

FUNDAMENTALS OF PROFESSIONAL ETHICS

Course: PHIL 3310

Fall, 2012

Hours: Monday, Wednesday, 11:00 am--12:15 pm

Classroom: Boylan Hall, 3305

Texts: *Ethics Across the Professions: A Reader for Professional Ethics* (Clancy Martin, Wayne Vaught, Robert C. Solomon, eds.)

Various articles and court cases available online

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Office Hours: Monday and Wednesday, 12:30 pm - 2:00 pm, *and by appointment* (Boylan Hall, #4300)

COURSE DESCRIPTION

Professional ethics, broadly speaking, is concerned with the intersection of professional duties that might be common to lawyers, physicians, other legal and medical personnel, engineers, and so on, the demands of the business world, and philosophical ethics. In this course, we will discuss, define -- and debate -- the moral responsibilities of professionals, and ask (and try to answer) several questions central to any discussion of professional ethics: First, what is a professional, and what distinguishes him or her from other kinds of workers? Second, what might the difference, and the tension, be between one's personal moral duties and professional ethics -- or, to put it differently, one's moral responsibilities as a person and one's responsibilities as a professional? Finally we will ask how a professional might properly navigate the many cases of conflict of interest that she is likely to encounter. For example, how might a doctor balance the possibility of personal financial gain and the responsibility for his patients? How might an engineer, who knows of ongoing malfeasance in her company, choose between the job-saving safety of silence and the professional hazards of whistle-blowing? How might a lawyer who knows that his or her corporate client is about to defraud thousands of investors proceed? We will discuss these, and many other, moral puzzles born of the special demands placed on professionals, and discuss various strategies that are, or might be, employed by them in addressing these all-too-real dilemmas.

COURSE OBJECTIVES

By the end of the course you will:

- Understand the central concepts, theories, and dilemmas in professional ethics;
- Be able to argue in support or in opposition to a claim within professional ethics;
- Be able to read and explain to others sophisticated philosophical arguments;
- Be able to take apart complicated arguments, finding their weak and strong points, and charitably address these strengths and weaknesses;
- Improve your speaking and writing abilities by becoming more confident in expressing yourself, more convincing in presenting your claims, and more effective in formulating your thesis statements and supporting arguments;
- Become a more informed and nuanced thinker about professional ethics, and legal, social and political issues in general;
- Become a more engaged and informed democratic citizen

LECTURE AND DISCUSSION FORMAT AND CONDUCT

As you probably already realize, in this course we will deal with many controversial and sensitive issues, and chances are, at some point during the semester, you might find yourself disagreeing with me, with the text, or with someone in the class. This is normal and to be expected (in fact, even encouraged). But how do we argue and debate without stepping on each other's toes (too much)? For this purpose, I have a few guidelines for our discussions, and as a class, we may decide to add to it as we go along. For now, here is a draft of our code of conduct:

- Respect others' right to hold opinions and beliefs that differ from yours;
- Challenge or criticize ideas, not people;
- Listen to what others are saying even if you do not agree;
- Please, please be courteous to one another (and to me) -- do not interrupt or engage; in private conversation while others are speaking;
- Support your statements with good evidence -- give us a rationale for your points;
- Avoid making broad generalizations about entire groups, or, if you feel compelled to do so, present us with evidence of why you think this is merited;
- Give everyone a chance to talk -- we all have something valuable to add to the discussion.

VERY IMPORTANT: I encourage you to raise your hand and speak up -- what a terrible time we would all have if it was just my voice we all heard for over an hour! I will call on individuals, encourage you to talk to each other, and ALWAYS will take questions, comments, challenges, gripes (well, some gripes), etc. during class. You guys are better at teaching each other than you think!

ATTENDANCE

As you may have guessed, attendance is mandatory. If you know you will be absent on particular days due to sports, music, or other commitments (long weekends are not commitments, folks!), please let me know in advance. Many missed days will make it very difficult for you to pass this course. PARTICIPATION IS ESSENTIAL!

GRADING AND ASSIGNMENTS:

There will be 2 short (3-5 pages) papers, a midterm, and a final examination. Each paper will count for 20% of your grade, the midterm will also count 20%, and the final examination will count 25%. Participation will count for 15% of your grade.

Receipt of a passing grade requires completion of both papers, the midterm, and the final examination.

