ETHICAL DECISION MAKING
with particular references to psychotherapy

Different Forms of Ethics

Ethics are discussions about what might be suitable to provide a set of standards for behaviour within a particular arena (country, culture, profession, field, relationship, etc.) A discussion of different forms and principles of ethics (something like a 'bricolage') helps one to decide how one ought to behave, or how to act 'properly', given a wide range of different situations. In one sense, it can be said that ethics is all about the issues behind making choices, and about providing reasons why we should (or should not) make these different choices. [1]

Traditionally, discussions about ethics fall into three different areas:

1) **Meta-ethics**, which deals with the nature of the 'right' or the 'good', as well as the nature and justification of both ethical and un-ethical claims; these meta-levels may also relate to different conceptual models of ethics;

2) **Normative ethics**, which deals with the standards and principles that are usually used to determine whether something is 'right' or 'good' – within a particular 'culture', 'country', 'field', 'profession', etc.); these 'normative' ethics can also be considered as 'ecological' ethics, where different values are assigned to a range of alternative criteria;

3) **Applied ethics**, which deals with the actual application of ethical principles to a particular situation. Experience in applying particular ethical standards or principles can inform our understanding of how good / effective these standard or principles are. In applied – or 'decision-making' – ethics, the importance of each criteria is 'ranked' in order to make a decision (e.g. in a company, if environmental concerns rank higher than the profit-margin, then an 'ethical' decision is made ranking the 'planet' higher than the 'share-holders').

Care must always be taken to ensure: **(i)** that the decision-making process is clear; **(ii)** that viable alternatives are always considered clearly with declared risks, probabilities and assumptions; **(iii)** that this model of decision-making is using the best data-set and that no significant data have been left out or are missing; **(iv)** whether the main considerations are qualitative and/or quantitative (preferably both); and **(v)** that the decision-making process is conducted ethically and transparently: (i.e. is not biased, or 'weighted', or 'hurried, or just based on a 'majority', or done 'covertly', or made hierarchically, etc.)

Ethical theories are often broadly divided into three types:
  i) **Consequentialist Theories**, which are primarily concerned with the ethical consequences of particular actions; and there are three main divisions of consequentialist theories:
  a. **Utilitarian approach** is about to making ethical decisions, especially decisions with consequences that concern large groups of people, in part because it instructs us to weigh the different amounts of good and bad that will be produced by our actions and decisions.
  b. **Egotistical Approach** is about the ethics of self-interest. In this approach, an individual often uses utilitarian calculations to produce the greatest amount of good for him or herself; on the grounds that self-interest is a prerequisite to self-respect and to respect for others;
  c. **Common Good Approach** is that our actions should contribute to the ethical welfare of communal life (or, for the 'common good') and so the "general will" of the people then produces what is best for those people as a whole.

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[1] Adapted from Brown University: https://www.brown.edu/academics/science-and-technology-studies/framework-making-ethical-decisions

ii) **Non-Consequentialist Theories**, which tend to be broadly concerned with the actual intentions of the person making particular ethical decisions. There are five main divisions of non-consequentialist theories:

a. **Duty-Based Approach** (or deontological ethics), which is about doing what is 'right' and not about the consequences of our actions (something over which we ultimately have no control), so more about having the proper intentions in deciding about and performing the action. The ethical action is therefore one taken from duty, that is, it is done precisely because we perceive it as being our obligation to perform the action.

b. **Agent-centred theories**, which, unlike consequentialist and non-consequentialist theories, are more concerned with the overall ethical status of individuals, or agents, and are less concerned to identify the morality of any particular actions. Kant proposed a categorical imperative: "Act only according to that maxim by which you can, at the same time, trust & hope that it should become a universal law".

c. **Rights Approach**, stipulates that the best ethical action is that which protects the ethical rights of those who are affected by that action. It emphasizes the belief that all humans have a 'right' to dignity. Kant argues: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end, and never simply as a means to an end." The list of ethical 'rights' has been debated; many people now argue that animals (and other non-humans such as robots) also have rights.

d. **Fairness or Justice Approach** holds that all free men (humans) should be treated alike, just as all other categories (slaves, women, foreigners, children, etc.) should be treated alike. When combined with the universality of the rights approach, the justice approach can be applied to all human persons. The most influential version of this approach today is found in the work of American philosopher John Rawls (1921-2002), who argued, along Kantian lines, that ethical principles based on 'fairness' and 'justice' are those that would be chosen by all free and rational people in an initial situation of equality.

e. **Divine Command Approach** sees that what is 'right' is the same as what God 'commands', and ethical standards are thus the creation of God's will. Following God's will is therefore seen as the definition what is ethical. Because God is seen as omnipotent, and possessed of free will, God could obviously change what is now considered ethical, at any time, and God is not bound by any standard of right or wrong, short of logical contradiction.

