

A Model of Ethical Knowledge

The Ethical Framework

There are different ways of representing our common moral knowledge, but the elements below capture its central features and accord with the language and methods of ethicists. It is therefore of value to know and become familiar with the concepts below, but more than that, it is important to see how they work together to form a system. Each is explained below, with the exception of the last element, the rules and methods of ethical reasoning. This will be explained in the next section.

Principles	High level moral statements that express fundamental values and provide general guidance. Examples include the principle of non-harm (non-maleficence), the principle of beneficence, and the principle of fairness.
General Ethical Rules	General rules that govern action. These describe particular types of action such as theft and deception. Examples include "do not steal", "do not lie." These rules are part of our common morality and apply to persons generally.
Specific Ethical Rules	Ethical rules that apply to more specific issues and contexts. These are the sorts of rules that make up professional ethics. They address the responsibilities of persons playing specific roles dealing with certain kinds of issues relevant to those roles. An example would be "do not falsify records."
Rights	Rights are ways to express certain standing obligations owed to persons, as well as certain permissions and liberties owed to them. Rights are often thought of as protective barriers against encroachment or as entitlements to something.
Ethical Judgments	Ethical judgments are determinations of what is permissible, prohibited or obligatory for a particular situation or type of situation.
Exceptions	Judgments that particular actions or types of actions are permissible under certain circumstances, even though they seem to violate an ethical rule.
Rules and Methods of Ethical Reasoning	Rules governing the logic of ethical statements and ethical reasoning that can be used to justify moral rules and judgments.

Principles/Rules Based Approach to Ethics

Principles and General Rules

There are different ways of representing and organizing our ethical knowledge. Some have proposed thinking of moral knowledge as reducible to a single high level principle, rule or value such as the golden rule. Sophisticated philosophical theories have been proposed along these lines. One theory (or family of theories), begins with the main idea expressed in the golden rule and attempts to work it out more systematically. On this view, morality boils down to a principle of doing only those things that you can propose as universal rules; i.e., rules that

everyone in like circumstances would be bound to follow. (Kant) Another theory stresses the consequences of actions (where consequences are broadly understood). It proposes as the unifying idea behind morality that a morally correct action is one that brings about the best possible consequences for all affected. (Bentham and Mill)

Over the years, these theories have been developed systematically and with great subtlety. They have also become more complicated as their applications have been worked out and objections addressed. Because of these complications, and because there is no consensus on which theory is right or even whether a single theory can adequately represent our moral knowledge, many ethicists have opted for a principles based approach. Such an approach identifies high level principles that form a framework for our ethical thinking. These principles represent important aspects or dimensions of ethical thought and form a base structure into which we can place the many moral rules we follow and the innumerable moral judgments we make. In a similar vein, other ethicists have identified general moral rules that are essential to the well-functioning of any society. Such rules prohibit certain kinds of actions such as killing or lying. These rules make up a common morality shared across cultures.¹

The approach I follow is a combination of these two approaches. It can be appropriately called a principles/rules based approach. On this view, our basic moral knowledge can be represented by combination of (1) basic principles that represent important aspects of our moral thinking and (2) a larger set of general rules shared across societies and learned by the vast majority of people.

We can think of the basic principles as "framework" principles. They represent foundational values such as autonomy, responsibility, and concern for others and are similarly named. Examples include the principle of autonomy, the principle of responsibility, and the principle of beneficence. In addition to representing fundamental values, these principles help us summarize and organize the general moral rules as well as more context specific moral rules and particular ethical judgments. They also help us communicate our ethical ideas and provide an understandable way to justify our positions and judgments. Hence, when deliberating over questions about disclosure of personal information, the principle of autonomy may be invoked. After deliberation by many stakeholders, this principle may become the basis for a particular regulation or policy (e.g., a requirement for authorization (consent) before disclosure of personally identifiable medical information).

