Pearson New International Edition

Business Ethics
Concepts and Cases
Manuel G. Velasquez
Seventh Edition

ALWAYS LEARNING

PEARSON

Pearson New International Edition

Business Ethics
Concepts and Cases
Manuel G. Velasquez
Seventh Edition

PEARSON

Quick Review 15

In an Ethic of Care

- Caring is not detached but an engrossed "caring for" a person
- Relationships are not valuable when characterized by domination, oppression, harm, hatred, violence, disrespect, viciousness; injustice, or exploitation
- The demands of caring and of justice can conflict and such conflicts should be resolved in ways that do not betray our voluntary commitments to others and relationships with them.

medical benefits, and be guaranteed a job when operations restarted in a few months. Rebuilding in Lawrence would cost over $300 million and keeping 1,400 laid-off workers on full salaries for a period of up to 3 months would cost an additional $20 million. "I have a responsibility to the worker, both blue-collar and white-collar," Feuerstein later said. "I have an equal responsibility to the community. It would have been unconscionable to put 3,000 people on the streets and deliver a death blow to the cities of Lawrence and Methuen. Maybe on paper our company is [now] worth less to Wall Street, but I can tell you it's [really] worth more."

The Malden Mills incident suggests a perspective on ethics that is not adequately captured by the moral views we have so far examined. Consider that from a utilitarian perspective Feuerstein had no obligation to rebuild the factory in Lawrence or to continue to pay his workers while they were not working. Moreover, relocating the operations of Malden Mills to a Third World country where labor is cheaper would not only have benefited the company, it would also have provided jobs for Third World workers who arguably are more needy than U.S. workers. From an impartial utilitarian perspective, then, more utility would have been produced by bringing jobs to Third World workers than by spending the money to preserve the jobs of current Malden Mills employees in Lawrence, Massachusetts. It is true that the Malden Mills workers were close to Feuerstein and that over the years they had remained loyal to him and had built a close relationship to him. However, from an impartial standpoint, the utilitarian would say such personal relationships are irrelevant and should be set aside in favor of whatever maximizes utility.

A rights perspective would also not provide any support for the decision to remain in Lawrence nor to continue to pay workers full wages while the company rebuilt. Workers certainly could not claim to have a moral right to be paid while they were not working. Nor could workers claim to have a moral right to have a factory rebuilt for them. The impartial perspective of a rights theory, then, does not suggest that Feuerstein had any special rights-based obligations to his employees after the fire.

Nor, finally, could one argue that justice demanded that Feuerstein rebuild the factory and continue to pay workers while they were not working. Although workers were pivotal to the success of the company, the company had rewarded them by paying them very generous salaries over many years. Impartial justice does not seem to require that the company support people while they are not working nor does it seem to require that Feuerstein rebuild a factory for them at considerable cost to himself. In fact, if one is impartial, then it seems more just to move the factory to a Third World country where people are needier than to keep the jobs in the United States where people are relatively well-off.

Partiality and Care

The approaches to ethics that we have seen, then, all assume that ethics should be impartial and that, consequently, any special relationships that one may have with particular individuals such as relatives, friends, or one's employees, should be set aside when determining what one should do.[115] Some utilitarians have claimed, in fact, that if a stranger and your parent were both drowning and you could save only one of them, and if saving the stranger would produce more utility than saving your parent (perhaps the stranger is a brilliant surgeon who would save many lives), then you would have a moral obligation to save the stranger and let your parent drown.[116] Such a conclusion, many people have argued, is perverse and mistaken.[117] In such a situation, the special relationship of love and caring that you have with your parents gives you a special obligation to care for them in a way that overrides obligations you may have toward strangers. Similarly, in the Malden Mills incident, Feuerstein felt he had a special obligation to

take care of his workers precisely because they were dependent on him and had built concrete relationships with him, helping him build his business and create the revolutionary new fabrics that gave Malden Mills its amazing competitive advantage in the textile industry. This obligation toward these particular workers, who had a special relationship with Feuerstein and who were dependent on him, it could be argued, overrode any obligations he may have had toward strangers in the Third World.