Kierkegaard claimed that truly 'right' action must ultimately go beyond everyday morality to what he called the "teleological suspension of the ethical".

iii) **Agent-Centred Theories** which, unlike consequentialist and non-consequentialist theories, are more concerned with the overall ethical status of individuals, or agents, and are less concerned to identify the morality of particular actions. There are two main agent-centred theories:

a. **Virtue Approach:** One long-standing ethical principle argues that ethical actions should be consistent with 'ideal' human virtues. Aristotle argued that ethics should be concerned with the whole of a person's life, not with the individual discrete actions that a person may perform in any given situation. A person of good 'character' would be one who has attained certain virtues. Because 'virtue' ethics is concerned with the entirety of a person's life, it takes the process of education and training very seriously, and also emphasizes the importance of (ethical) role models to our understanding of how to engage in ethical deliberation.

b. **The Feminist Approach:** In recent decades, the virtue approach to ethics has been supplemented and sometimes significantly revised by thinkers from within the feminist tradition, who often emphasize the importance of the experiences of women (and other marginalized groups) to all ethical deliberations. Among the most important contributions of this approach is its 'fore-grounding' of the principle of 'care' as a legitimately primary ethical concern, often in opposition to the seemingly cold and impersonal 'justice' approach.

These different forms or ways of looking at ethics are sometimes mutually exclusive and yet these are sometimes also seen as 'common' or 'supportive'. Just as there are different forms of (say) cricket, there are also different rules for the different types of cricket. Different rules and different perspectives may be parallel: "We do it differently here"; or they may be hierarchical: "We do it differently from this position, rather than when we are in that positon"; or they may be from different perspectives or (often cultural) paradigms: "We both see the issues fairly clearly, but we see this differently from you".

Applied Ethics

Terms Used in the Application of Ethics

Applied ethics deals with issues in private or public life that are matters for ethical decision-making. The following are important terms used in making ethical or moral judgments about particular actions:

➤ **Obligatory:** When we say that something is ethically "obligatory", we mean that it is not only right to do it, but also that it is wrong **not** to do it. In other words, we have an ethical obligation to perform the action. Sometimes the easiest way to see if an action is ethically obligatory is to look at what it would mean NOT to perform the action. For example, we might say it is ethically obligatory for parents to care for their children, not only because it is right for them to do it, but also because it is wrong for them not to do it.

➤ **Impermissible:** The opposite of an ethically 'obligatory' action is an action that is ethically 'impermissible' (not allowed), meaning that it is totally wrong to do it and it is right not to do it. For example, we would say that murder is (usually considered) as ethically impermissible.

➤ **Permissible:** Sometimes actions that are considered as neither ethically 'obligatory' nor ethically 'impermissible', may be ethically 'neutral', because a decision is neither right nor wrong to act upon it, and/or also neither right or wrong not to act upon it. We might say that having plastic surgery is ethically 'permissible', because it is not wrong to have the surgery (it is not impermissible), but neither is it ethically necessary (obligatory) to have the surgery. Some argue that suicide is therefore permissible in certain circumstances (possibly in end-of-life decisions).

➤ **Supererogatory:** A fourth type of ethical action is called 'supererogatory'. These types of actions are seen as going "above and beyond the call of duty": i.e. one may be right to do these actions, but it is not wrong for one not to do them. For example, two people are walking down a hallway and see a third person drop their book bag, spilling out all of their books and papers onto the floor. If one person stops to help that third person pick up their books, and the second person keeps on walking, we might somehow feel that the person who stopped to help has acted in a more ethically appropriate way than the person who did not stop, but we cannot say that the person who did not stop was unethical in not stopping. In other words, the person who did not help was in no way obligated (it was not ethically 'obligatory') to help, but we would nevertheless want to praise - ethically - the person who did stop, so we call his or her actions 'supererogatory'.

