little schadenfreude at the downfall of these self-righteous hypocrites who have presided over a win-at-any-cost football team that has dominated ours on the field in recent years. Some of our Ethics Unwrapped videos help explain how Baylor's leaders could have gone so badly off the rails. It is too late for the Baylor officials to watch them, but folks at Texas (or any other university or organization involved in competitive practices for that matter) should give them a serious watch, because the point of behavioural ethics is that it is difficult for all people to live up to their own ethical standards. The same intense competitive pressures, the same outsized incentives, the same hubris and overconfidence that underlie the Baylor scandal could easily happen at the University of Texas if its athletics officials take their eye off the ball.*

**Ethical Fading.** *When people focus too much on one part of the picture, other aspects may fade from view.* It seems clear that Starr, McCaw, and Briles were determined to lead Baylor to football prominence. They correctly surmised that athletic success on the field would lead to a financial bonanza for the school – new stadiums, new buildings, record alumni donations. These goals were set and met, but at a terrible price. Somehow, the moral standards that should have guided the recruiting of football players and investigations into their wrongdoing faded into the background for these men who were so focussed on other accomplishments.

**Conflicts of Interest.** *When goals conflict, something has to give and in the case of Baylor it was the safety and welfare of the campus' female student population.* With Starr, McCaw, and Briles being single-mindedly committed to attaining football success and its attendant benefits, they consciously or unconsciously threw their campus' young women under the bus.

**Overconfidence.** *Most people, not just those at Baylor, are unjustifiably confident in their own morality.* Impossibly high percentages of Americans believe that they are more ethical than their neighbours, their competitors, their peers. In a recent survey, ninety-two percent (92%) of Americans said they were satisfied with their own moral character. When you just know you are a good person, when you are continually praised as being **fine Christian men**, you might begin to believe that ethics are not a problem for you...that you will automatically handle ethical challenges properly because that's just who you are. **This can lead to decision-making that is less than thoughtful.**

**Moral Equilibrium.** *Most people have a sort of mental scoreboard in their heads where they compare the image they have of themselves as good people with their actual deeds.* When people do some deed that they are not exactly proud of, they will often seek opportunities to help others so that they can get their mental scales back in balance. This is called **moral compensation**.

Unfortunately, when people get to feeling that they have done especially well – when they have, for example, been praised for their many successes and their representation of good Christian values – sometimes they go the other way. Their internal moral scoreboard shows a surplus and they may give themselves permission not to live up to their own standards. This is called **moral licensing** and we often see it when high-profile televangelists are caught profiting unduly from their parishioners' contributions, when **family values** politicians are caught with prostitutes, and yes, when fine Christian football coaches are caught excusing the misdeeds of football players they need in order to win the next game.

**Altruistic Cheating.** Neither Starr nor McCaw nor Briles looked himself in the mirror one morning and said: **To heck with the safety of young women, I've got football games to win.** But humans are amazing rationalizers. We are very good at finding reasons for not to live up to our own standards. **Jack [Abramoff] and Rationalizations** is one of our more important videos. It details some of the most common rationalizations people use to justify their wrongful actions, including – **everyone does it, no one was really hurt, it wasn't really my fault,** etc. a common rationalization we see in the college sports world, and one that was likely at play in Waco, is often referred to as **altruistic cheating.** It doesn't feel so bad to cheat or engage in other wrongdoing if we can say to ourselves that we are doing it to help others and not for selfish reasons. Thus, the folks at the University of North Carolina who created hundreds of phantom courses in order to keep student athletes eligible, could say to themselves – **I did it to help the black athletes, who are at such an educational disadvantage.** Jim Tressel, former coach at Ohio State who learned of wrongdoing by his own players and failed to report it as the rules required, could (and did) say to himself (and to others): **I was worried about the safety of my players.** And in Waco, Briles, McCaw and Starr could welcome with open arms players whose conduct had gotten them thrown out of other universities by saying: **Everyone deserves a second chance.**

Fine Christian men in Waco, well-meaning Longhorns in Austin, and pretty much all the rest of us are vulnerable to moral mistakes if we do not monitor ourselves carefully. These videos (and others in our series) give some hints as to what we all need to be guarding against if we wish to live up to our own moral standards.

QUESTIONS:

- Do you believe that this blog post has hit the nail on the head, or do you believe that it is unfairly criticizing Christianity? Explain.