General rules identify basic actions that are prohibited or required. An example is the moral rule proscribing the unjustified killing of persons. These rules are basic in that they identify actions that cannot be ignored within a functioning society. The reason is that the actions are harmful or helpful to a degree that they need to be strongly prohibited or encouraged. They are also basic in that they affect persons in relation to their common human nature. Killing and injury affect us because of our basic physiology. Also, killing and injury can be caused by others without special characteristics (although some persons may be trained to kill or injure). The

¹ Bernard Gert has given the most complete account of our common morality as a system of moral knowledge and thinking. His book, *Common Morality*, provides a concise statement of his theory. Its influence is evident in the scheme described above. I would highly recommend the book to anyone interested in a theoretical account of ethics.

average person can pick up a rock and throw it any other similarly average person, with the result that the rock-struck person suffers injury.

Specific Rules and Particular Judgments

The framework principles and general moral rules can be thought of as a common store of moral knowledge, shared by members of our society and shared across societies. They contain the most general moral knowledge we have. However, as knowledge goes, we know that there is common knowledge and specialized knowledge. There are things most of us know, and things we know by virtue of having a profession or specialization of some kind. The various fields of applied and professional ethics are a kind of specialized ethical knowledge. This knowledge is developed by persons with extensive study in a particular field and the ethical problems that arise in that field. Drawing on our common store of ethical knowledge and applying it to the problems of specific fields, they expand our ethical system to provide answers to these new and complicated issues. The answers can be formulated as ethical rules, though they are more specific than the general rules describe above. They are more specific because they are limited to certain social contexts where particular activities are carried out, based on specialized knowledge, and sometimes using new technologies. The body of rules that emerges in response to the field specific issues constitutes an applied or professional ethics. Some of this knowledge is shared across applied and professional fields as well. The subject matter of this text is a professional ethics of this sort, and all of its chapters except this one will be dedicated to professional and applied ethics.

Exceptions

Exceptions are a kind of ethical judgment. There are occasions in which it seems to a moral agent that the right thing to do is to violate a standing moral rule. The rule might be a one of the basic moral rules such as the prohibition against deception. It might also be a specific ethical rule that is part of a professional code of ethics. In these situations, it may be permissible to depart from the standing moral rule if one can provide an ethically sound justification. Some ethicists have been skeptical of the idea that justified exceptions can be made (Kant, for example), and there is always the danger of partiality and self-serving rationalization. However, most ethical systems allow for a method of providing a rational, ethical justification for an exception to a moral rule. Since exceptions are a kind of ethical judgment, and since ethical judgments, made repeatedly by many people can become well known and accepted into our moral system, exceptions also can become part of our shared moral understanding of an area of social life.

The diagram on the next page lays out the different elements of the model of ethical knowledge and includes some not described above.

The above is an excerpt adapted from *Records and Information Management Ethics* (forthcoming) by Norman Mooradian, Ph.D.

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Principles/Rules Based Ethical Framework

PRINCIPLES

High level moral statements that express fundamental values and provide general guidance.

Principle of Non-Maleficence (Non-Harm)
 Principle of Autonomy
 Principle of Fairness
 Principle of Responsibility
 Principle of Beneficence

GENERAL MORAL RULES

Moral Rule 1: It is wrongful to cause the death of another human being.
 Moral Rule 2: It is wrongful to injure another human being.
 Moral Rule 3: It is wrongful to cause mental suffering to another human being.
 Moral Rule 4: It is wrongful to steal from another human being.
 Moral Rule 5: It is wrongful to unnecessarily put the welfare of another person at risk.
 Moral Rule 6: It is wrongful to deceive another human being.
 Moral Rule 7: It is wrongful to break promises
 Moral Rule 8: It is wrongful to cheat.
 Moral Rule 9: It is wrongful not to make reparations for wrongs that one has committed.

RIGHTS

Rights are ways to express certain standing obligations owed to persons, as well as certain permissions and liberties owed to them. Rights are often thought of as protective barriers against encroachment or as entitlements to something.

SPECIFIC ETHICAL RULES

Ethical rules that apply to more specific issues and contexts. These are the sorts of rules that make up professional ethics.

ETHICAL JUDGEMENTS

Ethical judgments are determinations of what is permissible, prohibited or obligatory for a particular situation or type of situation.

EXCEPTIONS

Judgments that particular actions or types of actions are permissible under certain circumstances, even though they seem to violate an ethical rule.