Frameworks for Ethical Decision-Making

Having an ethical method (or framework) for ethical decision-making is essential. Making good ethical decisions requires: **(a)** a knowledge of and **(b)** a trained sensitivity to ethical issues, as well as **(c)** a practiced method for exploring the ethical aspects of any decision, and **(d)** of weighing the various considerations that could impact on our choice of a course of action(s).

Often, the ethical decision-making method becomes so familiar that we work through it almost automatically, without consulting the specific decision-making steps. This is one reason why

we might sometimes say that we have a "moral intuition" about a certain situation, even when we have not consciously thought through the ethical considerations of the issue. We are all – in effect – making ethical judgments, almost all of the time, mostly "without thinking".

However, since there are many totally different ethical perspectives, we may need to do a quick check to ensure that we are using the appropriate framework and applying the appropriate perspectives and doing these in appropriate ways. So, it is not always advisable to follow our immediate intuitions, especially in particularly complicated or unfamiliar situations. Hence, our 'methods' (or 'frameworks') for ethical decision-making should enable us to recognize and appreciate the different values of these new and unfamiliar situations, and then to act accordingly.

As before (see page 1), care must be taken to ensure: **(i)** that the decision-making process is clear; **(ii)** that viable alternatives are always considered clearly with declared risks, probabilities and assumptions; **(iii)** that this model of decision-making is using the best data-set and that no significant data have been left out or are missing; **(iv)** whether the main considerations are qualitative and/or quantitative (preferably both); and **(v)** that the decision-making process is conducted ethically and transparently: (i.e. is not biased, or 'weighted', or 'hurried, or just based on a 'majority', or done 'covertly', or made hierarchically, etc.)

The more novel and difficult that any particular ethical choice that we face is, the more we might need to rely on discussion and dialogue with others about these potential ethical dilemmas. Only by a careful exploration of all the different aspects of the problem, aided by the insights and different perspectives of others, can we make reasonably good ethical choices in quite difficult situations.

For example: this is especially true for psychotherapists making ethical decisions about their client work. Each client is individual and different; what might be 'proper' with one client may be totally 'improper' with another: you may want to consider issues of humour, or physical touch, or gender issues in certain cultures in this light.

Three Different Decision-Making Frameworks

Based upon the three-part division of traditional (normative) ethical theories discussed above, it therefore makes sense to suggest three broad frameworks within which to guide ethical decision-making: **(A)** the Consequentialist Framework; **(B)** the Duty Framework; and **(C)** the Virtue Framework.

While each of these three frameworks can be 'useful' for making ethical decisions, no one of them is ideal, and they sometimes produce very different results. Knowing the advantages and disadvantages of each of the different frameworks is helpful in deciding which is the most useful approach in any particular situation, and therefore which one will be presented as the decision-making framework.

It is therefore possibly 'unethical' to consider only one framework: the really 'ethical' decision-making process may be to consider all – reasonably equally – and then to make an appropriate choice.

(A)   The Consequentialist Framework

In the **Consequentialist Framework**, one would focus on the possible future effects of the different courses of action; considering those people who might be directly or indirectly affected. We ask about what outcomes are desirable in a given situation and then consider an ethical decision to be whatever will achieve the 'best' consequences, within that framework.

Amongst the advantages of this ethical framework is that focusing on the results of an action is a somewhat healthy and pragmatic approach. This can help in situations involving many people, some of whom may benefit from the action, while others may not. On the other hand, it is not always possible to predict the consequences of an action, so some actions that might be expected to

produce good consequences might actually end up harming significant numbers of people. One of the 'tools' of this approach is a form of "cost–benefit" analysis, but great care must be taken to ensure that the 'costs' and the 'benefits' are properly ranked or weighted.

Additionally, people sometimes react negatively to the use (concept) of a 'compromise' (which is an inherent part of this approach), and they may also recoil from the implication that "the end justifies the means" – i.e. the result may be 'good', but the process of achieving that result may be 'bad'.