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- Have you seen similar conduct that may be understood by similar explanations on Canadian college campuses, or in other Canadian organizations? Give examples.

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- Of the many videos mentioned in this blog post (*Ethical Fading, Conflicts of Interest, Overconfidence, Moral Equilibrium, Jack & Rationalizations*), which one do you think is the most important to watch for someone who wishes to lead a moral life? Explain.

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- Which of the videos mentioned above should be shown often to mentors to help keep such individuals as professional and as ethical as possible? Why?

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- Where might a senior, especially a grandparent, most often experience similar problems to those that emerged at Baylor and other universities? In what way(s) might the recent (and on-going) *junior hockey scandal* be considered in a similar vein (i.e. *is hockey like a religion to Canadians*)? Comment.

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RESOURCES:

Lisa Maria Garza *Baylor Removes Starr as President, Will Fire Coach Over Rape Case*, New York Times, May 26, 2016.

Adam Kilgore & Nick Anderson, *Art Briles's Stunning Ascent Ends in Sudden Disgrace Following Damning Report*, Washington Post, May 26, 2016.

Christian B. Miller, *Character & Moral Psychology* (2014)

Paul Newberry, *Baylor Should Pull Plug on Its Athletic Program*, Associated Press, May 26, 2016.

## ***Sessions 6 & 7: Gilbane Gold***

### *Synopsis*<sup>3</sup>

*Gilbane Gold* is the name given to dried sludge from the Gilbane wastewater treatment plant. It is sold to farmers as a commercial fertilizer. The annual municipal revenue generated saves the average family about \$300 a year in taxes. Several years ago the city of Gilbane established limits on the discharge of heavy metals to the sewers in order to protect *Gilbane Gold* from the build-up of toxic materials that could end up in the farmer's soil. These limits are ten (10) times more restrictive than Federal limits. However, the limits are based on the concentration of the discharge with no restrictions on total weight of material discharged.

*Z CORP* is a computer components manufacturer, which discharges wastewater containing small amounts of lead and arsenic into the city sewer system. By the current city test standards, the discharge usually meets the allowable levels for heavy metals. However, a newer test, known only to *Z CORP* environmental people, shows the discharge exceeds the city test standards. An ethical dilemma arise within *Z CORP* concerning whether to advise the city of the newer test. Acceptance of the newer test would require additional investment in clean-up equipment. **Tom Richards** is a *Z CORP* environmental engineering consultant who was fired for advocating the new test. Thereafter, **David Jackson**, an engineer working for *Z CORP*, goes public with his views. A television media investigation results.

Complicating the situation is the fact that *Z CORP* has just received a contract for five (5) times as many computer modules as they presently produce, albeit at a very thin profit margin. The increased production means five (5) times as much waste will be produced. The discharge concentration can be kept the same by adding five (5) times the amount of water, thus still meeting the existing city standards. The result, however, is that *Gilbane Gold* has five (5) times the amount of heavy metals in it as before. The *Z CORP* vice-president is opposed to changing the test standards as that would require additional investment in wastewater treatment equipment. This could cause *Z CORP* to lose money on the new contract. The VP contends that *Z CORP*'s responsibility is to provide jobs and a payroll and that the city should worry about the environment.

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<sup>3</sup> Excerpted from the **Study Guide for *Gilbane Gold***, National Institute for Engineering Ethics, Texas Tech University (1989)

*Key Players*

**David Jackson** (young environmental engineer at Z CORP)

**Maria Renato** (Channel 13 Reporter)

**Lloyd Bremen** (farmer, also former commissioner for environmental protection)

**Dr. Winslow Massin** (professor emeritus at *Hanover University, School of Engineering*)

**Phil Port** (head of Z CORP's environmental affairs department)

**Tom Richards** (environmental engineering consultant)

**Z CORP Mgt - Diane Collins** (Vice-President) & **Frank Seeders** (head of production)

**Primary Questions (for all small groups to consider)**

- Have any laws been broken? And, is this even relevant?
- What are the major ethical problems? Where are they linked to technical uncertainties?
- Where are the decision points (moments of critical choice) whereby the situation could have been resolved?
- When, in such moments, should you turn to your professional organization or at least to some of your professional colleagues?

*Background Thoughts* (for each group to reflect & utilize as necessary)<sup>4</sup>

The right course of action is usually clear when it is between *good & evil*. However, it is not unusual for Environmental Health officials to find themselves forced to choose between competing *goods*, rather than between *good & evil*.

