Tab Four: Dilemma Analysis

SESSION III: DILEMMA ANALYSIS

SESSION OVERVIEW

The most difficult ethical dilemmas occur when two of our core ethical values come into conflict. How do we know when we have a right-versus-right dilemma? What types of right-versus-right dilemmas can we observe?

In our experience, right-versus-right dilemmas, however complex and varied, typically reduce themselves to one or another of four dilemma paradigms: truth versus loyalty, the short term versus the long term, the individual versus the community, and justice versus mercy.

PREWORK

Participants will need to bring one or two examples of a real-life ethical dilemma they (or someone they know) have faced.

OBJECTIVE

By the end of this session, participants will understand the concept of an ethical dilemma as a conflict of right versus right and will be able to give examples for each of the Four Dilemma Paradigms.

STRATEGIES

Before the session, be sure to read the Tips for Trainers included in this tab. During your introduction, review the difference between right-versus-wrong decisions and right-versus-right dilemmas. Share the "Five Ways to Tell Right from Wrong" overhead and give an example. Then follow the script for introducing the four paradigms, being sure to emphasize the importance of stating the two rights ("It is right, on the one hand, to . . . ; it is right, on the other hand, to . . .") before identifying the paradigm or paradigms that apply.

Divide the large group into small groups of five to six and instruct participants in how to share their stories and analyze them. If the group is very large, or you want to be sure everyone understands the instructions, you may want to try the Fish Bowl activity. At the end of the small-group activity, ask each group to share one story with the larger group. Take notes on a flip chart as these stories are told. For each story, jot down the actor, the context, the dilemma, and the paradigm(s) selected.

Key Questions

For each dilemma example discussed, ask:

- What happened?
- What is the context?
- Who is the actor?
- What are the two rights?
- Why is each choice right?
- What paradigm, or paradigms, does each example most resemble?

Closure and Transition

It is not enough simply to understand that a dilemma is a conflict between two rights. In the end, the highest right must be determined and a decision made. Next, we will look at possible ways to go about resolving right-versus-right dilemmas.

SESSION III: ETHICAL ANALYSIS

OVERVIEW

In this step:

- Share our ethical dilemmas.
- Analyze them according to the four paradigms that were mentioned in the readings.

But first: Revisit the values list we came up with. Any further questions or observations?

- It's the process, not the list that's most important.
- "The talking about ethics is the doing of ethics."

RIGHT-VERSUS-RIGHT DILEMMAS

Dilemmas always involve branching decisions, roads not taken, decision points to which you cannot return.

Flip chart: The Four Dilemma Paradigms

- truth versus loyalty
- individual versus community
- short term versus long term
- justice versus mercy

Poem: Frost, "The Road Not Taken": There is nothing to suggest that Frost had only one right option.

THE NATURE OF DILEMMAS

- *Di* (two), *lemma* (fundamental proposition or assumption taken for granted)
- Can be two unpleasant alternatives: We tend to use it this way, although there is nothing in Greek philosophy to suggest it means this.
- We use it for right versus right. Example: Stanford nursing home (see *How Good People Make Tough Choices,* pp. 19–20) and the blueberry story (pp. 20–22).

- Dilemmas have actors, and a dilemma can be very different for each actor.
- Sometimes there is a third way that becomes apparent as we apply the dilemma paradigms.

Right versus Wrong

- Right versus wrong (career-ending move, cheating on taxes)="moral temptations," not dilemmas. Example: Bath Iron Works (*How Good People Make Tough Choices*, pp. 35–38).
- The Five Tests for Wrong:

  —The legal test

  —The professional standards test

  —The gut-feeling test

  —The front-page test

  —The role-model test

The Four Dilemma Paradigms

Truth versus Loyalty

Your best friend has bragged about vandalizing the school building. Next day the principal asks you if you know who vandalized the building. You know it is right to tell the truth, but you have also been told, since you were little, that loyalty to a friend is important. If the principal does not understand right versus right, he runs the risk of saying, "Don't you know that loyalty is a terrible thing?," and the student knows that that is not true.

See also the librarian story (*How Good People Make Tough Choices*, pp. 13–15).

Individual versus Community

See the Stanford nursing home (pp. 19–20) and the metal-plating lab (pp. 132–133) examples in *How Good People Make Tough Choices*.

