

The Importance of Teaching Ethics* (Revised) ©

Prof. Thomas H. Speedy Rice[‡]
Hollie Webb[‡]

My life's principle...was to desire and to strive to achieve ethical values. From a particular moment, however, I was prevented by the State from living according to this principle. I had to switch from the unity of ethics to one of multiple morals. I had to yield to the inversion of values which was prescribed by the State.¹

I. Introduction

The growth of globalization in economic, political, and social standards has left ethics behind. Many see globalization as a positive event, but without a concurrent globalization of ethics, continued progress is unlikely and unworthy.² If the growth of a global economy and democratization of participating states is to continue, it is necessary to construct a bridge between principles of ethics and the standards of globalization. Each nation, from the most powerful to newly emerging governments, must take steps to include ethics in the education of its leaders and community if international trust in business and government is to reach its full potential.

A country must look at its current ethical values, determine what is lacking, and recognize those ethical values necessary for true globalization. From that point, it must assist and promote the construction of educational programs to both enhance existing ethics and teach additional ethics. It is no longer acceptable to assume that ethics are

* Originally published as: *The Importance of Teaching Ethics*, The Mt. Kopaonik School of Natural Law, Justice and Law, Law and Democratic Culture, XVI Conference, Journal for Legal Theory and Practice of the Jurist Association of Serbia. Mt. Kopaonik, Serbia and Montenegro, December 2003. Revised and updated to reflect newer publications and web links.

© Thomas H. Speedy Rice, 2003 and Rev. version 2017, For Permissions, please email: sr@cjitrlaw.com

[‡] Professor of Practice, Washington and Lee University School of Law.

[‡] 2018 *Juris Doctor* Candidate, Washington and Lee University School of Law.

¹ From the allocution of convicted Nazi war criminal, Adolf Eichmann (1906 - 1962).

² One of the stated reasons for the growing anti-globalization movement is that globalization is economics without ethics.

inherent in the individual or solved by the dictates of the State. Ultimately, high ethical standards should become a cultural norm, but this will require leaders and teachers of high ethical character actively teaching and living by such standards. This paper will focus on the University system, its unique position to be a national and international ethics leader, and how each University can obtain this leadership position. It is intended for this paper to become a catalyst for dialogue and action in this important area of the 21st Century.

II. Where Ethics Begin

The starting point of any ethical debate is the identification of ethical norms existing in a given community. Then the issue becomes how to build the bridge from existing ethics to the ethics required for democracy and globalization. Most communities have established family and local ethical systems. Even if not regarded in that fashion, they exist because these ethics bring order and harmony to the family unit and to the local community. Some are written as laws in the local community, but most are expectations of the family to its members.

Family values work well because they are consistently taught from family member to family member, practiced within the family unit, and reinforced by the family community. One lives by these ethics if one wants to remain part of the family unit. The values taught in the family also extend to the local community when there is a direct relationship between the family and the community. Ethical norms such as the treatment of siblings, extended family members and community members, customs of courtship and marriage and business transactions among neighbors can all be traced back to the

desire of the individual to interact with his or her community in a positive way. The values and expectations of the family and community are regularly reinforced and we reward good ethical conduct.

The family and community expectation model of enforcing ethical behavior begins to break down when one starts to lose his or her connections to an identifiable unit. This partly explains why values in a large city may differ from those in a small community or the why the values in a nuclear family may differ from those in an extended family. When the individual enters an environment that does not promote or encourage ethical behavior, the individual is left to his or her own ethical values and individual character to enforce an ethical standard, or falls to the power based standards that fill the void. In modern globalization, when one is far removed from other members of the globalized community, promoting and reinforcing the individual ethical standard can be very difficult.

To compensate for this difficulty, the individual looks to social clues, peer conduct or globalized standards for the ethical standards in the global community. This leaves any result to fortune, good or bad. The prolific corporate scandals in the United States of America have demonstrated the failure of a system that relies on its members to simply find their own proper ethical way and relies on criminal enforcement to dictate ethical conduct. Some will do it, but the temptations of wealth and power will have the upper hand unless there are competing ethical standards that the global community enforces by uniform expectations. Where do these uniform ethical expectations come from if business and government leaders are to succeed in a globalized world?