This scenario brings together the competing *goods* of:

- protection of human health and the environment (regulation and the spirit vs. the letter of the law)
- the quality of life and the welfare of people (jobs & taxes)
- personal integrity (view of self & living up to personal standards)
- free enterprise (profitability and competition in an international marketplace)

*Specific Challenges*

Each group analyses the case from the point-of-view of a particular individual or organization. The final *cross-fire* will attempt to determine what the proper/best/preferred resolution ought to be (and the goal of all teams will be to get to a solution, without the need of an independent mediator).

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<sup>4</sup>

*Ibid.*

**GG-1: Maria Renato, Channel 13 Investigator**

in addition to the primary questions noted above...

- explain your perception of the degree of fairness in the Channel 13 investigation?
- to what extent did all *sides* get adequate coverage?
- what level(s) of moral reasoning appear to be behind Maria's approach to the ethical challenges?
- in what ways did (or did not) Maria's work contribute to resolution of the major dilemma?

**GG-2: Professor Emeritus Winslow Massin**

in addition to the primary questions noted above...

- assess the *helpfulness* as well as the *goodness* of the retired professor's comments & advice?
- discuss the validity of his view(s) extolling a compromise between development and production of new products and the resultant impact on the environment (and by implication, environmental health)
- should the fact he is retired be considered in weighing his value (& even whether he should have been invited for comment at all)?
- what should his advice have been to David?
- what is his seeming level of moral reasoning?

**GG-3: Lloyd Bremen (farmer & former commissioner for environmental protection)**

in addition to the primary questions noted above...

- how proper is it for former officials to get involved in such events after they have retired?
- to what degree might he be a mediative force in this dispute as he both helped write the regulations and now, as a farmer, is a purchaser of Gilbane Gold?
- where might he be helpful to city officials in explaining the long term impacts of their decision-making in regards to encouraging industry while promoting Gilbane Gold?

**GG-4: Phil Port, David Jackson's boss**

in addition to the primary questions noted above...

- where was Phil Port's primary allegiance?
- to what extent, and in what instances, could he have facilitated a resolution to the dilemma?
- to what degree is he responsible for resolving the problems *Z CORP* seem to be creating (in other words, is this an environmental challenge or a production challenge or somewhere else??)
- what seems to be his level(s) of moral reasoning?



**GG-5: Tom Richards, Consultant**

in addition to the primary questions noted above...

- assess Tom’s ethical conduct with respect to David Jackson?
- ...with respect to *Z CORP*, especially the environmental affairs department?
- ...with respect to Channel 13?
- what seems to be his level(s) of moral reasoning?

**GG-6: Senior Z CORP Management (basically Diane & Frank)**

in addition to the primary questions noted above...

- assess their conduct from the perspective of a *Z CORP* shareholder / a city taxpayer / a Gilbane Gold user
- what are their primary responsibilities — what are they being paid to do?
- what would be the advantages & disadvantages if they had pursued a policy of *maximum protection of the environment, whatever the cost?*
- because the company is meeting (or comes close to) the letter of the existing discharge law, to what extent does it have a greater responsibility to meet the philosophy or objective behind this law, which is currently flawed because it does not limit the mass of pollutants discharged or require the most advanced analytical technology in measuring toxic substances?

**GG-7: David Jackson, the young environmental engineer**

in addition to the primary questions noted above...

- what all might David have done during the development / evolution of this dilemma that could have averted it?
- what is your assessment of whether he should have *gone public* or *blown the whistle*?
- assess his decision to tell Channel 13 his side of the story *off the record* & how is *Z CORP* likely to react?
- what is the advice the *Z CORP* lawyer is likely to give?
- what advice would you give?

*Initial Presentations* [Team Seating will form a large oval – all facing each other]

**GG-3: Lloyd Bremen (farmer & former commissioner for environmental protection)**

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**GG-5: Tom Richards, Consultant**

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**GG-7: David Jackson**, the young environmental engineer

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**GG-2: Professor Emeritus Winslow Massin**

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**GG-4: Phil Port**, David Jackson’s boss

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**GG-6: Senior Z CORP Management** (primarily **Diane & Frank**)

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**GG-1: Maria Renato**, Channel 13 Investigator

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*Cross-fire... Who is right? Who makes the most sense? What ought to be the final outcome? How can we all get there?*

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Please remember: The *cross-fire* attempts to determine what the proper/best/preferred resolution ought to be (and **the goal of all teams will be to get to a solution**, without the need of an independent mediator).

