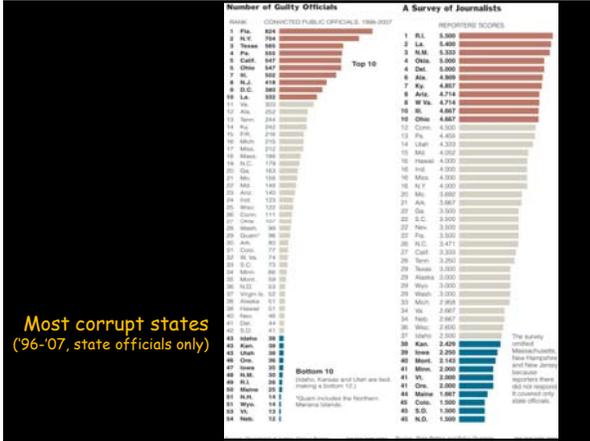
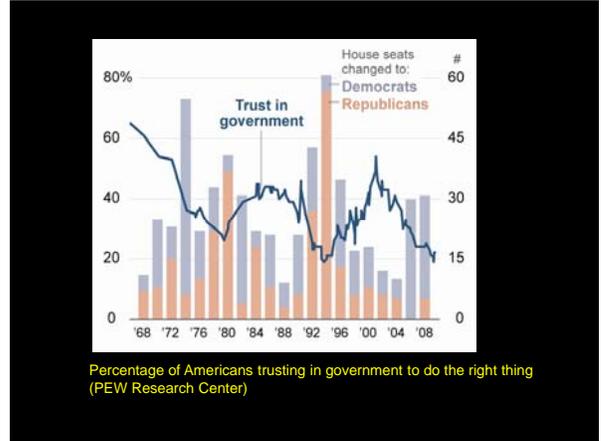


# Ethics at the Box Office

Allan Wallis  
School of Public Affairs  
University of Colorado  
Denver



Most corrupt states (96-07, state officials only)



We look to ethics to help construct a moral compass to distinguish right from wrong and to choose between two alternatives both of which seem right.

One man's moral compass...

When I do good I feel good.  
When I do bad I feel bad.  
That is my religion.

Lincoln



## Mr Smith Goes to Washington

Directed by Frank Capra  
1939

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## Different moral compasses

Smith is accused of graft and threatened with being expelled from the Senate. Senator Paine who was once his hero and mentor is now his accuser. In his filibuster Smith evokes core democratic values. Pierce is so moved by these touchstone beliefs that he confesses that he is the one who has compromised his ideals.

For Smith the challenge is doing right and suffering the consequences. For Paine it's recognizing that he has failed to distinguish right from wrong.

The former is prescriptive—focusing on what we should do; while the latter is proscriptive—focusing on what we shouldn't do.

Smith is evoking a prescriptive ethics: an ideal. Paine has violated a proscriptive ethics; he has crossed the line by allowing his vote to be bought.

## Proscriptive Ethics

*Distinguishing right from wrong*



"Well, among the many lessons I've learned from this whole experience is to try to speak a little bit less...." Rob Blagojevich

## Three tests for distinguishing a right vs. wrong decision\*

- **Violation of law:** would you want to read about it in the papers?
- **Departure from the truth:** would you want your mother to know about it?
- **Deviation from moral rectitude:** does it fails the smell test?

\*from Rushworth Kidder,  
*How Good People Make Tough Choices*

## Lying in Elected Office

The Case of the Speaker of the House and his Staff Member



## Rationalizations for unethical decision making

- If it's a necessary evil it's ethical
- If it's legal and permissible, it's proper
- It's just part of the job
- It's all for a good cause
- I'm just fighting fire with fire
- It doesn't hurt anyone
- Everyone's doing it
- I can still be objective

## Rationalizations aside...what's wrong with lying?

- Compromises core values
- Violates the trust upon which critical interpersonal relationships are based: those between colleagues and with constituents

## Prescriptive Ethics

*Choosing between two rights*



### The Insider

Directed by Michael Mann  
1999

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Jeffrey Wigand

Former Vice President, Brown & Williamson Tobacco

"I had what I would consider some moral compass issues that I was dealing with in terms of what principle do I need...[what is] my guiding principle here? I wanted to get the truth out. I wanted to make sure it got out. I felt that the industry as a whole had defrauded the American public. And there were things that I felt needed to be said."

