

SECTION I

Western Theories of Ethics

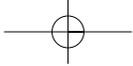
In the first section, we introduce Western views of ethics, covering the following theories: *virtue ethics*, *natural law*, *utilitarian ethics*, *feminist ethics*, *Native American ethics*, and *respect for persons*. Chapter 2 concerns virtue ethics. Virtue ethics provides one of the oldest Western perspectives (Shanahan & Wang, 2003). The ancient Greeks developed this particular orientation, e.g., Plato, Aristotle, and Socrates. The primary focus of this theory is on an understanding of the person's character and related virtues.

Chapter 3 is a discussion of *natural law* (Harris, 2002; Shanahan & Wang, 2003). Natural law is grounded for the most part on Christian principles. Thomas Aquinas is one of the original contributors to this orientation. The primary basis of this theory is human nature and natural inclinations. These inclinations are defined in terms of biological and human values.

In Chapter 4, we discuss *utilitarian ethics*, which is founded upon the idea of the "most good for the most number of people." John Stuart Mill is one of the major contributors to this theory (Harris, 2002). Many Western laws are founded in part upon utilitarian perspectives.

The next chapter, Chapter 5, is a presentation on *respect for persons ethics* (Harris, 2002). Much of the theory of respect of persons is based upon the writings of the German philosopher Immanuel Kant. The primary foundation of respect for persons is a universal principle that agreement on ethical behavior is dependent upon actions being acceptable to you if you consent to others behaving that way toward you.

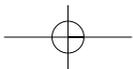
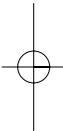
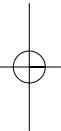
In Chapter 6, we discuss *feminine ethics*. According to feminine theorists, women hold a subordinate position in patriarchal society (Gilligan, 1982; Noddings, 1992; O'Brien-Hallstein, 1999; Page & Tyrer, 1995). In addition to oppression, another underlying principle of feminine ethics is that of caring. Caring accordingly



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includes responsiveness, sensitivity to others, acceptance, and a feeling of relatedness to others (Gilligan; O'Brien-Hallstein).

The seventh chapter is a focus on *Native American ethics*. There are many groups within Native Americans, but there are basic concepts that can be emphasized (Marshall, 2002). For example, a key belief is to show respect or show honor for all life. Other important views include showing respect for elders and community leaders.



Chapter 2

Virtue Ethics and Counselor Decision-Making

Virtue ethics is an important perspective for professional conduct because of its emphasis on the central role of motives in moral questions. To act from virtue is to act from some particular motivation; correct moral decisions require correct motives. For the virtue ethicist, helping a person in need should be motivated by charity or benevolence. Virtue ethics focuses on the process by which moral attitudes and character develop. Since character development continues over the life span, there is an emerging or evolving quality to it. As such, according to Meara, Schmidt, and Day (1996), virtue ethics can be viewed as a moral psychology, as well as a theory about making moral choices (as deontological or teleological theories). Virtues are neither situation specific nor universal maxims, but rather they are character and community specific. They are habits or intuitions that are nurtured in the context of a community, starting in childhood and continuing throughout life. Virtues are acquired qualities mediated by communities and religions. Modern virtue ethics still retains the key Aristotelian questions (Miller, 1991):

- What type of person do I want to be?
- What virtues are characteristic of the person I want to be?
- What actions will cultivate those virtues?

Western ethical thinking began with the Greek philosophers, Socrates, Plato, and, in particular, Aristotle, in the fifth century BCE. Socrates focused attention on the nature of a good life and how human beings ought to live; Plato questioned the standards for goodness; and Aristotle sought to define the good life and the means of attaining happiness.

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Virtue, knowledge, and happiness are the central tenets in Greek ethics. The distinguishing feature of their ethical thinking was the emphasis on the nature and attainment of moral virtue. Virtues are ingrained habits of behavior and one's virtues make up one's character. In fact, the word *ethics* is derived from the Greek word *ethos*, which means character (Blackburn, 1996). A person's character is the key element of morality. Virtue is knowledge and acquiring virtue is vital for a life that is truly human. Shanahan and Wang (2003) explained that when a person chooses evil, it is with the mistaken belief that the choice is good. That is, if an individual does what is wrong, it is because the individual thought it was right. Evil actions are the result of ignorance. This idea is sometimes hard to reconcile with the lived experience of people who deliberately choose evil, for example, consider the events of September 11, 2001.

