

I am a hypocrite – or how personal should our ethics be?
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Introduction:

The purpose of this article on ethics is to promote discussion and reflection, not to suggest that I have the answers. I freely admit that sometimes I am a hypocrite and need help in making better decisions. But, like most professionals, I have paid attention to ethics over the years and offer some reflections. It is not that I know what is ethical and what isn't. I do not. But I am convinced that we should put issues on the table, discuss them, and help each other. It is not that one person is "right" and another one is "wrong." Rather, progress is made as we consider and discuss the issues together. In doing that, I believe we can each be challenged to develop, refine, and/or feel better about our own convictions and subsequent decisions.

Clear the air statements (admitting some tongue-in-cheek):

- I am writing this article to satisfy the ethics component of my mandatory continuing education requirement.
- Upon careful reflection, I have learned that I can't stand intolerance.
- I am proud of how humble I am.
- It bothers me when I see my own character flaws exhibited by others.
- The world would be a better place if others just saw things my way.
(Don't we all say that at one time or another?)

Questions for which I wish I knew the answers:

- How does one balance standing-on-principle against going-along-to-get-along?
- What is sabotage? Is default sabotage any more ethical than intentional sabotage?
- Under what circumstances might lying or deception be justified?
- What really motivates us to do what we do; fear, greed, acceptance, self-respect?

Where am I going with this article?

Over the years I have tried to understand my own convictions and motivations. Most of the time, I feel that I am an ethical person. Others may see things differently and disagree. That's OK. The process of rationalization enables each of us to feel justified in what we say and do. On the other hand, I don't always do what I know I should and I have encountered circumstances in which I am not really comfortable with the criteria I use for deciding what is ethical and what is not. That uncertainty (hypocrisy) is what I'd like to explore in this article.

Bad example:

I worked 5 years in the corporate environment before attending graduate school. On one project, my employer was responsible for design and construction management of 410 miles of high-voltage power line and, as the only employee licensed as a surveyor in those states, I was responsible for preparing the easement documents to be used in the eminent domain proceedings. Although state law was quite specific about details of such easement descriptions, the client was a utility company who wanted to complete the condemnation process without spending the money needed to satisfy statutory requirements. Filled with self-importance, I insisted on doing it right. Following a consultation (I was told) with the state attorney general, our client stipulated what would be shown on each exhibit and how the documents would be prepared. They also required that each easement description (approximately 500 of them) leave out the closing distance so that the description would not close mathematically. This was done on purpose so that no one could ever prove the defective nature of the easement descriptions. Now you know one reason why I prefer teaching to corporate practice.

Ethic course in graduate school:

Later, while in graduate school, I took a formal course in ethics. The text was *Principles of Ethics; An Introduction*, by Paul W. Taylor. Although I took that course over 25 years ago, I still use the book and I believe the material is still relevant. However, more recent publications may contain better information and may be more in tune with current ideology.

1. Taylor begins Chapter 1 by stating, “Ethics may be defined as philosophical inquiry into the nature and grounds of morality.” An understanding of those things considered moral or immoral is woven into our culture and assimilated in many ways over time. The book contains many excellent points and discussion.
2. Nine chapters and 200 pages later, Taylor poses what he calls the ultimate question, “Is the commitment to live by moral principles a commitment grounded on reason or is it, in the final analysis, an arbitrary decision?”
3. At the end, Taylor concludes, “Commitment to moral principles, then, is finally a matter of one’s will, not of one’s reason.” I take that to mean that philosophers have not found a rigorous thought process by which the singular conclusion is that one should be moral. Taylor goes on to say that each person is responsible for making a decision to live by moral principles (or not) and that there is no escaping the necessity of making that decision. I believe the consensus of society (parents, teachers, friends, colleagues, and others) is that deciding to be moral, while it may be arbitrary, is a smart choice.

What drives our choices?