III. The University System and Its Leadership Role

The University system is the logical place for the development, teaching and practicing of global ethical standards and universities can become the leaders and mentors of the larger community. The University is the bridge between the two social structures of family/community and the government/globalized economy. Students enter the University fresh from their family and community and graduate ready for a place in their democratic society and the global economy. During this transition, young adults are maturing from their family to society. The need for ethical teaching and reinforcement of ethical standards is most acute during this period of a young adult's education.

While many values from the family unit will always be with the student, these values do not necessarily, or easily, translate into requisite global values without proper guidance. It is not enough to presume that the students will find the correct ethical standards on their own. It is therefore essential that the University system, as the link between the two worlds of the student's life, begin to teach and uphold high ethical standards. By effectively creating a high ethical environment that permeates all facets of University life, students will be educated to make the proper ethical choices in government and business that will benefit their nation and its citizens, as well as themselves.

a. The Problem Confronting the University

The last 50 years saw the unprecedented rise of wealth and materialism over family and community. Conglomerates without any community connection replaced local businesses. Travel and distant opportunities strained the closeness of family. The individual, with a family ethic, was overwhelmed by the promise of individual

opportunity. The family/community ethic failed to translate into a global ethic in part because these social constraints became meaningless to those connected by the internet and commerce, but otherwise disconnected in every other meaningful way. Many of these problems are apparent in the United States, not because of an inherent social weakness, but rather because the size of its economy propelled it into an economic leadership role for both positive economics and negative ethics. The business ethical failings in the United States are simply a warning to others that join in globalization.

The most prominent societal values have become success and wealth. We see it all around us. Yet success and wealth can be achieved in ethical ways even if the values are themselves ethically neutral. The problem is that individual success, wealth or power can be achieved unethically and usually by an easier or faster path. A society that respects wealth or power in the absolute encourages those gains by any method or means possible. If we apply that to the family level, the family would respect the sister who steals all her brother's money. Yet the family ethic generally does not permit or respect that method of acquisition of wealth and will demand the return of the money or else the family will ostracize/punish the sister. In globalization, there needs to be something equivalent to the family ethic to instruct and inspire ethics because global ethical enforcement mechanisms are virtually non-existent. If society is against unethical conduct only in the abstract or devoid of a social ethical norm, individual ethical efforts will wilt in the faces of achievement or success pressures.

Criminal laws and Codes of Conduct dependent on enforcement alone are not very successful without a societal norm to promote ethical conduct. Whether or not to

engage in unethical conduct leading to wealth or power will simply be calculated by an equation of success:

1. Will I be caught?
2. Will I be punished?
3. Can I buy my way out?
4. Can I keep my gain, etc?

What is lost are the following ethical equation questions:

1. Is it the right thing to do?
2. Will society be hurt by it?
3. What is my obligation to society, etc?

That is the challenge to the University. How to effectively teach students global ethical values so that when they graduate, it is the ethical questions they strive to answer rather than the wealth and success at any cost questions?

If the University and its educators can establish through teaching, example and leadership the necessary ethical values, the student, as a social norm and life choice, adopts the ethical equation. As the success equation becomes balanced and constrained, success will still be assured because proper ethical conduct will be its own reward, lead to ethical economic successes, and be rewarded by society.

b. The Need for Ethical Instruction

History is full of ethical dilemmas and the choices people have made when confronted with them. Over two millennia ago, the philosopher Socrates was unjustly accused of a capital crime: corrupting the youth. During his trial, Socrates said that even if the state gave him the choice to stop teaching or die, he would choose death. In Plato's

The Apology, Socrates states, “A man...ought not to calculate the chance of living or dying; he ought only to consider whether in doing anything he is doing right or wrong — acting the part of a good man or a bad.”³ For Socrates, it was a matter of ethics. Ethics that is its own value and intrinsic in all we do. This compels Universities to teach ethics and its value to society as its own subject, not simply assume every subject naturally incorporates ethics in its subject matter. The former president of *Ethics Today* admonished United States business schools for failing to teach ethics as a separate course and noting that ethics “taught” in each course is, in reality, never taught.⁴ Yet the concern is not new, only magnified by the modern global economy. Eighteenth Century theorist Adam Smith argued that the capitalist system would not work without moral cooperation.