## ***Sessions 8 & 9: Incident at Morales...***<sup>5</sup>

### *Synopsis*

This film involves a variety of ethical issues faced by a company that wants to quickly build a plant in order to develop a new chemical product to gain a competitive edge over the competition. Potential technical and ethical issues arise from choices of designs, including valves, piping, chemicals, etc. The process to develop the product is designed to be automated and controlled by computer software. The process also involves high pressures and temperatures as well as using chemicals that require special handling.

Because of environmental considerations related to the chemicals used in the process, the company decides to construct their plant in Mexico. Out of this decision arise technical, environmental, financial & safety problems that involve ethical issues.

The central figure, Fred, confronts a number of key moments of critical choice including the use of expensive controls from a company that has an inside connection at the firm, the introduction of environmental health controls that would actually be higher than local requirements, the purchase of pipes & connectors made from stainless steel or a high pressure alloy when marketing pressures require a slightly different product.<sup>6</sup> And perhaps there are cultural expectation as well?

### CAST of CHARACTERS:

<b>Fred</b>	Chemical Engineer hired by <i>Phaust</i> to design a plant to manufacture a new paint remover
<b>Wally</b>	Fred's supervisor at <i>Phaust</i>
<b>Chuck</b>	Vice-President of Engineering at <i>Phaust</i>
<b>Dominique</b>	Corporate Liaison from <i>Chemistré</i> (parent company in France) to <i>Phaust</i>
<b>Maria</b>	Fred's wife, a compliance litigator for U.S. Environmental Protection Agency
<b>Hal</b>	Market Analyst at <i>Phaust</i>
<b>Jen</b>	Research Chemist at <i>Phaust</i>
<b>Peter</b>	Project Manager of the construction firm that builds the new plant in Morales
<b>Jake</b>	Plant Manager for the <i>SuisseChem</i> plant in Big Spring, Texas
<b>Manuel</b>	Plant Manager for the new <i>Phaust</i> plant in Morales, Nuevo Leon, Mexico

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<sup>5</sup> A film produced by the **National Institute for Engineering Ethics**, Texas Tech University, Lubbock Texas, 2005.

<sup>6</sup> This is summarized from the Study Guide provided with the above noted film.

As you view the story, identify

- *four (4) key moments when ethical choices are made...*

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- *to what extent would you define Fred to be a morally good person...*

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- *where better decisions could have been made that would have averted some of the ethical dilemmas within the Incident at Morales...*

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- *to what extent is this as much an public health issue as it is an engineering one? (and) where would you have intervened or at least made sure everyone realized that public health was a pre-eminent issue in the scenario?*

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In addition to developing a group answer to the items raised on the previous page, prepare responses to the following questions designated to your group.

- G. Would reference to a CODE of CONDUCT have solved this problem? Explain:

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- B. What questions of ethical conduct do you see around the initial hiring of Fred? Were they appropriately handled, in your mind?

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- D. What is it about Wally's *One Rule* that could lead to ethical problems?

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A. How do you react to Chuck’s comment about inflating the budget as a hedge against potential budget cuts? What is the difference between inflating a budget & providing contingency funds as a line item in the budget?

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E. Chuck’s brother-in-law is the U.S. rep for a supplier of controls: what ethical issues does this raise? What is your response to Wally’s justification of this approach to purchasing?

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C. Why did Fred share his concerns with his wife? Was this appropriate? Discuss his comment that since the plant is beyond her jurisdiction it is of no concern to her?

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F. Is Wally justified in confronting Fred about the environmental meeting? Who should moderate such a meeting?

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A./D. Did Fred act responsibly in both (a) lining the evaporation ponds and (b) specifying cheaper controls? Were there any ethical dilemmas here that a public/environmental health officer would have faced?

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E./F. While talking with Peter, Fred is inspired to make the couplings a maintenance issue, specifying that the couplings should be replaced regularly: to what degree is it appropriate to convert design decisions into maintenance procedures without including operations people in the decision process?

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B./G./C. The chemical process was supposed to be automated yet, Fred allowed Manuel to volunteer to control the process manually: how was this an ethical decision?

