

*If we give the full range of ethical meanings their due, we can see that the fullness of ethical life involves not just doing, but also being; and not just these two but also loving (which is short-hand her for being moved by, being inspired by) what is constitutively good. It is a drastic reduction to think that we can capture the moral life by focusing only on obligated action, as though it were of no ethical moment what you are and what you love. These are the essence of the ethical life.*  
Source unknown

## **Excellence and Ethical Reflection: *The Seeds of Change***

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In this session a Catholic health care ethicist will lead participants in an exploration of the powerful role ethical reflection plays in creating and sustaining the vision that drives our mission to continue the healing ministry of Jesus. We all know that mission doesn't just "happen" as a result of our being good people with a genuine desire to be of help. Why ethical reflection matters--its role in facilitating excellence in mission in the broadest sense--will be the central theme. Links will be drawn between ethical reflection and our ability to faithfully meet the needs of all our constituencies: patients, employees, business partners, and society at large.

### **I. Introduction**

Definition of Reflection

...2. *Production of an image*, by or as by a mirror. ...7. mental consideration of some subject matter, idea, or purpose, often with a view to understanding or accepting it, or seeing it in its right relations; sometimes contemplation of the contents of one's own mind or of one's own mental processes, as in introspection. ...9. turning back; return; recollection. Webster International

### **II. Ethics, Moral Agency, Moral Integrity, and Moral Leadership**

#### **A. What is Ethics?**

Ethics or morality poses questions about how we ought to act and how we should live. It is an inquiry into the justification of particular actions (are these actions right or wrong?) as well as a search for traits of moral character that promote human flourishing.

1. Ethics: that branch of philosophy that deals formally and systematically with morals--what ought to be done
2. Morals: individual and/or societal beliefs about what is right and wrong

**Ethics is the study of who we ought to be (how we should make decisions, act, love) in light of our identity.**

**Reflect on what it means to be**

- **Human**
- **Catholic**
- **Nurse, doctor, chaplain, administrator**
- **Health care institution/system**

- **Catholic health care**

Health care works best when *everyone* involved in health care design, implementation, administration, financing, and evaluation 1) has an understanding of self as a moral agent, 2) an understanding of the moral nature of health care administration, medicine, nursing, etc., and 3) an understanding of the possible ways in which one can explain and justify moral choices and decisions.

*All of which requires focused reflection...*

### **B. What is Moral Agency**

Moral agency is the capacity to habitually act in an ethical manner. It entails a certain set of competencies in matters ethical as well as moral character and motivation.

**1. Moral Sensibility:** Ability to recognize the “moral moment” when a moral challenge presents itself

**2. Moral Responsiveness:** Ability and willingness to respond to the moral challenge

**3. Moral Reasoning:** Knowledge of and ability to use sound theoretical and practical approaches to “thinking through” moral challenges; these approaches are used to **inform** as well as to **justify** moral behavior

**4. Moral Discernment:** Ability to apprehend, insightfully, what is at stake in a moral challenge and after an analysis of competing alternatives to decide what is the *best* response in *this particular situation*

**5. Moral Accountability:** Ability and willingness to accept responsibility for one’s moral behavior and to learn from the experience of exercising moral agency

**6. Moral Character:** Cultivated dispositions which allow one to act as one believes one ought to act

**7. Moral Valuing:** Valuing in a conscious and critical way that which squares with good moral character and moral integrity

**8. Transformative Moral Leadership:** Commitment and proven ability to create a culture which facilitates the exercise of moral agency, a culture in which people do the right thing because it is the right thing to do.

### **Who or What Exercises Moral Agency?**

- a. an individual
- b. individuals in relation (the moral agency of collectives)
- c. individuals in relation within institutions (the moral agency of the health care community)
- d. individuals in relation within institutions within particular societies and cultures

Each of us, as a moral agent, is situated in a complex of relations, complicated by differences of all sorts, particularly differences in power. The differences that mark and distinguish these relationships *may facilitate* the moral agency of an individual, a group of individuals, or an institution, or these differences *may constrain moral agency*.

When what we think we *would* do differs from what we think we *should* do (i.e., the ethically right decision/course of action) either our moral agency is deficient, moral distress is present (we know the right thing to do but institutional or other variables are making it virtually impossible to do so), or some combination of these.

