



# PROFESSIONAL RESPONSIBILITY

MORAL PHILOSOPHY  
& ETHICS

# MAJOR APPROACHES TO ETHICS

**CONSEQUENTIALIST** - utilitarianism, harm principle, common good [from empiricism]

**DEONTOLOGICAL** – inherently right or wrong - duty, rules, divine commands, motives [rationalism, logic, religion]

**VIRTUE ETHICS** – cultivate character traits (wisdom, justice, fortitude, self-control, etc.), be a certain type of person

# MAJOR APPROACHES TO ETHICS

**PRAGMATIST** – society decides, revises rules over time  
[Dewey, Jefferson]

**EMOTIVISM** – a meta-ethical view that claims that ethical sentences do not express propositions but emotional attitudes. Also known as the “hurrah/boo theory”

**A variation on this view** adds that ethical statements also have an *imperative* component intended to change the listener's feelings and that this component is of greater importance

Don't confuse Emotivism with  
**AMORAL/SELFISH/SHALLOW**

# DISCIPLINE & PUNISH

**Consequentialist** – deterrence (send a message) or incapacitation (remove from the profession)

**Deontological** – “deserves” to be punished, seek fairness, motives matter

**Virtue Ethics** – sanction only the repeat offenders/egregious misconduct



# QUESTIONS

Can you define a consequence-based ethic that does not assume certain outcomes are inherently good or bad?

Can you explain why something is inherently wrong without ever referring to consequences?

# QUESTIONS

- If you primarily follow your “gut” or intuitions, are you just doing whatever you want? (Immoral, selfish?) Or are you merely refusing to think through your actions?
- If you look to your “faith” or “religion,” have you *read* your entire Bible or Holy Book? How do you decide between alternative views within your religion? Is “faith” any different than following your gut?

# QUESTIONS

- If you primarily follow your parents' example or instructions, were they primarily consequentialist, deontological, or virtue-based?
- Is your **reason** for following your parents' example or instructions primarily consequentialist, deontological, or virtue-based?

# QUESTIONS

- Should professional rules or codes of behavior be primarily consequentialist, deontological, or based on desirable traits for the members of the profession?
- Which approach should we use to interpret the rules or apply them to ambiguous situations?
- How would each approach affect punishments or discipline?

# EXAMPLE: LYING

**Consequentialist** – Lying defrauds or hurts others, undermines trust, but is OK if nobody is hurt

**Deontological** – Lying is always wrong because: 1) it always comes from bad motives, 2) it is the opposite of truth, or 3) God forbids it

**Virtue Ethics** – Lying makes you a liar, a bad person

**Ethical Pragmatism** – Society tolerates some kinds of lying but not others

**Emotivism** – It is meaningless to refer to lying as right or wrong, good or bad

# EXAMPLE: CONFLICTS OF INTEREST

**Consequentialist** – Conflicts hurt one or the other client and the reputation of the profession

**Deontological** – Conflicts show a lack of loyalty, are against the rules, are unfair, allow bias

**Virtue Ethics** – Conflicts prevent you from being disinterested and objective; make you a trashy lawyer

**Ethical Pragmatism** – Society tolerates some kinds of conflicts but not others

**Emotivism** – It is meaningless to refer to conflicts as right or wrong, good or bad

**Immoral & Selfish** – Have to do what it takes to get what I want, expediency

# EXAMPLE: BUILDING CONSENSUS

**Consequentialist** – Regardless of people’s opinions, everyone agrees on what is hurtful or harmful and can agree we should avoid that

**Deontological** – Natural law – most people and cultures share basic moral ideas and values

**Virtue Ethics** – only enlightened people can be virtuous

**Ethical Pragmatism** – Societal consensus evolves over time, and we should defer to the current majority viewpoint

**Emotivism** – It is meaningless to seek agreement about morality, just as it is meaningless to seek consensus on tastes

**Immoral & Selfish** – Use whatever moral justifications necessary to get what I want