Ethical Principles in the Modern World

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Abstract: The ancient Greeks believed that moral character was developed through proper training. With the correct education one would develop a strong moral sense, leading to right behaviour, pure thought and hence, to contentment. Several models of virtue and ethics were developed by Greek philosophers in the fifth century Before the Common Era (B.C.E.). These models of Ethikos referred to the more broadly understood concept of one's moral character, inherent in all men, and were intended to aid in the development of that character through guidance. In modern times ethical codes have proliferated in the professions and have become both prescriptive and restrictive. This paper discusses this proliferate development in the twentieth century, the need for ethical codes and conflicts within ethical theories.

Keywords: *ethics; ethical codes; ethical behaviour; theories of ethics; virtue; moral character; ethikos.*

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Introduction

The ancient Greeks believed that moral character, virtue, was developed through training. With the correct education one develops a strong moral sense, which leads to right behavior as a habit, pure thought and hence, to contentment. This moral sense was attained through knowledge, reasoning, personal restraint and a striving for excellence. Several models of virtue and ethics were developed by the Greek philosophers, Socrates, Plato, and Aristotle in the fifth century Before the Common Era (B.C.E.). These models of *Ethikos*¹ referred to the more broadly understood concept of one's moral character, inherent in all men, and were intended to aid in the development of that character through guidance. Socratic and Platonic ethics were based on the "Ideal Good" as an absolute which was to be sought after (Guthrie, 1960; Zeller, 1962). Aristotle proposed that moral behavior was more action based and thus "the good action is relative" (Aristotle: 1962; Ross: 1949). There are no absolute moral standards because every situation is individual and unique.

The Hippocratic Oath, written by Hippocrates in the fifth century B.C.E. is the earliest known attempt to set a code of ethical behaviour for physicians' guidance (Kantarjian & Steensman, 2014). Hippocrates intended this oath as a statement of right behaviour in all interactions with both patients and non-patients. Its foundation was the belief in the development of moral character as put forward by contemporary teachings about virtue. Much of this code could have been applied by anyone to guide their own behaviour.

The concept of moral character as virtue guided Western thought and behaviour for approximately 2500 years without the perceived need for additional written ethical codes of behaviour beyond religious doctrine. The belief that moral character is nurtured and developed through proper education and religious training persisted in Western culture, particularly in England and the United States, well into the 19th century with some vestiges evident even in the last century (Brubaker & Willis, 1968). Still dominate in the early 1800's, this position was weakened with the introduction of elective scientific courses of study which replaced, at least in part, the use of ancient Greek and religious texts as the principle material for study (Brubaker & Willis, 1968). Ralph Waldo Emerson complained that the industrial

¹ The ancient Greek word *Ethikos* means "arising from habit". Right behaviour is a learned activity that becomes a habit in a moral man. When one does the right thing, a habitual pattern is established and the person becomes moral/ethical.

revolution assisted in the weakening of character education within the curriculum as “practical education”, (Agassiz, 1886: 619) for an increasingly scientific approach to agriculture, as advocated by Benjamin Franklin, and large-scale manufacturing, gained prominence (Brubaker & Willis, 1968: 15-16).

The Need for Ethical Codes

During the nineteenth and into the twentieth century, physicians (Percival, 2014)² and religiously based organizations (e.g., Salvation Army, Society for Foundlings, American Red Cross, etc.) were among the only groups maintaining a formal set of ethical principles. The former profession’s code is based upon the 2500-year-old Hippocratic tradition³ (National Institutes of Health, 2019) and the later based in Christian religious doctrine. Thomas Percival’s Perhaps interesting to note is the long-standing code of military conduct in Western culture which persisted in one form or another from medieval times (Knights’ Code of Chivalry⁴) to the Geneva Accords. It was not until mid-way through this past century that ethical codes were re-examined and began to become commonplace.

Several significant events in the 20th century prompted the re-examination of professional practices (Rothman, 1991) and lead to the creation or expansion of ethical codes. This renewed interest in professional ethical codes in the 1950’s and 1960’s in the United States and in much of the world was in response to unprecedented incidents of psychological and medical experimentation on humans. The medical experiments conducted on Jewish and other prisoners in Nazis Germany’s concentration camps are well documented. Germany’s physicians took major roles in human experimentation. Younger German physicians were not asked to swear the Hippocratic Oath upon graduation from medical college, and although older German physicians had done so and generally complied with the oath, it was not viewed as applicable to Jews or prisoners of the state. Prisoners, the retarded and mentally ill, and Jews were considered sub-human and the normal codes of behaviour did not apply (Lifton, 1986). Thus, these individuals were subjected to the atrocities which were exposed during the

² 1803 Edition of *Medical Ethics: Or a Code of Institutes and Precepts Adapted to the Professional Conduct of Physicians and Surgeons*, was republished in 2014.

