

# SORTING RIGHT FROM WRONG

BY PEGGY KERNS

**A**laska's code of ethics states the obvious: "High moral and ethical standards among public servants in the legislative branch of government are essential to assure the trust, respect, and confidence of the people of these states."

But it goes on to make a point that might not be so evident: "No code of conduct, however comprehensive, can anticipate all situations in which violations may occur. Laws and regulations regarding ethical responsibilities cannot legislate morality, eradicate corruption, or eliminate bad judgment."

Alaska couldn't have said it better. Laws have their place, but ethics cannot be legislated.

We all try to be ethical people. If we are public servants, we have an enormous responsibility to operate with high ethical standards. It starts with obeying ethics laws and rules. Legislatures put into law the do's and don'ts, and following them ensures that public officials act legally. These laws do not make a lawmaker ethical, however. Ethics are much more than that.

## IT'S NOT ALWAYS CLEAR

Ethics are the standard of what is right and wrong, and they are based on our values. Being ethical requires making a moral judgment, and that's not always easy. Ethical behavior takes courage and has to be practiced. Public officials feel added pressures. The ethical choices we make often occur in the public arena, often under the media's lens.

Most of us don't think a lot about ethics as we go through our daily lives. We may display our ethical core in many ways, but we usually don't talk about it. Every once in a while, however, we face a decision that has us stop and ask: What should I do? If there is a law to guide us, it's easy—follow it. If instincts tell you it's a clear choice between right and wrong, follow your instincts. Although you may occasionally be tempted, these right-versus-wrong dilemmas are usually solved quickly.

But the choice isn't always so clear, and there aren't always rules to follow. Do I vote to put more money into education or health care?

*Peggy Kerns is the director of NCSL's Center for Ethics. Adapted from the Institute for Global Ethics seminar in Ethical Fitness®, and its Nine Checkpoints for Ethical Decision Making; Josephson Institute of Ethics, Making Ethical Decisions; and Santa Clara University, Markkula Center for Applied Ethics, A Framework for Ethical Decision Making.*



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Do I remain loyal to a colleague, even if I think he's wrong? Do I keep my word to vote for a bill, even if I change my mind? In these examples, there may be no clear distinction between right and wrong. Whatever decision we make is an ethical one, based on our core values.

#### MAKING CHOICES

Ethical dilemmas involve choices among competing values. At various times, we may rank these values differently, based on the circumstances. We love our families, but may neglect them during the long hours of legislative work. Ethical dilemmas present a choice between "right-versus-right." When faced with an ethical dilemma, here are some steps to help you navigate it.

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### 1

**Follow the law.** Sounds obvious, but too many public officials get into trouble for not following the law. This is the stuff from which headlines are made, and fuels even more skepticism among a distrustful public.

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### 2

**Be aware you have an ethical dilemma.** Learn to recognize when a moral issue is at question. This step is important, because it requires us to think about the matter and not brush it off.

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### 3

**Decide whose dilemma it is.** Sometimes the answer is obvious. It's yours. There may be a situation when it's not your dilemma, but someone else's. Because we rank our ethical values differently, what might be a dilemma for one person may not be for another.

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### 4

**Gather the facts.** What do you know and not know? Who will be affected? Even if your decision is controversial, you help shape the debate by saying, "These are the facts as I know them."

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### 5

**Identify competing ethical values.** It helps you understand your dilemma. Weigh one value against the other. Either choice may be ethical.

Do I vote for a bill that gives a short-term gain for my district or vote for one that hurts my district, but provides a long-term gain for the state?

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### 6

**Analyze your options.** Is there a third choice—a compromise position that holds true to your ethical principles? Choose a decision-making model that fits your ethical values and helps you solve your dilemma. The option may change, depending on the dilemma. Some include:

◆ **Common-sense:** What do your instincts tell you? What do you feel in the pit of your stomach?

◆ **Ends-based:** What is the greatest good for the greatest number? Which decision will produce the most good and do the least harm? The principle of utilitarianism judges the decision by the effect it will have, by the consequences of the act.

◆ **Rule-based:** What single principle or rule should everyone follow? Based on the teachings of Immanuel Kant, this option does not consider consequences, only the ethical principle behind the decision. In other words, do the right thing, no matter the result.

◆ **Care-based:** What would I want if I stood in the other person's shoes? Called the "rule of reciprocity," this option has a long history stemming from various religions and philosophers.

◆ **Fairness or justice:** Which choice treats people equally or proportionately and fairly? Consider the stakeholders—individuals or groups that have a stake in the decision.

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### 7

**Make the decision.** You don't have to do this alone. Seek counsel from a trusted adviser. Consult your peers, legislative leaders, family or friends—people you respect.

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### 8

**Act.** This may seem obvious, but it's sometimes too easy to let circumstances and other people's actions make the decision for you. Consider the consequences of your action or inaction and be prepared to justify it.

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### 9

**Reflect.** This final step may be the most important. If you had it to do over again, would you make the same decision? What would you do differently? What were the responses to your decision? Reflection will help prepare you for the inevitable tough choices that will present themselves again.