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Working with Values: Software of the Mind

*A Systematic and Practical Account
of Purpose, Value and Obligation
in Organizations and Society.*

Warren Kinston

**The Original Reference Text as used by Consultants in
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Chapter 6

Making an Ethical Choice

We now understand something about setting purposes and developing values. On this base it is possible to consider how to make choices which are ethical in principle.

For a choice to be ethical, some obligation must be met. Obligations are important because they are seen as powerful tools for resolving value disputes. But choosing between obligations is at times even more debatable than choosing between values. And even after an ethical choice has been made, people argue about how it should be implemented. Sometimes it seems almost impossible to cut the Gordian knot and make an ethical choice, especially amidst the welter of debate.

Conducting ethical debate. For many, ethics brings to mind interminable and rather unpleasant conflict. It is as if ethical choice is not about moving forward in a right and good way, but about plunging into acrimonious disputes.

Ethical debate, like all value debate, is intense and heated. So it goes wrong very easily. Debate is required whenever a choice is challenged in terms of an expected obligation. We can challenge any choice in this way, but do so most commonly when we are affected by something which seems unreasonable, unacceptable, inappropriate, personally disadvantageous, harmful to others, unfair or hypocritical. Where ethical choices in a community seem inconsistent, challenge is also likely. Ethical challenge is particularly common when matters of freedom and survival are involved. Survival is essential if choice is to have any relevance, and freedom is essential if choice is to have any meaning. Dead people and automata are relieved of making ethical choices — the rest of us are not.

The basic requirements for productive ethical debate are, first, some common ground for argument and inquiry; and, second, the exercise of virtue during the debate and choice process. The first impersonal requirement is developed by logical analysis to ensure that proper discussion can in principle occur. The second personal requirement is based on emotional self-control and increases the likelihood that debate will contribute to a beneficial resolution. The absence of

virtue means the emergence of folly, extremism, recklessness, arrogance, indifference, injustice and corruption — common, but not a pretty sight.

The numerous problems in public debate (see Box 6.1) are of course mirrored in our personal dilemmas. We lose our heads, confuse and delude ourselves, fail to inquire, ignore our precise responsibilities, and experience inner conflict. So how are ethical choices ever made?

We must not be too discouraged. All of us are aware that obligations influence our actions, and we operate on that basis. We do make ethical choices — all the time. Many organizations and governments, despite their failings, are generally preoccupied with doing what is good and right, avoiding harm and creating benefit. Acting on obligation is far too central to human existence for methods of ethical choice not to have emerged during the evolution of consciousness and social life. The aim of this chapter is to reveal the different answers that mankind has produced.

INTRODUCING APPROACHES TO ETHICAL CHOICE

It is a significant and profound step when we move from asking why we *in fact* want children to be educated to asking why we *ought to* want children to be educated — rather than, say, to be working for the family or to be playing freely. To say that education is a social value and also part of our value system merely indicates that we view education as an important communal ideal and regard it as a personal necessity. This explains that education is not merely a momentary preference but of great significance, but it does not explicitly clarify why that significance is right and good.

It turns out that we can rather easily elicit a value system which goes further and provides a *coherent basis for the obligation to value* the education of children. Such a meta- (or higher order) value system meets the need for ethical choice. Elicited ethical choice systems were found to be based on widely respected obligations — confirming the general philosophical view that certain fundamental axioms of ethics are universal.¹ These

Problems in Ethical Debate

The present chapter focuses on one major problem in debate: the use of different approaches to obligation. However, there are many other problems that interfere with effective debate. Here are some:

■ **Poor self-command.** Unless tolerance is activated and self-command exercised, the natural negativity between adherents of different value systems deteriorates into ridicule, mockery, vituperative abuse, and name-calling. Such release of hostility is often encouraged by politicians rather than rebuked e.g. in reference to intellectuals calling for legalization of addictive drugs, a UK Home Office minister argued to applause from the 1989 Conservative Party Conference that 'people who are soft on drugs are soft in the head'. Ad hominem insults such as 'you would say that because you are a scientist/man/politician/socialist &c' cannot be sensibly countered; nor can accusations of 'playing God' or 'defying God'.

■ **Distortion of realities.** Wildly discrediting worthy if flawed attempts to tackle social problems ignores just how difficult it is to make progress. Politicians and managers often ignore the limits on available money, time or energy in pursuing their case. One also hears arguments that any change in, say, sexual behaviour, is the thin end of the wedge or a slippery slope which will lead to yet more undesirable change. But this denies the reality that things change all the time, and that ethical choice must be continually renewed. It is also misleading to argue that because laws cannot control personal choices (e.g. for prostitution or drug-abuse) they are a waste of time and effort. Good well-designed laws have a very real force and effectiveness.

■ **Ignorance of the facts.** Facts do not determine obligations, but they do affect the way obligations are perceived and applied. Debate in a fact vacuum tends to polarize around two opposing values. For example, one leading philosopher argued publicly that the embryo research debate was about *either* respecting embryos and the sanctity of life *or* responding to the plight of the infertile. But inquiry reveals that it is also about the value of research on genetic abnormalities which lead to a life-time of pain and disability; about the value of free inquiry and knowledge; and about how any benefits of research are likely to be distributed within society.

■ **Loose arguments.** Some analytic rigour may assist debate if the arguments are complicated, if the terms used are crucial, or if spurious or inconsistent propositions are being argued in ways that superficially appeal. Of course, verbal trickery may be deliberately used: for example by misrepresenting the opposition's case, by putting up a linguistic smoke screen (cf. use of 'pre-embryo' in the debate on embryo experimentation), or by producing impenetrable prose (cf. some of the articles opposing ordination of women in the Anglican church).

■ **Forgetting responsibility.** Many debates proceed without identifying exactly who is responsible for what. For example, we may properly ask anyone at all whether criminals deserve to die for certain crimes. After all, each of us is responsible for choosing our beliefs and managing the consequences. But we confuse the issue if we ask the man in the street whether the death penalty should be introduced. Only the government is responsible for such choices. The man in the street cannot possibly appreciate the implications for legislation, the impact on sentencing or pleading, or the reactions of criminals, policemen and lawyers; nor is he responsible for managing the results of the choice.

Box 6.1

superordinate value systems appear to be natural, possibly innate, frameworks for making choices in terms of obligations.

Whenever and wherever a choice is made, whether it be controversial or self-evident, grand or mundane, deliberate or implicit, then a preference is being stated and alternatives exist. Defending any choice in terms of action-related values (i.e. priorities, but in this context usually called reasons or criteria) carries little ethical weight because it is not much more than a resort to brute assertion. The ethical challenge to choice must be met instead by stating an obligation of universally recognized significance.

Ethical challenge presses for clarity about the obligation used for the resolution of value conflict. Again it must be reiterated: ethical challenge and choice is not confined to academic disciplines like medical ethics; nor to philosophical and theological favourites like censorship or abortion; nor to personal conflicts like balancing a father's needs with those of his children. *Any decision at all can become an ethical issue just by calling for a justification of either the choice or its reasons in terms of obligations.*

All value systems have adherents and generate identification. The universal systems for ethical choice were found to be no different. Although all are useful, and sometimes particularly appropriate, people tend to value one or two systems predominantly and are either dubious about or wholly reject others. (Readers may well find themselves having such reactions). Conscious identification with a particular system eases inner conflicts and is socially adaptive, but at the cost of excessive partiality.

The ethical choice system is both a mentality (or psychological approach) and a social arrangement (or conceptual approach) which determines how choices are made and implemented in principle. Like most popular value systems, the ethical choice systems are rarely articulated as such in practice. Instead they manifest as a regular approach to choosing, an approach which feels right and natural to the chooser. Rather than use the clumsy phrase 'ethical choice system', I will generally refer to *an approach to ethical choice*.

Each approach is constructed around a single core ethical obligation, and includes other inter-related ethical elements like virtues and vices, and ethical aspirations.

In any social group, ethical clashes between people potentially release fanatical destructiveness. So finding a procedural approach acceptable to all parties to a controversy is helpful. The approaches offer this because each revolves around a readily recognized

injunction linked to a core obligation; and each feels internally logical and complete. Arguing at cross-purposes occurs when protagonists insist on applying different approaches to the same issue. Of course, an approach, like any value system, can do no more than orient. It cannot determine the need for choice, or the quality of inquiry and debate, or the outcome, or the sensitivity of implementation.

The present aim is to describe all the ways that people go about choosing ethically. The nature and inherent assumptions of the various approaches to ethical choice, as found in practice and in the literature, are the focus of attention rather than any particular controversial issue. Research suggested that each approach is felt to be good and right in itself, and that adherents feel each is applicable in virtually all cases. As a consequence, the many examples must be seen for what they are: illustrations of a point being made, not advocacy or defence of a particular view or choice. Each example could (and for other purposes should) be looked at from many other perspectives, and each deserves far more detailed examination than is possible here.

The approaches were initially discovered piecemeal and empirically, with little sense of how many there might be or what the relationship between them was. They appeared at first to be unrelated competing systems. However, in sorting out their distinctive features, it became apparent that each had a source level of purpose which imparted a characteristic flavour to the approach and contributed to the sense of conviction in its use. Once this was recognized, the seven approaches to ethical choice could be rapidly identified and related, and other hierarchical features were then noted. The basis of each approach in a corresponding level of purpose is the formal argument for completeness, because completeness can never be proven empirically.

I will first say something about an essential perspective in ethics, and then describe the general features common to all the approaches. After a brief summary of the complete set, the bulk of the chapter will be given over to describing each approach in detail. Finally, as an extended illustrative example, we will take on the mantle of the US government and use all the approaches to help us decide whether or not we should legalize addictive drugs.

Teleology or Deontology

In earlier chapters, it was quietly assumed that obligation is intelligible only in connection with action, preference and purpose. Although such a view is conventional in much social science, it is not taken for

granted by modern philosophers.² One of the deepest controversies within philosophy has been whether ethics is indeed concerned with notions of goodness and purpose and so *teleological* (from Gk. *telos* – purpose); or whether ethics is really *deontological* (from Gk. *deon* – duty), that is to say, obligations stand alone as unique self-imposed requirements or duties without any need to refer to intentionality.

The teleological view holds that it is self-evident that people have reasons for their choices, and that the good justifies the right. The danger in such thinking is the tendency to accept that ends justify any means. Classical philosophers (Plato, Aristotle) were unambiguously clear that ethics was inextricably interlinked with the search for ultimate values like truth, goodness and happiness. Indeed, the notion of duty hardly existed prior to Kant (1724-1804).

Kant attempted to set forth the primary principles of morality apart from all subjective considerations of personal preference or inclination. Many modern philosophers have gone further and claimed that classical (teleological) ethics rests on a mistake. It just does not make sense, they argue, to ask why we should fulfil a duty; and, they continue, consequences are irrelevant in assessing the goodness or otherwise of ethical behaviour. In this deontological position, there are only means. The fundamental ethical question is then seen as: what is right? Rightness is invariably assured by an authority of some sort. The danger in such thinking is that it implies a blind performance of duty.

Because testimony to the good ultimately emerges from inner experience which is ever-changing, teleological ethics is inherently fluid and subjective. Because deontological ethics is based in the worth and sanctity of authority, stability is assured and values appear to be objective. Related to this is the issue of whether man has indeed the freedom to choose and change, or whether our actions are determined in some way. Teleology seems to allow freedom of choice by the individual because dynamic pursuit is required; whereas deontology seems to imply static obedience by the individual because given duties are not rapidly changed. Teleology offers flexibility but seems uncertain because gradations of goodness along a good-bad continuum are recognized; whereas deontology offers certainty but appears rigid because right and wrong are discrete categories.

Neither point of view has triumphed. Although philosophical allegiance to one position or the other exclusively persists, many modern philosophers accept both as valid without attempting to resolve the clash; and a few seek ways of reconciling the two perspectives.³

Perhaps the final arbitration might best be left to the non-specialist public. In my researches and consultations, I discovered that people found it equally meaningful, and not at all tautological, to speak of having an intention to fulfil (or to refuse to fulfil) a duty or having a duty to pursue (or to refuse to pursue) a purpose. Similarly, what was held to be good could be judged to be right or wrong, and what was held to be right could be considered good or bad. In other words, in everyday life, the two perspectives were sharply distinguished but tightly linked.

The conclusion that seems to follow from these various arguments is that any *adequate understanding of ethical choice must precisely accommodate and do justice to both teleological and deontological perspectives.*

The main difficulty with teleological ethics lies in the mystery of transcendence and ultimate values (i.e. absolute good, Being, God). Once the transpersonal and spiritual nature of man is accepted, this difficulty fades. The account to be provided strongly argues for the reality of this domain. The main difficulty with deontological ethics lies in the arbitrariness of imposing a structure. Once the need for structure and social authority is accepted, this difficulty fades too. Again, the account to be provided argues that such things are inescapable in human society. I would feel that this book was successful if it did no more than foster a wider recognition of these two great realities of the human condition.

Properties of Each Approach

Certain valued features of each approach have been identified during the research and from the literature. These properties are italicized here and highlighted in the later detailed accounts. (They are column headings in Master-Tables 5 and 6.)

The starting point for the empirical analyses were the *injunctions* and *interdictions* in actual use. The injunction (e.g. ‘choose reasonably’) and the interdiction (e.g. ‘don’t be unreasonable’) are the instructions given within each approach in respect of the polarity: good and bad (if teleological) or right and wrong (if deontological). They are used for support or criticism and approval or disapproval of decisions.

Expanding and explaining these imperatives revealed the characteristic *core obligation* within the approach. The injunction and obligation lie at the heart of the approach and shape any choice, inquiry, compromise, justification or activity generated by it. The core obligations may be viewed as ethical maxims (deontological) springing from communal needs, or as social values (teleological) springing from personal needs. Their

observance brings benefit to the individual and community, and ignoring or neglecting them harms the individual and community.

The core obligation is always related to an inherent *duality* (or dialectic) which generates a tension of opposites within the approach. The content aspect of the duality is the *ethical aspiration*, while the contextual aspect is an associated unavoidable *ethical constraint*. The aspirations form an experiential basis for judging motives, and appear to be a form of obligation or inner authority. Many ethically-minded people mistakenly view aspirations as achievable goals rather than inspiring ideals. Not achieving an aspiration then generates an agonizing sense of failure. If simultaneously the validity of the constraint is denied or minimized, then a well-meaning but disastrous course of action may be inadvertently promoted. (This is simply another example of the way people use value systems inappropriately to determine choices.)

The aspirations appear to emerge progressively in a hierarchical fashion. The logical resolution of the aspiration-constraint duality at one level creates the constraint at the next higher level which can only be overcome by invoking a new and more encompassing ethical aspiration. The progression is described in the overview of the approaches to follow and is represented in Master-Figure 7.

In practice, the inherent duality is synthesized in satisfactory choices using each approach. Proper handling of the duality leads to expression of a characteristic *cardinal virtue*, while failing to resolve the tension expresses a characteristic *cardinal vice*. Many virtues and vices link more generally to the handling or mishandling of one or other aspect of the duality.

Classically, the cardinal or natural virtues were prudence, temperance, fortitude and justice; and these reappear in the present framework. However, of the three Christian theological virtues, only charity appears (the other two are faith and hope). Of the four Buddhist spiritual virtues, only vigour and wisdom appear (the other two are mindfulness and concentration). Three of the four classical Chinese virtues appear — love, justice and wisdom — while the missing fourth is *li*, a mix of ritual piety and social propriety. Interestingly, only one of the seven deadly sins, pride, emerges as a cardinal vice. (The other sins are: anger, lust, gluttony, avarice, envy, and sloth.)

Virtue is about deliberately choosing and acting well. It is a worthy quality of a person which develops through application and self-discipline. Virtue ensures that each choice becomes an opportunity to be grasped to strengthen one's inner self. Vice is an ethical flaw. It

refers to deliberate wickedness which develops through depravity and self-indulgence. Virtue and vice are therefore matters of the will, and part of a person's identity. Hope and faith do not fit this definition: hope is essential for life; and faith is essential to maintain the spiritual dimension of existence.

Each approach to choice invites identification and is capable of generating a distinctive personal identity. The approaches are so alive and self-contained that we often personify them, referring to a conventionalist (say) as a type of person rather than a way of choosing. In consultancy work, we found that people spontaneously and rapidly labelled themselves. The identity element in the approaches means that the use of *feelings* and the handling of inner experience is important during ethical choice.

The aspiration-constraint duality is usefully illustrated by defining an *extreme circumstance* (sometimes called a 'hard case') in which the experience of ethical choice is stark and unavoidable. In the face of the intense emotional pressures invariably generated by such extreme circumstances, confusion and demoralization set in until a course of action judged ethically satisfactory is found and pursued. Each approach therefore generates its own typical form of *investigation* with characteristic foci of inquiry and debate to promote resolution. Once a way forward is identified, certain characteristic *quandaries* present themselves and demand effective handling. Standard methods, adapted as appropriate to the situation, have emerged for each approach.

Examples of the use of the approaches by persons, firms and governments will be provided. Readers are again reminded that they may be tempted to engage passionately with the examples. However, the examples are highly simplified and do not try to promote or defend any value position or choice. They aim only to illustrate aspects of the approach.

The main *criticisms* of each of the ethical systems will be identified. Like the common criticisms of types of value, they tend to express a distorted or prejudiced rejection of the approach by an adherent of an alternative approach. However unavoidable *limitations* do exist in each approach, and these serve as the logic for moving up to the next level.

Summarizing the Approaches

The set consists of five actual approaches and two contextual and potentiating approaches. This arrangement is an image of the five levels of purpose which are used for endeavours, and the two higher levels of purpose which provide the context and potential for

endeavour. The approaches have been named with terms which, though not established in the literature, fit their nature.

In order, the approaches, with their injunctions which explain the labels, are: *rationalist* which is founded on choosing what is reasonable (L'-1); *conventionalist* which is founded on choosing what is acceptable (L'-2); *pragmatist* which is founded on choosing what feels appropriate (L'-3); *individualist* which is founded on choosing what is to the advantage of the chooser; (L'-4); *communalist* which is founded on choosing what is beneficial overall for all concerned (L'-5); *legitimist* which is founded on choosing fairly (L'-6); *transcendentalist* which is founded on choosing authentically (L'-7).

The properties of the seven approaches are summarized in Master-Table 5 and their use is summarized in Master-Table 6. The approaches will now be defined in terms of their core obligations; and the hierarchical evolution of the aspirations and constraints, as shown in Master-Figure 7, will be explained.

L'-1: The rationalist approach. This system is based in the obligation to meet practical objectives which are self-evidently sensible and worthwhile to the chooser. The ethical aspiration is a solution for a current problem, but realities typically put a constraint on what can be achieved. Even a wise choice, which produces a solution that takes social factors into account, may demand some social changes. At a certain point, the degree of change affects existing values and social identity sufficiently for it to be resisted strenuously. The result is a new ethical dilemma which can only be resolved at a higher level.

L'-2: The conventionalist approach. This system is based in the obligation to conform with widely held views on what is valued and proper within the chooser's relevant social group. The ethical aspiration is the maintenance of continuity within the group, but inevitable changes in current values emerge as a constraint. Present values, whether based in continuity or essential change, constitute a potential for development. However, improvement can only be ethical if that potential is deliberately shaped in a particular way. Pursuit of such a course requires a move to a higher level.

L'-3: The pragmatist approach. This system is based in the obligation to pursue values which are personally preferred by the chooser, which bring some wider benefit, and which can be easily applied. The ethical aspiration is the pursuit of the chooser's ideals; while current potentials constrain what is feasible.

However, the elusiveness of ideals, the uncertainty of potential, and the need to produce beneficial results expose the chooser's limitations and vulnerabilities. This vulnerability can only be overcome by moving up to the next level.

L'-4: The individualist approach. This system is based in the obligation to ensure the chooser's security and interests in the light of existing power relations. The ethical aspiration is strength in the chooser, while the chooser's limitations or vulnerabilities operate as a constraint. The chooser's egoism depends on the balance of strengths and vulnerabilities. Egoism interferes with relationships between people because it reflects inequalities of capability and opportunity. This difficulty can only be overcome by moving up again to a higher level.

L'-5: The communalist approach. This system is based in the obligation to balance all anticipated consequences in relation to the needs and interests of all concerned, including the chooser. The ethical aspiration is the exercise of altruism, and the constraint lies in the capacity of the individual i.e. in egoism. Altruistic choice incorporates the opinions and preferences of the chooser. In other words, exercising altruism from an egotistical base is an expression of individual autonomy. However, autonomy does not focus on the needs of the social group as a living entity on which each individual constituting it depends. So a new dilemma results which must be dealt with by handling choice at a yet higher level.