### **C. What Is Moral Integrity?**

**Integrity:** 1. soundness of and adherence to moral principle and character; uprightness and honesty. 2. the state of being whole, entire, or undiminished. 3. a sound, unimpaired, or perfect condition. Webster's Encyclopedic Unabridged Dictionary of the English Language

That condition or state in which moral activity (valuing, choosing, acting) is intimately linked to a particular conception of the Good, the Good Life

### **T How Does One Become a Person (Profession, Institution/System, Province/Country) of Integrity?**

1. Commitment to developing and owning a conception of the Good, the Good Life
  - a. role of family, religion, education, culture/ethnicity, history/tradition, moral authority and teachings of a collective group of which you are a member (e.g., medicine, nursing), government/law, role models, peers, formative experiences
  - b. what are the moral rules, what is their meaning, how are they to be followed
2. “Practicing” valuing, choosing, and acting according to one’s conception of what fidelity to the good life demands... [importance of developing a “habitual disposition” to value, choose and act in accordance with one’s moral code]
3. Authenticity check!
4. Reflection on the consequences of honoring and dishonoring one’s integrity...  
Consequences to self and to the public  
[Aristotle’s “one becomes what one repeatedly does...”]  
[SNICKER and PUKE Tests...]
5. Ability to rely on good people within the profession/institution/system/country to act morally
6. Who is ultimately responsible for monitoring an institution/system/country’s moral integrity

### **T Why Be a Person/Entity of Integrity?**

***“American Baptist Homes of the West will continue to hold the trust of its constituency by keeping its promises with integrity, stability, and intentional ethical behavior in the provision of quality services for older persons” [Vision Statement]***

**The Difference between Ethics and Compliance** [Paine, L.S. March-April, 1994. Managing for organizational integrity. *Harvard Business Review*, 72(2), 106-117.]

1. The **compliance** strategy, which is predominantly lawyer driven, meets the basic needs for legal compliance. Designed by corporate counsel, the goal of these programs is to prevent, detect, and punish legal violations. *Even in the best cases, legal compliance is unlikely to unleash much moral imagination or commitment. The law does not generally seek to inspire human excellence or distinction. It is no guide for exemplary behavior—or even good practice.* Those managers who define ethics as legal compliance are generally endorsing a code of moral mediocrity for their organizations.

2. The **integrity**-based strategy, however, which *emerges from the company's values and is implemented by a broader base of management and leadership*, is better suited for fully integrating a company's compliance initiative with its extant management structure. This strategy is characterized by a conception of ethics as a driving force of an enterprise. *Ethical values shape the search for opportunities, the design of organizational systems, and the decision-making process used by individuals and groups.* They provide a common frame of reference and serve as a unifying force across different functions, lines of business, and employee groups. Organizational ethics helps define what a company is and what it stands for. *An integrity strategy is broader, deeper and more demanding than a legal compliance initiative.* Broader in that it seeks to enable responsible conduct. Deeper in that it cuts to ethos and operating systems of the organization and its members, their guiding values and patterns of thought and action. And more demanding in that it requires an active effort to define the responsibilities and aspirations that constitute an organization's ethical compass.

	<b>Compliance Strategy</b>	<b>Integrity Strategy</b>
<b>Ethos</b>	Conformity with externally imposed standards	Self-governance according to chosen standards
<b>Objective</b>	Prevent criminal misconduct	Enable responsible conduct
<b>Leadership</b>	Lawyer-driven	Management-driven with aid of lawyers, HR, others
<b>Methods</b>	Education, reduced discretion, auditing and controls, penalties	Education, leadership, mentoring, accountability, organizational systems and decision processes (“centers of ethical responsibility”) auditing and controls, penalties
<b>Behavioral Assumptions</b>	Autonomous beings guided by material self-interest	Social beings guided by material self-interest, values, ideals, peers

**Exercise:** An ethos functions in an organization to promote the moral agency of the members of that community. One should not have to be heroic when doing the morally right thing. Are there incentives or disincentives in your organization for doing the ethically right thing? Can you

articulate an ethos statement for your organization. Is the ideal ethos the same as the actual ethos?

### **Lynn Sharp Paine on the morally and ethically responsible corporation**

[Bernhut, S. (March/April 2003). *Leader's edge*. Lynn Sharp Paine on the morally and ethically responsible corporation. *Ivey Business Journal*, Reprint # 9B03TB04.

*On a practical level, what do managers need to do to meld ethical standards with outstanding results?*

Maybe I should first say something about approaches that I don't recommend. Over the years I've seen many well-intentioned but largely ineffective efforts to improve corporate ethics and make companies more responsive to their constituencies. I'm thinking of the countless codes of conduct that have been drafted in recent years, as well as the numerous values initiatives, ethics programs, compliance programs, diversity programs, community engagement programs, and on and on. When these efforts are part of a more comprehensive program of organizational assessment and reform, they can be quite helpful. But all too often, they are little more than decorative add-ons. By this I mean they have little or no relation to the company core operations and they are peripheral to its basic functioning.