This framework also does **not** include any pronouncement that certain things are always wrong, because even the most heinous actions can sometimes result in a 'good' outcome for 'some' people, and so this particular framework might possibly allow for some 'heinous' actions to be considered as 'ethical': e.g. this framework (by itself) can be (and has been) used as a justification for "ethnic cleansing"; building a hydro-electric dam which involves the flooding of many villages; the building a by-pass (that destroys a number of small farms), with an out-of-town hyper-market that brings more employment, (but which also puts small traditional businesses in the town centre 'out-of-business'); etc.

(B)   The Duty Framework

In the **Duty Framework**, we focus on the duties and obligations that we might have, in any given situation, and how these help us to sift through what ethical obligations we might have, and what things we think we should never do. Ethical conduct is therefore defined by 'doing one's duty' and always doing the 'right' thing, and the goal is therefore performing the 'best' (or the most 'correct') action.

This framework has the advantage of creating a system of rules that has consistent expectations for all people; i.e. if an action is ethically correct, or a duty is required, it would therefore apply to every person in a given situation. This 'even-handedness' also encourages treating everyone 'ethically', with equal dignity and respect.

This framework also focuses on following the predominant moral rules or duties, regardless of outcome, so it allows for the possibility that one might have acted ethically, even if there is a bad result. Therefore, this framework works best in situations where there is a sense of obligation, or in those situations in which we need to consider why duty or obligation mandates (or forbids) certain courses of action.

However, this framework also has some built-in limitations. First, it can appear cold and impersonal, in that it might require actions which are likely to produce harm, even though they are strictly in keeping with a particular moral rule. It also does not provide any way to determine which duty we should follow, especially if we are presented with a situation in which two or more duties conflict. It can also be quite rigid in applying the notion of duty to everyone regardless of personal situation.

It can therefore be seen as one's ethical and patriotic 'duty' to sign-up as a soldier if your country is at war; and therefore, a conscientious objector can be 'condemned' (unethical?), because they believe it is (ethically) 'wrong' to kill other people for whatever reason.

(C)   The Virtue Framework

In the **Virtue Framework**, we try to identify the character traits (either positive or negative) that might motivate us in any given situation. We are concerned with what kind of person we 'should' be, and therefore what our actions indicate about our character. We define ethical behaviour as whatever a virtuous person might do in this situation, and we seek to develop similar virtues.

Obviously, this framework is useful in situations that ask what sort of person one should be. As a way of making sense of a complex world, it allows for a wide range of behaviours to be called 'ethical', as there might be many different types of good character and many paths to developing it. Consequently, it takes into account all parts of human experience and their role in ethical

deliberation, as it believes that all of one's experiences, emotions, and thoughts can influence the development of one's character.

Although this framework takes into account a variety of human experiences, it also makes it much more difficult to resolve disputes, as there can often be as much as (or more) disagreement about 'virtuous' traits than 'ethical' actions. Also, because the 'virtue' framework only looks at 'morality' or 'character', it is not particularly good at helping someone to decide what actions to take or determine the rules that would guide one's actions in any given situation. Also, because this framework emphasizes the importance of role models and education as to what constitutes moral or ethical behaviour, it can sometimes just reinforce current cultural norms, promoting these as the 'best' standard of ethical behaviour.

Therefore, the activities of a number of (let us say) 'religious' orders have been subsequently re-assessed as being very 'unethical' as their choices of behaviour, based on quite narrow and traditional 'moral' codes, or their 'choice' not to address such unethical behaviour, have had appalling results on numerous people for many years. Yet, at the time, their 'ethical' choices were all made within a 'virtuous' framework, which has now been re-assessed as abusive. So, what is 'right'? How can this change?

Putting the Three Frameworks Together

	Consequentialist	**Duty**	**Virtue**
Deliberative process	What kind of outcomes should I produce (or try to produce)? Who 'should' benefit? What is the cost-benefit analysis?	What are my obligations in this situation, and what are the things I should never do? What parameters?	What kind of person should I be (or try to be), and what will my actions show about my character?
Focus	Directs attention to the future effects of an action, for all people who will be directly or indirectly affected by the action; or by the lack of the action.	Directs attention to the duties that exist prior to the situation and determines inherent 'obligations'.	Attempts to discern character traits (virtues and vices) that are, or could be, motivating the people involved in the situation.
Definition of Ethical Conduct	Ethical conduct is the action that will achieve the best consequences: - Best for whom? How much better?	Ethical conduct involves always doing the right thing: never failing to do one's duty – whatever the cost?	Ethical conduct is whatever a fully virtuous person would do in the circumstances.
Motivation	The aim is to produce the most good for the most people.	Aim is to perform the 'best' / most correct action.	Aim is to develop one's character.