The first paper will be on an assigned topic:

- The first paper is due: **Wednesday, October 17th**
- The midterm is scheduled on: **Wednesday, October 31st**
- Your second paper:

The second paper will look something like this:

IMPORTANT: PLEASE READ: At the end of every chapter that we read, you will find several case studies. Your assignment is to pick one of the case studies, and with one or two partners, (1). present the case study and its best resolution, according to you, and (2). Write a paper based on this case study. You will note that at the end of the syllabus, the last few class meetings are devoted to your presentations. **SO, YOUR SECOND PAPER IS DUE A WEEK AFTER YOUR PRESENTATION!!!!** You can use any kind of media you wish for your presentation (but please let me know in advance what you will need to make your presentation possible).

- Final exam: **Monday, December 17th, 10:30 am-12:30 pm**

Late papers: Late papers will be accepted, but points will be taken off for lateness (unless previously arranged), with every week about 1/2 of a grade being subtracted. Thus, if your paper merited a B and it is a week late, you would get a B-. However, you must turn in all papers, even if VERY late, in order to pass this class.

PLEASE NOTE: *The readings are to be completed by the day that they are noted on the syllabus.*

COURSE SCHEDULE

Monday, August 27: Introduction: Hey, I'm a doctor and I can do what I want, or, Why worry about professionalism?

Part I: What does it mean to be a professional?

Wednesday, August 29: What is professional responsibility?

Reading: Martin, Vaught, Solomon: pp.1-19

Monday, September 3: NO CLASS

Wednesday, September 5: Morality and the professions

Reading: Martin, Vaught, Solomon: pp.19-47

Part II: What does it mean to be ethical?

Monday, September 10: What is a "good" businessperson?

Reading: Martin, Vaught, Solomon: pp. 54-64

<http://www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/index.html>

Wednesday, September 12: Justifying ethics: Where do moral duties come from?

Reading: Martin, Vaught, Solomon: pp. 64-92

Monday, September 17: NO CLASS

Wednesday September 19: Rights and duties

Reading: Martin, Vaught, Solomon: pp. 97-109

Monday, September 24: When professional relationships may matter the most: Doctors, Lawyers, Pharmacists

Reading: Martin, Vaught, Solomon: pp. 109-135

Wednesday, September 26: NO CLASS

Monday, October 1: Professional ethics and the law

Reading: Martin, Vaught, Solomon: pp. 136-148

Part III: Professional integrity: Truth, lies, and the in-between

Wednesday, October 3: Is lying ever justified?

Reading: Martin, Vaught, Solomon: pp. 162-181

Monday, October 8: NO CLASS

Wednesday, October 10: The hard cases: Truth-telling and medicine

Reading: Martin, Vaught, Solomon: pp. 181-208

Monday, October 15: Lying in the corporate world

Reading: Martin, Vaught, Solomon: pp. 213-221

In-class film

Part IV: Confidentiality and trust across the professions

Wednesday, October 17: What is confidentiality?

Reading: Martin, Vaught, Solomon: pp. 227-237

Monday, October 22: Does confidentiality have limits?

Reading: Martin, Vaught, Solomon: pp. 238-252

Wednesday, October 24: Confidentiality and the professions

Reading: Martin, Vaught, Solomon: pp. 253-276

Monday, October 29: Midterm review

Wednesday, October 31: MIDTERM

Part V: The price of loyalty: Whistle-blowing and its consequences

Monday, November 5: What is whistle-blowing?

Reading: Martin, Vaught, Solomon: pp. 284-298

<http://www.caslon.com.au/whistlecasesnote.htm#rost>

Wednesday, November 7: Personal integrity versus professional loyalty (Part I)

Reading: Martin, Vaught, Solomon: pp. 298-311; 316-318

Monday, November 12: Personal integrity versus professional loyalty (Part II)

In-class film

Wednesday, November 14: Public lives, public crimes: Politics and integrity

Reading: Martin, Vaught, Solomon: pp. 311-316; 318-325

Part VI: Justice and professionalism: Conflicting duties?

Monday, November 19: What is justice?