But if you want to meld high ethical standards with excellent financial results, its essential to integrate a social/ethical perspective into the company's core guidance systems—into its governance processes as well as its day-to-day management processes.

Is there a tool or something like a scorecard for integrating values into decisionmaking? In your book you discuss a "compass." Is it a tool?

Yes, ...I call this tool a compass because it is an orienting device-an instrument to help managers navigate through the ethical complexities of the decisions they face. ...the compass is not a list of rules or do's and don'ts. Rather, it's an analytical framework that uses questions to spark ethical reasoning and analysis...

There are four points on the compass and they represent four lenses or perspectives that you can bring to a particular choice or decision. By asking the questions associated with each of the points, you can unearth the ethical issues and make them salient—get them out there on the table so they can be debated and discussed. Each point represents a particular type of analysis and, as I mentioned, suggests a test of ethical acceptability.

The four dimensions—the four points on the compass—include

- The issue of purpose which asks us to consider the nature and quality of our goals; related to a tradition of pragmatism, it's about ends and means.
- Principles, which has to do with the norms, the precepts, the standards that might apply to the behavior in question; calls for normative analysis; asks us to consider both our duties—the things that we're obliged to do, as well as the ideals—the things that we aspire to do
- People—the parties that may be affected by what we do; here we're looking at a proposed course of action from the perspective of who's affected and what their claims might be. This dimension asks us to consider whether a decision or course of action respects those legitimate claims or interests
- Power, what is our ability and authority to act? Is the proposed action within the scope of our legitimate authority.

In essence, the compass gives you four lenses for examining a proposed decision or course of action and four criteria for what's ethically acceptable—

- contribution to a worthy purpose,
- consistency with relevant principles,
- consistency with the legitimate claims of others, and
- consistency with the actor's authority and ability to act.

### **Enhancing Reflection: An Interpersonal Exercise in Ethics Education**

[Verkerk, M., Lindeman, H., Maeckelberghe, E., Feenstra, E., Hartoungh, R. & DeBree, M. (November-December 2004). Enhancing reflection: An interpersonal exercise in ethics education. Hastings Center Report, 34(6), 31-38]

Two approaches to morality

1. *morality is knowledge*, the core of which is essentially theoretical, explicitly stateable, highly general, and systematically unified; think action guiding theories, such as utilitarianism, deontological ethics, or social contract theory
2. *morality is something we do together, social and collaborative*; it requires participation in and collaboration with a system of accountability and responsibility that is negotiated (sometimes contested) and whose outcome is meant to be a life that is decently habitable for all. [Walker, M.U. (1998). *Moral understandings: A feminist study in ethics*. New York: Routledge]

Using this social and collaborative view of morality, **we contend that moral competence is a matter of developing a set of skills, namely, seeing what is morally relevant in a given situation; knowing the particular point of view from which one sees it; understanding**

**that others who are involved may see it somewhat differently; and, with those others, responding to what one sees.**

- *Our aim is to foster professional competence by enhancing the ability of professionals to engage in moral reflection on their practice.*

We have developed a tool for enhancing the ability of people to engage in moral reflection of their respective professions. Unlike tools that can be (and too often are) applied in a rote and unimaginative way to moral problems that have already been identified as in need of repair, this one is not so much intended to fix anything as to offer practitioners a framework for understanding. We proceed by means of a three step process.

1. The first step helps professionals attain a heightened moral sensitivity to the vulnerabilities, values, and responsibilities they encounter in their work—a sensitivity acquired by identifying and developing a point of view that can be used as a touchstone for decisions about the best way of proceeding.
2. The second step helps them to understand that they are a part of a practice that involves multiple perspectives and positions. This means that their beliefs need not be the only source of moral reasoning: others may have different ideas with merit of their own.
3. Finally, the third step helps them appreciate that they are participants in a socially shared practice that is partly constituted and re-created by their own collective actions.

### **The Reflection Enhancement Tool**

1. *Initial Reflection.* After being given a “case” professionals respond to the question, “What do you think and why?” The reason for this step is that people’s initial response to a case—whether to solve it, offer an initial intuition about it, or wonder why it has been presented—affords an impression of how they think and at the same time forces the professionals to examine the situation critically. Writing down the initial response shields the participants from the temptation to hide behind the opinions of others. Objective: take responsibility for one’s own moral point of view.