Specific features will be brought into focus more clearly by 'framing the situation' (or by making an informed choice) when you utilise one of the ways presented above. However, it should be noted that each framework has its limitations: by focusing our attention on only one set of features, other important features may be obscured or overlooked. Hence, it is important to be familiar with all three frameworks, and to understand how they relate to each other—where they may overlap, and where they may differ. The chart above is designed to highlight the main contrasts between these three frameworks.

Because the answers to the three main types of ethical questions that are asked by each of the decision-making frameworks are not mutually exclusive, each framework can be used to make at least some progress towards answering the questions posed by the other two types.

In some situations, all three frameworks will result in the same – or at least very similar – conclusions about what you 'should' do, although they will typically give quite different reasons for reaching those conclusions. However, because they also focus on different ethical features, the conclusions that are reached through one framework will sometimes differ from the conclusions reached through one (or both) of the other frameworks. One may therefore have to discriminate (decide for, against, or ignore) between one or other of these 'decision-making' ethical frameworks.

Applying These Frameworks to Ethical Decisions

When using the above frameworks with which to make ethical judgments about specific cases, it may be useful to follow certain aspects of the decision-making processes, as below:

- **Recognizing an Ethical Issue**
  One of the most important things to do at the beginning of any deliberation is to locate, to the greatest extent possible, the specifically 'ethical' aspects of the issue at hand. Sometimes what appears to be an ethical dispute is really a dispute about facts, concepts, power, prejudices or personalities. For example, all 'utilitarians' would (almost certainly) abide by the ethical principle of producing the 'most' good with the 'least' harm; however, some 'utilitarians' might argue that the death penalty is ethical because it deters crime and thus produces the greatest amount of good with the least amount of harm; but other 'utilitarians' might argue that the death penalty does not actually deter crime, and thus it produces more harm than good. The argument here is - in reality -over 'which facts' argue best for the 'morality' (ethics) of a particular action, and not simply over the morality of particular principles.

- **Considering the Cultural and Environmental Elements Involved**
  Another consideration is that in some cultures, and some countries, and in some communities, an action may be considered as perfectly normal and ethical, and – yet – in a different culture, country or community – the action may be seen as 'taboo', an anathema, or unethical.
  Plastic bags, containers and cups may have been seen as cheap and utilitarian (ethical?); but are now considered as contaminating the environment and seas (unethical): similarly, various previously commonly available (utilitarian) commercial pharmaceutical or chemical products (like DDT, hair-spays (CFC), sheep-dip, thalidomide, etc.) have now been banned (as being unethical).
  There are (often) local customs about how (say) women can dress or behave, or who can touch whom, and thus whether these people or actions are moral or not: i.e. are these 'ethical' behaviours?

- **Consider the Parties Involved**
  Another important aspect to reflect upon is: who are the various individuals and groups who may be affected by your decision – either positively or negatively. Consider who might be harmed, as well as who might benefit.
  Would it be 'proper' (for example) for a child psychotherapist to disclose normally confidential information, obtained professionally during the sessions, to the parents of a (say)

13-year old child, who is the 'client'? Details for disclosure could be about what had happened to them (say) sexually; or about illegal or potentially harmful activities (taking drugs). In some countries, it is 'obligatory to report 'information' or 'serious suspicions' that one might have about historic (or current) childhood sexual abuse.

- **Gather All of the Relevant Information**
  Before coming to a decision, or taking any action, it is a very good idea (– an ethical obligation?) to make sure that you have gathered all of the pertinent (relevant) information; and that all potential sources of such information have been consulted. Ethical decisions can easily be over-turned (from ethical to unethical) with a new piece of information.

- **Considering Alternatives and Formulating Actions**
  Evaluate your decision-making options by asking yourself some of the following questions: they won't do any harm, and they may also prevent a lot of harm being done.