L'-6: The legitimist approach. This system is based in the obligation to set a rule which is accepted as right by the chooser and others within the social group. The ethical aspiration when setting rules is to serve the common good and maintain the social group, but the choice of rule is constrained by the need to preserve the autonomy of those within the group. Taken together the common good and individual autonomy comprise the temporal realm. A focus on ultimate values which transcend time, culture and circumstance is lacking. Only by moving to a higher and final level can the constraints of temporality be overcome.

L'-7: The transcendentalist approach. This system is based in the obligation on the chooser to respond to a deep inner sense of what is right and good, a sense which emerges ultimately from the eternal and divine. The ethical aspiration is the realization of spirituality, but the claims of temporality persist as a constraint. Ethical choice now involves infusion of the temporal by the spiritual. This chooser must confront a specific situation as deeply and as authentically as

possible. In effect, one encompasses the constraint of realities, but now perceived in the broadest possible sense — which returns us to the rationalist approach (L'-1). So the hierarchy is completed.

Each approach includes aspects of approaches at lower levels, while the upper two approaches pervade and constrain all others. This is because legitimist choices govern and direct the individual as a member of a social group; and transcendentalist choices govern and direct the individual as a unique person and a member of humanity. Now we will turn to consider each in detail.

L'-1: THE RATIONALIST APPROACH

Source of Conviction. The first approach to ethical choice focuses, like tactical objectives (L-1), on the means for producing results. At this level of purpose, values are taken as given and their realization has been broadly determined. What is required is precise specification of activity so that results follow with confidence and certainty. Correspondingly, the *source of conviction* in the rationalist approach is to be found in specific sensible and practical means which will produce a good result. The rationalist asks: 'What will really deal with the problem we all see? What will achieve the result we all want?' So choice for the rationalist is ethically justified if it is instrumental in the achievement of worthwhile goals.

Principal Features. The *injunction* is to do what is reasonable. All action to deal with an ethical matter is expected, by definition, to have a rationale (its purpose in the situation) and that rationale is 'good' if it is reasonable, and 'bad' if unreasonable or misconceived. The associated *core obligation* is the need to do something that clearly meets concrete, self-evidently sensible and worthwhile objectives. In other words, to produce a solution. This implies both that the means to good ends are known, and that the value of these ends is properly appreciated. The rationalist approach is clearly *teleological*.

Improving Schooling: Raising educational standards in the UK was seen as an urgent necessity in the 1980s. The self-evidently worthwhile objectives in this area were universal literacy and numeracy, coverage of sufficient subjects by pupils, and higher standards of teaching. These ends could be achieved by the Government through the introduction of a national curriculum with core subjects, national testing, comparison of attainments in different schools, and assessment of teacher performance. The objectives were felt to be incontrovertible by both the public and the teaching profession, and the means were largely seen to be eminently reasonable. So the national

curriculum could be introduced, and controversy focused on what precisely was to be in the curriculum, how tests were to be conducted, and similar implementation issues.

Ex. 6.1

The content-context *duality* found here is based in the *aspiration* to improve matters by finding a solution to obvious problems — in Ex. 6.1: the problem was poor educational standards — in the face of realities, usually social, which put *constraints* on what can be done — in Ex. 6.1: constraining factors included resource availability, public opinion, the structure of the education system, teaching skills and staff attitudes. An exclusive focus on constraints results in a failure to come to grips with the ethical necessity for choice. An exclusive focus on a solution to the problem results in choices which are described as academic or theoretical — correct but divorced from the realities which any effort at improvement must recognize.

The tension between the solution and the realities must be handled by the *cardinal virtue* of wisdom. Wisdom ensures a balanced approach and reflects a harmonization of given facts and given values. Being wise is, of necessity, a value-laden and judgemental matter: first, because it is based on estimating the potential for actual benefit; and second, because it depends on the way social realities are perceived.⁴ Folly is the corresponding *cardinal vice* generated partly by false values or neglect of the facts, but, above all, by a failure to strike a balance between how a defined problem may be resolved in principle and the surrounding realities affecting practical action.

Irrationality and Cold Rationalism. Self-defeating actions are often described as irrational rather than foolish. But what is irrational to the beholder, may be rational to the actor. On occasion, a challenge to apparent irrationality may reveal that the chooser possesses unexpected profundity. My own observations suggest that most irrational actions flow from an inadequate appreciation of what is instrumentally required.

To avoid charges of irrationality and to simplify otherwise complex matters, technocrats and bureaucrats may foolishly neglect emotional factors. This leads to an inadequate understanding and a failure to produce a workable solution. In present-day analyses of ship disasters, for example, human error is conceived in narrow terms which largely ignore social and organizational factors in shipboard life.⁵ Paradoxically, such cold rationalism is irrational.

Nevertheless, many see rational choice as equivalent to a cold neglect of emotions and values. This is understandable because the tradition of rationalist-empiricist inquiry does indeed emphasize the use of reason and

facts to achieve a unique or optimum conclusion. People (other than scientists) are properly suspicious of such science because it is common knowledge that theoretical knowledge, technological understanding, and vast databases do not and cannot alone specify what should be done in any social situation. In most cases, the realities are simply too diffuse for formal systematic inquiry. The key point to recognize is that rationalist *choice* is distinct from rationalist *inquiry* and the former is intrinsically and overtly social while the latter tries hard not to be. Rationalist ethical choice absolutely demands awareness of values (though restricted to those commanding wide acceptance) and rationalist decision-making similarly recognizes the need to make values explicit because the process is built on priority-setting.⁶

Feelings. Feelings are part of the social realities and so they need to be identified and taken into account during choice. Reason and knowledge are useful here to clarify, shape, harness and work with feelings. Sensory awareness, a key tool in any inquiry, needs to be turned inwards so that one's own inner experiences may be observed. At the same time, by resonance, the feelings and moods of others can be discerned.

Although passionate involvement is necessary for the solution of any problem with an ethical dimension, passion has its problems. Rationalists are concerned that feelings should not inappropriately intrude. To handle passion, self-containment and self-command are essential virtues. Irrational choices commonly indicate a deficiency in self-command. For instance, loss of temper or panic often leads us to say and do things that we can later see are self-destructive. When this occurs regularly, some inner change in ourselves to align inner and outer awareness is required.

Using the Approach. A rationalist-style *investigation* is called for whenever dispassionate consideration of a particular situation is required to determine or to advise on a way forward. The inquiry process can often drain off emotional pressures which would otherwise build up and threaten efforts to make a sensible choice.

Commission of Inquiry Type I: Some government commissions of inquiry are expected to conduct rationalist investigations. In the UK, the Government was obliged to set up a Royal Commission on the NHS because of the intensity of feeling about how badly it was managed following a reorganisation in 1974. Similarly the Widdicombe Report on the conduct of Local Authority business flowed from public concern about the rights of elected councillors and the propriety of their behaviour. Each commission had a brief to find an effective way forward. In pursuing the brief, they handled highly emotive and controversial matters and came up with some radical

recommendations. They took evidence, questioned existing and conflicting social views and values (and practices flowing from these), commissioned research and determined facts. Although they provided sensible plans of action to resolve the problems uncovered, the plans were only partially implemented by the Government (which was evidently using a different approach). **Ex. 6.2**⁷

Debate following rationalist investigation considers whether the worthwhile objectives identified will indeed be met, whether they are as worthwhile as claimed, and whether any mechanisms proposed to prevent harmful side-effects are likely to be effective. Debates which have taken this form include the one among US scientists on the strategic defence initiative (SDI or Star Wars) as a deterrent, and the one among UK psychiatrists on the closure of large mental hospitals to improve patient care.

The *extreme circumstance* is one in which there are worthwhile objectives, but there is such intense emotional pressure that the capacity for reflective thought is blocked. In states of intense envy, terror or rage, objectives cannot be appreciated, and debate becomes impossible. Unless the disruptive emotions can be disciplined, behaviour will not be altered, and a maximally beneficial resolution will not result.

Economic Regeneration: Governments of countries whose economies have been ruined by over-manning, excessive debt, incompetence, over-centralized control, and corruption often turn to the International Monetary Fund (IMF) for assistance. Such assistance is typically conditional on the adoption of certain policies which are described in ethical terms: i.e. as socially responsible. The approach used is invariably rationalist because the agency does not have the authority or knowledge to clarify and handle local value conflicts. The IMF therefore feels compelled to produce proposals that meet self-evidently worthwhile objectives like low inflation, higher productivity, adequate investment, and modest growth. However, IMF proposals like removing subsidies for inefficient industries and reducing the size of the state bureaucracy are in effect austerity measures which, at least temporarily, increase prices and unemployment. So they arouse intense emotional opposition in the affected populace. Governments may then be unable to implement the changes needed. **Ex. 6.3**

As the above example (Ex. 6.3) illustrates, the *quandary* generated by rationalist ethical choice concerns how to find a way in which objectives can be achieved given the values and feelings of the person or people involved. Overcoming opposition poses different challenges in the case of choices by a firm, a government and a person.

Opposition to rationalist-based solutions within organizations, say restructuring or introducing new systems to combat inefficiency, are dealt with by programs

to reorient and develop staff. Staff may also be moved about or even dismissed if they do not cooperate. However emotional conservatism and expediency usually mean that major change occurs only when a new chief executive is appointed, following a take-over or attack by a corporate raider, or in response to some financial or social catastrophe. It is just as difficult keeping public sector agencies up to the mark. Large long-stay mental illness and mental handicap hospitals, for example, often contain patients in conditions of unnecessary regimentation and neglect. Closure is a workable rationalist choice because the institutions are the product of 19th century fear and ignorance and better treatment alternatives are available. However, a closure policy in the UK was only introduced following a series of scandals involving gross maltreatment and cruelty towards patients.⁸

In the case of a person, the wisdom of a course of action may become evident, and yet he may say he is unable to pursue it. The line between defining inner opposition as ‘feeling unable’ rather than ‘being unwilling’ is a fine one. The former emphasis provides the basis for psycho-dynamic therapy. The latter emphasis has led to maladjustment being seen in ethical terms. For example, a father who crashes his daughter’s car and says it was an accident, when his other behaviours, his slips of the tongue and his dreams indicate that it was a jealous attack on her boyfriend, would be said by a Freudian to be using unconscious defences. It might be simpler to say that the father is engaged in self-deception, or more bluntly, that he is lying. Following this latter logic, rationalist forms of psychotherapy have been developed. Rational-emotive therapy identifies a relation between illogical assumptions and thought-patterns based in values and beliefs on one hand, and dysfunctional emotional states on the other. Through a process of systematic inquiry and ethical challenge, the therapist helps clients fulfil themselves.⁹

Governmental and quasi-governmental organizations, which are distant from the scene of operations where passions run high, often adopt the rationalist perspective. Even when the approach is unlikely to be effective, the proposals may appear sensible and compelling. As illustrated in Ex. 6.3, societies have great difficulty handling their own swings of feeling and mood. Because governments express the feelings of the people, leading or controlling such swings is problematic. The populace cannot be dismissed or trained like employees. So, no matter how unrealistic their passionate demands, no matter how severe the longer term consequences of giving way to them, a government may have to submit to the electorate’s emotional pressure.

Limitations. The rationalist approach founders if the problem is poorly understood, because the necessary link between the problem and obvious action is missing. This seems to be the case all too often in relation to the most serious social problems like unemployment, poverty, and racism. Even if the action seems obvious, rationalism is positively foolish if a consensus on worthwhile objectives is unavailable.

Resolving the Prison Crisis: Long-standing and worsening overcrowding in UK prisons will not be solved by the obvious and apparently rational response of building more and better prisons, because the purpose of imprisonment is not at all clear. There is no consensus on the various potentially worthwhile aims of imprisonment — reform, punishment, vengeance, custody, deterrence — which, in any case, are not being met singly or together. Many academic observers hold that imprisonment is overused in the UK. From a rationalist perspective, it would be concluded that a prison building programme is not ethically justified at present. The rationalist argues that it is necessary, first, to debate and determine what is being aimed for in relation to each of the varieties of offender; and then to ensure that sentences and facilities are designed to deliver whatever is decided in each case. The social realities which constrain such an apparently sensible course of action are formidable. **Ex. 6.4**¹⁰

The commonest *criticism* of rationalist-based choices is that they ignore people and their wishes and values. If this is so, then there has been a mishandling of the situation. A person operating wisely within the rationalist approach does recognize the significance of feelings, and does take these into account as part of the context. However, he also believes that it is necessary to ensure that ethical decisions are not unduly swayed by transient emotions or sectional values — his own or other peoples. As a result, rationalists are not overly sensitive to the political process. They want priorities set rationally (i.e. in terms of effectiveness and efficiency) rather than politically, and tend to be contemptuous of compromises with vested interests and articulate pressure groups.

Many of the examples in this section reveal that worthy ethical choices are frequently controversial and difficult to impose. People react as if their values are being ignored. And, in truth, some value change is frequently implied by the choice. To appreciate and deal with this phenomenon of apparently wise changes being viewed as anathema in society generally, it is necessary to move to the next ethical system.

L'-2: THE CONVENTIONALIST APPROACH

Source of Conviction. The second approach to ethical choice focuses, like strategic objectives (L-2), on

acting within values which are given. At this level of purpose, values have been determined and a feasible outcome which realizes them must be devised. Correspondingly, the *source of conviction* in the conventionalist approach is based in the idea of sticking with given values and seeking to realize these. The conventionalist asks: 'What do we usually do? What will everyone accept?' Choice for the conventionalist is ethically justified if it emerges from the values inherent in long-standing views, customs and practices.

Principal Features. The *injunction* here is to do what is acceptable within the social group. The group might be a family, or a community, or society, or a club, or a firm. Whatever is acceptable in the relevant setting is held to be 'right', and whatever is unacceptable is held to be 'wrong' — regardless of the actual problems facing the individual or the group.

Management Inertia: Rationalist-based and centrally-inspired management changes in the NHS between the major restructurings in 1974 and 1989 often had little effect on deep-seated problems. Doctors tended to respond to management initiatives with the cry: 'This is unacceptable!' Managers socialized in a bureaucratic-administrative culture were more tactful but equally opposed. Government reforms meant the introduction of dynamic managerial values, but the culture regarded such change as undesirable and unnecessary. Managers would often assume that the proposed initiative 'does not apply to us'. Where some action was demanded, as in a reorganisation, people would be slotted into the new posts with new titles (and often increased salaries) but with little change in their activities. No-one was ever disciplined or dismissed for such behaviour. Ex. 6.5¹¹

The *core obligation* here is to conform with widely held views about what is valued and proper within the social group relevant to the chooser. Many values become embedded in social rules. So adherence to an existing rule, whether explicit in law or implicit in custom, is often an expression of conventionalist choice. Laws and other rules are not automatically followed and enforced, and often fall into disuse or disrepute without being publicly altered. Conventionalism demands that one pays heed to rules which are widely valued, and ignores those which are not.

The conventionalist obligation to conform applies irrespective of any objective assessment of the value or consequences which flow from the choice. The static quality of conformity, the irrelevance of consequences, and the link to rules all indicate that this approach is *deontological*.

The tension-producing *duality* that emerges here is based on the *aspiration* to maintain a continuity of values despite unavoidable processes of change. Persistence of

sameness (continuity) is the prime support for individual and group identity, so choice here is about identity maintenance. Continuity of existing patterns of valued behaviour and of long-standing habits of thought and feeling is essential for social stability and coherence. Any significant change affects perceptions and beliefs about what is important and therefore threatens value change and eventually identity change. Change is therefore the *constraint* on choice.

Identity change generates transient confusion, and this temporarily inhibits or precludes ethical functioning. In psychological and spiritual terms, identity change is equivalent to death because it equates to annihilation of an old self and rebirth of a new self. So value change, whether for better or for worse, generates a fear that instability and chaotic functioning may lead to death and disaster. It is a short step from this fear to repression or violence.

The tension that results between the aspiration to remain rooted in past values and the need to respond to pressures of change can be handled by the *cardinal virtue* of moderation or temperance. This virtue ensures that both continuity and change are valued. The corresponding *cardinal vice* is extremism which manifests differently according to the type of imbalance. Extremism leads to stagnation if the past will not be abandoned, and to disruptive activism if the value of historical conditioning is not recognized. Finding the balance is particularly difficult for those whose value systems commit them to maintaining traditions (e.g. many clergy) or to those whose value systems commit them to radical change (e.g. many sociologists).

Moderate Muslims: Muslims in the UK wish to preserve their culture, and the position of women within it. They need to decide whether to educate their girls in all-Muslim schools or within English schools. Fundamentalists want an extreme form of Muslim education for their daughters in single-sex classes. They wish for a focus on Arabic rather than English, an emphasis on the study of traditions and religious observances appropriate to women, and the learning of domestic crafts. The usual academic curriculum is not viewed as necessary or suitable. Muslims, who are less extreme, find it possible to maintain their values within English schools by ensuring girls receive religious instruction at home or at the mosque, retain most of their traditional dress, get excused from swimming classes, and adhere to their dietary laws. This moderation gives them the opportunity to sustain their Muslim identity and family values while simultaneously permitting adaptation to English culture. This is especially relevant to future UK employment which takes personal self-sufficiency for granted. Ex. 6.6

Conventionalist choices are dominant in all societies and social groups. Despite the value which is assigned to

enterprise and achievement in the West, failure is often preferable to success if that means violating convention. Keynes once noted that ‘a sound banker, alas, is not one who foresees danger and avoids it, but one who, when he is ruined, is ruined in a conventional and orthodox way with his fellows, so that no-one can really blame him.’

Ethical Relativism. The development of modern social sciences, particularly anthropology, sociology and history, has led to an appreciation of the enormous variety of moral experiences, value assumptions and social rules. The view that ‘right’ and ‘good’ might be relative terms in that they described or expressed the approval of the speaker as conditioned by his society became popular in moral philosophy at the turn of the century.¹² Somewhat earlier, Hegel, despite his passion for freedom, had concluded that the demands of tradition within a society (including its institutions and laws) were of paramount importance in choosing well.

Long before this, reflective observers had noted that there is no practice so abhorrent to one group — slavery, sexual use of children, torture, wife-murder, human sacrifice — that another group’s custom cannot allow it, or even demand it. Peruvian Indians, for example, ‘kill members of their own tribe by slow torture if the priest has pronounced a curse on him. Children thus cursed die a slow death by whipping and branding with hot irons to exorcise the demons gradually so that the soul, when it leaves the body, will be pure.’¹³

Feelings. Any change in a core social value or violation of a value system produces immediate emotional reactions oriented to preserving identity. Feelings therefore provide the touchstone for assessing the ethical significance of any proposed change. Emotional reactions to new ethical choices are the stuff of public life. These emotional reactions are regarded as wholly justified by the individuals concerned, and are seen as reasonable by others within that society. They are an expression of loyalty — that potent social force which effectively controls the introduction of identity-based change. Individual people and whole communities may react with violence and may prefer suffering, even death, to value change.

Using the Approach. The prominence of the conventionalist approach to choice ensures that change in social values and customs tends to be actively opposed, blocked or delayed whenever it threatens. Existing values and customs are maintained and promoted in the press, and affirmed by politicians and other public figures.

When social change is overt and unavoidable, a conventionalist-type *investigation* may be instituted. This inquiry occurs when people wish to be clear about what the traditional and currently held values actually are, what the challenges are, and how inevitable changes might be handled without abandoning long-standing attitudes and values. Extensive consultation with those affected is the prime tool in this endeavour. The ethical debate during an inquiry and afterwards consists of conflicting assertions about what values in the community are most important, and how the final decision will affect existing values and future behaviour within the community.