2. *Guided Reflection.* The four dimensions of professionalism are represented as quadrants in the Reflection Square:

- *Social norms* are socially prevalent normative and cultural understandings—professional codes, laws, moral beliefs that are held in common, social background.
- *Consequences* are the effect of social structures and practices on people’s lives—the consequences for people in general or for specific people in specific social situations. Consequences are closely related to power relations.
- *Agent’s actions* (the moral agent might be a person, a group with a professional identity, or a corporation)
- *Agent’s core values and beliefs*

The professional, with others, shares her response to the opening case and reports on how this response coheres with the considerations to be examined in the other three quadrants. The aim is the professional's critical examination of her own views as they are embodied in her core beliefs and expressed by how she has acted in the past. But because she is always defined in relation to others, she cannot know herself fully without weighing her views and actions against the moral and social understandings that guide the actions of others in her community and the consequences of those understandings for those with whom she interacts. The group's role in this phase is Socratic: group members pose questions to the professional that clarify her thinking.

### *3. Mapping Responsibilities*

Once professionals are made aware of their own beliefs and how these can differ from the beliefs of others, they are ready to reflect on their position within the broader moral picture. The point of this exercise is to teach professionals how to establish or re-establish, or maintain their professional integrity as they respond to needs. To do this they need to become aware of their place in relation to others, get an overall understanding of the moral landscape of a given professional interaction, and learn how to negotiate responsibilities with others. This is a forward looking story of how to achieve an outcome that everyone can endorse, and what that will mean to each of the parties involved. Whereas the story constructed in the guided reflection stage of the exercise was a story about the morally puzzling situation and the individual professional's identity, this story is about the resolution of the situation and the moral identity of the professionals as a group.

### **An ethics of daily practice**

1. In many cases moral problems are not recognized as moral.

2. Busy professionals are seldom given the opportunity to reflect on their practice.
3. Many people do not fully appreciate the moral importance of knowing the viewpoints of others in addition to their own. These exercises reinforce the idea the morality is something we do together.

## **Organizational Ethics: The Big Picture**

### **The *What* of Organizational Integrity...**

That condition or state in which the organization's moral activity (values, choices, decisions, behavior) is consistent with who it says it is (vision, mission, core values)

### **The *Why* of Organizational Integrity...**

To be responsible in its various functions and to maintain trust with all the parties to whom it is accountable,

- as a health care organization
- an employer
- a business partner
- a citizen

Fidelity and trust comprise the fabric that holds society together...

### **The *When* of Organizational Integrity...**

The institution *must be ready* for an integrity-based ethics program with buy-in from leadership at every level.

### **The *How* of Organizational Integrity...**

Pervasive institution-wide focus on *fidelity to vision, mission, and core values*

- ongoing self- and institutional-evaluation in light of vision, mission, values
- mission "fit" basis for hiring, advancement, firing
- honest evaluation of current ethos
- scrutiny of structures, policies, practices and their impact
- intentional cultivation of organizational culture
- appreciation of and contribution to the common good

## **Organizational Ethics is a *Work in Progress***

- Organizational integrity doesn't "just happen" as a function of good people doing good things in health care. It requires *an intentional, persistent focus on the moral dimensions of the organization's purpose, function, people, systems, structures, decisions and their consequences*
  - dedicated time for moral discernment (reflection and dialogue) among leadership and a critical mass of employees
  - a shared perspective/world view among leadership and a critical mass of employees
- Requires morally astute, courageous leadership (board, senior management, middle management) that creates an ethos/organizational culture characterized by *openness, honesty, trust, mutual respect*
  - leaders who recognize challenges to integrity, and are able and willing to respond
  - leaders who expect individuals throughout the organization to hold one another accountable
  - leaders who expect creativity and risk-taking throughout the organization
  - leaders who recognize and act on the organization's obligations to the community

and its responsibility for sound public policy

- Requires a vision and strong sense of mission and values and a self-critical vigilance concerning fidelity to them
- Requires cultivated knowledge of and use of clear moral rules to guide everyday decisionmaking and behavior at all levels (who we ought to be in light of who we say we
  - leadership can articulate the moral rules/guidelines, recognize challenges to integrity, and are able and willing to respond
- Requires a critical mass of individuals who are sensitive to the ethical dimensions of their daily decision-making and behavior and skilled in addressing challenges to integrity (personal and institutional)
  - institution-wide familiarity with appropriate organizational ethics resources (individuals and mechanisms), and
  - confidence that these resources will stand up to any challenge...
- Requires an intentional, persistent focus on the organization's systems, functions, infrastructure; for instance, the following functions should be rooted in and committed to organizational integrity
  - recruiting, hiring, orientation, staff development/formation
  - strategic planning
  - finance
  - compensation
  - benefits
  - marketing