A big part of growing up (maturing) is learning about the consequences of our choices and actions. Although there may be other motivators, most choices are driven either directly or indirectly by fear, greed, acceptance, and respect. I come from a large family. When I was young, my older brothers kept me in line with various forms of intimidation, my father was known to spank children who blatantly misbehaved, and I sat through numerous church services where the preacher proclaimed that everyone not “saved” was going to burn in hell. Fear is a powerful motivator. It is also true that I grew up in an environment in which I felt accepted and, like most children, I developed a normal sense of self-respect. Greed is more difficult for me to understand. Self interests and the accumulation of material wealth provides a huge motivation for our democratic capitalistic system which has supported development of a large affluent middle class in the United States. But, when misused, greed can also be a powerful motivator leading to unethical behavior and dire consequences – e.g., the easement example previously cited.

Communication, contracts, and legal actions:

Ethics, morality, and good personal/business relationships are closely related to communication. With good communication, we know and understand the feelings, aspirations, attitudes, and actions of others. Misunderstandings are largely avoided when effective communication goes two ways. Things seem to work best when both parties have a good understanding of mutual expectations. One of the most valuable concepts I’ve ever learned, in a class on engineering contract law, is the importance of a contract. With a good contract, competently executed, interests of both parties are well served and many ethical dilemmas are avoided.

In simple terms, a contract consists of three elements – offer, acceptance, and consideration. If any element is missing or is defective, the contract may be declared void. In many cases, a contract is a formal written signed document which can be offered as proof of the agreement. In other cases, a person’s word and/or a handshake can form an agreement which is just as ironclad and enforceable as a written document. But all elements of a contract must be present and valid.

- Offer – Whether written, spoken, or otherwise communicated, an offer makes a statement as to what is to be done along with any applicable conditions, e.g., time of completion is often a condition. The content of an offer must consist of legal activities, otherwise it may be declared invalid and/or unenforceable.
- Acceptance – If an offer is not accepted, no contract exists. A written acceptance is the easiest to prove but acceptance of an offer as implied by subsequent actions can also be enforced. Of course, the person or entity making the offer must be competent to perform or fulfill the scope of the agreement.

- Consideration – Money is the simplest example of consideration. If you do this for me, I will give you x amount of money. In legal jargon, consideration is a detriment to the person asked to give it or a benefit to the person who asks for it. It is *quid pro quo*. Consideration may be money, but it may also be a reciprocal act, a return promise, modification of a relationship or some other legal medium of exchange.

Many agreements are informal and are fulfilled routinely without fanfare. In the case of non-fulfillment, the disagreement may be settled by a decision not to conduct any more business with that party, a fist fight (probably not used very often), carrying out a threat, or some other questionable course of action. But, more appropriately, non-performance of an informal contract may end up in court. When that happens, elements of the agreement are examined carefully in order to assure no deficiencies in the contract, the evidence is evaluated, and a judge or jury issues a verdict.

Is being legal the same as being ethical?

At this point, it would be interesting to explore why something might be “legal” but might not be ethical. One short answer is that if being ethical were the same as being legal, then we would not need a Canon of Ethics for professional practice. Although we could discuss Canons of Ethics ad infinitum, there is a more important question to be answered by each of us individually - “Is it moral?” And, that goes right back to the conclusion of the philosopher that a decision to be moral is based upon will not upon reason. Furthermore, in my opinion, we each make that personal choice based upon our own values, our education, our training, and our prior life experiences.

This is too deep. Isn't there a good example?

I'd like to close this missive by referencing an excellent article written Chuck Pennoni and published in the August, 2006, issue of CE News. The article is titled, “Foundation for an excellent professional reputation.” I learned to know Mr. Pennoni when we both were part of ABET - I served on the Related Accreditation Commission of ABET and he was serving as Past President. During that year, we were both members of the ABET Executive Committee due to our respective offices. It was quite an experience! He impressed me then as an excellent example of a successful professional and the article he writes bears that out. He begins the article by saying, “It has been my long-held belief that an excellent professional reputation is the single most important attribute necessary for the long-term success on an organization.” He goes on to describe the roles of honesty and integrity, specialized knowledge, and ability and skill. His company was started in 1966 and currently has 700 employees in 18 different offices. Mr. Pennoni is an excellent writer and if you “Google” his name you will discover Mr. Pennoni has an exemplary record of professional service. I found his article inspiring.

Mr. Pennoni's article can be found online at www.cenews.com/article.asp?id=895