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In conclusion:

D. How should a company, such as *Phaust*, encourage ethical decision-making in the future? Where have you witnessed similar problems in your world (*without necessarily naming names*)?

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B. How does *corporate culture* affect how we practice public health? To what extent does *political culture* impact our ethical decision-making?

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E. Even if a lawyer indicates you have no legal obligations to your former employer when you go to a new job, what *moral obligations* do you have to ensure the confidentiality of information you acquired at the earlier job?

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A. How much responsibility does the employer have to ensure you are free to pursue your tasks employing the highest standard of ethical decision-making? Is there an obligation, whether government or private sector, to protect you from having to make an unethical though technically legal decision?

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C. Where and when is it a good idea to share your ethical challenges with your partner at home? What ought you to do when your partner reveals to you a problem at their workplace that you recognize as a public health issue? [What if it is not in your jurisdiction?]

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F./G. Do you believe that standards should be universal, or is it okay to have particular health standards in one (1) country and another set for another country? And what about from province to province? Municipality to municipality?

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A./C./D. What obligation(s) do we have to consider downstream (i.e. future) implications or possibilities when making critical choices about an immediate problem? And, when does future trump the present (or vice versa) in resolving ethical dilemmas?

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B./E. Where and when does the issue of trust impact our ethical decision-making? And should this include allowances for a *margin of error*? Is candour a component of moral choice? Is *reputation for integrity* a necessary aspect for any good public health official?

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ALL GROUPS Are there any additional thoughts you would add to this conversation? Any questions to our special guest who spent time as an Environmental Health Officer in Alberta?

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[Video Vignettes: *Ethics Unwrapped...*<sup>7</sup>]

**Session 10:**

*Ethical Leadership Part 1...*

Prepare responses:

- What are the four most vital pieces of advice this vignette has for a grandparent or mentor?

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- Give at least two examples of settings where you think this vignette should be shown (from experiences at least two of your group members have had)

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- What aspects of life outside one's vocation might this vignette have something useful to say? (Give three examples)

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*Ethical Leadership Part 2...*

Prepare responses:

- What are the key points that you agree most with in this vignette?

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- How realistic is this vignette and why do you say that?

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- Name at least one *take-away* from this vignette that you will attempt to utilize in this course...

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<sup>7</sup> These can be accessed at [www.EthicsUnwrapped.utexas.edu](http://www.EthicsUnwrapped.utexas.edu)



## **Another *Ethics Unwrapped* BLOG CASE**

### ***Session 11 & 12: Cognitive Dissonance & the Case of the Unindicted Co-ejaculator***

Mark Godsey's ***Blind Justice: A Former Prosecutor Exposes the Psychology & Politics of Wrongful Convictions*** is a very scary book.

*{At this writing, we at *Ethics Unwrapped* have written the script for an **Ethics Unwrapped** video on cognitive dissonance, but have not yet had an opportunity to film it. However, the concept clearly has much to do with ethical decision making, as Godsey's book demonstrates conclusively.}*

Godsey is active in the Ohio Innocence Project (OIP), trying to gain release for wrongfully convicted prisoners. In the past few years literally hundreds of inmates have been freed, largely because incontrovertible DNA testing established that they could not have been the perpetrators of the murder and rapes for which they often have served decades in jail. Many things in the book astonish and horrify, but a special focus should be placed on cognitive dissonance, a phenomenon labelled by psychologist Leon Festinger back in the 1950's.

**Cognitive dissonance** is people's tendency to reduce or avoid psychological inconsistencies. It is psychologically painful for us to believe one thing, but to be presented with evidence of another. So, when people voluntarily commit to a particular belief or position and then new evidence comes in to contradict that belief or position, their self-concept is threatened and their cognitive processes work unconsciously to suppress such information if possible.

Festinger learned this when he studied a cult whose leader had predicted the end of the world on a certain date. Aliens from outer space were going to come and take the cult members away as the rest of humanity died in a worldwide holocaust. The cult members sold their worldly possessions and followed their leader to the designated pickup spot where the aliens were to appear at midnight. Spoiler alert: no aliens arrived. Several hours later the leader announced that she had received a new and revised message from the aliens: the earth was being spared because of the faithful actions of the cult members. One would think that any sensible follower would have lost all confidence in the leader, given that her prophesy was indisputably wrong. However, as Festinger had predicted, the followers instead believed in their leader more than ever. **Cognitive dissonance** caused them to reconcile the inconsistencies so they could tell themselves that they had been right all along in trusting their leader.