  ✓ Which action will produce the most good and do the least harm? (The Utilitarian Approach)

  ✓ Which action respects the rights of all those who have a significant 'stake' in the decision / outcome? Whose 'rights' may be being overlooked? (The Rights Approach)

  ✓ Which action treats people equally and/or proportionately? Which might decisions might be seen – later – as grossly 'unfair', 'unjust', 'wrong' … even though the "common good" may be being served? (The Justice Approach)

  ✓ Which action serves the community as a whole, not just some members? Which community members will benefit, and by how much? Which community members might be disadvantaged by a decision? (The Common Good Approach)

  ✓ Which action(s) lead you to act more like the sort of person you should (or would like to) be? Who might suffer as a result of your 'virtuous' decision? (The Virtue Approach)

- **Coming to a Decision <u>and</u> also Considering Its Possible Consequences**
  A large part of all ethical decision-making is: (a) as much considering the 'process' of decision-making, as well as the possible 'consequences' of that decision: it is not just the decision itself that has to be 'right' or 'ethical'.

  After examining all of the potential actions, which decision-making framework might best to address the present ethical situation? How do you feel about this choice of framework? By itself, or in consideration with other frameworks?

  What might be the consequences of your choice of decision-making framework? Might the 'decision' have been different, if you had considered a different framework? Or considered the decision from a different perspective?

  Is a choice or decision of 'no action' ethical or unethical in this case? Who might be upset, distressed, hurt, angry, or devastated about your 'non'-decision? Is this significant?

  There are lots of valid ('ethical') considerations: it may be 'good' to sleep on it, before you announce the decision; it may even sometimes be 'good' to lie awake at night, tossing-and-turning about which decision; it may also be 'good' not to make a decision until you have discussed it fully with colleagues, mentors, others; etc.

  It may also be necessary to 'record' something of this decision-making process. Is 'this' or 'that' consideration relevant? Do any other parties need to know about: **(a)** 'what' you considered important? **(b)** Or not relevant? **(c)** And/or 'how' you got to the decision? **(d)** And 'why' you arrived at this particular decision (and not another)? And … **(e)** What if you might have to 'justify' your decision, in due course, to a superior body, or in (say) an appeal in court?

- **Deciding on and/or Taking Action**
  Many ethical situations are very uncomfortable because we may have to make very difficult choices; and because we can never have all of the relevant information; or know the consequences.

We may 'hurry through' the ethical decision-making process, because of our (internal and/or external) discomfort, and thus (maybe) not give proper consideration to some (possibly complicated) aspects of the 'process', being more fixated on a result, as soon as possible.

We might feel that we 'should' or 'have to' take action, as soon as possible (in order to correct a 'bad' situation and become 'ethical' again), and we may therefore have to take some short cuts or risks, without fully realising the range of possible outcomes. The process of decision-making and taking action might also be ethical or unethical depending on 'how' it is done.

Complaints about, and the processes of decision-making about, ethical issues that are decided against (say) someone else (as in a professional association) usually have a laid-down (written) complaints procedure (set of rules and procedures). Some of these are adequate, others not. These procedures may not be sufficient; they may involve unintentional bias (a presumption of guilt); the 'laid-down' processes may not allow for a mediation or a process of reconciliation; they also put the 'complained about' person in an unenviable, or impossible position. They may also put you (as one of the ethical decision-makers) in an unenviable, or impossible position. It is therefore legitimate, or even 'ethical', for yourself, to decide not to become any further involved, as you have to maintain your personal (ethical) integrity.

The sanctions and pre-decided outcomes 'laid-down' (or 'available' or 'required') may also not be 'suitable', 'sufficient', or may be 'over-severe' or even 'inadequate', given the nature of the 'unethical' offence. As someone involved in having to decide about the ethical behaviour of another person, or a colleague, and therefore (by implication) possibly having also to 'decide' upon the outcome applied to that person, you are obliged to consider whether the sanctions to be applied – that you are applying - are appropriate, or 'ethical'.

It is therefore 'legitimate' or 'ethical' – as the person involved – to question any processes or sanctions on the grounds that they are – in your opinion – inappropriate, improper, overly severe, biased, or even 'unethical' in themselves. If the responses of the organisation that you are working for to this questioning are inadequate or unsatisfactory, it may be legitimate ('ethical') to 'step aside' from a decision-making process that seems to be improper or unethical.