A corollary to Socrates' "virtue is knowledge" doctrine is that human beings should be regulated by rationality to bring emotions and desires under control. Genuine happiness is a harmony of the parts of the soul: reason, spirit, and appetites. Since Victorian times the word *virtue* has taken on a meaning suggesting sexual restraint; however, for the Greek philosophers, virtue meant excellence.

Although there are other virtue traditions (e.g., Christian, Hindu, Confucian, Buddhist, and Sioux, among others), Aristotle is the primary source, and his viewpoint receives the most attention in recent works on virtue ethics (Fowers & Tjeltveit, 2003; MacIntyre, 1999). The first systematic description of virtue ethics was summarized by Aristotle in his *Nicomachean Ethics*. Happiness or *eudaimonia* is the central concern in Aristotle's ethical theory. *Eudaimonia* is the activity of living well. It is not a temporary feeling or momentary sense of well-being, but rather the attainment of a lifetime, acquired by exercising appropriate virtues. Aristotle offers a prescription for a good life by engaging in activities that make one a virtuous person (striving for excellence) and pursuing a goal of happiness.

Aristotle believed that no action is virtuous unless the actor intends it to be virtuous, so that this intention can place the actor's perfection ahead of the other's good. Meilander (1984) suggested that virtue ethics is inherently egoistic because the individual's self-interest in gaining happiness coincides with fulfilling moral obligations. Spohn (1992) also pointed out how an individual's motivation can be an undependable source of virtue because humans are subject to self-deception and pride.

Modern virtue ethics still retains the three major concepts of virtue, knowledge, and happiness derived from the ancient Greek philosophy (Miller, 1991). According to virtue ethics, the origin of ethical action is a holistic blend of purpose, disposition, affect, cognition, and social participation (Fowers & Tjeltveit, 2003). Many different virtues have been identified and emphasized in the writings of contemporary ethicists, for example, self-understanding, honesty, compassion,

and love. Virtue ethics is one approach in normative ethics. In contrast to the approach that emphasizes duties or rules (deontology) or to that which emphasizes the consequences of actions (teleological), virtue ethics emphasizes the virtues or moral character of the person. It shifts the emphasis from an appraisal of the act to an appraisal of the person who acts. Virtue ethics focuses on helping people develop good character traits, such as kindness and generosity. In turn, these character traits allow a person to make morally correct decisions in life. People need to break bad habits of character, such as greed or anger, because such vices stand in the way of becoming a good person. Of course, there are problems in deciding what constitutes a “good” character. Virtue ethicists have treated this issue as self-evident, but that position is problematic in that it suggests moral relativism: A virtue for one person or for one set of circumstances may be a vice for another. Bersoff (1996) points out that if acting ethically depends on character, then ethical reasoning and actions may be too individualized and idiosyncratic.

MAJOR CONCEPTS

Meara et al. (1996) differentiate virtue ethics from principle (or rule) ethics. The latter are espoused by various professions in their codes of ethical conduct and are typically used to facilitate solving ethical dilemmas. Principles allow for professional distance and objectivity. Conversely, professional virtues are values and purposes shared by practitioners and are acquired through socialization in the professional culture. Those virtues become the “character” of the profession as well as the “character” of its individual practitioners (Jordan & Meara, 1990). An essential difference between the two is that principles are obligations whereas virtues are ideals.

Principle ethics addresses the competing rights of clients and practitioners, answering the question, “What should I do?” in problematic situations, and is predominant in ethical decision-making among counselors in the United States. The five *prima facie* ethical principles (Beauchamp & Childress, 2001; Kitchener, 1984), which provide moral choices that can be applied when faced with moral dilemmas in counseling practice, include

1. Nonmaleficence, the duty to do no harm;
2. Beneficence, the duty to do good both individually and for all;
3. Fidelity, the duty to be truthful; to honor others, their rights, and their responsibilities;

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4. Justice, the duty to treat all fairly; and
5. Autonomy, the duty to maximize the individual's right to make decisions.

Nonmaleficence is the basis of the Hippocratic oath taken by ancient Greek physicians. This principle requires that, *in addition to not intentionally harming others, professionals refrain from any action that may cause harm*. Because counselors are privy to information that could potentially harm a client either intentionally or unintentionally, they must be vigilant about confidentiality.

In contrast to nonmaleficence, which suggests a passive stance, *beneficence* refers to *taking positive action to promote the welfare of others*. It involves an obligation to help members of society who are in need of assistance. Counselors must make decisions that will result in the client's growth and well-being. An important responsibility for the counselor is to attain and maintain an appropriate level of professional competency.

Trust is the cornerstone of an effective counseling relationship. *Fidelity* requires counselors to *respect trust by keeping commitments and being honest with their clients*. Maintaining confidentiality, informed consent, and avoiding dual relationships (i.e., associating with clients in more than one relationship whether professional, social, or business) are obligations subsumed under this principle.

Justice refers to *fairness and equality*. Counselors must ensure that they do not practice in a way that discriminates against a particular individual or group. They have the further responsibility to advocate for change when they recognize inequities.

The principle of *autonomy* is the *right to self-determination and freedom* from the control of others. Counselors have an obligation to present information to clients in a manner that they can understand and not to interfere unnecessarily in the client's decision. Practices related to this competency include confidentiality, rights to privacy, and informed consent.

Ethical decision-making using a principle approach is carried out in the context of solving dilemmas. The approach claims to be objective and universal because it relies on rationality rather than subjective and socially constructed virtues. Pincoffs (1971) called this type of ethical reasoning *quandary ethics*. The decision-making process involves reviewing the various principles, examining the actions of the participants in the situation, and determining what the appropriate actions should be in the situation based on the relevant principles. Many professionals mistakenly believe that they have met their moral requirements when they diligently follow the principles. However, Jordan and Meara (1990) as well as others (Kilpatrick, 1986; Pincoffs, 1971) cautioned that this narrow focus on problem-solving risks viewing ethical dilemmas as puzzles to be analyzed according to a set of rules rather than human problems that might involve considerable pain for the parties involved.

Multicultural scholars challenge the Western, scientific, individualistic, male-dominated worldview assumed by these principle ethics. What happens when we confront people from different ethical traditions in a counseling context? Winston (2003) pointed out that cultivating abilities in two types of reflection are indispensable given the increasing need for communication across cultures. He refers to *double reflection* as the ability to discern what something might mean to a person from a different culture, especially when it is at variance with one's own cultural view, while simultaneously thinking about the contestability of one's own worldview.

The multicultural movement has renewed interest in virtue ethics (MacIntyre, 1984), resulting in a vast number of theories. Generally, the theories agree that a virtue is a disposition to act and that virtue ethics stands in opposition to utilitarian concerns about the consequences of action (Oakley, 1996; Spohn, 1992). Virtue ethics suggests that counseling is a professional discipline with moral as well as scientific dimensions, and the moral dimensions are intimately tied to the moral character of the practitioner. In contrast to principle ethics, the problem for virtue ethics is focused on personal qualities and on deciding the answer to the question, "What type of counselor should I be?" This virtue perspective enriches ethical reasoning and can better encompass the positions of people from culturally diverse backgrounds. Virtue ethics impels professionals to think ethically at all times (What is in the best interest of the client?) rather than just when confronted with a dilemma (What should I do in this situation?).

Those two preceding questions are related and there are parallels between virtues and ethical principles. It is not that ethical principles are unimportant; they are, however, seen as insufficient by virtue ethicists. From the virtue perspective, character is more important than conformity to principles. Beauchamp and Childress (2001) provide a rough outline of the correspondence between principles and virtues: nonmaleficence with nonmalevolence, beneficence with benevolence, fidelity with faithfulness, justice with fairness, and autonomy with respectfulness. For example, it is impossible to meet the obligation of fidelity without the virtue of faithfulness. The *prima facie* principles are moral obligations, that is, they direct courses of action. Virtues, however, are ideals rather than guides to specific actions. Campbell (2003) notes that, taken together, virtue ethics and principle ethics are complementary approaches: Principles are clear, simple, objective, and to some extent universal; virtues attend to emotional and personal factors.

Principle ethics focuses on the moral questions faced by individual practitioners, and as such has been criticized as being more concerned about professionals than about the public (Vasquez, 1996). In our litigious society, principle ethics may be used by professionals as a legal minimum—a contract to protect against lawsuits, for example, obtaining a signature of "informed consent" for release of

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confidential information. The signature may protect the professional legally, but how that confidential information is communicated to others may profoundly affect the client's life. A respectful, compassionate report conveying intimate information from a counselor will give a different view of the client than one based on the motive of self-protection alone. Also, principle ethics do not generally examine broader ethical issues involving systems or institutions.

If principles do not provide clear answers for resolving ethical dilemmas, how does one decide which principle should prevail in cases where more than one ethical principle may apply? In those cases, virtues are needed for the competent application of principles (Jordan & Meara, 1990). Virtues are not simply correlates of principles; they go beyond principles, encompassing those human qualities needed when there are disputes over principles. For instance, two different principles—the client's right to know versus the client's welfare—may be relevant in a dilemma about the issue of the "therapeutic lie." A counselor may decide at a particular point in the counseling relationship that it may not be in the client's best interest to reveal how the client is enabling a problematic situation (say, substance abuse) within the family. Proponents of the *prima facie* principles might argue that truthfulness is the client's right. But what would be considered truthful in this situation? How much would the counselor have to reveal in order to be "truthful"? On the other hand, the counselor may fear that the truth would result in premature termination of counseling. Here the issue of truthfulness not only involves clients' rights but also the counselor's virtues such as prudence, discretion, and integrity. The counselor's motives must be examined. In order to be considered a virtuous act, the concern about early termination of counseling must stem from a concern about the client's welfare and not from a concern about loss of income.

May (1984) and Meara et al. (1996) provided examples of professional *virtues*, including *fidelity* (truthfulness, keeping one's promises), *prudence* (exercising good judgment), *discretion* (knowing what is at stake), *courage* (firmness in the face of adversity), *integrity* (acting for the right reasons), *respectfulness* (determining how others wish to be respected), *public-spiritedness* (ensuring professional help to those in need), *benevolence* (wanting to do good), and *humility* (reciprocity of giving and receiving). These virtues are not obligatory but rather are ideals that professionals should strive to attain (APA, 2003a). Virtues become meaningful only in context. For instance, when working in multicultural communities, the justice principle needs to be understood at a societal as well as an individual level to truly understand a minority client's position. A prudent counselor in a multicultural setting is aware that the client's perspective on a situation may be very different from that of the counselor.

Virtues are character strengths that encompass both personal and professional domains—virtue ethics focuses on the expression of character in an individual's

life as a whole (Fowers & Tjeltveit, 2003). Punzo and Meara (1993) differentiated *self-regarding* virtues, such as integrity and humility, which benefit the counselor, from *other-regarding* virtues, such as respectfulness and benevolence. The self-regarding virtues actually enable other-regarding virtues that are oriented toward producing moral good for the client or community rather than for the counselor who possesses them.

May (1984) highlighted integrity and humility as especially important virtues for professionals. Integrity is seen as synonymous with character—at the core of one's identity as a person and a professional. Integrity refers to how one behaves when no one is watching. Ethical codes address threats to integrity as issues that impair competence, such as misrepresenting credentials, inappropriate dual relationships, or imposing one's personal beliefs in one's work. As May pointed out, in this age of specialization and lengthy educational training, professionals are in powerful positions because of their knowledge. Professionals need to be virtuous because few people are in a position to discredit them.

Most of the virtues address how professionals should work with the client. However, the virtue of humility recognizes the reciprocity of a professional relationship (May, 1984). Counselors must acknowledge that their professional lives depend upon what they receive as well as give to a relationship. The need is two-way: The counselor needs the client as much as the client needs the counselor. In multicultural contexts, counselors may not be as knowledgeable as they would like to believe. Humility recognizes the need of the counselor to learn a different perspective from the client.

The saying, “virtues are caught as much as they are taught,” reflects the idea that virtues are transmitted informally within communities. Questions then arise about how one defines community. There is considerable heterogeneity between and within cultural groups, so it is unlikely that a single moral code will adequately represent the view of the entire culture. Another question centers on the factors that are involved in decision-making from a virtue ethics perspective. One might ask whether a virtue ethics perspective practiced in multicultural settings would loosen or tighten professional boundary issues in certain situations, for example, bartering for payment for counseling services.

ADDITIONAL READINGS: VIRTUE ETHICS

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