*While the actions of these cult members seem unhinged, we must remember that we are all subject to **cognitive dissonance**, which is pushed along by something called the confirmation bias – we all like to be told that our current beliefs and positions are right. We tend to reject information indicating that they are wrong. **Falling prey to cognitive dissonance is a very human thing to do, ut it can cause perfectly reasonable people to act in an evil fashion.***

*Godsey gives several examples. **One is particularly bone-chilling.** In 1968, a grandmother was raped and murdered in the middle of the night in her own living room. Then, in a nearby bedroom, her six-year-old granddaughter was raped, beaten and left for dead. However, she survived. When asked by the police to describe her attacked, whom she had seen for only a few seconds in the darkness before she was knocked unconscious, the six-year old said that he **looked like** her uncle Clarence. After a couple of rounds of questioning, the police converted that to **it was** Uncle Clarence, Clarence Elkins and they concluded that he was the perpetrator. After that point, virtually every piece of evidence that was uncovered pointed away from Clarence Elkins as the perpetrators. But none of it swayed the police and prosecutors who had made up this minds.*

*Clarence’s wife testified that Clarence was with her several miles away in their home. She had been up most of the night with a sick child and would have known if Clarence had left. She certainly had no strong motive to protect the killer of her own mother. Although the murder house was a bloodbath, there was not a single fingerprint or hair traceable to Clarence. Nor could the police find blood on any item belonging to Clarence. They even looked in his shower drains to see if there was any blood from the victims. Nope. **Nonetheless, the prosecution convicted Elkins, who had no criminal record, and sent him away for life.***

*When DNA testing advanced, the OIP had new DNA tests performed that found semen from a male in the grandmother’s vaginal cavity and skin from the same male on the panties of the six-year-old. The DNA did not match Elkins. He clearly was not the perpetrator. Yet, when the OIP asked for Elkins’ exoneration, the prosecutors and police fought like wildcats with the most ridiculous argument that one can imagine.*

*Even when the DNA was matched to that of a prisoner with a history of violent crimes who resembled Elkins, had been living just two doors away from the victims, and admitted the crimes, the prosecutors still argued that Elkins was guilty. He just must have been accompanied by the real rapist, who the OIP dubbed an **unindicted co-ejaculator** because this is a typical prosecution reaction to exonerating DNA evidence. **OK, this new guy raped her. But the guy we charged raped her, too. He just somehow didn’t leave any physical traces at the scene of the crime** is the common response.*

*So much do police officers and prosecutors wish to believe that they did not send an innocent person to jail, cognitive dissonance causes their minds to accept the most outlandish theories and to reject the most compelling evidence. Their actions caused Elkins to remain in jail much longer than he should have given the overwhelming evidence of his obvious innocence.*

*The Central Park jogger case is another example. In 1989, five teenagers confessed to raping and beating a jogger in New York City's Central Park. Although the black teens quickly retracted their confessions (blaming them on police coercion) and no physical evidence linked them to the crime, the police and prosecutors made up their minds and charged and convicted all five, even though semen in the victim came from only one person. Donald Trump called for their swift execution in a full-page newspaper ad. Thirteen years later, another man who had been convicted of several other rapes in the area confessed to the crime. Indeed, his DNA matched the semen recovered from the victim. That should have led to the Central Park Five's immediate release.*

*Unfortunately, the lead prosecutor continued to maintain that the five were guilty and that the fellow with the only physical link to the crime must have been a sixth rapist...again, an unindicted co-ejaculator. The head detective was outraged that anyone would believe the confession, saying **This lunatic concocts this wild story and there people fell for it.** This is how strongly prosecutors and police officers wish to believe that they didn't get it wrong...that they were not the reason that five innocent men went to jail for 13 years for something they didn't do.*

*Godsey doesn't believe that prosecutors and police officers who resist such obvious, conclusive evidence of innocence are evil people. He believes that they are good people, just like the rest of us, who are caused to do evil things by the power of **cognitive dissonance.***

*Godsey's book should remind us not to be overconfident or our beliefs, to be open to new evidence, and to be courageous enough to own our mistakes. **Otherwise, the evil we do may be staggering.***

QUESTIONS:

- If you discovered that you had been wrong about a significant judgment you had made and had thereby caused unjustifiable harm to others, would that cause you mental turmoil?