³ The Hippocratic Oath was written in the 5th century B.C.E. but lost to Medieval Europe until the early 1500’s.

⁴ The Knights Code of Chivalry was begun to protect the nobility from marauding Knights and such protections did not extend to peasants.

Nuremberg trials following World War II which resulted in the Nuremberg Code and the later Declaration of Helsinki. Within the socio-cultural context of Germany and much of the Western world what was happening to Jews, gypsies, the mentally ill and the handicapped in medical experimentation was somehow justified because their lives were less valuable than the lives of “normal” people (Lifton, 1986). Justification could be found in the anticipated advances in medicine and mental health treatment. It was reasoned that the suffering of these groups was for the greater good of all humanity.

Nazi Germany was not the only nation to subject humans to medical and psychological experiments. The Japanese experimented with biological and chemical weapons during their occupation of Manchuria from the 1930's through the end of the Second World War (Sheldon, 2000). The United States conducted research on the course of syphilis infections in a study of 399 black males from Tuskegee, Alabama (Monette, Sullivan & DeJong, 2002). When the study began in 1932, most of the available studies of the disease had been conducted on people of European descent: little was known of the course of the disease in people of African ancestry. Men were deliberately infected without their knowledge and obviously without consent. They were followed medically until 1972 when the experiment was terminated. None of the men were ever treated nor given their diagnosis, nor were precautions taken to prevent spread of the infection from the subjects to their families. Treatment was withheld despite the development of penicillin in the 1940's which could have cured those infected (Rothman, 1982). A total of 128 men died from the disease or related medical complications and uncounted numbers of family members were infected.

The Willowbrook State School for the mentally retarded in New York undertook a study in 1967 in which patients were injected with hepatitis (Rothman & Rothman, 1984; Peele, 1985; Rothman, 1982). The study sought to find a way to reduce the damage done by the disease. Consent of the parents and guardians of these unfortunate beings was obtained, but consent was frequently given under duress. Parents were informed that the facility had limited space and their child might not be admitted without agreement to participate in the research. Military forces in Great Britain, the United States and undoubtedly elsewhere have been the human subjects of their respective nations in research on the psychological reactions to extreme stress and drug use. Notably, studies conducted by the Central Intelligence Agency and the United States Army with the drug LSD were conducted on American service men from 1953 through 1964 in the MK-ULTRA Project (Szalavitz, 2012). Following the Manhattan Project, United States military

personnel were placed in positions close to atomic explosions⁵ in order to determine the impact of exposure to shock wave and nuclear fallout (LaFleur, 2016). These are just a few examples which serve to illustrate the issue.

In addition to these examples of unconscionable human experiments, which give witness to a cultural value that said some lives are less valuable than others (the same value system as in the Code of Chivalry), there was a growing recognition of the potential abuses inherent in rapid advancements and research in the fields of medicine and social sciences. New legal thinking regarding peoples' rights spurred professional associations to consider the review or creation of written ethical standards.

During the 1950's and 1960's professional associations emerged in the United States and began to regulate their membership's behavior. Counseling, psychology, social work, medical professions, the legal profession and law enforcement professional organizations and associations grew and instituted or expanded formal codes of ethics for standard practice and ethical review committees were established (American Psychological Association, 2016; National Board of Certified Counselors, 2019). These efforts predated the establishment of professional licensure in many states in the United States and provinces in Canada (ASPPB, 2019) and in many nations around the world. In the absence of governmental regulation, professional associations and their ethical codes became accepted by courts of law as the standard of care used in litigation. In time there was a demand for legislation that recognized and regulated health care and mental health professionals through licensure and by governmental licensing boards in the review of complaints about a practitioner's professional conduct. The ethical guidelines developed by the professions were models for legislation and are still the accepted standard of care in professional practice.