This view—that we have an obligation to exercise special care toward those particular persons with whom we have valuable close relationships, particularly relations of dependency—is a key concept in an **"ethic of care**," an approach to ethics that many feminist ethicists have recently advanced. We briefly discussed this approach to ethics in the first chapter when we noted the new approach to moral development worked out by psychologist Carol Gilligan. A morality of care "rests on an understanding of relationships as a response to another in their terms."[118] According to this "care" view of ethics, the moral task is not to follow universal and impartial moral principles, but instead to attend and respond to the good of particular concrete persons with whom we are in a valuable and close relationship.[119] Compassion, concern, love, friendship, and kindness are all sentiments or virtues that normally manifest this dimension of morality. Thus, an ethic of care emphasizes two moral demands:

ethic of care An ethic that requires caring for the concrete well being of those particular persons with whom we have valuable close relationships, particularly those dependent on us.

1. We each exist in a web of relationships and should preserve and nurture those concrete and valuable relationships we have with specific persons.
2. We each should exercise special care for those to whom we are concretely related by attending to their particular needs, values, desires, and concrete well-being as seen from their own personal perspective, and by responding positively to these needs, values, desires, and concrete well-being, particularly of those who are vulnerable and dependent on our care.

For example, Feuerstein's decision to remain in the community of Lawrence and care for his workers by continuing to pay them after the fire was a response to the imperative of preserving the concrete relationships he had formed with his employees. It was also a response to the imperative of exercising special care for the specific needs of these individuals who were economically dependent on him. This requirement to take care of this specific group of individuals is more significant than any moral requirement to care for strangers in Third World countries.

It is important not to restrict the notion of a concrete relationship to relationships between two individuals or to relationships between an individual and a specific group. The examples of relationships that we have given so far have been of this kind. Many advocates of an ethic of care have argued that it should also encompass the larger systems of relationships that make up concrete communities.[120] An ethic of care, therefore, can be seen as encompassing the kinds of obligations that a so-called *communitarian ethic* advocates. A **communitarian ethic** is an ethic that sees concrete communities and communal relationships as having a fundamental value that should be preserved and maintained.[121] What is important in a communitarian ethic is not the isolated individual, but the community within which individuals discover who they are by seeing themselves as integral parts of a larger community with its traditions, culture, practices, and history.[122] The broad web of concrete relationships that make up a particular community, then, should be preserved and nurtured just as much as the more limited interpersonal relationships that spring up between individual people.

communitarian ethic An ethic that sees concrete communities and communal relationships as having a fundamental value that should be preserved and maintained.

What kind of argument can be given in support of an ethic of care? An ethic of care can be based on the claim that the identity of the self—who I am—is based on the relationships the self has with other selves: The individual cannot exist, cannot even be who he or she is, in isolation from caring relationships with others.[123] I need others to

feed and care for me when I am born; I need others to educate me and care for me as I grow; I need others as friends and lovers to care for me when I mature; and I must always live in a community on whose language, traditions, culture, and other benefits I depend and that come to define me. It is in these concrete relationships with others that I form my understanding of *who* and *what* I am. Therefore, to whatever extent the self has value, to that same extent the relationships that are necessary for the self to exist and be what it is, must also have value and so should be maintained and nurtured. The value of the self, then, is ultimately derivative from the value of the community.