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- Do you find it difficult to admit that you have made a mistake regarding a significant matter?

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- Absolutely zero physical evidence linked the *Central Park Five* to the victim, who has no memory of the attack. They all retracted their confessions. On the other hand, a convicted serial rapist's semen was found in the victim and he confessed to the crime. Do you have another explanation, besides *cognitive dissonance* and the *confirmation bias*, for why the police detective, the prosecutor, and Donald Trump still maintain that the young men were truly guilty? Explain

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- Can you think of a parallel Canadian example where *cognitive dissonance* continues to cause injustice or inappropriate leadership?

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- Where do you think *confirmation bias* would most often appear in the life of a grandparent? How are some ways to counteract or mitigate?

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RESOURCES:

Joel Cooper, *Cognitive Dissonance: Fifty Years of a Classic Theory* (2007)

Festinger, Leon, *A Theory of Cognitive Dissonance* (1957)

Godsey, Mark, *Blind Injustice: A Former Prosecutor Exposes the Psychology and Politics of Wrongful Convictions* (2017)

Prentice, Robert *The Case of the Irrational Auditor: A Behavioural Insight into Securities Fraud Litigation*, 95 *Northwestern University Law Review* 133 (2000)

## **Another Ethics Unwrapped BLOG CASE**

### **Session 12 & 13: God, Trump, My In-Group and Your Out-Group**

*An article in The Washington Post explored how the members of a Southern Baptist Church in Luverne, Alabama reconciled their religious beliefs with the words and deeds of President Trump, who enjoy their overwhelming political support. The matter came to a bit of a head when their pastor, who was delivering a series of sermons on the Ten Commandments, reached #7, which states simply **Thou shalt not commit adultery**.*

*Even his strongest supporters recognize that President Trump is a series adulterer who often represents fictions as if they were true. While some evangelicals have criticized President Trump openly and some have even left the church, the vast majority have found ways to accommodate the president's actions with their beliefs. Some do so through plain ignorance, such as those who voiced the opinion that the country needs President Trump because President Obama was a Muslim who carried the Koran with him everywhere. The article also contains a litany of rationalizations (of the type illustrated in the **Jack & Rationalizations** video in our **In It to Win** series). And it contains a number of the mechanisms of moral disengagement that Albert Bandura has categorized.*

*One congregant admitted that she did not agree with many of the President's actions, but concluded: **We are not to judge**.*

*Predictably, liberal readers of the newspaper savaged the congregants' ignorance, rationalizations and excuses. A common refrain was along the lines of: **You didn't have any trouble judging Obama. Why do you not judge Trump?** This brought to mind the days of the Monica Lewinsky scandal when Democrats were on the other side, commonly arguing that sexual wrongdoing was **private** and therefore utterly irrelevant to any evaluation of Clinton's discharging of his public responsibilities as President. And they defended his untruths (**I did not have sexual relations with that woman!**) just as vigorously as Trump's supporters are now defending his. President Clinton's supporters were arguably just as willing to look the other way when their leader acted immorally as are the Baptists of Luverne Alabama.*

*To contrast both sides' reactions to indiscretions by leaders from the other side is to see the in-group/out-group phenomenon in action. This phenomenon was examined in **A Natural History of Human Morality** by Michael Tomasello, co-director of the Max Planck Institute for Evolutionary Anthropology. Tomasello's account of the evolution of morality is very interesting and stresses how evolutionary forces made the in-group/out-group distinctions that we draw not only inevitable but also extremely powerful.*

*Tomasello theorized that as groups of early humans competed for resources, cultural conformity and in-group similarity became very useful for survival. A member's effectiveness in showing loyalty to the group to prove he or she could be counted on in intergroup conflicts was a key to prospering inside each group's culture.*

***Tomasello writes: [H]uman's group-minded interdependence thus served to spread human sympathy and helping to all in the group, best characterized as a sense of loyalty to the group. As a consequence, there emerged in modern humans a distinctive in-group/out-group psychology. And it emerges in young children during the late preschool and especially during the school-age period. This in-group bias is evident in many different domains of activity, but most important for current purposes is morality.***