Values and Ethical Theories

Ethics are comprised of values which are beliefs, attitudes and conceptions about what is good, bad or right and wrong. Values are judgements or, at the least, implied judgements. They mold our daily lives and direct our thoughts. According to the Greek philosophers, values are largely learned from our personal experience within our cultural and social setting. Values can be organized in two categories: terminal values and

⁵ U.S. Military personnel are known to have been involved in radiation experiments as early as 1946 (Operation Crossroads in the Bikini Islands), and in Operation Tumbler-Snapper (1957) and Operation Hardtack I in 1958.

instrumental values (Rokeach, 1973). Terminal values describe the person's life goals. Those goals might be salvation, happiness, contentment, freedom, equality, family security, a sense of accomplishment, etc. Instrumental values are the means to that final set of goals. They can be logic, knowledge, politeness, honesty, obedience, cheerfulness, helpfulness, forgiveness, etc. Instrumental values direct our daily behaviour towards gaining the terminal goal. At times these instrumental values may conflict. When conflicts in values arise, an individual must prioritize them and act on the higher priority. It would be impolite to tell grandmother her meatloaf is dry and tasteless, and so one cheerfully lies saying "it is wonderful but I am saving room for your delicious desert." Values serve as the foundation upon which ethical theories are built, while theories serve as a map to maintain the ascribed values.

Ethical theories are also grouped into two categories, each containing numerous approaches. Deontological (mandatory) theories concentrate on considering absolutes, definitives, and imperatives (Congress, 1999); they are prescriptive and restrictive. Both Socratic and Platonic ethical theories can be included in this category. The Latin word *deon* means duty or obligation. Mandatory theories state issues in polar opposites and actions are defined as right or wrong in advance of a situation. These pre-established rules are seen as absolute truths. They are immutable and it is one's duty to obey them. Decisions cannot be contextual or situational; they serve as behavioural boundaries in all circumstances and uphold the foundational values.

Teleological (aspirational) theories view decisions as effected by a host of variables which may in themselves be neither good nor bad and the situation may dictate an outcome (Lucies, 2007). Aristotle's ethical system is subsumed within the Teleological theoretical group. These are often classified as situational ethics. Teleological ethical systems are consequence or out-come based models. In these approaches the specific behaviours are of less importance than obtaining the final goal. It is the outcome which determines whether or not something is ethical or good.⁶ Because every situation is individual and unique every response will vary in accordance with the resultant action (Aristotle, 1992; Ross, 1949). In such systems the *ends justify the means*. Instrumental values are subject to change or abandonment as a means of accomplishing the desired outcomes. Utilitarianism is such a system and is based on the greatest good for the greatest number of people

⁶ In this category of ethical theories 'ethical' and 'good' are synonymous. This is not the case in deontological ethics.

(as determined by the actor of the behaviour); individual needs are irrelevant. Another teleological construct is Existentialist based. This position holds that no one is bound by external rules, standards or “shoulds”. Humans are endowed with free will and they must bear responsibility for their personal experience and the meaning it has for them (Flynn, 2006)⁷ Everyone has the right to experience what the world has to offer as long as they accept the responsibility for the consequences of their actions. One final and more recent theory is the Transcultural approach to ethical decision-making. This theory maintains behaviours are relative to society and cultural contexts (Garcia, *et al.*, 2003; Harper, 2006) and requires comparative analysis of strengths and differences in values within diverse populations. What is correct ethically in one population may be unethical in another. Much depends on who or what culture is making the judgment (Congress, 1999).

In addition to these deontological and teleological theories it is necessary to mention the Feminist position which asserts that values generally attributed to women: caring, nurturing, empathy, sympathy, and concern are not irrational simply because they are not typically ascribed to deontological ethics (Cole, Coultrap-McQuin, 1992). They are merely a different way of viewing human interactions and are not the exclusive domain of either gender. Feminist tenets can be subsumed within any of the stated theories in either category, however deontological purists view the Feminist tenets as mitigating qualities which inherently conflict with the duty and mandatory obligations of their position.

Two cases illustrate the significant differences in these categories of ethical thought. The first, The Heinz Dilemma (Kohlberg: 1981)⁸ is a classic example:

Heinz' has no money, he cannot get work and he has not been able to feed his children for days. Without food they will surely starve to death. Winter has begun and food is in short supply everywhere. As he walked down a narrow street in the baking district he encountered a man stealing bread. The baker had placed a pan of loaves near the door of the bakery to cool. The man merely walked by and picked up the bread and continued down the narrow street. Heinz realized he too could steal the bread and not be caught.