- **Reflections on the Outcome**
  What were the results of your decision? What were the intended and the unintended consequences? Were all these realised? Would you change anything (about the decision) now that you have become more aware of some of these consequences?

  What have you learnt from this 'ethical' decision-making process? What have the other people involved learnt? How can these 'learnings' be put into a practical format / guidance for the future?

- **Appeals**
  Any ethical decision-making process that significantly involves someone's public reputation, professional practice, or their livelihood, should (or must) be subject to some form of review – and/or appeals process.

  If an appeal succeeds, this does not mean that you got it 'wrong' at the first decision-making level. There may be very valid grounds for appeal, outside of the normal 'complaints procedure' which you had been following correctly. It may also mean that the person cannot (for some reason) accept their position of being (in some way) declared 'un-ethical': so, this may be a legitimate appeal, or the 'ungrounded' personal rejection of a decision, and thus an appeal is instituted.

  The person, profession, organisation, university, or institute (partially or otherwise) involved will probably launch an appeal – whatever the decision. They have 'decision-making' bodies and resources far beyond yours. If the person's or organisation's (complaint's or appeal's process) is not handled 'properly', 'ethically', 'timely', etc. – the person 'complained about' may have grounds for appeal: even though you were just 'doing your job'; or now you – the 'ethics' person involved – are in the firing line.

A lot of the 'appeals processes' are as complicated (if not more so) that any primary case of possible (un)ethical behaviour. This can be the (complained about) person's "Last Stand" and they may owe it to themselves now to attack, rather than just 'defend' them self. They can't attack the person who brought the original complaint; so, they might attack the next person in line: you – who may also be a 'member', 'colleague', 'friend', etc. Just make sure that you are "squeaky-clean".

An appeal against an ethical decision may 'succeed' for a number of very valid reasons. If so, you may not have 'failed' in your ethical decision-making, or in its process. You should just make sure that you are suitably 'covered' – by the organisation you were working for, by your professional insurance, by you taking all the necessary steps in the right order: as you were just following the 'laid-down' ethics decision-making process of your organisation.

Conclusions

Making 'ethical' decisions is difficult. It requires a high degree of sensitivity to a wide variety of ethical considerations – and resultant implications – that can surround deciding about what might seem to be ordinary or everyday problems and situations. It also requires knowledge, skill and practice. Having an ethical framework within which to consider ethical decision-making is essential: it is probably 'better' – more ethical – to consider more than one ethical framework.

We hope that the information above has been helpful in developing your own experience of making ethical choices and in understanding some of the 'processes' and 'considerations' involved in ethical decision-making.

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Quotations:[2]
"The most optimistic ethics have all begun by emphasizing the element of failure involved in the condition of man; without failure, no ethics." - Simone de Beauvoir
"Ethics will be daimonic and inscrutable" - James Hillman
"Ethics we grapple with and value – Rules, laws and codes we follow … or break"
"Ethics is the triumph of freedom over facticity" - Simone de Beauvoir
"The ethics of ambiguity will be one which will refuse to deny 'a priori' that separate existants can, at the same time, be bound to each other., that their individual freedoms can forge laws that apply to all" - Simone de Beauvoir
"A defensive 'takes no risks' mind-set may breach the 'do no harm' principle."
Commercial ethical behaviour: *"When a company values integrity, fairness & honesty, every aspect of the business improves."*

Other Quotes:
"Integrity has no need of rules." - Albert Camus
"Whoever is careless with the truth in small matters cannot be trusted with important matters." - Albert Einstein
"In law a man is guilty when he violates the rights of others. In ethics he is guilty if he only thinks of doing so." - Immanuel Kant
"Without ethics, man has no future. This is to say, mankind without them cannot be itself. Ethics determine choices and actions and suggest difficult priorities." - John Berger
"The relations between rhetoric and ethics are disturbing: the ease with which language can be twisted is worrisome, and the fact that our minds accept these perverse games so docilely is no less cause for concern." - Octavio Paz
"It seems that if you put people on paper and move them through time, you cannot help but talk about ethics, because the ethical realm exists nowhere if not here: in the consequences of human actions as they unfold in time, and the multiple interpretive possibility of those actions." - Zadie Smith

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[2] Collected and presented by Tom Warnecke at the Ethics Symposium, Vienna, Feb, 2018.

Acknowledgements: