“There’s No Room in the Worksheet” and Other Fallacies about Professional Ethics in the Curriculum

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The majority of my students profess a total amorality when it comes to professional ethics. Taking their words at face value, which I have elicited in countless papers and class discussions over the decades, their attitude is: Whatever you need to do to “succeed,” to get ahead, or even simply to remain employed ... do it. I am tempted to conclude that Enron Corporation and whatever other notorious examples one cares to mention — from business, politics, criminal justice, law, scientific research, health care, engineering, sports, entertainment, and, yes, education — are not anomalies, but the norm.

Of course my experience is not uncommon. Yet, despite growing recognition that the ethical education of professionals is sorely lacking, attempts to establish a professional ethics curriculum continue to encounter resistance at many colleges and universities. This is true even at those — perhaps especially at those — that emphasize professional programs and majors. The main stumbling block seems to be a purely practical one: How do you fit a course on professional ethics into academic worksheets that are already over-crowded with essential technical courses in every professional discipline?

I maintain, to the contrary, that the real problem is one of attitude and will, and these in turn rest upon a set of mistaken notions about the nature of professional ethics. In this essay I shall highlight what I take to be a number of fallacies about professional ethics and suggest more appropriate ways to think about these things.
NINE FALLACIES

Fallacy No. 1:

Everybody knows the difference between right and wrong, so there is really nothing special that needs to be learned or taught in the realm of so-called professional ethics.

Response:

It may be true (although I’m not really sure, since this is, at least in part, an empirical question) that we are all endowed with a conscience, which, furthermore, is a veridical one. But this is no more than to say that we have a certain capacity, just as we may all be supposed to have the capacity for language. That elementary fact, however, does not preclude the recognized need or desirability of refining our innate abilities through informal and, to the point, formal education. For example, we all walk into the first grade classroom with some facility in our native tongue; yet, as every college freshman laments, even twelve years of instruction in English (or whatever language) have still not sufficed to make us fluent. The analogous point may be made about conscience.

Furthermore, the fallacy presumes that an understanding of ethics tout court will equip one to deal with ethical issues on the job at the level of professional proficiency. But again, by analogy to other areas of knowledge, one is not necessarily ready to practice, say, engineering simply because one has a good grounding in basic science, nor ready to give a flute recital because one has a solid understanding of music theory, etc. Just so with professional ethics, which is both a specialized and an applied discipline.

A “corollary” of Fallacy No. 1 is the not infrequent claim by instructors in the various professional fields that they have all the competence required to teach their students about professional ethics — again, both because they (the instructors) are endowed with a basic ethical sense or conscience and because they are familiar with their own professional practice (cf. Fallacy No. 3 below). In fact, it is often perceived as insulting by these instructors should someone suggest that they hand over their “charges” to an ethicist for a course on same. But, then, why do they lack a similar “sensitivity” about having, say, a professional in English teach their students about writing, even technical writing? Is it because they don’t mind being considered illiterate in their own professional practice? Clearly not. So somehow there is the perception that, unlike English, ethics and professional ethics are not real disciplines, just matters of per-
sonal opinion. I submit this evidences a profound lack of understanding of a field that most professionals, including teachers of the various professions, are simply unfamiliar with, not having had a thorough exposure to it in their own professional education.

Fallacy No. 2:

If somebody doesn't already know the difference between right and wrong, or, knowing it, has failed to sufficiently internalize it into one's motivational psyche by the time they reach college, it is too late to do anything about it ... or, at least, no mere classroom instruction is likely to have a significant ameliorative effect.

Response:

Psychologists tell us that by the time we are three years old, our personalities are pretty much set in stone. Presumably something analogous is true about our moral outlook on the world. A hoodlum does not typically become a saint by taking a course on sainthood. Nevertheless, if we did not believe in the power of formal education to transform people, and not simply add to their “storehouse of knowledge,” then I think much would be lost from the point and purpose of our profession. (For education is our profession, is it not? While we may also be engineers, fire fighters, and philosophers, our salaries at institutions of higher learning are first and foremost for assisting others to learn ... yes?)

As a matter of fact, some psychologists have championed the idea that our moral personalities do or can undergo significant change throughout a lifetime. Lawrence Kohlberg, after Piaget, was a pioneering figure in this regard. He particularly emphasized that life experiences, including educational interventions, can be crucial to moving from one “stage” to the next. While his work can be criticized for begging some central conceptual issues, such as whether later stages are equivalent to higher stages and whether principled reasoning is necessarily superior to socially sensitive decision-making, it does provide heartening scientific support for the common-sense view that people are capable of moral maturation and benefiting from moral instruction.

I cannot say exactly how to “measure” the efficacy of a professional ethics course in particular, but I would not merely dismiss the prospect either. The testimony of graduates on some long-term assessment instrument might well reveal the perceived value of such a component of our students’ professional education. My university, for example, is implementing a simple questionnaire, to be sent to alumni at five-year intervals, that asks how they now regard various components of their university
experience. For what it is worth, I know that were I to be called upon to comment on the impact of formal ethics study on my own professional behavior, I would want to write reams (as I have done). And I don’t just mean about how I have been motivated to try to persuade others to study ethics! I would discuss day-to-day decisions about teaching, interacting with colleagues, voting on academic policy issues, and so forth.

Fallacy No. 3:

Professional ethics is a matter of obeying the law and observing standard practices, so there is no need for anything other than instruction in the laws that pertain to one’s profession and instruction by practitioners in one’s field, followed by or in tandem with one’s own experience on the job.

Response:

Laws have loopholes, and laws can themselves be immoral. These are commonplaces. There must be a well-developed conscience to fill these gaps and show the right path. But even when the laws are an adequate guide, one must be motivated to comply with them. To depend on fear (of punishment) as the great social motivator is to ask for a police state (with all its attendant criminal ills, perpetrated mainly by the legal authorities!), or else to leave ample room for criminal behavior to thrive. An obvious alternative, or supplement, is to strive to promote norms of behavior by inculcating personal understanding of the value of avoiding wrong and of being and doing good, and also social attitudes of approbation and disapproval that reinforce this understanding — in a word, ethics and morality.

Meanwhile, standard practices are another fallible guide. Just because all of your co-workers swipe paper clips from the supply room doesn’t make it a good idea or something you should emulate. Ethics doesn’t derive its notions of right and wrong simply from fitting in with the prevailing milieu.

Fallacy No. 4:

Professional ethics is a matter of practice and not of theory; i.e., it is an “applied” discipline.

Response:

This assertion presumes a dichotomy between theory and application that is fallacious because it is excessive. While there is surely a dis-
tinction to be drawn, application cannot be independent from theory, for precisely what is to be applied is ... a theory! Thus, while professional ethics is definitely an applied discipline, that does not imply that theory can be dispensed with. On the contrary, ethical theory must be firmly understood so that it can be applied intelligently and effectively.

Without theory, one is left with “intuitions” or even mere words. How often, for example, I hear my students assert that something is “wrong” (that is, when they’re not in their relativist mode), but when pressed they are completely inarticulate about what makes it wrong or what it means for something to be wrong (in the relevant sense). They literally do not know what they are talking about. Hence, they are in no position to defend their original assertion, other than to reiterate it ever more emphatically.

Upon further questioning — as every philosophy teacher knows — the students will often be found to be intuiting on the basis of some implicit theory — commonly egoism. I see one main purpose of an ethics course as helping the students to become aware of their own theoretical preconceptions and exposing them to alternatives so that they can weigh the relative merits in the light of explicit reflection. The practical ramifications of such an exercise can be profound indeed, since any alteration of theoretical outlook potentially affects every decision a person ever makes. Even without fundamental alteration, a better understanding of one’s assumptions can bring clarity of purpose and more consistent and finely tuned actions.

**Fallacy No. 5:**

*Professional ethics is best conveyed by integrating it into and throughout the entire professional curriculum rather than isolating it in a separate course that can then be easily ignored in the rest of one’s education (and subsequent career).*

**Response:**

Analogous to the preceding fallacy about theory and application, this assertion presumes a false dichotomy between separate instruction and integrated instruction. And as earlier, I need only point to other basic fields, such as English. Does the obvious desirability of writing throughout the curriculum preclude the need for dedicated courses in English? Of course not. Much more likely, the reason for having separate instruction and practice in English is that the teacher of business or engineering or criminal justice or sound recording or biology does not want to keep interrupting the course to teach and inculcate the rules of grammar, etc.
But assigning writing in all of those non-English courses will help to instill and develop what has been learned in the English courses. Separate and integrated are therefore complementary components of a complete education.

**Fallacy No. 6:**

*Professional ethics is a special kind of ethics, which is mainly about divergences from “ordinary morality.”*

**Response:**

This is an especially dangerous idea, which nonetheless seems to be borne out by such obvious examples as the defense attorney whose professional responsibility is primarily to her client and not necessarily to truth, public safety, or justice, and the soldier whose professional responsibility is to protect her country by lethal means if necessary. But most ethicists would probably argue that, underlying many apparent differences, there are fundamental principles of ethics, or even a single Supreme Principle. Hypotheses regarding such principles, or such a Principle, constitute the core of most ethics courses; they are the theoretical elements of the discipline. Thus, what to the “untutored” might appear to be exceptions to morality — one of those special privileges society accords to professionals — will more likely turn out to be instances of a general rule that is being applied under special circumstances.

The danger of mistaking the latter for the former is that the idea of exception or exemption or special privilege could be (mis)taken to grant a certain license and prerogative to the professional in the realm of morality, such that the professional might profess to become a moral law unto him- or herself. Under such dispensation, even an entire profession might arrogate unto itself the power to exempt its practitioners from the common morality, as would be the case, for example, were intelligence professionals to designate themselves completely free agents when interrogating terror suspects.

(Analogous comments could be made in response to the widespread notions that ethics, and hence professional ethics as a special case, is “subjective” or “relative” or just a “cultural” phenomenon.)

**Fallacy No. 7:**

*The supreme end of professional ethics is the promotion of one’s profession; the highest ideal is, therefore, “loyalty” to the profession and one’s colleagues.*
Response:

This too is a potentially noxious idea, but, alas, a truism in the eyes of many professional organizations. Analogously to the preceding response, the mistake is to focus on a derived application, to the neglect of its theoretical justification. Precisely what accords significance to a profession is, presumably, its value to society. Therefore, if the welfare of the profession and of its practitioners comes to be seen as the *sumnum bonum*, the cart is being put before the horse, and very likely to the detriment of the profession’s ability to carry out its warranting mission.

Fallacy No. 8:

*Professional ethics comes into play only when there is some crisis in a particular profession.*

Response:

It is certainly the case that public and even professional consciousness of professional ethical issues correlates with media attention to egregious wrong-doing in a particular profession or industry. It does not follow that there are not also pervasive problems, which are less likely to receive publicity. Here I think of the analogy of medicine. Until recently in this country, and to this day in most other countries, the time to see the doctor is when something goes seriously wrong. Now in the United States we recognize the importance of preventive care: The best time to see the doctor is before a crisis arises, to make sure that healthy strategies of life are being followed. Just so, I would argue that professional ethics is an area of expertise and reflection that is best employed preventatively, or as a vaccination if you will.

But the fallacy runs deeper still: I have heard a CEO, who was introducing a panel discussion of recent corporate scandals, express regret, possibly even shame, not only about those scandals but also about the need to discuss them. In other words, his displeasure had become displaced from its cause to its possible “cure” — as people will sometimes talk about going to the doctor in the same hushed tones they use to refer to an embarrassing ailment that sends them there (if they will mention it at all). But this is a huge impediment to the necessary, and forever ongoing, vigorous, and open discussion that would help to make such crises less likely to occur in the first place.
Fallacy No. 9:

Professional ethics is not something one needs to emphasize in formal education because the school of hard knocks all by itself resolves professional practice in favor of ethical behavior, as being the kind of behavior that works best.

Response:

This is a popular view among some business professionals, who argue that the best possible reason to be ethical is precisely that it’s good for business. I call this “The Other Hand Defense,” as it appears to postulate a complement to the “invisible hand” of Adam Smith, according to whom “[Every individual] neither intends to promote the public interest, nor knows how much he is promoting it. . . . [H]e intends only his own gain, and he is in this, as in many other cases, led by an invisible hand to promote an end which was no part of his intentions.” The present argument postulates the converse: By focusing on ethically right behavior, a businessperson will be led by an invisible hand to maximize his or her profits.

As nice as it would be to believe in some such pre-established harmony or mechanism of nature and society, no unprejudiced observer of the world can plausibly maintain that it always and of necessity works that way. Without going to the other extreme of insisting that “no good deed goes unpunished,” I submit that it is reasonable to suppose the relation between “doing well” and “doing good” is contingent and hence won’t always be a positive correlation (some SRI proponents and afterlife aficionados to the contrary).

Perhaps it is enough to hold that it is generally true nonetheless. Plausible explanations of why it should be true are available, such as that a certain degree of trust is essential to the successful conduct of business (as with most human affairs), and trust is more likely to be maintained in the long run if it is based on fact, i.e., on trustworthiness.

But our students often have a hardened sense of how things get done in “the real world,” which makes them quite skeptical about such theoretical assurances. For one thing, many are blissfully unaware of the recurrent scandals in the various professions. Even when they do follow the news, the lesson they are most likely to learn is: Don’t get caught. What other “moral” could be drawn if there is no other way to succeed than to “bend the rules”? The students may also be simply correct that the cases they hear about in the media are a skewed sample in terms of likelihood
of being found out and punished, but a representative sample in terms of how business is normally conducted.\(^8\)

But the most profound reason for labeling the Other Hand defense of professional ethics a fallacy, I maintain, is that it puts success ahead of ethics. The bottom line remains financial profit. Thus, if one were ever to find oneself in a situation where ethical behavior did not seem to promise the best outcome for one’s personal or business interests, what would this stance advise? It seems to me to invite the wrong kind of thinking: “What’s best for my business?” rather than “What is the right thing to do?” The danger is that it will invite exceptions to the rule of ethics.\(^9\)

A FINAL FALLACY?

Finally let me mention a notion I think is only partially fallacious, to wit: Professional ethics is an essentially critical and “negative” discipline, which specializes in finding fault with prevailing practices and even some professional ideals. According to this view, the exemplar of professional ethics is the employee who refuses to do something (“unethical”) or is a whistleblower. Ultimately the discipline of professional ethics might seem to be incompatible with the work world. Perhaps it should position itself in the periphery or even on the “outside,” in the traditional role of gadfly; otherwise the critic risks being compromised or co-opted. It is a clear conflict of interest for the critic to be in the employ of the criticized; thus, it is nonsensical to suppose that professional ethics can be integrated into professional practice, and perhaps even into professional education.

I have to admit that the above characterization often gives me pause. I know that Socrates himself would disapprove of my being a professional critic of the professions. (At least, then, I am appropriately criticizing my own profession as a case in point of a profession being criticized!) And this state of affairs certainly creates practical problems for the project I am promoting. Why, after all, would a potential employer want to hire someone trained in ethics — wouldn’t that be like letting the fox into the chicken coop? So it makes problematical any claim a professional ethics program might make about enhancing the employability of the graduates of its institution’s professional programs, and hence the ethics program’s suitability to the career-preparation mission many of our institutions have espoused.

I think the truth of the matter is, however, that the main object of criticism by professional ethics is not the professions (nor professional education) as such, but precisely their characteristic resistance to profes-
vional ethics. Professional ethics proper is critical only in the benign sense that my colleague David Brubaker has articulated for art criticism in the syllabus of his aesthetics course:

“To judge, discern or evaluate carefully is to act as a critic. For example, people who review movies and musical recordings are called film and music critics. Criticism consists of an attitude of careful judging and discernment that leads to an opinion (a positive or negative judgment). A good critic can be carefully aware, thoughtful and still like the movie or CD — still think carefully and arrive at the opinion that the film is good. Or the critic may be of the opinion that the film is bad. My point is this: to be critical, in a philosophical way, is NOT the same as to judge negatively. To be critical is to have the right kind of attitude to guarantee an accurate opinion.”