It is also important in this context to distinguish three different forms of caring: caring *about* something, caring *after* someone, and caring *for* someone.[124] The kind of caring demanded by an ethic of care is the kind expressed by the phrase "caring for someone." The paradigm example of caring for someone is the kind of caring that a mother extends toward her child.[125] Such caring is focused on persons and their well-being, not on things; it does not seek to foster dependence, but nurtures the person's development so that he or she becomes capable of making his or her own choices and living his or her own life. It is not detached, but is "engrossed" in the person and attempts to see the world through the eyes and values of the person. In contrast, caring about something is the kind of concern and interest that one can have for things or ideas, and not the concern one has for a person in whose subjective reality one becomes engrossed. Such caring for objects or ideas is not the kind of caring demanded by an ethics of care. One can also become busy taking care of people in a manner that looks after their needs but remains objective and distant from them as, for example, often happens in bureaucratic service institutions such as the post office or a social welfare office. Caring after people in this way, although often necessary, is not the kind of caring demanded by an ethic of care.

Two additional issues are important to note. First, not all relationships have value, and so not all would generate the demands of care. Relationships in which one person attempts to dominate, oppress, or harm another; relationships that are characterized by hatred, violence, disrespect, and viciousness; and relationships that are characterized by injustice, exploitation, and harm to others lack the value that an ethic of care requires. An ethic of care does not obligate us to maintain, remain in, or nurture such relationships. However, relationships that exhibit the virtues of compassion, concern, love, friendship, and loyalty do have the kind of value that an ethic of care requires, and an ethic of care implies that such relationships should be maintained and nurtured.

Second, it is important to recognize that the demands of caring are sometimes in conflict with the demands of justice. Consider two examples. First, suppose that one of the employees whom a female manager supervises is a friend of hers. Suppose that one day she catches her friend stealing from the company. Should she turn in her friend, as company policy requires, or should she say nothing, to protect her friend? Second, suppose that a female manager is supervising several people, one of whom is a close friend of hers. Suppose that she must recommend one of these subordinates for promotion to a particularly desirable position. Should she recommend her friend simply because she is her friend, or should she be impartial and follow company policy by recommending the subordinate who is most qualified even if this means passing over her friend? Clearly, in each of these cases, justice would require that the manager not favor her friend. However, the demands of an ethic of care would seem to require that the manager favor her friend for the sake of their friendship. How should conflicts of this sort be resolved?

First, notice that there is no fixed rule that can resolve all such conflicts. One can imagine situations in which the manager's obligations of justice toward her company would clearly override the obligations she has toward her friend. (Imagine that her friend stole several million dollars and was prepared to steal several million

more.) One can imagine situations in which the manager's obligations toward her friend override her obligations toward the company. (Imagine, for example, that what her friend stole was insignificant, that her friend desperately needed what she stole, and that the company would react by imposing an excessively harsh punishment on the friend.)

Although no fixed rule can resolve all conflicts between the demands of caring and the requirements of justice, some guidelines can be helpful in resolving such conflicts. Consider that when the manager was hired, she voluntarily promised those who hired her that she would accept the position of manager along with the duties and privileges that would define her role as a manager. Among the duties to which she committed herself is the duty to protect the resources of the company and abide by company policy. Therefore, the manager betrays her commitments to those who hired her and harms her relationships with the people to whom she made these commitments, if she now shows favoritism toward her friend in violation of the company policies she voluntarily agreed to uphold. The institutional obligations we voluntarily accept and to which we voluntarily commit ourselves, then, can require that we are impartial toward our friends and that we pay more attention to the demands of impartial justice than to the demands of an ethic of care. What about situations in which there is a conflict between our institutional obligations and the demands of a relationship, and the latter is so important to us that we feel we must favor the relationship over our institutional obligations? Then morality would seem to require that we relinquish the institutional role that we have voluntarily accepted. Thus, the manager who feels that she must favor her friend because she cannot be impartial, as she voluntarily agreed to be when she accepted her job, must resign. Otherwise, the manager is in effect living a lie: By keeping her job while favoring her friend, she would imply that she was living up to her voluntary agreement of impartiality when, in fact, she was being partial toward her friend.