*This should result in the development of an ethos or culture within the institution which supports people doing the right thing simply because it is the right thing to do!*
- Requires a coordinated use of organizational resources to facilitate organizational integrity; thus a *coordinator*
  - someone(s) must have the assigned responsibility for and moral authority to “monitor” institutional integrity; these individuals must be perceived as being **authentic**—as regards mission and core values—in their personal, professional, and institutional lives, and as possessing ethical expertise which is **useful**
  - there is no one perfect structure for an organizational ethics “program.” Having an integrity officer at the level of senior leadership is ideal. In some institutions a committee serves this function. Having a board committee responsible for institutional integrity (“moral audits”) is helpful. A structure which demands organizational ethics competence and responsibility for the organization's integrity at the level closest to those responsible for the outcomes of the decisions at hand (subsidiarity) is essential (Centers of Ethical Responsibility).
- the coordinator identifies and intentionally uses organizational resources to promote organizational integrity: leadership formation/training, orientation/formation to the institution's vision/mission/core values, core competencies for roles within the institution include moral agency, annual performance evaluations measure moral agency, compliance program, continuous quality improvement, ethics committee(s)

## Organizational Ethics

- Is more than the personal integrity and goodness of those in the organization

- Is more than business ethics
- Is definitely more than compliance

## **Sharing Catholic Social Teaching: Challenges and Directions**

U.S. Bishops, *Origins*, 28(7), July 2, 1998 [United States Conference of Catholic Bishops (2001). *Principles, prophecy, and a pastoral response: An overview of modern Catholic social teaching*. Revised edition. Washington, DC: Author]

Catholic social teaching is a central and essential element of our faith. Its roots are in the Hebrew prophets who announced God's special love for the poor and called God's people to a covenant of love and justice. ...Catholic social teaching emerges from the truth of what God has revealed to us about himself. We believe in the triune God, whose very nature is communal and social. ...Therefore we who are made in God's image share this communal, social nature. We are called to reach out and to build relationships of love and justice. ...Every human being is created in the image of God and redeemed by Jesus Christ, and therefore is invaluable and worthy of respect as a member of the human family. Every person, from the moment of conception to natural death, has inherent dignity and a right to life consistent with that dignity. Human dignity comes from God, not from any human quality or accomplishment.

### **Catholic Social Teaching: Major Themes:**

- *Life and Dignity of the Human Person*. The Catholic Church proclaims that human life is sacred and that the dignity of the person is the foundation of a moral vision for society. ...We believe that every person is precious, that people are more important than things and that the measure of every institution is whether it threatens or enhances the life and dignity of the human person.
- *Call to Family, Community, and Participation*. In a global culture driven by excessive individualism, our tradition proclaims that the person is not only sacred but also social. How we organize our society—in economics and politics, in law and policy—directly affects human dignity and the capacity of individuals to grow in community.
- *Rights and Responsibilities of the Human Person*. ...every person has a fundamental right to life and a right to those things required for human decency. Corresponding to these rights are duties and responsibilities—to one another, to our families and to the larger society.
- *Option for and with the Poor and Vulnerable*. In a world characterized by growing prosperity for some and pervasive poverty for others, Catholic social teaching proclaims that a basic moral test is how our most vulnerable members are faring.
- *Dignity of Work and the Rights of Workers*. If the dignity of work is to be protected, then the basic rights of workers must be respected—the right to productive work, to decent and fair wages, to organize and join unions, to private property and to economic initiative.
- *Solidarity*. We are one human family, whatever our national, racial, ethnic, economic and ideological differences. ...”loving our neighbor” has global dimensions in an interdependent world.
- *Care for God's Creation*. On a planet conflicted over environmental issues, the Catholic tradition insists that we show our respect for the Creator by our stewardship of creation.

The professional, with others, shares her response to the opening case and reports on how this response coheres with the considerations to be examined in the other three quadrants. The aim is the professional's critical examination of her own views as they are embodied in her core beliefs and expressed by how she has acted in the past. But because she is always defined in relation to others, she cannot know herself fully without weighing her views and actions against the moral and social understandings that guide the actions of others in her community and the consequences of those understandings for those with whom she interacts. The group's role in this phase is Socratic: group members pose questions to the professional that clarify her thinking.

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