Commission of Inquiry Type II: Recent scientific developments allow a woman to have a child without necessarily having a husband or sexual intercourse. This dramatic change in a custom which is so intrinsic to personal and social identity generates intense controversy and demands an ethical response. In the UK, the complexities led the government to set up an official Inquiry under Mary Warnock. In an introduction to its Report, she stated that the ‘members of the Inquiry were reluctant to appear to dictate on matters of morals to the public at large’. The importance of feelings in reaching moral conclusions was also emphasized. The author suggested that ‘most ordinary people agree with Hume’ that ethics is ‘more properly felt than judged of’. Dispensing rapidly with an appeal to ethical principles or general benefits, she argued that ‘we were bound to have recourse to moral sentiment, to try...to sort out what our feelings were’. Because the Report was mandated to advise on legislation, these feelings had to be compatible with what was broadly acceptable in society. Evidence was therefore taken widely from about 400 organizations and prominent individuals. The committee of inquiry examined and balanced existing conflicts of social views and values in an effort to find a consensus, and did not feel obliged to question or inquire into the worth or logic of these in any depth. In the area of embryo research where public opinion was not fully developed, the committee was unable to make proposals. Ex. 6.7¹⁴

The *extreme circumstance* is one in which value change is rapid, widespread and uncontrollable. Such a situation precipitates a moral crisis. If the moral crisis is not resolved, then new internal divisions begin developing, leading potentially to a breakdown of the old order. Societies experience a moral crisis when technical developments, foreign customs, environmental change, or economic upheaval not previously handled by conventions within the community impinge sharply on social awareness. In a society, this may mean riots and revolution or a change in government. For example, the collapse of Soviet hegemony and communist party domination in 1989 meant that Eastern Europe faced massive social change. Some countries, like Czechoslovakia and Poland, had traditions which supported a

relatively peaceful transition to democracy and a market economy. Others, like Yugoslavia and the USSR, lacked such traditions and so suffered civil wars and instability.

Moral crises may also occur in organizations. When a new chief executive introduces a radical new approach to management, a phase of widespread anxiety and a staff exodus is common. Major alterations in the firm's political context or business environment can similarly produce panic. Globalization of markets and shortened product life cycles, for example, have affected many firms who clamour for protection and subsidies in order to cling to their old ways. For a person, ethical stress may occur at life transitions like marriage or following some disruptive event, like losing a secure job or emigrating. Failure to handle the moral crisis leads to mental breakdown or physical illness.

The *quandary* that flows from conventionalist choice concerns how to support established values while at the same time proposing and progressing inevitable or essential changes. Everyone finds that they have views on the issue. Any proposed mixture of modified and re-affirmed values is never entirely satisfactory. Supporters and opponents emerge, argue and demonstrate. Newspapers thrive: for example, one tabloid headline following publication of the Warnock Report (Ex. 6.7) screamed: '*Ethics Undermined*'.

Handling public controversy usually involves: providing extensive opportunity for expressions of dissent and visible public debate, slowing or phasing the introduction of change, using trials and tests to detect and remedy untoward consequences, providing compensation or special arrangements for those who object to or suffer from the proposed change, preserving the status quo wherever possible, and allowing voluntary opting-out from the changes for those adapted to the old arrangements.

A Womans Place: Socio-cultural and demographic changes in the West have led to the need to change the middle-class notion that a woman's place is in the home. However, many men and women in the UK still find it unacceptable for women to reduce their responsibility for the household and the children. So management of this transition is being handled with great care. Although no mother is forced to work, and the value of a woman as housewife and mother is constantly re-affirmed, women's roles are changing. To assist the change in attitudes while allowing maintenance and evolution of the conventional identity, firms are beginning to offer creches, job-sharing, and part-time work. Some local councils have provided nurseries for working women, and have set up back-to-work confidence-building and re-training schemes. Fathers are offered paternity leave by employers to give

them the opportunity to be responsible for housekeeping and child-care. Children's books which do not portray men and women in stereotyped roles are commissioned and used for reading lessons in schools. The media now regularly offers features and reports of women and men acceptably succeeding in the new roles. **Ex. 6.8**

A key element in managing new arrangements is the active use of socializing techniques (cf. Ex. 6.8). For a person, this means allowing oneself to be exposed to what feel like alien values. Within organizations, this means things like providing special topic-awareness seminars, supporting natural champions of the new values, and re-designing incentives. Within society, this means things like altering the curriculum in schools and universities, expecting the media to educate, and fostering relevant crusading and campaigning bodies.

Limitations. The principal *criticism* of the conventionalist approach is that it fails to question existing values when this seems patently required. Some critics go further and deny the validity of the approach. Such people miss the importance of values for identity and seem unaware that identity needs to be actively maintained. Continuity of identity must be seen as a profound and fundamental ethical aspiration. Existing values need therefore to be recognized as the foundation from which anything practical and worthwhile must grow.

This deep truth in the conduct of human life and social affairs is particularly emphasized in classical philosophies. The *I Ching*, for example, notes that 'the superior man does not tread upon paths that do not accord with established order'.¹⁵ Aristotle also put it succinctly: 'No one chooses to possess the whole world if he has first to become someone else.'¹⁶ To reiterate the point more bluntly: if the consequence of the continuity drive is that possibilities for constructive development are missed, or that revolutions produce regimes identical to those overthrown, or that barbarous customs are maintained, so be it.

If an acceptable way forward is found, continuity of values is ensured in the process of change. The problem with this is that the ethical vision remains fixed on the ground. The state of mind during conventionalist choice deliberately limits the potential for development. Values are allowed to persist even if they are known to be harmful. The first step in remedying any persistent bad is to take the step of asserting that something better is possible. Then, without condemning the whole, reality can be modified. In other words, the creation of a better world depends on a determination to build positively on present potentialities and possibilities. Such a move requires the assumptions of a higher ethical system.

L-3: THE PRAGMATIST APPROACH

Source of Conviction. The third approach to ethical choice focuses, like internal priorities (L-3), on the brute assertion of a preferred value from among alternatives. At this level of purpose a range of relevant values have been determined, and those which are especially desirable in a particular situation are selected and emphasized to control decisions, action and tangible changes. Correspondingly, the *source of conviction* in the pragmatist approach springs from the need to impose a value from among agreed values. The imposition is naturally based on the desires and predilections of the person choosing, as well as the need to ensure beneficial change results. The pragmatist asks: ‘What feels best? What will lead to some tangible improvement now?’ Choice for the pragmatist is ethically justified if some beneficial change can be certainly and easily achieved.

Principal Features. The *injunction* is that whatever is chosen should feel appropriate. Such choices are ‘good’. Choices are ‘bad’ if they feel inappropriate, because personal conviction cannot then be developed. Appropriate choices must both embody sensible worthwhile objectives, and also be generally acceptable. Unless both these criteria are met, the choice will not be understood or supported and useful results are unlikely. Hence the pragmatist approach includes rationalist and conventionalist assumptions modified by a focus on the chooser’s responsibility for actually producing some increment of social benefit.

The *core obligation* is to recognize the variety of values immediately relevant to the problematic issue, pursuing those that are most desirable for the chooser and which can be easily applied to produce a modicum of tangible wider benefit. The ideals and preferences of the chooser will depend on his or her own social identity and experiences. This approach is regularly used where choice is absolutely necessary without delay, and where beneficial consequences will follow if the person responsible grasps the opportunity that presents. So the pragmatist approach is clearly *teleological*.

Nixons Pardon: President Ford had to decide whether or not to offer a pardon to Richard Nixon after he resigned the Presidency of the USA following the Watergate scandal. Ford emphasized that, as President, his primary concern was the good of the country as a whole. In this regard, there were two desirable values which clinched the decision for mercy. First, there was the need for a reduction in the bitterness and divisiveness in the populace which was generated by Watergate; and, second, there was the need to protect the credibility of the institutions of government. The President also noted that grant-

ing a pardon for Nixon was quick and easy, while legal proceedings would be lengthy, complex and potentially inconclusive because of the intensity of feelings that would be aroused. He judged that it was inappropriate to apply these considerations to others involved in Watergate, and they were tried and found guilty. So the general abstract ethical rule of equal justice under the law was not held to be paramount in this case. **Ex. 6.9**¹⁷

When urged to introduce rationally-required changes, pragmatists repeatedly point out somewhat defensively that ‘I must live and act in the world as it is’. ‘The world as it is’ refers to the demand for continuity. It is reasonable to hold that reality, even social reality, evolves on the basis of a multitude of forces and pressures beyond the capability of any single person to control. Such an image sees the future as emerging from present potential. The current flow of forces defining the most natural possibilities and potentials are therefore the *constraints* to choice. If ethical progress is to occur, then the world as it is must be changed in the direction of an ideal: which is the ethical *aspiration*. So the tension-producing *duality* that emerges here is that of ideals and potentials.

In psychotherapy, eclectic practitioners choose interventions pragmatically. The therapist offers ideals like openness to experience, close relationships, responsibility for oneself, physical fitness, social integration, and productive work — and gets the client to agree to them. Pragmatic therapists also assume that progress then depends on the potentials of the client — things like intelligence, temperament, family background and social position.

An ideal fosters and orients the search for improvement. The best that is ever possible in relation to any ideal is to approach it. But, unless an ideal is kept in view, day-to-day decisions are experienced as futile and cynical, and the pressure for improvement ceases.¹⁸ Things are then done because they can be done, and not because they express desires and hopes.

The pragmatist may recognize that a situation is deeply unsatisfactory, but refrains from wholesale condemnation, because upheaval and discontinuity must still be avoided where possible. The pragmatist recognizes and accepts a reality of multiple pressures and opportunities from which specific improvements need to be identified, selected and implemented.

The Family and the Law: Legal processes in the UK are primarily oriented to the individual and based on adversarial methods. However in family matters this generates complexity, expense, insensitivity and harm to family life. The conventionalist approach viewed this as a worthwhile price to pay to maintain the integrity of British Law. However, a committee set up to find a way of overcoming

the problems took a rationalist approach and its Report proposed instituting special Family Courts. Such a solution would have been opposed by vested interests and been difficult to legislate and implement. Instead, a pragmatic approach has been adopted. In the two decades since this Report, a large number of small improvements to legal processes have been introduced based on the values of family life, sensitivity to the needs of children, and consent rather than contest between marital partners. More cases are now heard in civil courts, divorce law change has led to conciliation work which eases out-of-court decisions, child representation has been improved, and young children in sexual abuse cases can now be interviewed in private with a video link to the court room. Social change has also occurred incrementally as groups have coalesced around the ideals. Independent conciliation counselling services were widely set up in the 1970s. A Solicitors Family Law Association, formed in 1982 and with 2000 members by 1990, upholds a code of practice which promotes a conciliatory approach. In 1988, the Family Mediators Association was established to extend the scope of conciliation to include detailed discussion of financial issues. **Ex. 6.10**¹⁹

Unless something that is feasible is chosen, then the ideal is no nearer. An unworkable choice is ethically inappropriate, and eventually produces dejection and disillusion. Facing reality demands a vigilant attitude and a sober and cautious recognition of risks and future uncertainty. Utopianism, the denial of feasibility issues, is the antagonist of genuine improvement. “The perfect”, said Machiavelli, “is the enemy of the good.” The *cardinal virtue* that results from resolving the ideals-potentials duality is prudence; while failure to handle the tension leads to the *cardinal vice* of recklessness. Reck means care, and recklessness implies moving without due care for either ideals or potentials or their balance. This vice is frequently linked to naivety and a refusal of people to recognize their inexperience.

Pragmatism as a Doctrine. The doctrine of pragmatism (etym. Gk. *pragmata* - acts, affairs, business) is practical and experiential in nature. It is based in the notion that our experience of effects and practical consequences determine our conceptions. “The true’, to put it briefly, is only the expedient in the way of our thinking, just as ‘the right’ is only the expedient in the way of our behaving.”²⁰

In systematic inquiry, a pragmatic view leads to the adoption of a hypothesis-testing approach and a belief in the piecemeal growth of knowledge. In decision-making without ethical considerations explicitly in mind, pragmatism implies a focus on necessary action and personal experience rather than on thinking or theory. Pragmatic managers seize opportunities and are satisfied by incremental improvement.

In the ethical domain, pragmatism implies an active

continual striving to make things better. Beyond this, it is perhaps most demarcated by what it avoids: first it avoids identifying transcendent goals (e.g. pure ultimate values like truth); second, it avoids seeking perfect or ideal solutions; third, it avoids being constrained by any postulated principles (including ethical principles, as illustrated in Ex. 6.9).

These values have earned it an undeserved bad name. Politicians in power who manage what feels utterly unmanageable often seem to epitomise the worst. Stanley Baldwin, twice British conservative prime-minister early this century, honestly admitted: ‘I would rather be an opportunist and float than go to the bottom with my principles round my neck.’

Put positively, however, pragmatic values enable a maximum of care, caution, openness and flexibility in choice. They permit a diversity of life-styles and beliefs (i.e. ‘pluralism’) and minimize conflict. Pragmatists frequently produce results when others produce nothing but hot air. In contrast to rationalists who insist on change whatever the cost to people, pragmatists produce change in a piecemeal way that lessens hurt and diffuses popular reaction. In contrast to conventionalists who object to radical change on principle, pragmatists object because they do not see a comprehensive assault on the ideal as feasible. Social scientists in many fields have backed pragmatism and argued that grand designs are impracticable, arrogant and undemocratic.²¹

Feelings. The judgement of appropriateness which is intrinsic to pragmatic choice is based more on feelings than on reason or observation. (For some years, the label offered to clients for this approach was ‘experientialist’ to avoid confusion with ‘pragmatic’ as a type of decision-making.) Managers commonly speak of a gut feel or inner sense which guides them. They find that their immediate feelings suffice to assess the relevant ideals, immediately applicable values and existing potentials. In any case, in most social situations and especially in a crisis, hard facts are scarce and there is little but feelings and intuitions to depend upon. If an individual in a complex social arena is emotionally out of touch either with himself, with the issue or with the mood of the group, then ethical choices in a crisis are liable to be inappropriate.

Using the Approach. A pragmatist-type *investigation* to discover what is appropriate is most evidently called for when there is a crisis. An inquiry is launched into what values and ideals are in play and what alternatives are immediately open. An early step in this process is to decide whether to ignore or dismiss the crisis as trivial, or whether to assign it value and use it as an

opportunity. The obvious current preferences of those most directly involved are given a high priority. Distant undesirable consequences are less certain and felt to be less relevant. If the inquiry is successfully pursued, the choice resolves the immediate crisis as socially perceived. If not, then there is the sense of a lost opportunity and stagnation. The crisis is likely to persist, and the chooser may lose the respect of others.

The *quandary* generated by a pragmatist choice concerns how to persuade the individuals and social groups affected that a good course of action has indeed been instituted. This means that the choice must satisfy a multiplicity of tribes (pressure groups, constituencies) and their value systems. The usual recommendations include: communicating effectively, recognizing and highlighting value differences within and between tribes, moving ahead very rapidly, and creating a new constituency out of those who will benefit from the changes.

NHS Reform: After both the 1979 and 1984 elections, the UK government contemplated major reform of the NHS. Each time, it turned away pragmatically in the face of the enormous difficulties. Then at the end of 1987, news of staff shortages, closure of beds, and budget deficits began appearing nightly on national television news bulletins. The state of crisis was only defused by the Prime Minister announcing a review. The White Paper which emerged from this opportunistic review was not a worked-out plan developed by experts, nor did it consider and deal with existing values. It appeared to be a product of pragmatist considerations, because it was based on long-standing feelings of the politicians that: a) change was essential, b) market orientation is a good thing, and c) hospitals should have greater freedom of action. The long term consequences of adopting these values were almost impossible to determine. Virtually all interest groups saw the White Paper as a threat. However the Government launched its most complex and comprehensive communications and public relations exercise ever, instituted a rapid program of implementation, exploited differences between professionals and managers, and built up new constituencies (like the General Practitioner fund-holders) which split and weakened the opposition.

Ex. 6.11²²

The *extreme circumstance* occurs when a situation develops such that existing ideals no longer hold sway or the potentials to support them disappear. The political transitions in the USSR with the collapse of the communist economic and political system, and in South Africa with the rejection of apartheid, are cases in which pursuit of the original ideals became impossible. In such cases, to avoid a state of breakdown, new ideals have to be developed which take account of the actual social potentials. This is not easy because realities are changing while the old ideals are deeply embedded in

the minds of people in leadership positions. Organizations have similar difficulties: for example, the transition from rapid expansion to careful consolidation is often fraught because it means a change in the ideals of those driving the company. Such change is frequently associated with removal of the chief executive responsible for the astonishing success of the company: this occurred in Apple Computer in the USA with the removal of Steve Jobs, and in Next Stores in the UK with the removal of George Davies.

Limitations. *Criticism* of the pragmatist approach has been most vociferous within the philosophy camp because it appears so opportunist, subjective and expedient. Choices are seen to be too simplistic, too short term, too bendable to the circumstances, and above all too concrete and personal. However, once again the criticism appears misplaced. And opposition in principle is not always opposition in practice. Mackie, examining how a person should proceed to develop and improve a moral system, surely an ethical issue, epitomizes a pragmatist line without apparently being aware of this. He argues persuasively that ‘we should advocate practicable reforms’, and warns against ‘utopianism’. He notes that there are a multiplicity of moral systems associated with different social groups and used by them for internal relationships. He cautions that our influence will be limited to the degree of our involvement and position within these. He advises us to take advantage of fragments of the moral system we prefer, to preserve them, and to put pressure on other fragments so as to modify them in the light of what we feel to be valuable. A text-book case!²³

Appropriate choices do enable sustained progress towards something better. But ideals are vague and potentials are uncertain. Choosers are exposed to criticism without compensating returns. This reinforces the intrinsic tendency to take only small limited steps. It is rare that a sole focus on external benefits can release any individual’s full capacities for achievement. Yet significant and substantial improvement does depend on the full use of these capacities. To bring human power fully into play, it is necessary to move up to the next system.

L'-4: THE INDIVIDUALIST APPROACH

Source of Conviction. The fourth approach to ethical choice focuses, like principal objects (L-4), on the distinctiveness of endeavours and their associated resources. At this level of purpose, value can be precisely defined, owned by individuals, and realized in specific enterprises. Those who see an endeavour as

realistic and worthwhile commit themselves and some of their resources to it. Correspondingly, the *source of conviction* in the individualist approach is based on recognizing that individuals are the basic elements and source of power for good in any endeavour and in any society. The individualist asks: ‘What is in my best interests? Am I being exposed to too much risk?’ Choice for the individualist is ethically justified only if it protects and strengthens his position.

Principal Features. The individualist approach starts from the assumption that individuals — persons, organizations or governments — should commit themselves and their resources in a particular choice only if it is to their benefit. This means, first, that their security must be ensured, and second, that their interests must be forwarded. This benefit to the individual may be measured in material terms, in terms of values and feelings, or in terms of social prestige.

Organising Scientific Research: The research grant application and review process in which academics compete for funds is built around an individualist approach to choice. In considering whether to apply for a grant, researchers are strongly influenced to further their own interests, both in terms of their scientific concerns and in the light of their own career and status. The interests of the main funding agencies are to promote good science and to respond to societal pressures. These agencies use their power to influence the topics investigated and the methods used. They aim to support the best researchers only. So proposals are funded or turned down without regard for the researcher’s personal needs or the needs of his or her colleagues, institutions or families. Strong research is allowed to thrive at the expense of weaker projects, and more able researchers are expected to control less capable ones. Furthermore, the successful researchers become key figures in the research establishment and regard it as natural to promote their own scientific values.

Ex. 6.12

As illustrated in Ex. 6.12, the individualist approach develops around the *injunction* of advantage to the chooser in a context where there are many other choosers acting similarly. Decisions which are self-advantageous are felt to be ‘right’, and anything which disadvantages the chooser is felt to be ‘wrong’. In making individualist choices, aspects of previous approaches may be easily discerned. The chooser’s advantage depends in part on making a choice which solves evident problems, which considers group values and accepted rules, and which forwards ideals appropriately. But these obligations are modified by the over-riding emphasis on benefit for the self.

What an individual may achieve is related very directly to the resources commanded. Too often, resources are seen in financial terms only. In the case of

a person, resources also include intellectual capabilities, emotional or cultural resilience, other material backing, loyal support, and social status. Others are always actually or potentially in the equation when an individualist choice is made. They are likewise competitively seeking their own advantage, and the balance of resources defines the power relationship. The power balance, rather than the absolute position, is directly relevant to maintaining security, and hence to any determination of what in the event counts as self-advantageous.

In sum, the *core obligation* is to ensure security of position, and to develop whatever benefits for themselves the power relationships of the choosers permit. Genuine power, it seems, confers its own legitimacy, and must be appropriately used to obtain advantage for the individual. Aphorisms like ‘might is right’ reflect this ethical dimension of power.

Choice here is a means — a means for self-benefit; and the individual, too, is a means — a means for the realization of principal objects. The concern for security and survival also takes the focus off the ends relevant to the particular issue. The individualist approach is therefore inherently *deontological*. The individualist approach emphasizes the intrinsic value of the individual and the over-riding value of survival. So it is not to be reduced to egoism in a pejorative sense.²⁴

The inherent *duality* within the approach is that of strengths and vulnerabilities. The *aspiration* is for invincible strength in all domains, and the power for good that may flow from this. Strengths deserve respect. Achievement of any significance demands ambition, stamina, determination, perseverance and industry, all virtues which express strength.

Weaknesses must also be recognized because they act as an ever-present *constraint* in any choice. Anyone who does not recognize their own vulnerabilities and limitations is unlikely to succeed for long. For a person, such an appreciation leads to the virtue of humility. Unrealistic over-concern with vulnerability and risk leads to stagnation, cowardice and vacillation. Proper handling of the tension between strength and vulnerability, including the management of actual or potential deterioration in one’s well-being and position, leads to the *cardinal virtue* of courage or fortitude. The corresponding *cardinal vice* is arrogance. Arrogance may develop in the presence of genuine strengths or to cover up serious weaknesses. In either case, the cardinal vice expresses a loss of balance.

It is a truism of management consultancy that firms should build on their strengths and take account of their weaknesses. It seems that the individualist approach is

appropriately prominent in business. Firms are, after all, brought into existence to pursue certain objects, and it is not surprising (and probably requisite) that they adhere to an approach to choice where ethical conviction is related to endeavour.

Individualist choices in a competitive environment can be a force for good in society as well as in firms. Without competition, firms invariably take advantage of their position by becoming self-satisfied, careless of their product or service, and neglectful of their costs. Prices rise and quality falls. Companies frequently argue that competition is unnecessary to improve quality, and that customer demand is lacking. However, once a competitive environment is established, success depends on a firm recognizing its strengths, eradicating or minimizing its weaknesses, improving quality and price, and sharpening customer appeal and loyalty. This tends to produce more customers by generating a wider range of distinct services or products which are tailored more closely to needs, preferences and affordability of actual and potential customers.

Denying the need for individualist choice by firms is equivalent to encouraging weakness. Provision of state subsidies for monopolistic enterprises encourages managers to use conventionalist or pragmatist approaches. But this leads to escalating inefficiency and ineffectiveness because customer needs and preferences change and better cheaper ways of meeting them emerge, while the firm does little in response. Many UK businesses, like British Steel, British Leyland, British Airways and the National Coal Board which were protected by the UK government, maintained uneconomic practices, unresponsive services and over-manning for years. In most Eastern European countries, industries had been subsidized for decades leading to exactly the same defects, worsened because of the collectivist ideology which minimized or even opposed individual responsibility and initiative.

Competition is not so much about defeating or destroying rivals as about the ascent and decline of values. The individualist approach assumes that a better world depends on one's own values triumphing and others following or serving these values (cf. Ex. 6.12). Among firms, value dominance shows up as imitation; whereas between states, it tends to lead to hostilities. Competition between states based in marxist-socialist and capitalist-democratic values led to escalating hostility in the decades following World War II. World tension eased in 1989 with the general collapse and capitulation throughout Europe of communist political and economic systems. World tension subsequently increased as the clash of values between ethnic groups started involving whole states.

Self-Sacrifice. To act to one's own disadvantage is generally a nonsense. Self-sacrifice as a policy governing choice is probably not a meaningful notion for an organization or state. And individuals who inadvertently or deliberately allow their emotional reserves to run down, their health to be damaged, their fortune to be diminished, or their status and reputation to be tarnished, are generally held to be foolish and undeserving of support by others. Self-sacrifice as an occasional well-judged gesture is another matter. It is an expression of strength: so it leads to self-approval. And the person emerges stronger in character: so it enhances the likelihood of future success and may even improve reputation.

Of course there are times for personal sacrifice, and there are certainly things worth dying for. In such cases, it is usually possible to discern the individual metaphorically living on in the idea, value or group which has generated such loyalty.

Child Sacrifice: The decreasing quality of education and school disruption within the UK state system in the 1980's generated an ethical dilemma for many middle-class parents. Despite adhering to the values and principles of comprehensive State education, many nevertheless felt obliged to send their children to private schools. This decision was invariably based on considering what was in the best interests of the child. But some parents chose to sacrifice their children to their principles and kept them in state schools. One journalist, for example, described how adherence to her convictions led to her child being bored, suffering unsupervised classes, missing lessons through teacher strikes, and crying at home. Even in this case, individualism was used as the rationale. The mother argued that it would be to the child's advantage to realize that principles should not be lightly discarded.

Ex. 6.13²⁵

Feelings. The individualist considers feelings when determining the balance of resources. Because feelings like anxiety and shame and wishes like those for revenge or admiration may drive or tempt us to act to our own disadvantage, emotions have often been seen as entering the resource balance sheet on the debit side. However emotional strengths frequently tip the balance when individuals are evenly matched on other criteria. Hope strengthens persistence, pleasure increases stamina, admiration provides confidence, and anger bolsters determination. Even anxiety, guilt and shame can and should be viewed as helpful experiential signals that permit people to reorient themselves and their attitudes when they are in difficulties (see Ch. 7: Master-Table 12).

Using the Approach. An individualist-style *investigation* is called for when an individual needs to gain an advantage, or at least not lose out, in the competitive

struggle for resources or dominance. The aim is to gain a decisive advantage and to minimize losses. Inquiry may be necessary to clarify where a person's advantage really lies and what the balance of power actually is.

Appropriate choices placate the strong, and exact compensation or support from the weak. This is what Realpolitik or Machiavellianism is all about. For example, the victor in a war must deal with the loser. It was normal policy in the warring city states of ancient Greece to execute or take into slavery all the males in order to protect against future revenge. Although the Athenians abandoned this policy, 2000 years later a related policy was applied after World War I and it led to World War II. After World War II, it was realized that building up the defeated powers was likely to be more advantageous to the victors than weakening them, as long as some safeguards against militarism were in place. This proved correct.

The *extreme circumstance* is one in which an individual's strengths have been neutralized either by the situation or by the actions of another. A firm's competitor may engage in penetration pricing that removes most customers at a stroke. If this is not handled promptly and effectively, then collapse is likely. A dictator, like Pinochet in Chile, may voluntarily give up authoritarian powers so as to gain respectability, but find that his other strengths are not sufficient to maintain public support. It is of course obvious that a person's prospects are seriously impaired if a key resource like health or wealth is lost. To counter or prevent extreme circumstances which threaten disaster or death, the individual feels forced and even entitled to take desperate measures.

The *quandary* generated by individualist choice relates to exactly how others are to be overcome or adapted to. Recommendations are available in textbooks on getting and using power.²⁶ The methods involve developing professionalism, using toughness, manipulating resources, obtaining and using intelligence, orchestrating ceremonies, timing interventions for effect, and balancing returns against effort.

Limitation. Conventional wisdom is chary of recognizing the ethical importance of individual advantage. So *criticism* of the individualist approach is widespread. The same mentality obscures the wisdom of knowing one's limitations, makes a virtue of self-sacrifice, and promotes envy. Such an extreme position bolsters an equally inappropriate countervailing view in which the individual is glorified, the social group and its needs are denied, and the idea is promoted that anyone can do anything if only they want and try hard enough.

Excessive restrictions on individuals seem to flow

from a perverse assumption that people are inherently and irredeemably evil. If that is so, this book is pointless, and nothing that anyone does matters. Such a viewpoint is neither practical nor life-enhancing.

Successful enterprises, including those endeavours striving to create a more humane society and a better world, absolutely demand powerful individuals. Individuals who benefit from an endeavour become both more powerful and progressively more able and willing to contribute to that endeavour. Such an endeavour results in benefits which flow directly and indirectly to others. (In economics, this is pejoratively called the 'trickle down effect'.) By contrast, individuals who suffer on account of any endeavour, become progressively less able to participate, and often less willing. In the end the endeavour itself is unlikely to be as successful as it might.

It is true that in the presence of unsatisfactory laws or lack of competition individualist choice may generate gratuitous harm. However, the responsibility for a suitable regulatory context does not lie with the individual but with society and its governing institutions.

Government Training Programme: The UK in the mid-1980's was faced with severe unemployment, and so the government introduced a variety of employment and training initiatives. One early programme made millions of pounds available for firms, voluntary organizations and local government to set up schemes. Monitoring was not in-built; and eventual employment was not ensured. The ethical choice for many organizations was whether or not to participate, given the urgings of the government, the financial inducements, and the project's deficiencies. Apart from any social duty, their prime consideration had to be whether it was to their advantage to become an agent of the initiative with all the work which that entailed. In the event, the absence of proper controls and lack of competition between agents resulted in many schemes of poor quality, benefiting the agent but not doing much for the unemployed. There was also widespread exploitation of trainees and corruption in the operation of schemes. However, some schemes of reasonable quality were provided by solid organizations, who themselves gained benefit from participating.

Ex. 6.14

The individualist approach, just like the pragmatic and conventionalist approaches, gets maligned far too often. But nothing is more natural or necessary than self-interest. Those that decry individualism are frequently the first to argue for rights — but rights belong to individuals and derive their legitimacy from the individualist approach (see Ch. 8). Individualist concerns need to be seen as life-enhancing and the axis around which all ethical choice revolves.

The individualist approach highlights real conflicts of interest, and positively builds on the inequality of

strengths and weaknesses among people. The ancient Chinese recognized inequalities and resolved the problem by distinguishing the sage or superior man who by benefiting himself naturally benefits others, from the inferior man who harms himself and others in his scramble for security and power. Given the general lack of sages and the need for individuals to look after themselves, specific attention must be given to improving relations between people, and ensuring benefit is more widely distributed. This requires movement up to the next ethical system.

L'-5: THE COMMUNALIST APPROACH

Source of Conviction. The fifth approach to ethical choice focuses, like social values (L-5), beyond the bounds of a single individual, endeavour or institution to a wider relational network. At this level of purpose, values enable people to relate and participate constructively within a community. Correspondingly, the *source of conviction* in the communalist approach comes from recognizing the effects of choice in the wider social context, and on seeking to strengthen relationships between individuals in a group. The communalist asks: 'What is best for everyone? Does anyone or any sub-group suffer excessively?' Choice for the communalist is ethically justified if it explicitly recognizes and attempts to balance all the effects on all who are directly or indirectly affected by the choice.

Family Intervention: Psychiatric treatment requires a doctor to balance care and support for the patient with involvement of relatives — either to help the patient or for their own good. Access to relatives is ethically problematic if the patient refuses permission. This may stem from a wish for confidentiality, a desire for independence, hostility to relatives, or delusional beliefs. From a communalist perspective, the issues are how a family being adversely affected by the patient's condition can be helped without harming the patient, and how the family can be involved to help the patient despite his or her opposition. Responses which seek to find the balance include: enabling self-help, providing separate professional help for the family, involving other agencies, and encouraging the relative to self-refer. **Ex. 6.15**²⁷

Principal Features. The communalist approach focuses on the fact that choices have ramifications which extend in time, person and place beyond the chooser and his immediate situation. It assumes that the benefit or otherwise of a proposed course of action needs to be explicitly estimated in relation to others in this wider picture. Other labels for this ethical approach include utilitarian, systemicist, proportionalist, communitarian and consequentialist.²⁸

The *injunction* here is to do what is beneficial overall in the actual circumstances. This is 'good'. Doing what is harmful overall is 'bad'. An extreme implication of such a broad requirement is that obligations in all the other ethical systems should be taken into account. The new *core obligation* is to recognize and balance the anticipated consequences of any choice, taking into account all factors and the needs and interests of all persons, including the chooser, in determining benefit. For example, any firm should aim to benefit itself (i.e. its owners), its executives, its workforce, its suppliers, its customers, and society as a whole — and not just one or a few of these groups to the total exclusion of others. Maximizing benefits is certainly a desirable if inevitably uncertain goal, but maximization holds in all approaches and is not a unique element of the present core obligation. The communalist approach is evidently *teleological*.

The communalist approach originates from an awareness that individuals exist within a network of relationships and so each needs to consider others involved in those relationships. People depend on others but frequently deny the importance of relationships and imagine they are self-sufficient. This denial at a personal level often spills over into misleading images of organizations or societies as isolated entities. But networks of organisations and societies are the rule, and mutual inter-dependence is characteristic of those that deal or trade with each other.

In any industry, a multiplicity of firms, not a monopoly, is what is socially desirable. This is the basis for competition whose benefits have already been noted. Any organization benefits by creating cooperative developments, by devising and using common standards, and by participating in joint lobbying of government on behalf of their type of activity.

Economists and management experts have suggested that the near future will see businesses integrating themselves far more into the world economy through alliances: for example by minority participations, joint ventures, research and marketing consortia, partnerships in subsidiaries or in special projects, and cross-licensing. Relationships will not only develop with other firms, but also with universities and local governments. The reasons put forward for these linkages are that firms are no longer self-contained, and the world has become industrially and economically borderless. Products are designed in one country, manufactured in parts in two or three others, to be marketed and sold in yet others. In addition, the technological system which must be tapped is dispersed amongst many firms; and instead of discrete markets there is a rapidly changing global scene.²⁹

States, too, recognize their interdependence now, and find it mutually beneficial to support each other. Cooperative liaisons between nations in respect of trade, cultural exchange, research and development, post and transport are common in all parts of the world despite competitive or even antagonistic behaviour in certain spheres.

The recommendation implicit in the communalist approach is that individuals should choose so as to benefit others (as well as themselves) even if this is not compulsory. The intrinsic *duality* is that of altruism versus egoism. Altruism is the *aspiration* and is expressed by such virtues as magnanimity, generosity, mercy, and gratitude. Egoism, meant non-pejoratively, is the *constraint* on being altruistic because egoism defines the individual's actual strengths and vulnerabilities.

The individual with few capacities and resources can function altruistically only to a most limited degree. So the biblical injunction in Leviticus 'to love thy neighbour as thy self' must be assumed to be an injunction to love one's self a great deal. Weak individuals are likely to be selfish and pusillanimous, and psychoanalytic researches suggest that ego weakness underlies gross egotistical behaviour such as malevolence.³⁰ Healthy egoism is manifested by appropriate self-respect and self-regard. It depends heavily upon the receipt of genuinely deserved attention, respect, approval and admiration from others. Altruistic choice is possible because it is one source of such supplies. Uncontrolled egoism leads to the search for wealth and status, because these are generally more likely to attract approval and admiration than are wisdom, virtue or altruism.

The resolution of the tension within the duality results in the *cardinal virtue* of benevolence — or charity or love or humanity — or *ren*, the supreme Confucian virtue. In business, this virtue is often termed enlightened self-interest. The failure to resolve the tension leads generally to the *cardinal vice* of indifference. For evil to triumph, the saying goes, it is only necessary that good men remain silent. Arendt, following this approach, suggests that "it was sheer thoughtlessness" that led Eichmann to act so evilly. He was not a psychopath or criminal or stupid, but was diligent and concerned to advance himself. In this way, he "never realized what he was doing."³¹ Negligence, thoughtlessness and other varieties of indifference are the antitheses of relationship and community.

Feelings. Feelings enable us to appreciate the needs and interests of others; and to assist in drawing boundaries which specify who should be regarded as being

affected in any choice. Feelings are also essential to the intuitive balancing of benefits and harms that seem likely to flow from any choice.

In the long run, it is nearly impossible and certainly undesirable for a person to remain emotionally unaffected by the sufferings of others. Doing so requires hardening oneself. This is a brutalizing process and is self-damaging. In the absence of such brutalization, the natural sympathetic identification between people means that any benefit for another tends to be felt to be a benefit for oneself, and any harm to another tends to be felt to be harmful to oneself. Adam Smith suggested that the fact that people tend to be short of feelings for others was perhaps the only reason for considering altruism as ethically superior to egoism.³² This rather pessimistic conclusion is not so true within families.

Family Decisions: A family man may have to decide whether or not to emigrate for the sake of his career. He might be in a position to insist on the family adapting to his decision. But on such a big issue in families, authoritarianism can easily go wrong. A communalist father would immediately seek to take into account such things as the effect on his wife's career, the disturbance to the children's schooling, and relations with elderly grandparents, friends and relatives. Other factors, such as the benefits for all from higher earnings abroad and previous agreements about where to live would also be relevant. The simple choice of emigrating would evolve into a complex set of related choices associated with emigration and seeking to meet reasonable claims of all. The final outcome would represent a satisfactory balance of all anticipated benefits and drawbacks in the light of the needs and interests of all the family. **Ex. 6.16**

Misconceiving Altruism. Totally disinterested altruism is utterly impractical and does not exist outside theological or radical academic texts.³³ It is inappropriate to expect altruism to be realized as a way of life because an aspiration is defined by the fact that it can be sought but not realized. When treated as a goal, pure altruism becomes indistinguishable from masochism and fosters exploitative tendencies in others. In any case, pure altruism cannot be manifested because any altruistic act simultaneously boosts egoism. For the most virtuous souls it does so by affirming identity and integrity; for others by gratifying a sense of superiority or pride.

Wisdom demands that one should never ask people to act against their own self-interest, and that some self-interest should be recognized in any act. We could then recognize without embarrassment that benevolence does indeed serve self-interest, whilst being mean-spirited and nasty is not only vicious and inhumane but usually self-defeating. In Chapter 5, it was recognized that altruism is best realized in a community where

reciprocation is possible and self-depletion can be prevented. But even reciprocity brings problems: in the Ikk culture, altruistic gestures create such a painful sense of indebtedness that people strive to avoid benefiting from them.³⁴

A further problem with altruism is that it operates without accountability: that is to say, the altruist is not responsible to anyone for the benevolent act, not even to the person being helped. Some altruistic choices ignore the recipient's wishes, or even cause long-term harm, and yet people are nervous about rejecting aid and biting any hand that feeds them.

Taking all these points together, it seems reasonable to suggest that genuine disinterested altruism is found most often in small enduring groups; and that it operates best when it expresses identity, is conventional and likely to be reciprocated, is limited in scope, and requires a minimal amount of deference.

Using the Approach. Communalist-style *investigation* is called for when the balance of consequences of some action for all those concerned is in question. It is then necessary to take a systems approach and provide a model of the situation and its environment. This involves recognizing who is affected, identifying the key factors, anticipating likely effects and changes through time, and assessing the relative costs and benefits. To do this properly requires 'participative system modelling', a method which can become very complex.³⁵ Ethical debate in practice is usually systemic in a broad sense, but much less scientific. It typically involves speculating on consequences of proposed actions, identifying various individuals or groups previously ignored, clarifying who can best tolerate hardship or lesser benefits, and considering a variety of possible choices which affect different groups and with different consequences.

Major social developments seem to require systemic modelling if they are to avoid defeating their objects. For example the development of the welfare state in the UK after 1945 was associated with penal taxation (up to 98%) and persistent discouragement, disparagement and neglect of those with entrepreneurial abilities. This eventually contributed to a general economic decline followed by a backlash in the 1980s that caused much suffering. The end result of the once noble communalist enterprise may well have been to undermine the altruistic ethos within society.

Will the UK decision to proceed with the channel tunnel linking England to Europe be beneficial for future generations when the country's environment, culture, and prosperity are considered as a whole? Rather than scare-mongering, it is worth reflecting on

the failure of another high technology development the Aswan Dam (Ex. 6.17).

The Aswan Dam: The Aswan dam in Egypt seemed to meet a real requirement for irrigation and power and to benefit the population generally. However it proved to have many drawbacks. Over 100,000 people were displaced. Almost one third of the water is wasted because of evaporation and leakage into surrounding rocks. The steady irrigating streams favour the snails that transmit schistosomiasis, a painful debilitating disease which needs to be fought. The naturally fertilizing Nile silt has been lost and much of the electricity produced has had to be used to make fertilizer. The loss of silt has also led to progressive erosion of land in the Nile delta, and has dramatically reduced the tonnage of fish caught there. In due course, salination of the soil, a consequence of irrigation previously prevented when flooding leached out the salts, will cause permanent loss of fertility along the Nile banks. **Ex. 6.17**³⁶

The *quandary* that characteristically emerges in communalist inquiry is where to draw the boundary of concern within which people are given roughly equal consideration. Most people, handle this by recognizing a gradation of sympathy according to proximity, similarity and association. For a person, sympathy might be maximum for intimates, somewhat less for friends, still less for acquaintances, still less for countrymen, and so on. Organizations and governments act in a similar fashion, favouring insiders and supporters before outsiders and opponents. A degree of inequality of consideration seems unavoidable. In the case of decisions taken today to protect the environment, the hypothetical views of still unborn generations have been regarded as worthy of inclusion. However, the hypothetical effect on possible life in other galaxies has not (yet) entered the discussion. The particular issue usually determines just how far concern can reasonably, conventionally, appropriately, self-advantageously or beneficially be taken.