*Dungan and colleagues recently described how in-group/out-group prejudices produce exactly what we see in the Washington Post article and its commenters: **When group concerns are made salient, people align their personal views with group consensus. Moral hypocrisy has also been shown to extend to an individual's in-group-people rationalize and justify immoral deeds committed by people in their group.***

*Politics in the U.S.A. has become tribal. Republicans no longer seem to believe in the things they very recently believed in (deficit reduction, free trade, anti-communism, etc.). rather, they believe in their leader, Donald Trump, wherever he takes them. Democrats now seem to believe primarily in just one thing: they are opposed to ANYTHING that the leader of the opposite tribe (President Trump) says or does.*

*The in-group/out-group phenomenon is poisoning our country's discourse and endangering our democracy. We must all try to be more open-minded, more receptive to evaluating objectively the ideas and values of the **other tribe**, and more introspective about our own in-group prejudices. This won't be easy. These evolutionary-based forces are strong. But we have a moral obligation to try. {Start by watching our **Ethical Defined** video on **In-group/Out-group bias**.}*

#### QUESTIONS:

- Do you feel that this blog post is *biased* in favour of your political views? Or is it *biased* in favour of political views you oppose? Or is it trying too hard to be even-handed? Discuss.

- What is the difference between this support of Trump by *religious fundamentalists* and the continuing support by several so-called *progressive elements* (including the New Democratic Party) of a Prime Minister found guilty of several ethical violations, as has several of his cabinet members?

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- Can you think of another arena, besides politics, where the *in-group bias* has a dramatic impact on people's opinions and actions? Why is that?

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- Do you agree that people have a moral obligation to be open-minded in considering political issues and arguments? Explain.

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- Where in the world of the Seniors is this *in-group/out-group* phenomenon likely to be found?

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- If you were to come across a strong example of *in-group/out-group bias*, how would you address it? And why?

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RESOURCES:

Albert Bandura, *Moral Disengagement: How People Do Harm and Live with Themselves* (2016).

David Berreby, *Us and Them: Understanding Your Tribal Mind* (2005).

James Dungan, Adam Waytz & Liane Young, *Corruption in the Context of Moral Trade-Offs*, in *Thinking About Bribery: Neuroscience, Moral Cognition and the Psychology of Bribery* 85 (Philip M. Nichols & Diana C. Robertson, eds. 2017).

David Livingstone Smith, *Less Than Human: Why We Demand, Enslave and Exterminate Others* (2011).

Michael Tomasello, *A Natural History of Human Morality* (2016).

**Session 14 & 15: Can we realistically expect ethical idealism to exist in our world?  
{the Sargent Shriver story}**

As you view the story, *what is that seems to drive Sargent Shriver to do what he does? Is he an idealist? And if so, what does that really mean? To what degree is there a conflict between his **public face** and **private person**? And, is he a morally good person?*

- What is meant when it is said he is not only practised *social justice*, he is models it?

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- There is considerable attention given to the influence of the home, and particularly his mother during his formative years (i.e. what are some of the interesting aspects of his mother's ethical stance?)

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- To what extent does his role in WW II impact Shriver's outlook on politics and humanity?

- In what way(s) does his taking on the *Peace Corps* fit with this?
- And how/why does he differentiate between the *Peace Corps* and *internships*?

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- Why does Shriver talk about the **foremost ideal** to be **service**? And how does this relate to your role as say a *grand-parent* or a *mentor* or a *neighbour* or a *member of a volunteer organization*?

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- What is the significance of *turning to the Law*?

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- Consider the challenges related to the decision whether to continue sponsoring the *Child Development Group* (CDG) in Mississippi:

- In the financing challenges of the *counter-insurgency* (i.e. *Vietnam war*) led by Senator Stennis, it is implied that Shriver was put in a *squeeze*: it is explained away by the comment, *no friends in politics!* What does this really mean? And where might this be directly parallel to your work?

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- So what really was the moral dilemma surrounding the response, *Say it isn't so, Sargent!??* Who was actually facing it? And, why did it target the wrong person?

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- Why do you think he became so involved in the *Special Olympics* program? And, what was the significance of this decision? To what extent was this a moral dilemma? What parallels can you draw to your current situation [or thinking back to your choice of career(s) or volunteerism]?

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- In conclusion:

- Was he consistent? To what degree was he an *ethical human*? Explain:

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- Can he be a *role model* for us? Discuss:

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- What *learnings* can we take from the totality of this experience?

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- What might we share with others from this course?

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