From an interview aired on PBS Frontline

## Jeff Wigand's dilemma

- If this is a right vs. right choice, what is Wigand choosing between?
- On what basis is he making his choice? What principle is he employing to set his moral compass?

## 1. The Rules-Based Approach

We can describe Wigand's approach to resolving his right vs. right dilemma as rules-based. He is looking for a guiding principle or rule to determine his decision. He believes that if everyone applied this rule that the world would be more just.



Emanuel Kant and the categorical imperative



We can see this kind of rules-based reasoning displayed in the character of Jimmy Stewart a.k.a. Senator Smith.

He follows a lofty principle regardless of the consequences, and he believes that if everyone acted like him then the Senate would be a better place.

We commonly see this ethical stance taken by whistleblowers, most of whom are in the public sector.

## Employing Rules-Based Reasoning

### The Case of Senator Kathie Graham



What rule should Graham follow in making her decision regarding the CEO of the corporation in her district?

In choosing between competing rules, which would be preferable if she wanted to follow a rule—that if everyone else followed the same rule—would make the Legislature a better institution?



## 2. The Ends-Based Approach

In developing public policy we are often forced to make trade-offs based on determining the best use of limited funds or other resources. Consequently our reasoning is based on adopting the course of action that can produce the greatest benefit for the greatest number. We call this ends-based reasoning.



## Ends-Based Reasoning

Do whatever produces the greatest good for the greatest number (Jeremy Bentham's consequentialism).

Often in making this determination we employ cost/benefit analysis, but we need to consider who bears the costs and who receives the benefit.



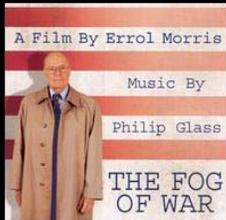
Bentham



Applying an ends-based approach to the previous case about Senator Graham, how should she choose between the interests of the people in her district vs. the interests of the people in the state as a whole?

Robert McNamara

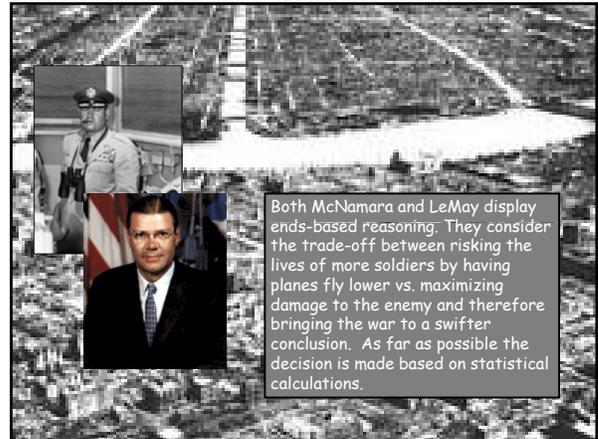
*Resolving ethical dilemmas using an ends-based approach*



The Fog of War

Directed by Errol Morris  
2004

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Both McNamara and LeMay display ends-based reasoning. They consider the trade-off between risking the lives of more soldiers by having planes fly lower vs. maximizing damage to the enemy and therefore bringing the war to a swifter conclusion. As far as possible the decision is made based on statistical calculations.

## Employing Ends-Based Reasoning

Rationing Health Care Insurance



If you can't provide every eligible person with all of the medical care that they require to keep them healthy and alive, how should you set your priorities?

What kind of reasoning would you follow if your moral compass was set by an ends-based principle?



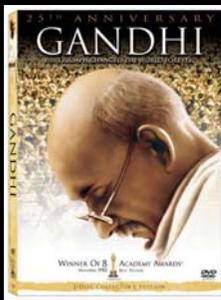
### 3. The Care-Based Approach

Treat others as you would like them to treat you (Golden Rule).

Test your actions by putting yourself in the shoes of the person at their receiving end (test of reversibility)



Gandhi  
Resolving ethics dilemmas using a care-based approach



Gandhi

Directed by Richard Attenborough  
1992

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In this case, who is facing an ethical dilemma?

What is the nature of the dilemma, what values are in conflict?

How does Gandhi resolve the dilemma?



### Employing Care-Based Reasoning

Rationing Health Care Insurance



We looked at this case previously using an ends-based approach. How might we address it if we chose to employ a care-based approach?

Could we create a policy in which both an ends-based and a care-based approach were employed?

## Putting it all together



Which ethical compass do we tend to follow most in policymaking and in implementing policy?

- Rules-based
- Ends-based
- Care-based



If there's a dominant approach, would it be useful to balance it with other perspectives?