In identifying the need for ethical teaching in the United States, the Ethical Resources Center Fellows came to the following conclusion:

American business draws many of its leaders, managers and employees from the undergraduates and graduates of schools of business. If these individuals do not sufficiently appreciate the broad range of ethical behavior expected of them as business managers and leaders, American business and society, as a whole, will suffer the consequences.⁵

Not only is the same is true of the University systems in countries around the world, but there is also evidence of a global failure to teach ethics. In 2003, the Graduate Management Admission Council (GMAC) conducted a survey of 4,123 students from 110 universities in 96 countries. Only 39 percent of the students felt that the subject of

³ Plato, *The Apology*, The Internet Classics Archive, <http://classics.mit.edu/Plato/apology.html>.

⁴ *From the President's Desk: What Obligation to Teach Ethics*, ETHICS TODAY, Vol. 1, Issue 11, July 13, 2003.

⁵ *Proposed Standards and Business School Responsibilities*, The Best of Ethics Today Online Volume 1: September 2002 to August 2003, <http://www.eng.fiu.edu/mme/robotics/egn1033/bestofethicsonline-vol1.pdf>.

ethics was taught extremely or very effectively.⁶ In another survey conducted by GMAC in 2010, only two out of five students felt that their ethics education had an impact on their current decision-making process.⁷ A 2003 survey by the American Accounting Association found that only 46 percent of schools offered a separate course in ethics.⁸

Those figures come from business and accounting schools and it is fair to assume that the percentage in general University education will be lower. However, in all spectrums of society the need for ethical conduct is just as important as in the global economy so business schools alone cannot bear this burden. In most 21st Century States, the people have a say in their leadership and ethical conduct will, or should, be an important factor in the choices the voters make. Future political leaders need quality ethical instruction at the University just as much as future business leaders. Teaching ethics fully at the University has the ability to enhance the moral reasoning of students, which will lead to improved ethical decision making in business, politics and society.

Most future leaders in business and government will come from the University system and their professors can make an important difference in the student appreciation of ethical values. According to Ken Goodpaster, a business ethics chair at the University of St. Thomas in Minneapolis, Minnesota, “If professors make it clear that they don’t much care for teaching ethics, they create an atmosphere in which the subject is

⁶ Summary Report, Graduate Management Admission Council, Global MBA Graduate Survey 2003, <https://www.gmac.com/~media/Files/gmac/Research/curriculum-insight/Exec-Summary-Global-2003.pdf>.

⁷ Sabeen Sheikh, *2010 Alumni Perspectives Survey Report*, GMAC (2010), <https://www.gmac.com/~media/Files/gmac/Research/Measuring-Program-ROI/AlumniPerspectives2010SR.pdf>.

⁸ Nicholas Mastracchio Jr., *Teaching CPAs about Serving the Public Interest*, THE CPA JOURNAL, Jan. 2005. <https://www.questia.com/magazine/1P3-780419211/teaching-cpas-about-serving-the-public-interest>.

devalued....Faculty have a powerful eraser.”⁹ Professor Goodpaster’s comment is not limited to the United States as the need to teach ethics is essential all over the world. Universities should, at a minimum, create a required course in ethics for all undergraduate students and, if possible, establish a cathedra in ethics to signify its importance in the curriculum. If globalization and modern societies are to have a future that benefits all the citizens, ethics must be of equal importance to any other subject taught at the University.

IV. Materials for Teaching Ethics

a. Text Suggestions

- i. Man’s Search for Meaning by Victor L. Frankl, 1984 Edition, (Originally published in 1959), Beacon Press. This text can be used to explore the origins of the human self and our desire to have meaning in our world. Man’s Search for Meaning is a world-respected text that lays the foundation for the concept that ethics and morals cannot simply be about the rules someone writes but must be part of the individual’s sense of who they are, and the concept that a just person will find individual meaning and satisfaction in life. As Victor Frankl says in his 1984 introduction, “Don’t aim at success – the more you aim at it and make it a target, the more you are going to miss it. For success, like happiness, cannot be pursued; it must ensue, and it only does so as the unintended side-effect of one’s personal dedication to a cause greater than oneself”

⁹ Brian Hindo, *Where Can Execs Learn Ethics*, BLOOMBERG, June 2002, <https://www.bloomberg.com/news/articles/2002-06-12/where-can-execs-learn-ethics>. (Originally published on Businessweek Online).