Toxic Waste Disposal: If toxic wastes have to be produced in the service of society, they must be disposed of safely. Organizations in some countries have taken this to mean dumping the wastes in other countries whose firms or governments benefit financially and who do not understand the consequences, or do not consider them. The suffering within foreign countries is experienced as distant and less serious than that potentially suffered within the home country. Awareness of global interdependence has led to a greater concern for the environment. There also appears to be greater altruistic feeling amongst people internationally. These factors tend to make even legal dumping in poor countries an unethical choice. **Ex. 6.18**

The typical *extreme circumstance* occurs when there is a need for a sacrifice. For example, a local community may be expected to suffer, say by allowing a nuclear

waste dump or an airport development, in order that the rest of the country may benefit. In war zones, an injured friend may be left behind so that others can escape. If such situations are not handled satisfactorily, then feelings of guilt and unworthiness, or of being exploited and manipulated, will persist. The most extreme case involves certain loss of life. Caiaphas put the dilemma neatly to the community leaders in Jerusalem so many years ago: "Is it not better that one innocent person be put to death than that the whole people perish?" Horrific stories tell of survivors of shipwrecks or aircraft crashes who decided to kill, even eat, one or more of their number so that the rest of the group might survive.³⁷

Limitations. Communalism is a natural, popular and useful approach to ethical choice, but intense *criticism* within the philosophical literature abounds. Mackie, for instance, calls it a grandiose fantasy, an irrational myth and a recipe for disaster; while Finnis stamps it as senseless.³⁸ Mackie claims it is utopian because people are not capable of considering others fully; impossible because the calculations required to assess benefit overall cannot be carried out; and indeterminate because it is never possible to finalize what factors count, what the distribution of benefit should be, what weighting should be applied and so on. However, such criticism seems excessive and is surely overly mathematical. All that any approach can achieve is to organize thinking around a particular obligation: and communalism certainly does this. Although the balance of benefit and harm for those affected may be difficult to be sure about or gain agreement on, it is not an ambiguous or unreasonable obligation.

Ascending the approaches, we have seen a steady progression from a group-orientation to an individual-orientation and this now culminates in communalism. Communalism reveals the individual as an autonomous being concerned for a self that exists within relationships and which therefore requires concern for both self and others.

However, from time immemorial, the idea of leaving ethical choice to an autonomous individual, depending as it does on the exercise of virtue, has been seen to be insufficient. Aristotle noted that virtues are about what is difficult for humanity. In any case, virtues like benevolence cannot take account of the common good or the needs of the social group beyond each particular individual's awareness, strivings, and capabilities. The maintenance and well-being of the social group is essential to the preservation and operation of individual autonomy. So, paradoxically, the practice of individual autonomy becomes a new constraint to be overcome for the benefit of the individual. This takes us to the

next higher system.

L'-6: THE LEGITIMIST APPROACH

Source of Conviction. The sixth approach to ethical choice focuses, like value systems (L-6), on the theoretical structures which control and constrain choices. Value systems bring sustained order into the operation of value and intention within particular domains of action. Correspondingly, the *source of conviction* in the legitimist approach stems from setting a general (i.e. theoretical) rule which channels and organizes choosing within any approach. The legitimist asks: 'What rule could deal with the issue? Will people follow the rule now and in the future?' Choice of a rule is ethically justified for the legitimist if all in the social group regard it as fair.

Although setting a rule may be precipitated by a particular situation, it has to apply to an indefinite variety of subsequent similar-but-not-identical situations. This means that the rule must be distant from action, quite distinct from immediate goals (strategic or tactical objectives), and somewhat abstract in nature. To ensure rules are workable, they are often systematized to form a coherent and consistent code. Rules cannot be applied to dictate choice in particular situations. In medieval times, books were written in which attempts were made to resolve hard cases of conscience. The authors took the general rules of religion and morality and applied them to particular problems where different obligations conflicted. However, casuistry (as this was called) fell into disrepute because it simply did not work.

Particular situations either call for setting a new rule, or for a non-legitimist approach to choice. Situations in themselves never demand the blind following of rules. Of course, rules, once set, do affect choices (including the setting of subsequent rules), but rules cannot determine choice because each approach perceives rules according to its own nature. In the nature of things, pragmatists obey rules which feel appropriate and conveniently ignore those which do not; conventionalists choose rules which are customarily followed, and so on. Legitimists, of course, advocate respect for rules and adherence to them in general. They tend to regard expedience and other informal obligations as subsidiary and assume that, in the long run at least, following rules produces the best overall result. It follows that the most satisfactory rules are negative in that they indicate constraints or restraints, leaving specific choices open to the operation of autonomy and situational assessment.

Despite the limitation on what rules alone can achieve, much debate about what choice is ethical mistakenly attempts to apply available rules. Be clear: choice means intervening to produce a particular result in the complexity of the social world. Previously set rules never in themselves indicate what choice is right and good now in this particular situation — only people using one of the approaches can do that. (Rules may be used retrospectively to judge whether a choice is right or wrong in some communal or legal or doctrinal sense, but ethical judgement is an entirely different matter to ethical choice.)

Types of Rule. Research revealed that several types of rules may be set. These are: prescriptions (L"-1), conventions (L"-2), tenets (L"-3), rights or duties (L"-4), maxims (L"-5), laws (L"-6), and absolutes (L"-7) as shown in Master-Figure 9. I will examine these rules in detail in Chapters 7, 8 and 9. The focus in this section is on rule-setting as a mode of choice, and the account aims to be broadly applicable to all types of rule.

Principal Features. The *injunction* when setting rules is to be fair or just. Such a choice is 'right'. A rule which is unfair or unjust is 'wrong'. Just rules are not simply a matter for judges or legislators. Fair rules in a family, in a school room, or in an organisation are the very foundation of a culture within which individuals may thrive and willingly contribute.

British Standards: The British Standards Institute exists to set rules which govern the effectiveness and safety of a wide variety of products and services. In developing recommendations for achieving quality within organizations, the framers of the British Standard (BS5750) have been communalist in their explicit concern for all involved — society, shareholders, employees, customers &c. However, their mode of action is legitimist because they have produced rules and because they demand the setting of organizational rules which establish BS5750 in the firm. The influence of lower level obligations is not difficult to see. The British Standard states that firms ought to ensure that their product or service: meets a well-defined need, use or purpose (rationalist); complies with currently applicable standards, specifications and statutory requirements (conventionalist); satisfies customers' expectations (pragmatist); and is made available at competitive prices which will yield a profit (individualist).

Ex. 6.19³⁹

Ethical rules are as necessary for good social life as grammar is for good communication. The more we create organizations and communities, the more we should be concerned about the quality of rules that we set. The rule is typically set on the basis that adhering to it is right even if it feels inappropriate or seems unfair in a particular situation. We noted earlier that Kant con-

cluded that following rules was what ethics was about: no action performed from desire or inclination could be moral. Because the rule is a public structure and its setting demands authority and implies obedience, the legitimist approach is *deontological*.⁴⁰

The *core obligation* lies in setting a rule which is accepted as right by the chooser and all others in the relevant social group. All rules need to emerge from an authority legitimated by the relevant social group. The nature of rules is that they identify support and strengthen natural groups — the community or society, the tribe, the association or organization, the faction. This means that rule-setting supports other approaches to choice without displacing these.

The legitimist approach is concerned above all with regulating the relationship between the individual and the group on which the individual depends. Membership of a group means contributing to the formation and maintenance of its rules. So instilling respect for rules is part of the socialization of any child. To survive, a group must organise itself to ensure that rules are set and followed, and that breaches of a rule are responded to promptly. In any organization, for example, there is a continuing temptation for choices which harm the organization or its staff. Victimization of subordinates, rudeness, bribes paid or received, and dangerous work practices all need to be handled by setting rules and regulations. (Often rules of this sort are termed ethical policies.)

The tension-producing *duality* that emerges here is that between the common good and individual autonomy. The *aspiration* being pursued by setting rules is the common (or collective) good. Unlike communalist choices where equality of benefit is problematic if not impossible, rules can aim to benefit each and every individual absolutely equally within the group because all individuals share a common and equal interest in the sustenance and well-being of the group. The *constraint* to establishing such rules is the autonomy of each individual, because rules cannot make exceptions.

Over-emphasis on either side of the duality leads to deeply unsatisfactory situations. On the one hand, unmitigated exaltation of the common good leads to rules being set which repress and stifle uniqueness and generate a tyranny of the majority.⁴¹ For example, trade unions exist to protect and promote the interests of each member. But situations have frequently developed in which the leaders become distant from the membership and set rules which seriously infringe the liberties of individual members. Strikes without ballots, punishment of members who disagree with the union line, and closed shop agreements all decrease the autonomy of members. If autonomy is being excessively infringed, a

person should be able to work for the introduction of a better rule, or replacement of the rule-makers. As a last resort, people may join or create another group. Disaffected trade unionists within the UK's National Union of Mineworkers, for example, set up the Union of Democratic Mineworkers.

Vietnam War: The anti-communist war in Vietnam became progressively more unpopular in the US, and so conscription became essential. But US society was divided on Vietnam. Those who saw the war as basically unjust felt that legalized coercion was wrong. Many of those who accepted the draft escaped into drugs or subsequently broke down physically or mentally. Others avoided the draft, using a variety of excuses. Some left the country. Some accepted imprisonment rather than fight. Meanwhile, many community leaders called for new laws to be passed based on a withdrawal from Vietnam. They sought abolition of the draft, and full amnesty for all conscientious objectors. These things eventually came to pass.

Ex. 6.20

On the other hand, unmitigated exaltation of individual autonomy leads to social chaos or neglect (as exemplified by the nearly rule-less anarchist communes: see Ch. 5), destruction of the weakest, tyranny by minorities, free-riders or freeloaders who take from the community but do not give, and exploitation of common goods (known as 'the tragedy of the commons'⁴²).

The present balance in many societies seems to be towards autonomy. It is noticeable, for example, that in setting laws about abortion, the academic debate has been largely in terms of individual autonomy — the rights of the mother and foetus and the duties of professionals. By comparison there has been little discussion of what common good is being pursued or what sort of society is being realized by whichever solution is ultimately endorsed.⁴³

Autonomy is important of course. The common good cannot be effectively promoted without it. But, as it turns out, individuals need to be supported and guided in childhood to value their autonomy. As adults, they find that this autonomy cannot be expressed or protected in the absence of a well-ordered social group. To be autonomous without receiving recognition, value and responsibility from the group is difficult if not impossible. Finally, autonomy is liable to be harmful without group control. We saw earlier (in the discussion of individualism and in Ex. 6.14) that the inherent and desirable competition between individuals can only promote the common good if the social group sets rules felt to be fair.

Resolution of the conflicting claims of the group's well-being and the individual's autonomy leads to the

cardinal virtue of justice. Justice is the quintessential community-oriented virtue. It reflects an inner striving to act with a sense of proportion. What the relevant aspects are in deciding fairness must be determined in the situation by the chooser. As with communalism (utilitarianism), the impossibility of mathematical exactitude does not invalidate the search for justice. The corresponding *cardinal vice* is injustice.

Feelings. The feelings particularly relevant to rule-setting are those of fairness and unfairness, of responsibility and guilt, of participation, belonging, alienation and isolation. Such feelings run deep in people.

Fair Pay: Pay is too often handled coercively, either during negotiations between unions and management or in the form of individual incentives. In the case of union negotiations, the result is interminable strife over differentials and encouragement of leap-frogging pay claims. In the case of incentives, the result is a weakening of intrinsic motivation and the promotion of self-interest over the cooperation on which organizational achievement depends. An alternative approach is to tap into what feels fair. The market typically gives an indication of a fair rate, and research suggests that people have a deep feeling for fairness about pay. Some research suggests that rules about pay might be possible by linking it to work complexity and weight of responsibility. The crude use of pay as a motivator not only minimizes the significance of fairness and undermines the possibility of using rules, but also generates counter-productive feelings like alienation from the work-group and greed.

Ex. 6.21⁴⁴

Using the Approach. Legitimist *investigation* to support ethical choice is necessary when there is a need to develop and institute rules to permit or aid cooperation between individuals in the group. The rules either establish the consensus view on behaviour, attitude or thought, or aid resolution of conflicts of interests and needs within and between the members of the group. Rules can be conscientiously designed, and precisely and clearly specified in the course of this inquiry. Rules for enforcement, monitoring and handling non-compliance may be determined simultaneously. Debate over all these matters may be intense.

Ethical rules survive and benefit the social group only if they are well designed and authoritatively set. Rules which are unsatisfactory tend to be ignored, and may bring into disrepute other rules, or even the social group and its institutions of authority. This weakens ethical choice and ethical judgement in general. Each approach has its own view of whether a rule should be followed. So, rules are most effective if they are designed to recognize the obligations in the other approaches. In other words, rules need to be directly relevant to current problems (L'-1), to embody social history and tradition (L'-2), to reflect common ideals

(L'-3), to benefit people as individuals (L'-4), to remind people of the special claims of others (L'-5), to support the social group and be consistent with other related rules (L'-6), and to feel absolutely right and fair (L'-7).

A School Admission Rule: The desire in the UK for comprehensive secondary education to be provided in mixed ability classes led to the establishment of a rule that controlled the proportions of pupils admitted according to their scholastic ability. Although this rule could be generally applied, it was not effective for many reasons. It was easy to get around by both parents and schools. It broke with history and convention. It did not feel appropriate to many. It was not indispensable. Above all, benefits for individuals were neither widespread nor obvious e.g. remedial needs were not properly met, the gifted were not developed, and attention to the average student was disturbed. Insisting on poor rules like this one contributed to the discrediting of comprehensive education as a whole.

Ex. 6.22

Because all ethical rules deliberately aim to channel and limit the individual, the *quandary* generated is how to handle the diminution of individual freedom that results. A variety of possibilities exist. One tradition would say that such curtailment should be kept to an absolute minimum. Another might argue that individual freedom must be viewed as secondary. A further possibility is to propose the maximum involvement of people in rule-making.

From what has been said so far, it follows that the first duty in the ordering of any group is for it to evolve or devise just rules to govern its members' actions. The *extreme circumstance* here is one where the group as a whole is chaotic or strife-ridden. Rules are then needed more than ever but they cannot be set. Families in poor socio-economic circumstances which do not carry out basic family tasks have been found to be severely disorganized and to lack the ability to set necessary rules to govern work patterns, management of finances, association with friends, or care of their children.⁴⁵ When a social group is deeply divided, as occurs in communities like Northern Ireland, it is extremely difficult to formulate rules which are generally regarded as just and have the support of all. Rules regarded as unjust by large sections of the group are difficult to enforce. People tend to flout the rule and risk the consequences as we saw in the case of the Vietnam conscription law (Ex. 6.20).

Limitations. *Criticisms* of legitimism focus largely on the abstract and general nature of rules. Rules seem either too indeterminate to take account of shades of circumstances fully, or too nit-picking and detailed in an attempt to overcome this difficulty. Often the new

rule conflicts with previous rules and makes application problematic. However, such criticisms expect too much of rules. In particular, they expect rules to determine choice when they can only govern or channel it. As emphasized at the outset, attempts to choose solely by rules never work. Philosophers may play games of increasing the precision of rules, positing hierarchies of rules, or invoking meta-rules such as 'estimate the relative stringencies of the rules in each case', but these simply do not fit with the way people actually operate.

The most serious criticisms are about the way the approach is implemented and not about the approach itself. For example, the rule-setting process may be too slow and cumbersome. Setting a rule may be used to justify coercion, even violence in the case of the state, in order to secure compliance. The idealization of a perfect authority may encourage slavish and mindless choice according to the letter of the rule. Such phenomena are a function of the maturity of people and their societies and not indictments of the legitimist approach itself.

Setting a rule may well serve the general good without unduly curtailing a person's autonomy. However, even if all the requirements of the temporal order were met, as represented by resolution of the dualities of the six approaches so far considered, the spiritual order has yet to be taken into account. This distinction, perhaps hazy now — at least in philosophical and scientific circles — was well recognized in classic times. Protagoras, a sophist, is made by Plato to explain that men fought each other until given *dike* (law, justice) and *aidos* (shame, honour) which were essential for social living.⁴⁶ *Dike* has been considered, and it is now necessary to turn to *aidos* in the next and final ethical system.

L'-7: THE TRANSCENDENTALIST APPROACH

Source of Conviction. The seventh and final approach to ethical choice focuses, like ultimate values (L-7), on experiential states that transcend the person and the situation. This level of purpose is the source of all value, is equivalent to absolute good, and is routinely associated with deities. Correspondingly, the *source of conviction* in the transcendentalist approach is the use of the self as a channel to absolute, possibly divine, guidance which must be wholly good. The transcendentalist therefore asks: 'What choice is morally or fundamentally required?' or 'What does my essence and integrity demand?' or 'What does God want of me?' Choice for the transcendentalist is ethically justified if it is driven by a genuinely deep and transpersonal inner sense of

what is good and right. For those of a religious disposition, the choice is man's but it originates from God. It follows that the transcendentalist approach provides ethical conviction and faith to feed all lower level approaches.

Principal Features. The *injunction* in this approach is to be; or, if pure being sounds mysterious, to be aware and to be true to oneself; or, in the language of modern humanistic and transpersonal psychology, to be authentic.⁴⁷ Only through one's own self, that is to say through inner awareness and open imagination, is it possible to make contact with one's true self, with others, and with the deepest sense of the situation. So, awareness and authenticity are 'good'. Correspondingly, being false, artificial or hypocritical is 'bad'. To turn away from awareness is to turn from humanity and from God.

As indicated above, the *core obligation* is to be found in a natural response to a deep inner sense or inspiration of what is right and good. Such responses are aided by a realization that they emerge from the eternal and divine. The transcendentalist approach emphasizes pursuit of the good in so far as it can be known, and so it is the ultimate and dominant *teleological* system.

Because of the deeply personal character of choice within this approach, readers must be referred to their own experience for examples. Numerous examples are available from mythology, holy books, the lives of great men, and great literature. The transcendental choice may accord with the choice reached within any of the preceding systems, although the process for reaching the choice is different. This difference becomes most evident when the transcendental choice is counter-intuitive, and not in accord with preconceived values or conscious desires.

Samuel, the Prophet: Old Testament prophets, like Samuel, were frequently undecided about the best course of action in complex social situations and would talk with God. Samuel's sons were corrupt judges, so the elders of Israel came to him to appoint a King to govern instead. Samuel did not personally approve this idea. However he prayed and the Lord replied: 'Listen to the people and all that they are saying; they have not rejected you, it is I whom they have rejected. Tell them what sort of King will govern them.' Samuel painted a realistic picture of an oppressive monarch but the people still wanted a King. Samuel prayed again. The Lord replied: 'Take them at their word and appoint them a King.' Samuel did so. Without diminishing Samuel's gift of prophecy, one might well regard the words of God as Samuel's deep insight into what he should say in the situation, despite his own misgivings and personal preferences. Ex. 6.23⁴⁸

The *duality* that emerges here is that of spirituality and temporality. The *aspiration* is to be attuned to and in

harmony with the spirit, and to be guided by this. Spirituality depends on maintenance of faith and hope and a deep and mysterious sense of participation in the interconnectedness of all being. However, the temporal order imposes a *constraint* on what is possible. In the temporal domain, compromise is valuable, uncertainty unavoidable, and doubt necessary.

On the one hand, turning wholly away from the mundane is undesirable except for those few with a monastic or hermitic type of religious vocation. For the rest of us, severe material deprivation spoils freedom and perverts ethical choice. On the other hand, turning wholly away from the spiritual means to fragment oneself, and to be cut off from the power of being, including metaphor and myth, that constitutes the cosmos and makes human life possible. Few desire this. Doubt in God or a God-equivalent is not secular maturity but evidence of spiritual disturbance.

Resolution of the tension between these two great orders of existence results in the *cardinal virtue* of integrity. Integrity ensures that the eternal and spiritual serve as the ultimate aspirational context which guides the temporal and mundane. Integrity refers to the maintenance of a state of wholeness, completeness or perfection (from L. *integer* - intact). The corresponding *cardinal vice* is corruption (from L. *corruptus* - destroy, ruin). Corruption blocks meaningful human relationships, and leads to treachery and betrayal of the self and others. Sadly, the integrity of a person may be labelled as betrayal by the social group.