We noted that primarily feminist ethicists have been responsible for the development of the care approach to ethics. The care approach, in fact, originated in the claim of psychologist Carol Gilligan that women and men approach moral issues from two different perspectives: Men approach moral issues from an individualistic focus on rights and justice, whereas women approach moral issues from a nonindividualistic focus on relationships and caring. Empirical research, however, has shown that this claim is mistaken for the most part, although there are some differences in the way that men and women respond to moral dilemmas.[126] Most ethicists have abandoned the view that an ethic of care is for women only and have argued, instead, that just as women must recognize the demands of justice and impartiality, so men must recognize the demands of caring and partiality.[127] Caring is not the task of only women, but a moral imperative for both men and women.

Quick Review 16

Objections to Care Approach to Ethics

- Objection: an ethic of care can degenerate into favoritism
- Response: conflicting moral demands are an inherent characteristic of moral choices
- Objection: an ethic of care can lead to "burnout"
- Response: adequate understanding of ethic of care will acknowledge the need of the caregiver to care for him or herself.

Objections to Care

The care approach to ethics has been criticized on several grounds. First, it has been claimed that an ethic of care can degenerate into unjust favoritism.[128] Being partial, for example, to members of one's own ethnic group, to a sexist *old-boy* network, to members of one's own race, or to members of one's own nation can all be unjust forms of partiality. Proponents of an ethic of care, however, can respond that, although the demands of partiality can conflict with other demands of morality, this is true of all approaches to ethics. Morality consists of a wide spectrum of moral considerations that can conflict with each other. Utilitarian considerations can conflict with considerations of justice, and these can conflict with moral rights. In the same

way, the demands of partiality and caring can also conflict with the demands of utility, justice, and rights. What morality requires is not that we get rid of all moral conflicts, but that we learn to weigh moral considerations and balance their different demands in specific situations. The fact that caring can sometimes conflict with justice, then, does not make an ethic of caring less adequate than any other approach to ethics, but points out the need to weigh and balance the relative importance of caring versus justice in specific situations.

A second important criticism of an ethic of care is that its demands can lead to "burnout." In demanding that people exercise caring for children, parents, siblings, spouses, lovers, friends, and other members of the community, an ethic of care seems to demand that people sacrifice their own needs and desires to care for the well-being of others. However, proponents of caring can respond that an adequate view of caring will balance caring for the caregiver with caring for others.[129]

5 Integrating Utility, Rights, Justice, and Caring

Quick Review 17

Moral Judgments Should be Based on

- Maximizing the net utility of our actions
- Respecting the moral rights of individuals
- Ensuring a just distribution of benefits and burdens
- Caring for those in concrete relationships.

The last three sections have described the four main kinds of moral standards that today lie at the basis of most of our moral reasoning and that force us to bring distinctive kinds of considerations into our moral thinking. Utilitarian standards are appropriate when decisions involve limited but valuable resources that can be used in many different ways. In such cases, it is important to avoid wasting the resources we have and so we are forced to consider the benefits and costs of deciding to use them in one way rather than another, and to identify the decision that will use them in the most beneficial way. When we try to make these kinds of utilitarian decisions we have to rely on measurements, estimates, and comparisons of the relevant benefits and costs involved. Such measurements, estimates, and comparisons constitute the information on which the utilitarian moral judgment is based.

Our moral judgments are also partially based on standards that specify how individuals must be treated or respected. These sorts of standards must be employed when the actions we choose are likely to affect people's positive or negative rights. When choosing whether to carry out such actions, our moral reasoning must identify the rights of the people our actions will affect, the agreements or expectations that are in place and that impose special obligations on us, and whether our actions treat everyone affected as free and rational persons. This, in turn, requires that we have adequate information concerning how our actions will impact the people involved; how informed they are about what will happen to them; whether any force, coercion, manipulation, or deception will be used on them; and what agreements we have made with them or what legitimate expectations they may have of us.

Third, our moral judgments are also in part based on standards of justice that indicate how benefits and burdens should be distributed among the members of a group. These sorts of standards must be employed when evaluating various actions that could have very different distributive effects. The moral reasoning on which such judgments are based will incorporate considerations concerning whether the behavior distributes benefits and burdens equally or in accordance with the needs, abilities, contributions, and free choices of people as well as the extent of their wrongdoing. In turn, these sorts of considerations rely on comparisons of the benefits and burdens going to different groups (or individuals) and comparisons of their relative needs, efforts, and contributions.

Fourth, our moral judgments are also based on standards of caring that indicate the kind of care that is owed to those with whom we have special concrete and valued relationships. Standards of caring are essential when our moral decisions involve persons with whom we have personal relationships, particularly relationships of

dependency. Moral reasoning that invokes standards of caring will incorporate information about the particular characteristics and needs of those persons with whom one has a concrete relationship, the nature of one's relationships with those persons, the forms of caring and partiality that are called for by those relationships, and the kind of actions that are needed to sustain those relationships.

Our morality, then, contains these four kinds of basic moral considerations, each of which emphasizes certain morally important aspects of our behavior, but no one of which captures all the factors that must be taken into account in making moral judgments. Utilitarian standards consider only the aggregate social welfare, but ignore the way that welfare is distributed as well as the moral claims of individuals. Moral rights consider the individual but discount both aggregate well-being and distributive considerations. Standards of justice consider distributive issues, but they ignore aggregate social welfare and the individual as such. Although standards of caring consider the partiality that must be shown to those close to us, they ignore the demands of impartiality. These four kinds of moral considerations do not seem to be reducible to each other, yet all seem to be necessary parts of our morality. That is, there are some moral problems for which utilitarian considerations are appropriate. For other problems, the decisive considerations are the rights of individuals or the justice of the distributions involved or how those close to us should be cared for. This suggests that moral reasoning should incorporate all four kinds of moral considerations, although only one or the other may turn out to be relevant or decisive in a particular situation. One simple strategy for ensuring that all four kinds of considerations are incorporated into our moral reasoning is to inquire systematically into the utility, rights, justice, and caring issues that are raised by the situation about which we are making a moral judgment, as in Figure 1. We might, for example, ask a series of questions about an action that we are considering: (a) Does the action, as far as possible, maximize benefits and minimize harms? (b) Is the action consistent with the moral rights of those whom it will affect? (c) Will the action lead to a just distribution of benefits and burdens? (d) Does the action exhibit appropriate care for the well-being of those who are closely related to or dependent on us?

Bringing together different moral standards in this way, however, requires that we keep in mind how they relate to each other. As we have seen, moral rights identify areas in which other people generally may not interfere even if they can show that they would derive greater benefits from such interference. Generally speaking, therefore, standards concerned with moral rights have greater weight than either utilitarian standards or standards of justice. Similarly, standards of justice are generally accorded greater weight than utilitarian considerations. And standards of caring seem to be given greater weight than principles of impartiality in those situations that involve close relationships (such as family and friends) and privately owned resources.

But these relationships hold only in general. If a certain action (or policy or institution) promises to generate sufficiently large social benefits or prevent sufficiently large social harms, the enormity of these utilitarian consequences may

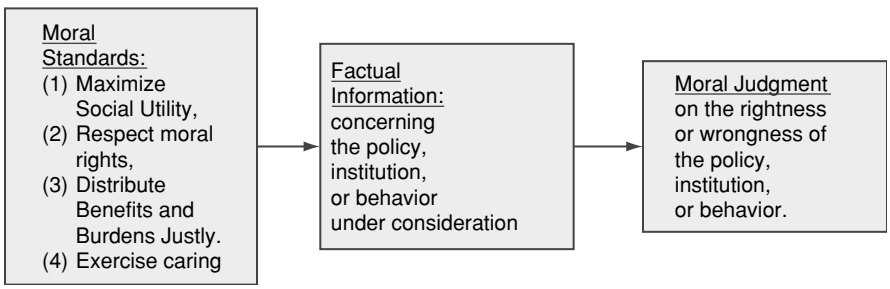

Figure 1
View the **Image** on **mythinkinglab.com**