- ii. How Good People Make Tough Choices: Resolving the Dilemmas of Ethical Living, Rushworth M. Kidder, 1995 Simon & Schuster. This text is a more practical book, addressing the actual choices we confront in our personal and public lives. Through examples and anecdotes, the author provides a number of situations that can be applied to both class and small-group discussions for practical education. Some of the ethical decision-making examples involve the choices between family and community, truth verses loyalty, and confidentiality verses safety. Methods of ethical conflict resolution discussed include finding and promoting the moral voices in the community, weighing conflicting community voices in an ethical manner and making the ethically just choice amid popular opposition. This book is also an important tool to alter the teaching dynamic from a solely lecture-based model to one of student participation in the learning process. Student participation is critical because it provides students with a way to experience ethical conflicts and decision-making with guidance and the ability to make mistakes without harsh consequences.
- iii. Vice & Virtue in Everyday Life: Introductory Readings in Ethics, Sommers & Sommers, 2004 Thompson Wadsworth Publishing. Readings from this text are more in the philosophical nature of ethics and virtue. By learning the reasoning behind ethics, students will understand that ethics is not just a topic in the current vogue, but rather

has been a topic through the ages with very ancient roots. Suggested selections, including the study questions, are:

“A Defense of Cultural Relativism” by William Graham Summer.
“A Defense of Moral Relativism” by Ruth Benedict.
“Cultural Relativism and the Universal Rights” by Carolyn Fluehr-Lobban.
“From Cruelty to Goodness” by Philip Hallie.
“Good Will, Duty, and the Categorical Imperative” by Immanuel Kant.
“Habit and Virtue” by Aristotle.
“Happiness and the Virtues” by Aristotle.
“I Have a Dream” by Dr. Martin Luther King, Jr.
“Kant and the Categorical Imperative” by James Rachels.
“Morality as Custom” by Herodotus.
“Of the State of Men without Civil Society” by Thomas Hobbs.
“The Deep Beauty of the Golden Rule” by R.M. MacIver.
“The Objective Basis of Morality” by Thomas Nagel.
“The Rings of Gyges” by Plato.
“Uganda’s Women: Children, Drudgery, and Pain” by Jane Perlez.
“Who’s to Judge?” by Louis Pojman.
“Why Morality Does Not Depend on Religion” by John Arthur.

- iv. Leadership Without Easy Answers, Ronald A. Heifetz, 1994 Harvard University Press. This selection is more practical based and covers the topics of Values in Leadership, To Lead or Mislead, and the Roots of Authority. These practical topics can also form the materials for small group discussions, role playing, and class presentations by students to develop presentation and leadership skills in an ethical and community-based value system. It is very important text for use with students interested in working in government or any position of public authority.
- v. Ethics: Theory and Practice, by Jacques P. Thiroux, (7th Ed.) This is another book that can be used for creating class exams and unannounced class role playing to see how well the lessons are being

learned. The use of practical material is a cornerstone in the learning of ethical conduct. In emerging democracies and the global economy, students, after graduation, will be faced with issues that are not present in the family and local community. By teaching through practical examples, students graduating from the University will be better prepared to confront the new challenges that await them.

b. Ethical Rules and Guidelines in Current Government

Many governments, business and universities have ethical rules and guidelines for the relevant community to follow. Each has their own place; some are proscriptive and others are standards or ideals for good conduct. Both can be used as examples and guides in class and for the University community as a whole.

In the European Union, these rules take on many forms. For example, the Council Act of 26 May 1997 is a proscriptive act enacted to fight “corruption involving officials of the European Communities or officials of Member States of the European Union.”¹⁰

This act specifically prohibits the following:

For the purposes of this Convention, the deliberate action of an official, who, directly or through an intermediary, request or receives advantages of any kind whatsoever, for himself or for a third party, or accepts a promise of such an advantage, to act or refrain from acting in accordance with his duty or in the exercise of his function in breach of his official duties constitutes passive corruption.¹¹

The Convention goes on to define active corruption as the acts or offers by the person seeking the action or failure to act of the government official. In each case the Convention mandates that member states enact these principles into their national law.