Luthers Conversion and Heresy: Martin Luther did brilliantly academically, and then to the distress of his family and friends, he entered a monastery in obedience to a call from Heaven. He devoted himself to his new vocation and further studies with equal dedication and insightfulness. The corrupt sale of indulgences was doctrinally and practically abhorrent and led to him posting his 95 Theses in 1517. Thus commenced a flow of controversial writings dealing with a whole variety of theological, biblical, institutional and practical matters. To maintain his integrity, he broke church rules of ritual, convention, belief, and rights. This ultimately led to his excommunication. Ex. 6.24

Spirituality appears to be an aspiration that is primarily a property of persons. The aspiration can be realized in part in the process of union (as we saw in Ch. 5), but union does not do away with the need to handle the demands of temporal reality. As new religious movements become established as churches, union often tends to be debased by temporal concerns which ensure popularity. However, some spiritual movements have found ways for groups to resolve the tension (see Ex. 5.3 and Ex. 6.25).

Steiners Anthroposophy: Rudolf Steiner (1861-1925) established anthroposophy based on his own capacity for spiritual perception and his desire to nurture spiritual faculties in others and in society generally. His is one of the few spiritual movements that is not a church and yet has penetrated constructively into many fields of human activity: education for normal children; homes and schools for maladjusted and physically or mentally retarded children; a biodynamic method of farming and gardening; centres for scientific and mathematical research; eurhythm, an art of movement to speech and music; and schools of painting, sculpture, architecture, speech and drama. Ex. 6.25⁴⁹

The Fashion for God. Over the last century, it has been increasingly fashionable for philosophers and scientists to deride God, the transcendental, spirituality and pure Being. Or, at least, to regard these notions as either private and non-discussible or devoid of meaning and utility. However, from earliest times until very recently, the ultimate source of ethical understanding and virtue in behaviour could not be otherwise imagined. Plato and Aristotle, twin sources of the Western tradition, took the divine interpenetration of reality for granted in a way that was emotionally neutral and intellectually supportive. At the same time, in the East, Confucius and Chinese philosophers in the subsequent two centuries also made ethical action the mainspring of all achievements and social relations, while still rooting life in Tien (Heaven), the supreme cosmic spiritual power.⁵⁰

In modern times, affinities with this tradition can be seen in the work of theistic and atheistic existentialists like Bergson, Kierkegaard, Heidegger, and Sartre; anti-rationalist personalist theologians like Barth, Buber, Tillich, and Niebuhr; and transpersonal or spiritual psychologists like Jung, Krishnamurti, and Gurdjieff. The view presented by such thinkers is that the individual exists and creates himself in acts of free choice. The very ground of being should be rediscovered and re-experienced daily. Choice is critical for being, and all transitory human values — value systems and social values — are insignificant. These thinkers recognize that man, at moments of crisis, touches the infinite and transcendent which can never be formulated, verified, explained or proven.⁵¹

Feelings. Experiential reality is now paramount because transcendental awareness can only manifest through feeling states and symbols. Ethical choice emerges here in the form of an intuition, which is driven primarily by the imagination (not by conscience or reason). As already emphasized, the choice may be counter-intuitive. Sometimes it is communicated by an inner voice, hallucinatory vision or dream. It then takes the person and associates by surprise, as in the case of Samuel (Ex. 6.23) and Luther (Ex. 6.24).

Using the Approach. Transcendentalist *investigation* is required when personal integrity is at stake and when transpersonal guidance is felt to be needed for choice. For example, a citizen with strong law-abiding convictions may regard a particular law as unjust, and wonder whether she should refuse to obey it despite serious consequences. The choice here must not be made using the conscience, which is an accident of upbringing, but by some deeper awareness of a higher ethical reality.

The self is the vehicle for the expression of this higher reality. So the person must conduct the investigation by turning inwards to gain awareness and spiritual support. Habitual self-awareness and the deliberate practice of integrity generate inner confidence in ethical choice. Study of ethical tracts and contemplation of virtues in the lives of others is also helpful. Methods to activate inner awareness may also be useful. These typically ensure that a conducive state of consciousness is developed through meditation, concentration and focusing of attention. Spiritual counselling which does not impose on the person may release blocks. The key tasks are to locate the individual within himself or herself, and to develop the capacity to self-reflect and avoid automatic identification with one's own experience and everyday intuitions. Spiritual aids such as prayer, ritual, holy scriptures, body control (like yoga) or oracles like the *I Ching* may be used.

The transcendentalist approach comes into its own in deeply felt or highly complex situations involving others, especially in extreme circumstances of any sort. Any possibility may then be chosen — as long as integrity is not compromised. The *extreme circumstance* characteristic of this approach occurs when a person's integrity is being directly assaulted. If it is not possible to accommodate to the situation or escape from it while maintaining integrity, then death appears preferable. In Camus' memorable phrase: 'It is better to die on your feet than live on your knees'.⁵² The alternative to physical death is a spiritual or emotional death in which the person goes mechanically through the motions of living, but is not energized or involved.

Hell on Earth: The Nazi concentration camps consisted of a sustained assault on personal integrity. Inmates were subjected to the most brutal and humiliating treatment, were threatened and tortured, and regularly witnessed death and cruelty. A very few individuals, like Bruno Bettelheim, were able to maintain their integrity despite the camp conditions and subsequently lived a constructive life. Many became apathetic (the 'Mussulmann state') and died in the camps. For most, survival depended upon developing a 'camp mentality' which included lying, stealing food, betraying others, envy, not helping friends in need, and hardening oneself against feelings of any sort. The long-term consequences were not only physical

and mental illness, but intense guilt and shame, and dysfunctional social attitudes. Survivors have had great difficulty in bringing up children with positive values including a belief in the possibility of a better world.

Ex. 6.26⁵³

The *quandary* that emerges when using transcendental choice is how to communicate the choice so that its true nature is known. Others commonly doubt whether the choice genuinely expresses inner awareness (inspiration or divine guidance) — or reflects either self-delusion or the effect of temptation, preference or convenience. For example, if the choice is admirable, the chooser may struggle internally with a sense that the choice is based on pride. Counter-intuitive choices (i.e. which oppose personal beliefs, views or norms) require integrity and courage to pursue, as in the case of Samuel (Ex. 6.23). Choices which run counter to social norms engender social rejection and condemnation, as in the case of Luther (Ex. 6.24), and sometimes punishment, as in the case of conscientious objectors.

Limitation. The chief *criticism* of transcendentalism focuses on the difficulty in being sure about insight, particularly whether it has been kept free of outer social and inner emotional forces. Many in authority fear it offers a *carte-blanc* for each to do as he pleases. Self-delusion is as possible in the ethical realm as in other areas of knowledge, perhaps more so. And self-exculpation is a risk. But such things need to be seen as a form of corruption, ignorance or illness. As already noted, much modern philosophy is unsympathetic to a transcendental approach. Some arrogantly dismiss transcendentalism as utterly implausible and childish; some confuse it with listening to one's conscience; and some view it mistakenly as an abdication of responsibility for rational thought.⁵⁴

Because spirituality and temporality cannot be fused to form a new constraint at a higher level — unless it be a deep perception of realities (L'-1) — the hierarchy is completed practically as well as logically. The evolution of the dualities suggests that ethical choice might well be seen as ensuring that the highest ethical aspiration, for spirituality (L'-7), takes cognisance of and ultimately penetrates the most basic ethical constraint, awkward realities (L'-1).

REVIEWING APPROACHES TO ETHICAL CHOICE

The seven distinctive approaches to ethical choice that emerged in the research have now been described, labelled, ordered and illustrated: rationalist, conventionalist, pragmatist, individualist, communalist, legitimist, and transcendentalist. We saw that these seven

allow for both teleological and deontological viewpoints (in alternating order as it happens). Because the topmost level is transcendentalist, the framework seems to suggest that people have a sense of what is right and good which emerges ultimately from an unconscious union with Being/God.

Certainly, ethical choice requires a conviction about what is right and good, a conviction whose origin is mysterious.⁵⁵ But this conviction can attach itself to any of the approaches, and it may explicitly repudiate transcendentalism. The completeness of the set of approaches is logically derived from the notion that conviction in each emerges from a focus on one of the seven levels of purpose. The approaches are discrete but their hierarchical relationships are intuitively evident when one considers the evolution of aspirations and other properties.

Analyses of obligations in actual situations have thrown up a greater variety of approaches to ethical choice than is generally evident from the literature. Most writers tend to focus heavily on communalism (under the label of utilitarianism) or legitimism (under the label of deontology). Transcendentalism (under various labels) is also popular as part of the New Age movement. Although these three approaches are of great importance, my researches and everyday observation indicate the widespread and effective use of the other four approaches.

The regular application of any of the lower five approaches is discretionary. However, setting rules within a group is essential for a satisfactory social life (L'-6), and authenticity is essential for a satisfactory personal life (L'-7). The communalist approach (L'-5), the most complex of the discretionary approaches, is also generally judged to be ethically superior, in so far as a concern for all rather than just for the chooser is explicitly sought. The individualist approach (L'-4) provides for the strongest drive towards achievement, but is the source of the destruction that comes in the wake of truly creative individuals. The pragmatist approach (L'-3) provides the greatest certainty in achieving some tangible benefit whilst recognizing a multiplicity of value positions. The conventionalist approach (L'-2) stabilizes social identity and is the ultimate base for grounding all changes in values and behaviours. Finally, the rationalist approach (L'-1) provides a focus on means and so ensures that choice is practical and effective.

Personal Liberation. The ethical systems show a progressive personalization and liberation of the individual human being from situational embeddedness. At L'-1, the rationalist approach is almost completely depersonalized. Man is embedded in problematic

situations, and people (even the chooser) may need to be altered or removed to maximize benefits. At L'-2, the conventionalist approach sees people as equivalent to each other, because customs and traditions, by definition, are similar from person to person. Personhood is submerged within this similarity. At L'-3, the pragmatist approach explicitly introduces personal preferences and differences in value position into the choice process. At L'-4, the individualist approach goes further by placing each person and his survival and interests at the centre of ethical choice, and assuming each person is responsible for himself. At L'-5, the communalist approach recognizes that each person exists within relationships, and posits the value of care and concern for others. At L'-6, the legitimist approach protects all individuals and the social group on which each individual depends, but without seeking to determine the handling of specific situations. At L'-7, the transcendentalist approach affirms the uniqueness and creativity of each person and fosters choices which recognize the significance of the eternal and the good.

Making the Choice. All or most approaches are usually relevant to any issue. Yet when something specifically has to be tackled, individuals are likely to identify predominantly with just one (or two) of the approaches and put the others to one side.

Unfortunately, ethical debates are futile if opposing camps argue from within different approaches. Like any battle of value systems, there can be no meeting ground. The only way out is to adopt an encompassing overview so that each camp can appreciate and respect the approach taken by others. This framework offers such a perspective because it unequivocally values each of the approaches and provides a place for all.

But taking an overview is not to step outside the framework. There is no alternative apart from the seven which have been identified. It is not even clear how meaningful it is to speak of choosing the best (or right) approach, because self-consciously choosing which approach to use must be carried out with one of the approaches! A comprehensive view of any issue may be obtained by applying all seven approaches, even though there is no superior way to synthesize the results. I will now illustrate the whole framework by applying each approach to the same choice issue: whether or not to legalize addictive drugs.

LEGALIZING HARD DRUGS AN EXTENDED EXAMPLE

The issue to be decided is whether addictive drugs like cocaine and heroin should be legalized or whether prohibition should be maintained.

What is the situation? The US and other governments have not been able to prevent the use of addictive drugs and the crime, ill-health, social decay and violence which flows from trafficking and abuse. Prohibition creates crime and puts the authority of the state at risk. International trade is estimated at \$500Billion. It seems that 'the greatest beneficiaries of the drug laws are drug traffickers'.⁵⁶ Despite US requests and aid, governments of Colombia and other supplying countries have not been able to stop the producers. In Columbia, drug producers have declared war on the government, and successfully terrorize the judiciary and politicians. The money they obtain buys support from many local people as well. The US Government's customs and police force do not have the strength to stop cocaine entering the country or being distributed and taken. Society is preoccupied with drugs as a moral issue, but the war on drugs has failed. Officials have been publicly pessimistic.⁵⁷ As penalties for drug trafficking have increased, the imagery of war has heightened and the trade has become more violent and professional.⁵⁸

Why is the issue ethical? Drug legalization is an ethical issue for three reasons. First, addictive drugs are harmful to the individual and wider society, and prohibition is leading to many harmful effects including the stimulation of crime. Ethical injunctions are being violated in the sense that unacceptable, inappropriate, unlawful activities thrive. Second, a value controversy exists: drug use and drug legalization or prohibition is supported or opposed according to different value systems within society. Intense emotions surround the issue. Third, the ethical meta-principle of consistency appears to be violated in that some addictive and dangerous agents like cocaine and heroin are banned and some, like alcohol and tobacco, are not.

Who is responsible? When making an ethical choice, the responsibility of the chooser must be clear. It is amazing how easy it is to decide something and come down on the side of virtue if one is not responsible for implementation and can avoid suffering if the choice is disliked by others or turns out to be mistaken. In this case, we will assume that the responsibility for choice lies with the US Government.

As we consider the application of each approach in turn, the reader can imagine himself as a Congressman, Senator or President. Please note: the aim here is not to provide a complete definitive analysis of the drug problem or to persuade anyone, but rather to illustrate the consequences of making different assumptions about how to choose ethically. You may well imagine alternative arguments within particular approaches or argue the differential applicability of the approaches.

But remember: 1) any debate must lie within a single approach; 2) denying the validity of any approach is counter-productive.

Using Rationalism

The rationalist asks: *is there a worthwhile objective to be met by legalization using available means?* The answer is clear. **YES** — there are many. Legalization would: (1) decriminalize the activities of large numbers of people; (2) allow better control of the availability and use of drugs; (3) allow monitoring or control of price and quality of drugs; (4) remove money from the criminal subculture; (5) allow for taxation revenue on profits from sales; (6) save money spent on control; (7) reduce drug-related deaths and crimes like prostitution, bribery, theft and fraud based on drug money; (8) reduce drug-related illness like AIDS; (9) help rescue states like Colombia from anarchy; (10) allow the Government to become less involved with the domestic affairs of countries like Columbia; (11) provide work and jobs in a new industry.

The means are available to pursue the above objectives through legislation. Of course, there would need to be regulation of production, distribution and sale. Steps could and should be taken to discourage use and abuse of drugs: for example by taxation, control of advertising and distribution, limiting availability and public health measures.

The rationalist also asks: *is there a worthwhile objective being met by prohibition?* The answer is less clear, but **NO** is the most likely conclusion. Vast sums of money are being spent on a failed attempt to enforce prohibition: from \$1B in 1980, to \$4B in 1988, and up to \$8B in 1990.⁵⁹ Of course, work and jobs are provided in the policing and drug control drives, but this is non-productive expenditure. In any case, prohibition has not worked in the past, is not working now, and is unlikely to work in the future.

Prohibition does enable a symbolic war against evil, and the public rallies behind it. But this objective does not appeal to the rationalist: if a fight against evil is wanted, why not make it useful and winnable by fighting illiteracy, tax evasion or corruption in high places instead?

Verdict. The rationalist conclusion is that it is *reasonable to legalize* and *unreasonable to prohibit*.

Using Conventionalism

The conventionalist asks: *is it socially acceptable to legalize addictive drugs?* The answer here is reasonably clear. On balance: **NO**. American society tends to allow

the use of certain addictive drugs like caffeine, nicotine, alcohol and many tranquillizers and to prohibit, more or less completely, other drugs like sedatives, narcotics, hallucinogens, and stimulants like amphetamines and cocaine. The logic or lack of logic behind this categorization is irrelevant for a conventionalist. The brute fact is that hard drug legalization is an anathema.⁶⁰ It is true that certain countries, like the Netherlands, have taken a more liberal approach without harm, but the conventionalist does not regard the values of other societies as relevant.

The conventionalist also asks: *is it socially acceptable to prohibit addictive drugs?* The answer is unambiguous: **YES**. Prohibition currently exists, and most people expect it to continue. Government policies and pronouncements have been prohibitory and condemnatory of drug-taking for many years, so legalization would be a dramatic and traumatic turnaround. Prohibition of alcohol did fail, but the fact that it was even attempted reveals something of the cultural tradition. Substances with the potential to damage the foolish and inadequate are generally believed to need tight regulation. Hard drug use (unlike alcohol use) represents weakness and dependence, while abstinence represents strength and self-sufficiency. The public clearly accepts prohibition as a way of expressing such values.

A thoughtful conventionalist might well consider whether the time had come to abandon prohibition and modify habits of popular moral thought. Prohibition would be abandoned if it could be shown that a view of hard drug use as a beneficial custom was rapidly increasing, and that the marketing and use of drugs was evolving largely out of society's control. This does not seem to be the case, and the conventionalist approach urges the blocking of any such evolution of attitudes and behaviour.

Verdict. The conventionalist conclusion is that it is *essential to continue prohibiting*, and *utterly unacceptable to legalize*.

Using Pragmatism

The pragmatist asks: *is it appropriate for us in the US government to legalize addictive drugs in the present situation?* The answer is fairly clear: **NO**. The main values uppermost in the government's mind are two: the view of voters which the government is expected to represent, and the moral high ground which represents the relevant ideal. Retaining the moral high ground is important because a government does well when it is seen to be in a war on the side of good against evil.

It is evident that most people simply do not want greater availability of dangerous substances liable to

misuse by their children. Addicted individuals gain some minimal pleasure in life with drugs but they rarely vote so the potential constituency for legalization is weakened. This allows most voters to ignore the poverty and suffering that underlie the urge to abuse and deal in drugs, and lets them blame the use of drugs on personal weakness. Only when the costs in money, social disruption, disability, and deaths associated with prohibition are themselves becoming unacceptable, will the potential for legalization develop.

The pragmatist also asks: *is it appropriate for us to continue prohibiting addictive drugs in the present situation?* Again the answer is a fairly definite **YES**. Prohibition and the associated condemnation of hard drugs is easy and straightforward, while legalization with controls would be difficult and complicated. To many voters, the imagery of war generated by prohibition is appealing, and legalization would look like losing, giving in, or even rewarding crime. Taking the situation as a whole, the gut reaction of a politician with his finger on the public pulse seems to be to keep on and toughen prohibition.

Verdict. The pragmatist conclusion is that it is currently *inappropriate to legalize* and that it is perfectly *appropriate to continue prohibiting*.

Using Individualism

The individualist asks: *would the US government's security and advantage be increased by legalization?* The answer here is: **NO**. The concern here is not so much with the power or security of the nation in relation to other nations (because that is probably unaffected), but with the security of the government in the domestic context.

Those in government have, by definition, the power to legalize. However, this power depends on the support of the electorate. If the public regard legalization as giving way to evil, then whatever the long-term gains to society as a whole, severe electoral risk would be courted by lifting prohibition. The opposition party would immediately exploit the situation and might well force a humiliating back-down or use the choice to discredit the administration and sooner or later to regain power. The government does suffer from the fact that it is unable to prohibit effectively. Legalization might well solve this problem, at the same time demonstrating leadership and generating funds via taxes, but the risk of forfeiting voter support seems too great.

The individualist also asks: *would the US government's security and advantage be increased by continuing to prohibit addictive drugs?* The answer seems to be: **YES**. Again, there is no international pressure for legalization. Most

allies also prohibit hard drugs and would be dismayed by any softening of the line. Domestically, the balance of power amongst voters is heavily tilted to prohibition, with only a tiny minority of academics and intellectuals seeking reform. Little harm will come to the government itself (as distinct from drug-takers and those unhappily caught up in drug-related crimes) from continuing prohibition. It might well be that changing social mores or the cost and humiliation of the failure of prohibition will one day force the government's hand, but this situation does not currently exist.

Verdict. The individualist conclusion is that it is to the *advantage of the government to refrain from legalization and to maintain prohibition*.

Using Communalism

The communalist asks: *is it more beneficial or more harmful overall to legalize or to prohibit addictive drugs?* The answer is not clear. The main sub-groups within society who have an interest (outside government itself and its drug-related agencies) are non-drug users, those highly susceptible to future drug abuse, drug users, those suffering from the criminal side-effects, and those obtaining money or living off the drug trade. (People in other societies also need some consideration, but a government has a duty to put its own people first.)

Factors relevant to benefit (as explained when considering the rationalist approach) primarily affect the poor. Even most of the crime is aimed at the poor, or occurs amongst criminals. The bulk of the population are non-takers and would not be directly affected by legalization. However some would be protected by the reduction in criminal activity, and all would benefit from a reduction in criminality and the release of resources to aid the poor.

