

ETHICS

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Nomenclature

In any discussion of ethics, the first issue is always nomenclature. Unfortunately, this is often the topic that receives the least attention. Frequently, those involved in the conversation conduct deep insightful discourses in which there is virtually no understanding exchanged, although the participants will all agree that the quality of the rhetoric was outstanding.

The problem with the words *ethics* and *morals* is that they are generally interchangeable. Admittedly there are subtleties in their use and connotation, but generally they both mean a system of standards for good and evil, right and wrong, and the condition of being in harmony or disharmony with them (ethical, unethical, moral, immoral).

In the study of ethics, a common set of definitions is needed so the key ones are summarized below.

Ethics is a system of rules for behavior. As such, every individual, group, or subgroup has ethics. It represents the individuals' choices for their behavior, or for a group or subgroup, an agreed upon set of rules for behavior. Implied in this is that the individuals over themselves, or the group or subgroup over its members or those under its authority, have the right to enforce those rules. It could be stated "I don't accept your authority or the correctness of your ethics", but this assertion does not relieve that individual from the consequences and authority of that group.

Morals are an individual's decision to behave in a manner that may or may not be in alignment with ethics. It is possible to have a set of ethics, but have chosen not to follow them. A classic example used to differentiate morals and ethics is "An ethical man knows he shouldn't cheat on his wife, a moral man is faithful to her."

Habits are the way we conduct ourselves on a daily basis. These behaviors are set by repetition. For example, one may choose to either act or perform in a fashion that is more or less repetitive. There are both good habits and bad habits that shape our behavior. These behaviors are often either unconscious or typified by a lack of thought prior to the action. So an individual can do something "wrong" and even though they acknowledge that it is "wrong", having done it in the past simply does it again. In this literature, this behavior has many euphemisms such as *jaded*, *a calloused soul*, and *conscience seared with a hot iron*. All of these imply that in the act of repetition, a moral numbness sets in that relieves the individual of the consequences of personal ethics relative to the deed. Habits rather than ethics and morals become the controlling factor in our behavior.

Conflict of Interest

A conflict of interest exists when a decision made by an individual on behalf of a company or client could benefit them in some way personally beyond their normal compensation for performing their job. A conflict of interest can exist even if there is no intention to make a decision other than what is best for your client. For example, if valves are being specified and a relative that sells valves and is likely to bid on the contract, a conflict of interest occurs. If some financial or other measureable gain occurs, or a loss because of this decision, the associated act that leads to these represents a conflict of interest. Blatant examples would include being offered a bribe, the opportunity for insider trading, or having authority over a decision that could increase the value of something in where either an individual or associated group may have an interest.

Tests

The first of the Fundamental Canons of the National Society of Professional Engineers is "Hold paramount the safety, health, and welfare of the public." This or a similar statement is attributed to all professional ethics.

There are various tests that have been promulgated to judge whether an action is right or wrong. These are summarized briefly below.

What would a reasonable person think?

Would a reasonable person observing your actions (not your motives, people cannot see your motives) conclude that it represents unethical behavior?

Many organizations extend this to “inappropriate behavior”. Inappropriate behavior is behavior that cannot clearly be labeled unethical, but leaves the question in the reasonable person’s mind of whether or not there was unethical behavior. If a vendor offers athletic tickets to a potential customer before a decision is made (and the vendor is not going to attend at the same time), accepting the tickets is considered a bribe. If the vendor offers tickets after a favorable decision is made, accepting the tickets could be considered “inappropriate behavior”. The reason for the latter is because in the observer’s mind, the following question arises: “Was the promise of the tickets made before the decision was made and was the offer of tickets dependant on the decision made?”

The “Smell” Test

Similar to the test above is the “Smell” test. Basically, does this stink? Questions associated with applying the “smell” test are:

“How would this look to my harshest critic?”

“How would this look on the front page of the newspaper?”

“If I have a doubt in my mind, will there also be a doubt in my client’s thinking?”

The Concept of Betrayal

Is the public being betrayed, your management, or your client?

Responses to an Ethical Problem

One suggested approach is to avoid snap judgments and to carefully think through the ramifications of any actions. An ethical problem is simply a problem, and as with any problem, it needs to be analyzed and a reasonable plan of action taken. Common knee-jerk responses to discovering that there is an ethical issue are to immediately quit or to try to hide it. The first is the act of a coward; while the second is the act of a fool.

Early disclosures of potential conflict of interests are very important. Once it is determines that a conflict of interest or some other ethical issue exists, it is essential that the principals are immediately informed. If the principals discover the issues before they are brought to their attention, the assumption will often be made that an attempt was made to hide the truth. If the principals are informed and none has a problem, then the individual making the disclosure also doesn’t have a problem. Alternatively, a decision might be made to develop a plan to mitigate the conflict of interest, and yet, still keep the individual involved in the project.

Sometimes, by the time an individual finds that an ethical situation exists, they are already in it up to their elbows. In this case, the above still applies. If there will be consequences, so be it. The individual could lose your job. If this happens, then the process of finding a new one should commence. One might think that such an action will lead to financial ruin. However, it is never too late to start over. Once the situation has been disclosed, then and only then, will one know how much or how little this is going to hurt. The author leaves you with this personal mantra: **Tell the truth, take the hit, move on.**