¹⁰ See Convention drawn up on the basis of Article K.3 (2) (c) of the Treaty on European Union on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union, 1997 O.J. (C 195), 2–11.

¹¹ *Id.*

The Committee of Ministers of the Council of Europe recognized that corruption represents a serious threat to basic principles and values in a democracy, which in turn undermines public confidence in government and erodes the rule of law. Because of this, they passed Resolution (97) 24, titled “On the Twenty Guiding Principles for the Fight Against Corruption.”¹² The ministers also recognized the need for a “multi-disciplinary” approach to these issues. The first of the Twenty Guiding Principles was an agreement “to take effective measures for the prevention of corruption and, *in this connection, to raise public awareness and promoting ethical behavior*” (emphasis added).¹³

The Council of Europe also went beyond recommendations against corruption and created a Model Code of Conduct for Public Officials.¹⁴ This Model Code is an excellent teaching tool and should be considered mandatory in all ethical class instruction. The key preliminary provisions recognize the need for ethical conduct:

Article 3 – Object of the Code

The purpose of this Code is to specify the standards of integrity and conduct to be observed by public officials, to help them meet those standards and to inform the public of the conduct it is entitled to expect of public officials.

General principles

Article 4

1. The public official should carry out his or her duties in accordance with the law, and with those lawful instructions and ethical standards which relate to his or her functions.¹⁵

The United Nations has a similar ethical position, contained in the United Nations General Assembly Resolution “51/59 Action Against Corruption” and its accompanying

¹² Committee of Ministers, Council of Europe Resolution (97) 24, <https://rm.coe.int/16806cc17c>.

¹³ *Id.*

¹⁴ *Model Code of Conduct for Public Officials*, Appendix to Recommendation No. R (2000), COUNCIL OF EUROPE, <https://rm.coe.int/16806cc1ec>.

¹⁵ *Id.*

annex.¹⁶ While the resolution speaks against corruption, the annex sets forth the “International Code of Conduct for Public Officials.”¹⁷ Under the general principles, the ethical standard expected of public officials is set out: “a public office, as defined by national law, is a position of trust, implying a duty to act in the public interest. Therefore, the ultimate loyalty of public officials shall be to the public interest of their country as expressed through the democratic institutions of government.”¹⁸ Article 8 of the United Nations Convention against Corruption states, “In order to fight corruption, each State Party shall promote, inter alia, integrity, honesty and responsibility among its public officials...”¹⁹

The promotion of ethical behavior in government and in the global economy properly begins at the University level when students begin the transition from the family ethic norm to the larger societal ethics environment. Within the international community, there is a wealth of ethical statements and principles for the University to incorporate into a curriculum on ethics. Incorporating these principles into the teaching methodology will prepare the student not only in the language of ethics but in the necessary acts of ethics for success in a democracy and global economy.

V. Ethics at the University

Studies at universities teaching ethics demonstrate that teaching ethics is only ½ of the process needed to graduate ethical future leaders. According to an article recently

¹⁶ United Nations General Assembly Resolution 51/59 (Action against corruption), (Dec. 12, 1996), <http://www.un.org/documents/ga/res/51/a51r059.htm> (A precursor to the United Nations Convention Against Corruption.)