I am not sure that even this notion of criticism in the basic, “neutral” sense captures the flavor of professional ethics. I now tend to think of the discipline as concerned not so much with “judging” as with problem identification and problem-solving. A paradigmatic example would be: How can a defense attorney maintain her professional “loyalty” to her client (or a police officer to her colleagues, or a businessperson to the bottom line, etc. ad inf.) while at the same time respecting and caring about other persons, beings, entities, and values? The reasoned effort to answer such questions is completely in keeping with, and furthers, a profession’s own goals for the most part, it seems to me. It is also compatible with the “can do” attitude that the business world so admires but often thinks would be impeded by ethical scrutiny; it’s just that, on the ethical view, “get the job done” ought not be taken to imply “by any means necessary.”

CONCLUSION

I conclude that those of my colleagues in the professional and business disciplines who are forever bemoaning the lack of room in their worksheets for a professional ethics course, have quite missed the boat. Professional ethics is not an “add-on” to a professional education, not even as a part of the “broadening” that a liberal arts-based professional education is supposed to provide. More essentially, professional ethics is part and parcel of being a professional. Not to “have room” for it in a professional’s education is therefore a contradiction.

This is presumably one of the reasons we would expect people who seek to be professionals to receive higher education: so that they will
have the opportunity to reflect on the implications of their means of making a living. This is precisely one of the advanced skills that separate professionals from mere toilers in the field. Professional ethics is an area of expertise, and so should be taught by its own specialists — typically in philosophy but also allied fields. Give it its due in the curriculum, in the required core and not just the optional periphery of every professional program of study.  

To fail to do so could itself be construed as a lapse of professional ethics in our own field of education.  

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NOTES  

1 I teach mainly undergraduates who are taking a general education ethics course in a career-oriented university. None of them are philosophy majors. I have formed the same impression of students taking upper-level and graduate business courses where I have been invited to guest-lecture; their teachers bemoan the same phenomenon (hence the invitation).  

2 “Worksheet” is the term my university uses for a student's program of study.  


4 One of my students once expressed that his senior “professional seminar” was essentially a course in, as he put it, “CYA” (covering your butt). In other words, he was taught about the laws he would not want to run afoul of for prudential reasons.  


6 Smith himself disdained this possibility. He concluded the quoted passage by stating, “I have never known much good done by those who affected to trade for the public good.”  

7 “SRI” stands for “socially responsible investing,” some of whose more over-the-top advocates appear to believe that investing in the most ethical businesses guarantees maximum returns in the long run. The idea that sacrifice is sometimes necessary for the moral life may occasionally be forgotten by members of this otherwise laudable and level-headed movement.  

8 In my teaching I drive home the analogous point that the vast majority of academic cheating goes undetected and/or unpunished. See my “Cheating 101: Ethics as a Lab Course” in *Teaching Philosophy* 26:2 (131-145), June 2003.
In a fascinating article in the *National Post* (of Canada) *Business Magazine* (March 2004, pp. 78-87), the newspaper’s editorials editor Jonathan Kay (who is also a tax attorney) acknowledges the gap between these two views of professional ethics — which he labels (after philosopher Wesley Cragg) “the business case for ethics” and “the ethics case for ethics” — and comes down unapologetically on the side of the former. He concludes, “To the extent that academics can make the case that doing the right thing is good for profits, then by all means let students be taught to do the right thing. But it will only do harm to their companies and careers if they are taught to take their business management cues from Albert Schweitzer instead of Adam Smith.” (Despite his thesis, however, Kay’s argument seems to be an ethically ethical one.)

Professional ethics should also be integrated throughout the professional curriculum, with campus-wide coordination and collaboration, including team-teaching, among theorists and professional practitioners on the faculty, who, ideally, would also be fellows in a campus research center that would sponsor visiting speakers and the like. My emphasis in this essay, however, has been on professional ethics as a specialization.

This essay has benefited from critical commentary by Janet Gillespie, Michael Morris, and an anonymous reviewer for this journal. Any remaining causes for complaint are due to the author’s pig-headedness.