Reading: Martin, Vaught, Solomon: pp. 343-359

Wednesday, November 21: Is there a justice-based (or other) obligation to care?
Reading: Martin, Vaught, Solomon: pp. 360-386

Part VII: Business, the professions, and the government: An insoluble conflict

Monday, November 26: Doctors and lawyers (again)
Reading: Martin, Vaught, Solomon: pp. 395-398; 401-406; 411-422

Wednesday, November 28: Journalists and television/entertainment professionals
Reading: Martin, Vaught, Solomon: pp. 407-411; 422-428

Monday, December 3: In-class presentations

Wednesday, December 5: In-class presentations

Monday, December 10: In-class presentations

Wednesday, 12: In-class presentations, Review and some concluding remarks

THE INSTRUCTOR RESERVES THE RIGHT TO MAKE ALTERATIONS TO THIS SYLLABUS THROUGHOUT THE TERM!!!!

BROOKLYN COLLEGE POLICIES

STUDENTS WITH DISABILITIES

In order to receive disability-related academic accommodations students must first be registered with the Center for Student Disability Services. Students who have a documented disability or suspect they may have a disability are invited to set up an appointment with the Director of the Center for Student Disability Services, Ms. Valerie Stewart-Lovell at 718-951-5538. If you have already registered with the Center for Student Disability Services please provide your professor with the course accommodation form and discuss your specific accommodation with him/her.

CLASS ATTENDANCE AND RELIGIOUS BELIEFS

For information about the state law regarding non-attendance due to religious beliefs, please see page 53 in the Undergraduate Student Bulletin.

PLAGIARISM AND CHEATING:

This is a very unpleasant subject, but we might as well get it over with. No cheating or plagiarism will be tolerated. Period. To refresh your memories, the following is a general summary of the cheating-plagiarism policy:

The faculty and administration of Brooklyn College support an environment free from cheating and plagiarism. Each student is responsible for being aware of what constitutes cheating and plagiarism and for avoiding both. The complete text of the CUNY Academic Integrity Policy and the Brooklyn College procedure for implementing that policy can be found at this site: <http://www.brooklyn.cuny.edu/bc/policies>. If a faculty member suspects a violation of academic integrity and, upon investigation, confirms that violation, or if the student admits the violation, the faculty member MUST report the violation.

**CUNY POLICY ON ACADEMIC INTEGRITY (This policy can be found on:
<http://www.brooklyn.cuny.edu/pub/documents/academicintegritypolicy.pdf>)**

Definitions and Examples of Academic Dishonesty

1. **Cheating** is the unauthorized use or attempted use of material, information, notes, study aids, devices or communication during an academic exercise. The following are some examples of cheating, but by no means is it an exhaustive list:
 - Copying from another student during an examination or allowing another to copy your work.
 - Unauthorized collaboration on a take home assignment or examination.
 - Using notes during a closed book examination.
 - Taking an examination for another student, or asking or allowing another student to take an examination for you.
 - Changing a graded exam and returning it for more credit.
 - Submitting substantial portions of the same paper to more than one course without consulting with each instructor.
 - Preparing answers or writing notes in a blue book (exam booklet) before an examination. Allowing others to research and write assigned papers or do assigned projects, including use of commercial term paper services.
 - Giving assistance to acts of academic misconduct/dishonesty.
 - Fabricating data (all or in part).
 - Submitting someone else's work as your own.
 - Unauthorized use during an examination of any electronic devices such as cell phones, palm pilots, computers or other technologies to retrieve or send information.
2. **Plagiarism** is the act of presenting another person's ideas, research or writings as your own. The following are some examples of plagiarism, but by no means is it an exhaustive list:
 - Copying another person's actual works without the use of quotation marks and footnotes attributing the words to their source.
 - Presenting another person's ideas or theories in your own words without acknowledging the source.
 - Using information that is not common knowledge without acknowledging the source.

- Failing to acknowledge collaborators on homework and laboratory assignments.
3. **Internet plagiarism** includes submitting downloaded term papers or parts of term papers, paraphrasing or copying information from the internet without citing the source, and “cutting & pasting” from various sources without proper attribution.
 4. **Obtaining Unfair Advantage** is any activity that intentionally or unintentionally gives a student an unfair advantage in his/her academic work over another student. The following are some examples of obtaining an unfair advantage, but by no means is it an exhaustive list:
 - Stealing, reproducing, circulating or otherwise gaining advance access to examination materials.
 - Depriving other students of access to library materials by stealing, destroying, defacing, or concealing them.
 - Retaining, using or circulating examination materials which clearly indicate that they should be returned at the end of the exam.
 - Intentionally obstructing or interfering with another student’s work.

Most importantly, remember this: I do not have all the answers. You do not have all the answers. Philosophy is a process by which we can at least begin to engage in asking the right questions. This class is all about seeing just where those questions will lead us.