⁷ Gabriel Marcel is said to be the first to coin the term existentialism, but Kierkegaard, Sartre, Heidegger, and de Beauvoir, among others, developed the philosophy from which the ethical position originated.

⁸ This is an adaptation of one of Lawrence Kohlberg's statements of the dilemma. Kohlberg used several different versions to illustrate his point.

The dilemma is simple. Stealing is wrong. Not feeding his children will lead to their deaths. Is it wrong to steal the bread to save his children? A mandatory ethical position states that he cannot steal the bread no matter what the consequence. It can be reasoned that the baker must also eat. He must make bread and sell it at a profit or he will be out of work, have no money and his children will starve. An aspirational position might state that Heinz' immediate concern is for the welfare of his children and that although stealing is wrong, allowing his children to starve to death when he could have prevented it by stealing the loaf of bread is a greater wrong. He may reason that in matters of life and death stealing is permissible. A deontological argument might reason that in stealing the bread he saves his children from starvation but condemns the baker's children to death by starvation. Therefore, stealing continues a wrong but shifts the negative consequence to an innocent person, thereby committing two wrongs.

Socrates also was faced with a life and death dilemma (Plato, 1992). After being condemned to death by poisoning, he was provided an opportunity to escape and thereby avoid his own death. He believed he had been condemned unjustly, but he reasoned to escape to avoid punishment was a violation of law and would undermine the rule of the state and his own moral teachings. He held to a deontological position and submitted to the will of those who imposed the sentence, thus he died of hemlock poisoning. It was his belief that the ends did not justify the means, he rejected situational ethics. Had he employed a teleological position, he could well have reasoned that since he was unjustly condemned, he was under no obligation to obey the sentence and that escaping was justifiable.

Observations and Discussion

The original Greek idea of deontological *ethikos* required an internal locus of control, i.e., "I am virtuous as long as I follow the rules." One's good character is a matter "arising from habit" formed by education and "right reasoning." Good can be thought of as obedience to the rules. Personal responsibility is a key concept. However, personal responsibility is defined only by compliance with the established rules regardless of one's own conviction about what is right or good. When one thinks of monarchs, dictators, and religious leaders it occurs to this author that these rulers established the laws and demanded unquestioning compliance. The individual has no control over what the rules are. Ironically, the only control an individual has in the strictly deontological view is in regards to obedience. If one is disobedient then one is responsible for any consequence which may

befall him. This absolute understanding of ethical principles was/is often the defense of accused war criminals. "I was ordered to do it by my superiors. I am not guilty because I behaved correctly and followed the rules." Without wishing to be an apologist for such a moral position, this defense is logically correct from a deontological ethical viewpoint. The control of one's behaviour is the individual's responsibility but how one behaves is dictated by rules established by someone else, thus the responsibility for the behaviour lies with the promulgator of the rules. To disobey would invite punishment according to the state's law which in a deontological system would be just. In some sense the deontological position gives a person responsibility for following the rules but removes any moral responsibility from the consequences of obedience to the rules, since that person had no responsibility for making the rules. Thus, outcomes are the responsibility of the rules and not the person. There is an inherent conflict in the modern understanding of the Greek deontological *ethikos*. Greek philosophers believed that within each person were right virtues which only needed to be trained and thereby strengthened. Self-imposed regulation originating from inherent and well-trained virtue makes an individual moral, whereas externally imposed rules which are blindly followed does not. To reason otherwise would be to conclude that Socrates acted immorally when he obeyed the law which convicted him. He, it would appear, would have been moral to escape and avoid the death sentence. Such an action would have placed his judgement and himself above the law. It seems that such an action and reasoning dilute the deontological position to one more akin to a teleological position in which the "ends justifies the means." If each person is free to choose which rules/laws are to be followed the deontological position collapses and anarchy emerges.

Teleological viewpoints suggest an individual might refuse to comply with orders which seemed wrong, hence allowing each individual to decide for himself virtuous behaviour. In the extreme there also is anarchy. In reality no rule is inviolable; everything can be justified with some form of reasoning. Values become relative to situations and individual preferences. The teleological approach to ethics is based upon an "ends justifies the means" position and hence permits any action which can be justified by the individual. This is the "slippery slope" that lead to Nazi experiments, death camps, the Tuskegee experiment, Willowbrook, and a host of other human tragedies. It is a position that holds if the action achieves "my" outcome it is good regardless of collateral damages.