Drug use in society might well increase, but those most susceptible at present could be given some protection. It is very likely that a proportion of middle-class non-takers would become addicts and would thereby be harmed.

The harmful effects on the population as a whole of appearing to condone evil or of giving in to criminal activity are difficult to assess, but might be substantial. The effect on the criminal sub-culture of being deprived of a lucrative trade is difficult to estimate. The harmful effect on the country of the opposition winning future elections if legalization goes ahead and then repealing the laws is also relevant, but uncertain. Finally, future generations might possibly benefit from a more rational approach to drugs.

Verdict. The communalist conclusion is that *it may*

possibly be more beneficial overall to legalize. However benefits are difficult to estimate with any certainty and moving from a state of prohibition to ensuring achievement of those benefits would be very complicated.

Using Legitimism

The legitimist asks: *is either drug legalization or prohibition fair?* and wishes to determine this by using and setting rules. Although the example is itself legitimist, it is meaningful to consider whether to set a superordinate rule governing legalization or prohibition. This would imply dealing with the US constitution which determines the validity of laws. The right to take drugs of any sort in private could be seen as a basic human freedom like the right to bear arms. Either the constitution could be modified by referendum or the current prohibition could be challenged in the Supreme Court as an illegal and improper infringement on personal liberty. However, the US government is under no pressure to bring a test case or conduct a referendum.

Alternatively the legitimist approach could consider the US government as an individual and the social group as the nations of the world. The legitimist could then ask: *what rule should the US government and other governments in the international community set in regard to the powers of governments to prohibit or legalize addictive drugs?* At present there is no international rule demanding either drug prohibition or legalization; and the government would not want its own future freedom of action curtailed by setting such a rule.

Verdict. The legitimist conclusion is that *no rule should be set to govern whether or not to proceed with legalization or to maintain prohibition.*

Using Transcendentalism

The transcendentalist asks: *Is either drug legalization or prohibition an authentic act?* A government does have a duty to foster authenticity. It can reduce hypocrisy and corruption amongst its citizens by passing laws which accord with the nature of human beings.

Drug use is a normal human activity which has gone on since humanity emerged and which is only wrong because the law says so. The right to drugs is a form of property right and an expression of liberty. Constraining entitlements and freedoms is only justified when harm to others is obviously being prevented. Drug-taking need not necessarily harm oneself at all, and need not harm others. The prohibition of drugs appears to confuse distinctions between drug-use and drug-abuse, and between drug-taking and drug-dealing with its related crimes. Prohibition, not legalization, seems to be the bringer of harm. Prohibition is also

hypocritical because wealthy people can and do get drugs in a trouble-free way whereas the poor are scapegoated and criminalized.

However, the transcendentalist in government must be practical and realistic (like Samuel in Ex. 6.23). This means asking: *which of legalization or prohibition is really the right thing to do now?* Despite all the logic and facts, and putting expedience and self-interest aside, would continued prohibition or would legalization really produce better people, a better society, and the right result given present realities? Each legislator has to face this issue personally, in much the same way that each person must face the issue of whether or not to take drugs when offered.

Verdict. If a transcendentalist approach were used in government, each legislator would acknowledge the current hypocrisy and then vote, following meditation or prayer, according to a deep inner sense of what was best.

Making the Choice

Each approach exists independently in its own right. The seven cannot be summed in any logical way. Nevertheless, by gathering together the verdicts for each approach some general picture may emerge. In this case, the answers given to the question as to whether it would be ethically proper to legalize addictive drugs are:

- L'-1: Legalize
- L'-2: Do not legalize.
- L'-3: Do not legalize.
- L'-4: Do not legalize.
- L'-5: Probably do not legalize.
- L'-6: Do not constrain legalization.
- L'-7: Personal choice: no general guidance.

The overall verdict seems to be to retain prohibition. The most concrete approaches — conventionalist, pragmatist and individualist — are decidedly against the idea. The communalist approach is uncertain. The legitimist approach is neutral and against any rule which would constrain the choice of legalization. The transcendentalist approach emerges from private personal reflection. The only approach which clearly favours legalization is the rationalist approach. Not surprisingly, drug prohibition continues at the time of writing.

OUTLOOKS ON CHOICE ACTION AND INQUIRY

If you, the reader, have persevered to this point, you will have some inner sense of affinity with one or more

of the approaches; and, possibly, an increased tolerance of the others. If I have conveyed these ideas well, you may even have started to wonder about your habitual handling of certain matters in your work or personal life.

When you felt your way into the approaches, you may have become aware that they touch closely on the ways by which you get confidence when making decisions, or get certainty when trying to know about something. This is not the place to explore systematic inquiry and decision-making in detail, but the similarities that you sensed should not be suppressed. In fact, approaches to decision-making and systematic inquiring can be shown to emerge, like ethical choice, from seven-level frameworks.⁶¹ I have laid out the three sets of approaches in Master-Table 8 for interest. You may find that levels which suit you differ in the various domains.

In each of these three great domains — inquiry, choice, action — the approaches clarify assumptions with which people have been found to identify spontaneously. A similarity exists between approaches because of the close connection between the three domains. All action demands inquiring and implies ethical choice where value systems collide; all inquiring is action and may lead to ethical dilemmas about what ought to be

done with the results of inquiry; and as we have seen, ethical choice calls for both inquiring and action.

Another reason for similarity is that each seems to flow from a personal outlook. By applying certain beliefs, albeit unknowingly, to the practical business of knowing, doing or choosing, people have created the approaches. These beliefs have been elaborated more systematically as philosophical doctrines. (The labels in Master-Table 8 were chosen primarily to be useful and appealing in consultancy, and not to meet doctrinal criteria of purity.⁶²)

The personal outlooks implied by each level are as follows. At L'-1, move forward logically. At L'-2, deal with things as everyone agrees they are. At L'-3, take small, easy, desirable and obvious steps. At L'-4, reconcile diverse conflicting outlooks. At L'-5, develop the whole system by balancing all relevant factors. At L'-6, impose a structured approach. And at L'-7, let the Spirit move you.

Transition. Ethical considerations constrain decision-making. To delve more deeply into ethical choice, we must now focus on the legitimist approach which contains rules which seek to constrain use of the other approaches. The easiest way into rules is through an examination of human identity and those moral institutions, founded in rules, which have emerged with the

Master-Table 5 Properties of the seven approaches to ethical choice.

The core obligation can be viewed as either a social value (L-5) or an ethical maxim (L*-5). See text for further details and examples.

| L | Type of Approach | Core Obligation | Classification | Injunction to choose: (Interdiction) | Aspiration and Constraint | Cardinal Virtue Cardinal Vice |
|---|-------------------|---|----------------|--|-------------------------------------|----------------------------------|
| 1 | Rationalist | Meeting practical objectives which are self-evidently sensible and worthwhile to the chooser. | Teleological | Reasonably (Unreasonably) | Solutions and Realities | Wisdom : Folly |
| 2 | Conventionalist | Conforming with widely held views on what is valued and proper within the chooser's relevant social group. | Deontological | Acceptably (Unacceptably) | Continuity and Change | Moderation : Extremism |
| 3 | Pragmatist | Pursuing values which are preferred by the chooser, bring some general benefit, and are easily applied. | Teleological | Appropriately (Inappropriately) | Ideals and Potentials | Prudence : Recklessness |
| 4 | Individualist | Ensuring the chooser's security and interests in the light of existing power relations. | Deontological | Self-advantageously (Self-disadvantageously) | Strengths and Vulnerabilities | Courage : Arrogance |
| 5 | Communalist | Balancing all anticipated consequences in relation to the needs and interests of all concerned including the chooser. | Teleological | Beneficially overall (Harmfully overall) | Altruism and Egoism | Benevolence : Indifference |
| 6 | Legitimist | Setting a rule which is accepted as right by the chooser and all others in the social group. | Deontological | Fairly (Unfairly) | Common good and Individual autonomy | Justice : Injustice |
| 7 | Transcendentalist | Responding to the chooser's deep inner (and essentially divine) sense of what is right and good. | Teleological | Authentically (Hypocritically) | Spirituality and Temporality | Integrity : Corruption |

Master-Table 6

Using the approaches to ethical choice.

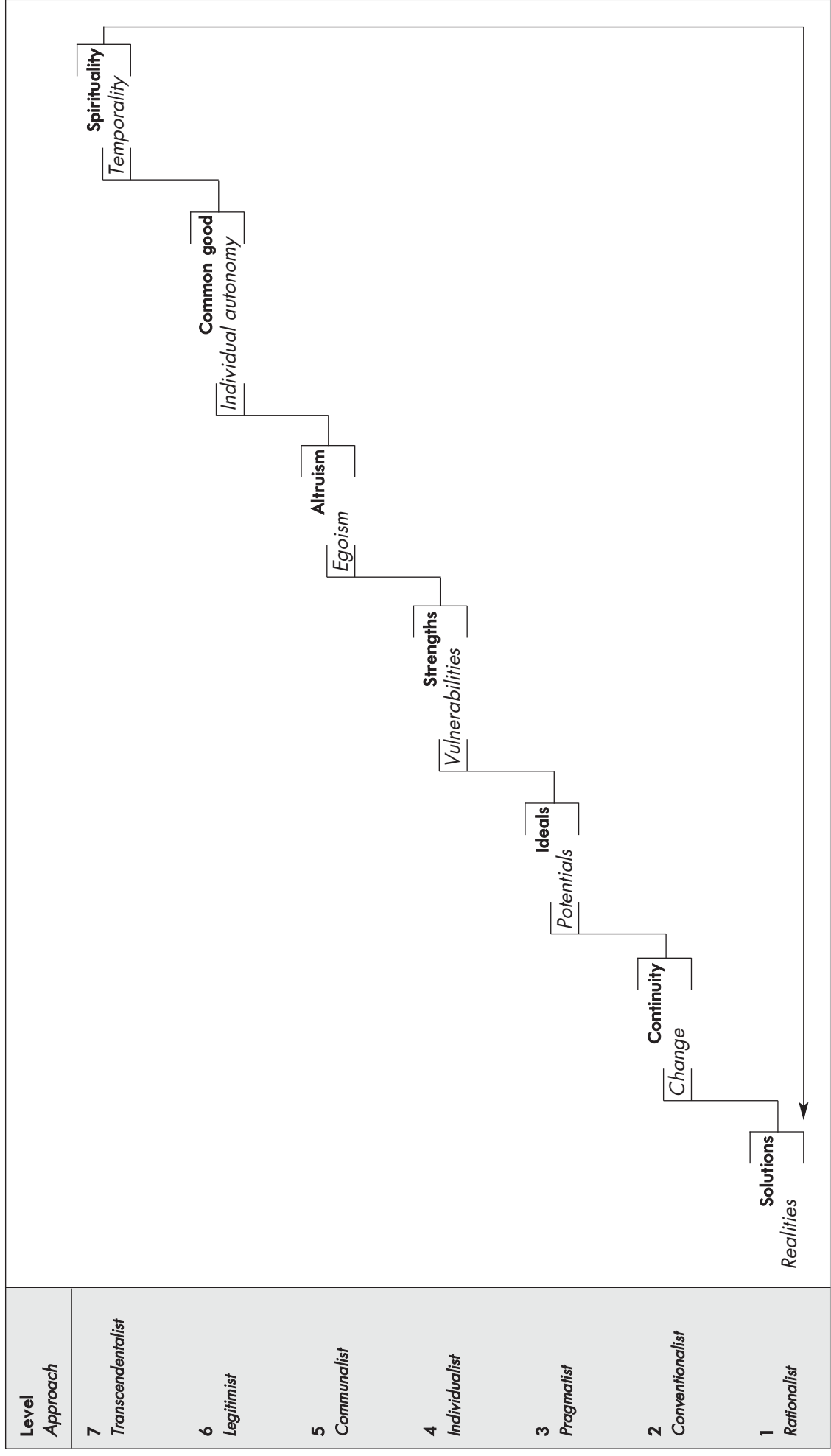
Note that all or many of the instigating factors are usually present in any choice situation, so the option of which approach to use is open. See text for an elaboration of these summaries and for examples.

| L | Type of Approach Duality | Instigated when: | Topics of Inquiry and Debate | Extreme Circumstance | Quandary | Features of Implementation | Principal Criticism |
|---|--|--|---|--|---|--|----------------------------|
| 1 | Rationalist Solving the problem while recognizing realities. | A serious problem must be tackled dispassionately. | Will worthwhile objectives be met? Are they really worthwhile? What side-effects will there be? | Intense emotional pressure. | How to achieve goals in the face of intense emotive resistance. | Set up reorientation and educational programs. | Too insensitive. |
| 2 | Conventionalist Maintaining continuity given the pressure for change. | Social change becomes overt and unavoidable. | What are the existing values? How inevitable is change? What will be the effect on current values? | Rapid widespread uncontrollable change. | How to enable change while supporting established values. | Consult and allow dissent, phase change, compensate, allow some to opt out, resocialize. | Too reactionary. |
| 3 | Pragmatist Pursuing ideals within the bounds of present potential. | The situation demands immediate action. | What ideals are relevant? What is desired & believed? What can be done easily to ensure some benefit? | Collapse of ideals. | How to persuade everyone that the choice means an improvement. | Communicate well, move ahead rapidly, foster pluralism, create groups who will benefit. | Too expedient. |
| 4 | Individualist Developing strengths without neglecting vulnerabilities. | Competition for resources and dominance exists. | Where does advantage lie? What is the actual balance of power? How can losses be minimized? | Loss of an essential resource. | How to overcome or adapt to others. | Be professional, husband resources, balance returns against effort, be tough. | Too self-centred. |
| 5 | Communalist Choosing altruism by virtue of egotism. | Others need due consideration. | What will the effects be? Who will be affected? Who can tolerate harassment? What else might help? | Need for a sacrifice. | How and where to draw the boundary of concern. | Use participative system modelling, develop a system of choices, build on relationships. | Too complicated. |
| 6 | Legitimist Serving the common good and individual autonomy. | Individuals must each govern their behaviour in a group setting. | What is the best rule? Is it acceptable now? Will it suit in future? How will it be monitored and enforced? | The group is chaotic and riven with conflict. | How to handle the diminution of individual freedom. | Ensure that rule-setting is participative and authoritative. | Too indeterminate. |
| 7 | Transcendentalist Realizing spirituality in the midst of temporality. | Personal integrity must be asserted. | (Use of meditative and related techniques to enable openness to an inspired intuition.) | Extremity of any sort, especially an assault on integrity. | How to communicate the nature of the choice. | Draw on inner strengths, tolerate social rejection if necessary. | Too open to self-delusion. |

**Master-
Figure 7**

The hierarchical evolution of ethical aspirations and constraints.

These belong to the approaches to ethical choice. Clearly the highest aspiration is spirituality and the most basic constraint is the situational realities. The emergence of each level is based on resolving the duality of aspiration and constraint at the preceding level. This resolution serves as the constraint at the higher level, where a new higher ethical aspiration is invoked. (The term in bold is the ethical aspiration, and the term in italics is the constraint.)



Master-Table 8

A comparison of approaches for ethical choice, decision-making and inquiry.

The approaches are all used by people in the imperative mode; and the research has developed principles or injunctions for use in design. The implicit outlook has been abstracted from these principles, but it is not offered as having an independent reality.

| L | Implicit Outlook | Ethical Choice | Decision-making | Inquiry |
|---|---|--|--|--|
| | <i>Each outlook applies across the three domains.</i> | Each approach offers a sense of conviction. | Each approach offers a promise of confidence. | Each approach offers a guarantee of certainty. |
| 1 | <i>Move forward logically.</i> | Rationalist Use means which logically achieve ends which are self-evidently worthwhile. | Rationalist Use values, objectives, priorities and plans to move forward. | Empirical Use general agreement as to the facts to discern regularities. |
| 2 | <i>Deal with things as everyone agrees they are.</i> | Conventionalist Conform to values which are widely held in your social group. | Empiricist Use detailed, valid and reliable information to solve existing problems. | Formal-analytic Use self-evident ideas, assumptions and logic to develop analyses. |
| 3 | <i>Take small, easy, desirable and obvious steps.</i> | Pragmatist Pursue values you prefer which also bring some wider benefit and are easily applicable. | Opportunist Use opportunities for action where some achievement is certain and easy. | Explanatory Use hypotheses and comparisons of alternatives to get increments of knowledge. |
| 4 | <i>Reconcile diverse conflicting outlooks.</i> | Individualist Ensure your security and interests by recognizing and using power relationships. | Dialectical Use disputes between different parties to reach a compromise solution. | Dialectic Use conflicts between ideas to develop an encompassing synthesis. |
| 5 | <i>Balance all relevant factors.</i> | Communalist Produce the outcome which best takes account of the needs and interests of all. | Systemic Use a model including all factors to generate an optimal-feasible strategy. | Holistic Use modelling to represent the situation as completely as possible. |
| 6 | <i>Impose a structure.</i> | Legitimist Set explicit general rules which you and others in the group accept as fair. | Structuralist Use structures and procedures to provide legitimate authority and order. | Dialogic Use ratiocination to get a structured and authoritative theoretical base for inquiry. |
| 7 | <i>Let the Spirit move you.</i> | Transcendentalist Respond to your deep inner sense of what is right and good. | Imaginist Use intuition and inspiration to gain deep personal commitment. | Contemplative Use unconscious awareness to create imaginative possibilities. |

**Master-
Figure 9**

Nested hierarchies in the framework of purpose.

Note that the hierarchy of approaches to ethical choice is based on the primary hierarchy of purpose and lies wholly within Level 6. Each approach is a system of values. The hierarchy of purpose and the hierarchy of ethical rules are in single boxes indicating their holistic nature; whereas each ethical approach (or system) is in a discrete box reflecting its distinctiveness.

| | |
|---------|----------------------|
| Level 7 | Absolutes |
| Level 6 | Laws |
| Level 5 | Maxims |
| Level 4 | Rights/Duties |
| Level 3 | Tenets |
| Level 2 | Conventions |
| Level 1 | Prescriptions |

ETHICAL RULES
(Tertiary Hierarchy)

**APPROACHES to
ETHICAL CHOICE**
(Secondary Hierarchy)

| | |
|---------|--------------------------|
| Level 7 | Transcendentalist |
| Level 6 | Legitimist |
| Level 5 | Communalist |
| Level 4 | Individualist |
| Level 3 | Pragmatist |
| Level 2 | Conventionalist |
| Level 1 | Rationalist |

**FRAMEWORK
of
PURPOSE**
(Primary Hierarchy)

| | |
|---------|-----------------------------|
| Level 7 | Ultimate Values |
| Level 6 | Value Systems |
| Level 5 | Social Values |
| Level 4 | Principal Objects |
| Level 3 | Internal Priorities |
| Level 2 | Strategic Objectives |
| Level 1 | Tactical Objectives |

evolution of humanity in order to protect our social existence. ✨

NOTES

1. This view, clearly stated in modern times by Immanuel Kant in 1785 (*Groundwork of the Metaphysics of Morals*. (Transl. H.J. Paton). London: Hutchinson, 1948), has been repeatedly reiterated. See, for example: Hare, R.M. *Freedom and Reason*. Oxford: Clarendon Press, 1963; Habermas, J. *Legitimation Crisis*. (Transl. T. McCarthy). London: Heinemann Educational, 1976.
2. This is evident from standard texts like: Nowell-Smith, P. *Ethics*. Harmondsworth: Penguin, 1954; Brandt, R.B. (ed.) *Value and Obligation: Systematic Readings in Ethics*. New York: Harcourt Brace Jovanovich, 1961; MacIntyre, A. *A Short History of Ethics*. London: Duckworth, 1966; Hospers, J. *Human Conduct: An Introduction to the Problems of Ethics*. New York: Harcourt Brace and World Inc., 1961; Finnis, J. *Fundamentals of Ethics*. Oxford: Clarendon Press, 1983.
3. For example: Both teleology and deontology are accepted as valid by J. Finnis op. cit. [2]; and E. Shirk (*The Ethical Dimension*. New York: Appleton-Century Crofts, 1965); while an attempt to reconcile the two perspectives is provided in: Sesonke, A. *Value and Obligation: The Foundations of an Empiricist Ethical Theory*. San Francisco: University of California Press, 1957.
4. This is emphasized more by scientists with a systems orientation rather than by those with a conventional rationalist-empiricist orientation. See, for example: Kuhn, A. *Unified Social Science: A System-Based Introduction*. New York: Dorsey Press, 1975; Kast, F.E. & Rosenzweig, J.E. *Organization and Management: A Systems and Contingency Approach*. New York: McGraw-Hill, 1983; Rahmatian, S. & Hiatt, C. Toward an information-based theory of irrational systems behaviour. *Systems Research*, 6: 7-16, 1989. (Of course, many social scientists recognize in their accounts or critiques that facts are imbued with value and depend on perspective, but they typically do so without a concern to produce practical solutions to problems.)
5. Martin Dyer-Smith, personal communication.
6. Herbert Simon, for example, emphasizes that rational choice depends on using facts and values (*Administrative Behaviour*. New York: Macmillan 1957). However a rationalist decision or ethical choice need not be rational in the sense of being fully logical and fact-based. I have summarized the nature of rational inquiry in: Kinston, W. A total framework for inquiry. *Systems Research*, 5: 9-25, 1988; and the essence of rationalist decision-making in: Kinston, W. & Algie, J. Seven distinctive paths of decision and action. *Systems Research*, 6: 117-132, 1989. A rationalist culture within organizations is slightly different again, see: Kinston, W. *Strengthening the Management Culture: Phasing the Transformation of Organizations*. London: The SIGMA Centre, 1994, pp.43-53.
7. Royal Commission on the National Health Service. *Report*. London: HMSO Cmnd. 7615, 1979; Committee of Inquiry (Chairman, David Widdicombe). *The Conduct of Local Authority Business*. London: HMSO Cmnd. 9797, 1986.
8. A popular account describing sleepy management and the need for 'corporate raiders' is provided in: Sampson, A. *The Midas Touch*. London: Hodder & Stoughton, 1989. The slowness of reform of mental institutions is described in: Martin, J.P. *Hospitals in Trouble*. Oxford, Basil Blackwell, 1984.
9. Ellis, A. *Reason and Emotion in Psychotherapy*. Secaucus, NJ: Lyle Stuart, 1962.
10. The example is taken from rationalist-empiricist reviews of the UK system: King, R. & Morgan, R. *The Future of the Prison System*. Farnborough: Gower, 1980; Ashworth, A. *Sentencing and Penal Policy*. London: Weidenfeld & Nicolson, 1983; Rutherford, A. *Prisons and the Process of Justice: A Reductionist Challenge*. London: Heinemann, 1984; Garland, D. *Punishment and Welfare: A History of Penal Strategies*. Aldershot: Gower, 1985.
11. For two different types of research account noting the inertia of NHS management, see: Harrison, S. *Managing the NHS: Shifting the Frontier?* London: Croom Helm, 1988; Kinston, W. & Rowbottom, R.W. *Making General Management Work in the National Health Service*. London: Brunel University, 1989.
12. See, for example: Westermarck, E. *Ethical Relativity*. London: Greenwood Press, 1932.
13. Clark, L. *The Rivers Ran East*. New York: Funk & Wagnalls, 1954, p.164.
14. The Report of the commission with a special introduction (from which the comments are all taken) is provided in: Warnock, M. *A Question of Life: The Warnock Report on Human Fertilisation and Embryology*. London: Basil Blackwell, 1985. The quotation from Hume comes from his *A Treatise of Human Understanding* (1738).
15. Wilhelm, R. *I Ching*. (transl. C. Baynes). London: Routledge Kegan Paul, 1951: Hexagram 34, *The Power of the Great*.
16. Aristotle *Nicomachean Ethics*. (Transl. D. Ross, rev'd J. Ackrill & J. Urmson) Oxford: Oxford University Press, 1980, p. 228.
17. Ford, G. Text of the Pardon for Richard Nixon. Quoted in: Baum, R. (ed.) *Ethical Arguments for Analysis (Brief Edition)*. New York: Holt Rinehart & Winston, 1979, pp.198-199.
18. This approach to using ideals in management is well made by Russell Ackoff in: *Redesigning the Future*. New York: Wiley, 1974.
19. The Report proposing Family Courts is: Department of Health and Social Security, Great Britain. *Report of the Committee on One-Parent Families* (Chairman: Sir Morris Finer). London: HMSO, 1974.
20. The quotation comes from William James (*Pragmatism*. New York: Nelson Hall, p.222). As in all the other approaches, the account does not seek to follow any particular doctrine closely. A name like pragmatism is chosen simply because it seems to catch the flavour of the approach. The original and best known American exponents of the doctrine of pragmatism, Charles Peirce and William James, disagreed among themselves about what precisely it entailed. Other leading American pragmatist philosophers were John Dewey and E.A. Singer, the latter being indirectly linked to the present book by his influence on C. West Churchman and hence the

systems movement.

21. See, for example: Smith, A. *The Wealth of Nations*. London: Dent, 1910; Hayek, F. A. *The Constitution of Liberty*. London: Routledge and Kegan Paul, 1960; Lindblom, C.E. *The Intelligence of Democracy: Decision-Making through Mutual Adjustment*. Glencoe: Free Press, 1965.
22. Department of Health. *Working for Patients*. London: HMSO. Cmnd. 555, 1989.
23. Mackie, J.L. *Ethics: Inventing Right and Wrong*. Harmondsworth: Penguin, 1977. Quotations and his advice come from p.134 and pp.147-8.
24. Egoism in the pejorative sense is associated with the ideas of Hobbes, Nietzsche and Freud. Man, Hobbes argued in *Leviathan*, is characterized by an unbridled selfish desire which would lead to war of all against all, except that this is abhorred. So societal or moral laws became no more than articles of peace (Hobbes, T. *Leviathan*. (ed. R. Tuck) Cambridge: Cambridge University Press, 1991). A nearly identical view had been put forward almost 2000 years earlier by the naturalistic confucianist, Hsun Tzu (see: Wing-Tsit Chan, *A Source Book in Chinese Philosophy*. Princeton, NJ: Princeton University Press, 1963). Freud too pictured men as centres of aggressive self-regard, engaged in perpetual incipient warfare each against the other. Each wants everything and struggles for anything. Freud noted that these aggressive id urges, impervious to reality, becomes socialized, and the aggression reappears in the superego or conscience (*Civilization and its Discontents* (1930) Standard Edition, Vol. 21, pp.64-145, London: Hogarth and the Institute of Psychoanalysis, 1961). Both Hobbes and Freud were primarily exploring human nature and the basis for society, and were not concerned with the present more limited task of designing an approach to ethical choice. Nietzsche, by contrast, did design an ethical system based in individualism more or less as presented here. Its flaw lay in his one-sided view that strength and the power flowing from it were infinitely desirable. This meant that, as well as courage, the paramount virtues were cruelty and stoical endurance, and that weakness was despised (*The Philosophy of Nietzsche*. (ed. G. Clive) New York: New American Library, 1965).
25. The journalist was M. Foster whose account was entitled: 'A government that abandons pupils to beat down teachers'. *The Independent*, 25th August, 1989.
26. See, for example, the bibliography in: Siu, R.G.H. *The Craft of Power*. New York: John Wiley & Sons, 1979.
27. This example was extracted from: Bloch, S. & Chodoff, F. *Psychiatric Ethics*. Oxford: Oxford University Press, 1984; and Atkinson, J.M. & Coia, D.A. Responsibility to carers — an ethical dilemma. *Psychiatric Bulletin*, 13: 602-604, 1989.
28. These terms are a minefield for the uninitiated who will come to little harm by regarding communalism as equivalent to utilitarianism. Below is a brief explanation of the various terms:

Consequentialism expresses the obligation to consider the consequences of any choice on others. More formally, it has been defined to mean that 'the right act in any given situation is the one that will produce the best overall outcome, as judged from an impersonal standpoint which gives

equal weight to the interest of everyone' (Scheffler, S. (ed.) *Consequentialism and its Critics*. Oxford: Oxford University Press, 1988 p.1). But postulating 'equal weight' generates a notion which is often too restrictive in practice.

Utilitarianism is epitomized by the phrase 'the greatest good for the greatest number'. In this form, it has become inextricably associated with the ideas of Jeremy Bentham (*An Introduction to the Principles of Morals and Legislation* (1789). London: Athlone Press, 1970) and John Stuart Mill (*Utilitarianism* (1863). London: Dent, 1972). The term 'good' in this context is often associated with pleasure as an overriding goal and with producing social reform. Both notions are contentious and are not necessarily implied by communalism. To complicate matters further, philosophers have distinguished many different types of utilitarianism. I have come across 'rule u.', 'act u.', 'preference u.', 'institutional u.', 'cooperative u.', 'psychological u.'

Proportionalism leaves any reference to society implicit and claims that the ethical imperative is simply to 'compare the benefits and harms promised by alternative possible choices...and make that choice which promises to yield a better proportion of benefit to harm than any available alternative' (Finnis, op.cit.[2]). But any focus on maximizing benefits is unnecessary and confusing. Maximization applies to all choices in all approaches because it simply expresses the principle of beneficence: of two goods choose the greater. The specific focus in communalism is to 'balance' within the general requirement to maximize. When balancing, there is no requirement for precise quantification — at least not any more than there was in any other approach.

Systemicism was used in earlier drafts of this chapter as a non-controversial label which would help me escape from the intense unresolved philosophical dispute that surrounds utilitarianism and cognate terms. However this label over-emphasizes inquiry and minimizes the centrality of relationships within a group or community.

Further discussion and debate can be found in: Lyons, D. *Forms and Limits of Utilitarianism*. Oxford: Clarendon Press, 1965; Hodgson, D.H. *Consequences of Utilitarianism*. Oxford: Clarendon Press, 1967; Smart, J.J.C. & Williams, B. *Utilitarianism: For and Against*. Cambridge: Cambridge University Press, 1973; Sen, A. & Williams, B. (eds.) *Utilitarianism and Beyond*. Cambridge: Cambridge University Press, 1982.

29. See, for example: Sen, A. *On Ethics and Economics*. Oxford: Basil Blackwell, 1987; Ohmae, K. *Triad Power: The Coming Shape of Global Competition*. New York: Free Press, 1989; Ohmae, K. *The Borderless World*. London: Collins, 1990; Drucker, P. The futures that have already happened. *The Economist*. October 21, 1989, pp.27-30.
30. See, for example: Kernberg, O. *Borderline Conditions and Pathological Narcissism*. New York: Jason Aronson, 1975.
31. Arendt, H. *Eichmann in Jerusalem*. (Rev. Ed.) Harmondsworth: Penguin, 1963, p.296.
32. Smith, A. *The Theory of Moral Sentiments*. (1759 1st edition; 1853 New Edition), Indianapolis: Liberty Classics, 1969.
33. A social science classic espousing disinterested altruism as if it were practical is: Titmuss, R.M. *The Gift Relationship*. New York: Random House, 1971. See critique in: Hardin, G. *The*

- Limits of Altruism*. Bloomington: Indiana University Press, 1977.
34. Turnbull, C. *The Mountain People*. London: Pan, 1974, p.121.
 35. The method has been developed by systems scientists. See, for example: Ackoff, R.L. op.cit [18] and *Creating the Corporate Future*, New York: John Wiley, 1981; Checkland, P.B. *Systems Thinking, Systems Practice*. New York: John Wiley, 1981.
 36. Farvar, M.T. & Milton, J.P. (eds.) *The Careless Technology*. Garden City, NY: Natural History Press, 1972.
 37. Leslie, E. *Desperate Journeys, Abandoned Souls*. London: Macmillan, 1989.
 38. Mackie, J.L. op.cit.[23], pp.129-134; Finnis, J. op.cit. [2]. When these authors speak of utilitarianism, they are referring to communalism.
 39. *British Standard 5750. Quality Systems*. London: British Standards Institution, 1987.
 40. Rule setting and adherence is sharply distinguished in the literature from the search for personal advantage (individualism) or general utilitarian benefit (communalism). Legitimism is sometimes referred to as deontology and, with utilitarianism, is portrayed by popularizing philosophers as one of the two alternative approaches to ethics. (See, for example: Lee, S. *Law and Morals: Warnock, Gillick and Beyond*. London: Oxford University Press, 1986.) The philosophical or jurisprudential version of legitimism, contractualism, has been stimulated by the work of John Rawls (*A Theory of Justice* Oxford: Oxford University Press, 1972), but it seems to be concerned less with the setting of a rule as a way of choosing and more with ensuring common reasonable agreement to a rule so it can be used for retrospective judgement. (See, for example: Scanlon, T.M. A Contractualist Alternative. Ch. 3 in: DiMarco, J.P. & Fox, R.M. (eds.) *New Directions in Ethics: The Challenge of Applied Ethics*. London: Routledge and Kegan Paul, 1986.)
 41. Two classic texts here are: Tocqueville, A. de. *Democracy in America*. (ed. P. Bradley) New York: Vintage, 1948; Hayek, F. *Law, Legislation and Liberty*. London: Routledge Kegan Paul, 1979.
 42. Hardin, G. The tragedy of the commons. *Science*, **162**: 1243-1248, 1968.
 43. The present debate is elaborated in: Brody, B. *Abortion and the Sanctity of Human Life: A Philosophical View*. Cambridge, Mass: MIT Press, 1975; and Langerak, E.R. Abortion: Listening to the middle. *The Hastings Centre Report*, **9** (5): 24-28, 1979. An alternative view is provided in: Rossi, P.J. Rights are not enough: Prospects for a new approach to the morality of abortion. *Linacre Quarterly*, **46**: 109-117, 1979; Hauerwas, S. *A Community of Character: Toward a Constructive Christian Social Ethic*. Notre Dame, Ind.: Notre Dame Press, 1981; Churchill, L.R. & Siman, J.J. Abortion and the rhetoric of individual rights. *Hastings Centre Report*, **12** (1): 9-12, 1982.
 44. The idea of felt fair pay was developed by E. Jaques (*Equitable Payment* Rev.Ed. Harmondsworth: Penguin, 1969) and has been tested by R. Richards (*Fair Pay and Work: An Empirical Study of Fair Pay Perception and Time Span of Discretion*. London: Heinemann, 1971). The role of pay in motivating employees is reviewed in: Herzberg, F. One more time: How do you motivate employees? *Harvard Business Review*. January-February, 1968. A range of practical and ethical reasons against using pay as a motivator together with a short bibliography is provided in: Kohn, A. Why incentive plans cannot work. *Harvard Business Review*, September-October 1993.
 45. Minuchin, S., Montalvo, B, Guernsey, B.G., Rosman, B.L. & Schumer, B.G. *Families of the Slums*. New York: Basic Books, 1967.
 46. Plato. *Protagoras*. (Transl. W.K.C. Guthrie). Harmondsworth: Penguin, 1956.
 47. Tart, C. (ed.) *Transpersonal Psychologies*. London: Routledge Kegan Paul, 1975.
 48. I Samuel 8. In: *New English Bible with Apocrypha*. London: Oxford and Cambridge University Presses, 1970.
 49. For Rudolf Steiner's own account, see: *The Philosophy of Spiritual Activity*. New York, Anthroposophic Press, 1986. For a review of Steiner's contribution, see: Harwood, A.C. Article in *Encyclopaedia Britannica 14th Ed*. 1961, Vol. 21, pp. 377-378.
 50. For the linkage of morality and spirituality, see: Eliade, M. *A History of Religious Ideas. Vols 1-3*. Chicago: University of Chicago Press, 1978, 1982, 1985. For Confucian thoughts, see: *The Analects of Confucius*. (Transl. A. Waley) London: Allen & Unwin, 1938.
 51. At the time of writing, we appear to be in one of those periodic popular resurgences in spiritual awareness. Similar movements were evident in the 1890's, 1930's and 1960's. The theoretical discoveries presented in this book can be regarded as a potentially less ephemeral expression of this awareness.
 52. The quotation of Albert Camus can be found in: *The Rebel*. Harmondsworth: Penguin, 1962.
 53. An account of the concentration camps is provided in: Kogon, E. *The Theory and Practice of Hell*. New York: Berkeley Medallion, 1958. The experience of being an inmate is described by Bruno Bettelheim in: *The Informed Heart: Autonomy in a Mass Age*. New York: Macmillan Free Press, 1960. The effect on survivors is described in: Lifton, R.J. *Death in Life: Survivors of Hiroshima*. Harmondsworth: Penguin, 1971.
 54. For examples of such philosophical dismissals of transcendentalism, see: Mackie, J.L. op.cit. [23]; Singer, P. *Practical Ethics*. Cambridge: Cambridge University Press, 1979.
 55. A long-standing philosophical issue has been what the origin of ethical sense is. The three candidates have been reason, feeling or a special sense called ethical intuition. The view adopted here is that access to Being/God and beyond to the Void occurs through the imagination, although reason and feeling contribute to the inquiry process and articulation. This access is the ultimate source of human ethical experience. Such an account broadly aligns with the views of Plato and Aristotle, Augustine and Aquinas, Confucianism and Taoism, Kant and Hegel. It is most at odds with empiricists and materialists, whether teleologists or deontologists, who see ethics as based in brute fact, brute desire or brute reason.

56. Nadelmann, E.A. Drug prohibition in the United States: costs, consequences and alternatives. *Science*, **245**: 939-947, 1989.
57. Berke, R.L. 'President's "victory over drugs" is decades away, officials say'. *New York Times*, September 24, 1989, p.1.
58. Alexander, B.K. *Peaceful Measures: Canada's Way Out of the "War on Drugs"*. Toronto, University of Toronto Press, 1990; Trebach, A.S. *The Great Drug War: And Radical Proposals that Could Make America Safe Again*. New York: Macmillan, 1987.
59. Figures from: *The Economist*, September 2, 1989, p.p.21-24.
60. Becker, G.S. Should drug use be legalized? *Business Week*, August 17, 1989, pp.22-23; Church G.J. Should drugs be made legal? Thinking the unthinkable. *Time*, May 30, 1988, pp.12-19.
61. Accounts are provided in: Kinston, W. & Algie, J. op.cit. [6]; Kinston, W. op.cit. [6]; and Kinston, W. *Decision Systems, Inquiring Systems and a New Framework for Action*. London: The SIGMA Centre, 1991 (unpublished manuscript). The labels used in Master-Table 8 are slightly modified from these sources in the light of recent experience.
62. Ralph Rowbottom pointed out the similarity of outlooks and Jimmy Algie emphasized their philosophical associations. It is impossible to explore the implications of the proposal in the text paragraph without going in depth into the details of the practical issues of choosing, doing and knowing on the one hand, and the philosophical doctrines on the other. In any case there is no agreement about what precisely constitutes any of the doctrines. The natural intensity of disputation between rival philosophers leads to each doctrine being splintered into numerous varieties understandable only by the cognoscenti, much as we saw with utilitarianism [28].

It should be recalled that approaches, as I describe them, are not impersonal structures theoretically created by philosophical ratiocination. Rather, they are identity structures discovered in association with personal styles of working, inquiring and choosing in the course of my efforts to assist people reflect on what they are thinking and doing. In other words, my concern has been to choose appropriate names,

not to adopt, define or modify academic doctrines.

Nevertheless, a few points are perhaps worth making in regard to nomenclature and how far a common philosophical doctrine applies across the three domains. Rationalism seems to apply at L'-1; and the distinction between rational inquiry and rational choice in relation to values was discussed in the text. A similar phenomenon is apparent at L'-2. Empirical inquiry seeks to produce knowledge independent of social values and conventions. But empiricism is linked to conventionalism in so far as it depends on freely given general agreement. At L'-3, pragmatism, apart from its piecemeal incremental nature, appears slightly differently in the three domains: being meliorist in choosing, opportunist in decision-making, and hypothesis-driven in inquiring. At L'-4, dialecticism is perhaps more a method than a doctrine. It emphasizes the inevitability of conflict between interests and ideas (in inquiry), between groups or classes (in decision-making) or between individuals (in ethical choice). (The doctrine of individualism has ramifications far beyond its use here.) Systemicism applies quite naturally across the three domains at L'-5. In ethical choice, systemicism is wholly oriented towards people relating within a group (cf. [28]), while holistic inquiry can be completely depersonalized (so-called 'hard' systems thinking). Systemic decision-making, sometimes referred to as a 'soft' systems or socio-technical approach, usually lies in-between these extremes. L'-6 is the theoretical level in each case: structuralism, legitimism, and dialogic inquiry fit together but a doctrinal label covering all three is not immediately obvious. Transcendentalism, at L'-7, points to the supremacy of a force that lies beyond individual intuition. It links to imaginalist decision-making and contemplative inquiry because this force operates in people through the imagination — and experiential access to the imagination is handled by contemplation. Some philosophical schools cover more than one approach: for example, positivism usually includes both rationalism and empiricism, and experientialism covers both transcendentalism (where the stress is on authenticity and awareness) and pragmatism (where the stress is on usefulness and coping).