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ See UNCAC, Art. 8, para. 1,

https://www.unodc.org/documents/treaties/UNCAC/Publications/Convention/08-50026_E.pdf.

published in Ethikos magazine, the schools with the greatest success in teaching ethics also live by those ethical values.²⁰ The authors set out seven lessons from the best schools:

1. Recognize that character development has to be a priority and make the commitment to do something about it.
2. Realize that you are always sending messages about what you value. Take responsibility and make the most of the opportunity presented to you.
3. For an ethics initiative to be successful, it has to be authentic. Take the time to create a program that meets the unique needs of your organization.
4. We learn by repetition. Talk about your values. Model your values. Reflect on your values. Again and again.
5. Use a variety of teaching tools. Real life is complicated and no one strategy can do it all.
6. Focus on the values you want to instill. Teaching ethics is not about obeying a set of rules. It's about valuing values.
7. Your actions speak louder than your words, so walk the talk.²¹

The final suggestion for instilling good ethics in our students is to “look to the best, the highest ideal. Focus on the good and work towards attaining it.”²²

The starting point for universities is to decide that they want to become the societal leaders in ethics. By setting a standard for the University, its faculty and students that is of the highest ethical ideal, the University lives the conduct that should also be part of government and business and promotes a high ethical social norm. By creating this social norm in the University community, the University graduates will expect and demand the same ethical conduct in their careers and will become the high ethical leaders of the future. But it all starts with the University and its values.

²⁰ Pat Harned & Kathryn Sutliff, *What the Schools Can Teach Us About Nurturing Values*, ETHIKOS MAGAZINE, Jan. 2003.

²¹ *Id.*

²² *Id.*

In addition to teaching, it is imperative that universities that do not have a faculty and student code of ethics or an Honor System begin the process of drafting and adopting one. Once adopted by the faculty and students, the Codes of Conduct and its ethical values will become the standard by which ethics is lived at the University and the values carried on into society. Many universities have already done this and their codes of conduct/ethics are on-line and available for other to review in the drafting process. For example, the University of Texas has an Ethics Policy²³ and a Brief Practical Guide to Ethics and the University of Texas System.²⁴ Both feature a quote from the late Barbara Jordan that states “Ethical behavior means being honest, telling the truth, and doing what you said you were going to do.”²⁵ Washington and Lee University has lived by an honor system since the 1860’s and it remains the touchstone of the graduates’ ethical decision making for the rest of their lives.

The New York State Education Department, Office of Teaching Initiatives has adopted a code of ethics for its teachers.²⁶ First among its principles is that “Educators nurture the intellectual, physical, emotional, social, and civic potential of each student.”²⁷ Internationally, educational institutions are considering or adopting new ethical standards. For example, in the spring of 2001, the government of Pakistan began the

²³ The University of Texas System, Office of General Counsel, Ethics Policy, <https://www.utsystem.edu/offices/general-counsel/ethics>.

²⁴ The University of Texas System, Ethics: A Brief Practical Guide, <https://www.uth.edu/hoop/documents/Ethics.Brochure.2006.pdf>.

²⁵ Barbara Charline Jordan (1936-1996) was an American politician and educator, and member of the United States House of Representatives from 1972 to 1978. In 1966 Jordan became the first black woman to win a seat in the Texas Senate. She authored the state's first successful minimum-wage bill and pushed for civil rights legislation. In 1972 Jordan was elected to the U.S. House of Representatives. She took a seat on the Judiciary Committee, where she earned national attention for her powerful speech in favor of impeaching President Richard M. Nixon during the Watergate affair.

²⁶ New York State Code of Ethics for Educators, New York State Professional Standards and Practices Board for Teaching, <http://www.highered.nysed.gov/tcert/resteachers/codeofethics.html>.

²⁷ *Id.*

process of formulating a code of ethics for teachers working in the state-owned educational institutions.

Universities must adopt and live by a code of ethics as the proper methodology for teaching ethics to their students. It is as true now as it was in Aristotle's time when he wrote in book two of the *Nicomachean Ethics*²⁸ that "virtues we get by first exercising them.... For the things we have to learn before we can do them, we learn by doing them."

VI. Conclusion

As nations are finding their way with political reforms, the internet, and globalization, Universities are in the best position to become the ethical leaders of each nation. The teaching texts are available, there are codes of conduct to be reviewed and adopted, and there are governmental ethical standards already in place in many disciplines and parts of the world. The opportunity for University faculty to teach and to become ethical role models for their students is available and essential for a just world. Universities can be the bridge from the local community to the globalized economy and government institutions. The University faculties have the tools to be the leading bridge builders if willing to make the commitment in academics and University life.

²⁸ ARISTOTLE, *NICOMACHEAN ETHICS* bk. II, at para. 1.