When cross-cultural contacts were limited teleological positions witnessed fewer deviations from the norm of behaviour due to education

and training within the societal context. Everyone within a specific culture shared a more unified view of right and wrong, good and bad behaviour. In Western European and related cultures this circumstance revealed few differences between the deontological and teleological positions due in large measure to the central core of the Greek, Judeo-Christian systems in which tolerance, acceptance and understanding of differences are esteemed presuppositions. When access to different cultures and their moral and value systems increased, there was a broadening of thought about ethical and moral correctness. In Western thought transcultural views of morality emerged with new ethical bases. Concepts regarding virtue and morality became increasingly more relativistic, less deontological. Faced with a strict deontological system a teleological system will necessarily find conflict. Strict deontological positions allow for no variation and ultimately lead to autocracy while an extreme teleological view results in anarchy.

Flaws are present in all ethical theories when confronted with practical realities. The deontological position can justify terrible human behaviour based on the defense that “I only followed the rules” and “did what I was told to do or was expected of me.” From the teleological perspective “the ends justify the means” or the “greater good” or the “sacrifice of the few for the preservation of the many” are all statements which epitomize its’ core philosophy. It is outcomes oriented and to the extent that the outcomes support the stated purpose, any behaviour, no matter how heinous, is permissible.

Transcultural and Feminist tenets do nothing to ameliorate or lessen the inherent problems of either theoretical category. The former approach justifies atrocities by stating one must understand the cultural context, the power of the state imposed deontological position and the acculturation of people to “the rule of immutable law”. To disobey within such context is to behave immorally. Hence the behaviour was moral regardless of the negative outcome. The Feminist position does little to alleviate this hazard by allowing personal emotions (empathy, sympathy, caring) to overrule deontologically derived decisions. “Thou shalt not kill” (a deontological command) becomes “Thou shalt not kill unless...).

Teleological positions fare no better in this analysis. If everything is relative, then everything becomes possible. If a behaviour serves an individual’s or society’s purpose then it is justifiably good/moral. The transcultural position states that one must understand the cultural context of the behaviour from within the culture. From such a perspective, racism, sexism, homophobia and religious intolerance must be accepted because within the specified culture such values are the norm. Feminists oppose such

discrimination, but in doing so they abandon the very premise that every culture and opinion is equally valuable. An example of the dilemma for feminists is the issue of female circumcision. In Western societies the practice is viewed as female genital mutilation, but in some regions of the world it is considered a practice which preserves the woman's virtue and most often is performed by one's adult female relatives.

To this point the discussion has focused on the larger cultural issues of ethics and the flaws and contradictions within each position. It appears that regardless of one's ethical theory contradictions arise without satisfactory solutions. Ethical codes, whether prescriptive or restrictive or a mixed combination of these two views, are helpful in the resolution of how a member of a profession should behave in a given circumstance. However helpful, there remain dilemmas based upon, not only the codes but upon the cultural inheritance of the professionals.

As witnessed in historical examples, professional ethics mirror the moral/religious beliefs of the culture in which they originate. Entire society's think and behave in similar fashion to the professions. Western societies have cultural and legal traditions based on Greek philosophy and Judeo-Christian religious principles. Such principles are not universally held. As migration from Eastern and Oriental cultures introduce large immigrant populations which hold other values and moral behaviours sacred, conflict is inevitable. The recent massive migrations of Islamic peoples into a basically Judeo-Christian Europe has illustrated this conflict.

The problem for future societies, if they are to co-exist without aggression, is to create a middle position from these two opposites. Can the nations forge an *ethikos* which truly respects the differences of others while affirming its own values? Can a deontological theoretically based ethos accept a teleologically based one? Can a transcultural system with gender inequality tolerate Feminist values? Because moral values are most often derived from a religious system there may be little room for compromise regarding some behaviours and expectations. This circumstance complicates prospects for compromise as each moral system may claim divine provenance allowing no alteration. The challenge for professionals and societies in general is how to resolve these differences in a mutually respectful manner. Failure to develop new societal and professional ethical codes acceptable to advocates of all theoretical persuasions could be catastrophic.

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