Short Term versus Long Term

It is not true that all short-term situations are wrong and all long-term situations are right. For every dollar you earn, there is the question of whether to spend it or save it. If you spend it, you will meet your short-term needs, but make no provision for the future. If you save every dollar, you will have nothing to pay for food and other everyday needs, and you will not survive to the future.

See also the insurance agent dilemma in *How Good People Make Tough Choices* (pp. 96–99).

JUSTICE VERSUS MERCY

In *How Good People Make Tough Choices,* see the blueberry (pp. 20–22) and the girls' basketball team (p. 142) stories.

SMALL GROUPS

- Give break-out group instructions.
- Share stories as fully and completely as possible.
- Listen carefully to one another.
- Determine the actor and state the two rights. ("It is right, on the one hand, to ___ because ___; it is right, on the other, to ___ because ___.")
- Select the paradigm (or paradigms) illustrated by each story.
- But do not yet discuss either how it was resolved or what other resolutions are appropriate.
- Ask each group to select one or two stories for presentation to the larger group.

LARGE GROUP

In the large group, hear dilemmas from each small group.

- Record actor, main points, the two rights, and paradigms on flip chart.

The Road Not Taken

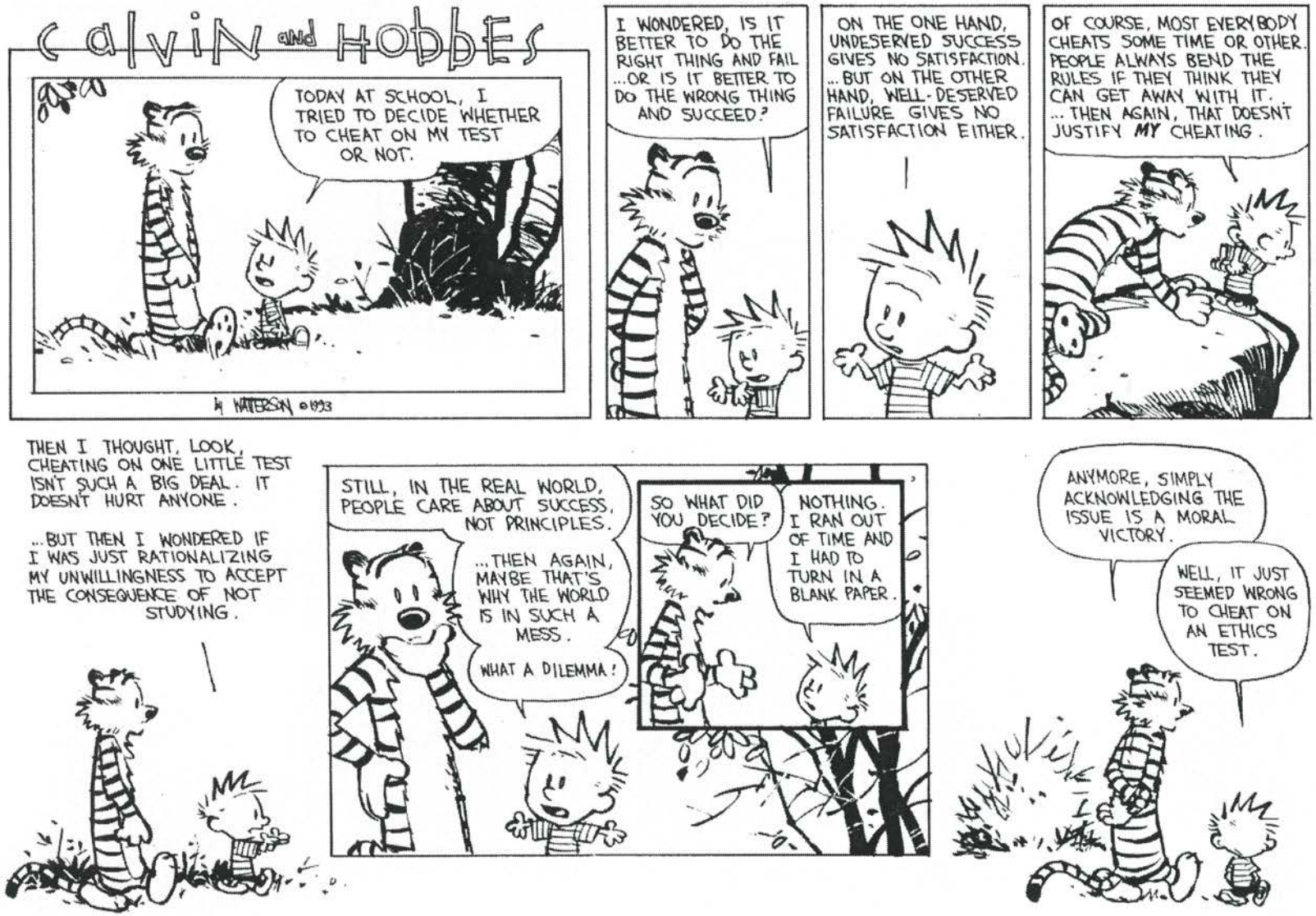
Two roads diverged in a yellow wood,
And sorry I could not travel both
And be one traveler, long I stood
And looked down one as far as I could
To where it bent in the undergrowth;

Then took the other, as just as fair,
And having perhaps the better claim,
Because it was grassy and wanted wear;
Though as for that the passing there
Had worn them really about the same,

And both that morning equally lay
In leaves no step had trodden black.
Oh, I kept the first for another day!
Yet knowing how way leads on to way,
I doubted if I should ever come back.

I shall be telling this with a sigh
Somewhere ages and ages hence:
Two roads diverged in a wood and I—
I took the one less traveled by,
And that has made all the difference.

—Robert Frost



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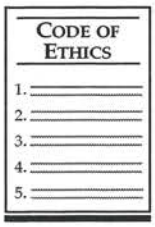
Five Ways to Tell Right from Wrong

1) **The Legal Test.** Is this choice against the law? It is wrong, we say, to steal something without paying for it, refuse to pay the rent, or beat your wife. Although you may break a law on purpose or by mistake, in our society, we say it is wrong to break the law.



2) **The Professional-Standards Test.** Is this choice consistent with standards of conduct promulgated by your profession? If you were to make this choice, in the presence of your colleagues, what would they say or do?

3) **The Gut-Feeling Test.** Does this choice "smell"? Does it feel wrong deep within our gut? Often our intuition can select right from wrong even before our brains can think it through. If a decision causes you to have a bad gut reaction, then perhaps you should think more about it before acting.

4) **The Front-Page Test.** How would you feel if your decision were headlined on the front page of the local newspaper? In imagining this, you are holding up your choice to be seen by everyone you know. What would your family think? What would your friends think? How would everyone else in your community react?

5) **The Role-Model Test.** Think of a person you respect highly—someone who models the values you have selected for your list of qualities that define a good person. If this person had to make the decision you are about to make, what would he or she do?

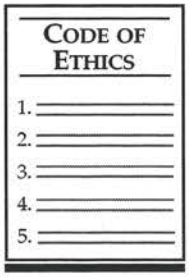
Five Ways to Tell Right from Wrong

Most of us faced with a choice between the right, the wonderful, and the good on the one hand, and the wrong, the terrible, and the bad on the other, will choose to do the right thing. However, we're sometimes tempted to do wrong, and it often takes moral courage to make the right choice.

Sometimes it's helpful to use the process below to determine if a choice would be right or wrong. It involves five tests that act together. While one test by itself may not leave you completely convinced, answering yes to all five of the following questions will probably leave no doubt in your mind that an action is wrong.

1) The Legal Test. Is this choice against the law? It is wrong, we say, to pass a stopped school bus, take a candy bar without paying the shopkeeper, cut trees on your neighbor's property, or toss an empty soda bottle into the road. More significant, it is wrong to bribe public officials, refuse to pay the rent, pass bad checks, or beat your spouse. These kinds of wrongdoing involve breaking the law. You can break the law by mistake (you may not know a law exists) or on purpose (you may not agree to follow it).

2) The Professional Standards Test. Is this choice consistent with standards of conduct promulgated by your profession? If you were to make this choice in the presence of your colleagues, what would they say or do?



3) The Gut-Feeling Test. Does this choice go against a gut feeling? Often our intuition can determine right from wrong before our brains can think it through. Physical reactions, such as gut feelings, often indicate a need for more thought before taking action.

4) The Front-Page Test. Would you feel good if your choice were on the front page of the local newspaper? In imagining this, you are holding up your choice to be considered by everyone you know. What would your family think? What would your friends think? How would you feel if your co-workers read about your decision?

5) THE ROLE-MODEL TEST. Name a person you respect highly—perhaps a relative, co-worker, teacher, or local community figure. If this person had to make the decision you are about to make, would she or he make the same decision you're considering? Sometimes imagining how someone else would decide can help clarify your choices.

RIGHT-VERSUS-RIGHT DECISION PARADIGMS

- truth versus loyalty
- self versus community
- short term versus long term
- justice versus mercy

DILEMMA ANALYSIS

SMALL-GROUP INSTRUCTIONS

ASK YOURSELVES:

- What happened?
- What was the context?
- Who was the actor?
- What are the two rights?
- What dilemma paradigms fit this case?

BUT DON'T (YET) ASK:

- How was it resolved?
- What other resolutions are appropriate?

Dilemma Worksheet

Name: _____

Date: _____

The story: _____

_____

_____

_____

_____

_____

_____

State the "two rights": _____

_____

_____

_____

_____

The paradigm(s) this dilemma represents: _____

_____

_____

The resolution (what was decided): _____

_____

_____

_____

_____

_____

_____

_____

FISH BOWL

PURPOSE

- To model a process for analyzing ethical dilemmas prior to assigning participants to small-group work

PREPARATION AND MATERIALS

Select one of the more straightforward dilemmas from those shared in the larger group for this modeling activity. Consider ahead of time which participants you will select for the demonstration. Read the Tips for Trainers included in this section.

PROCESS

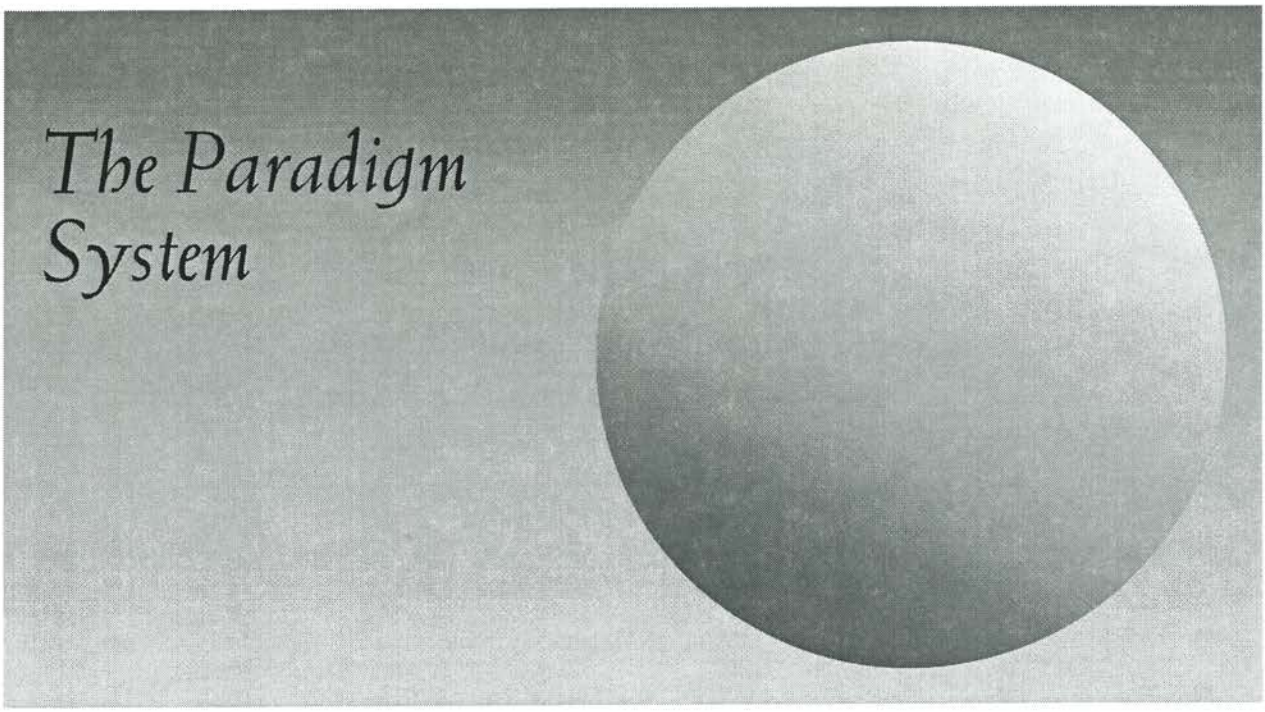
The fish-bowl technique involves using one small group of participants to demonstrate a process of thinking and working to the rest of the group. Once the fish-bowl activity has been completed, everyone should be prepared to follow the same process in small groups without the close attention of the trainer.

- Identify the participants (four or five) who will be "in" the fish bowl and ask them to come together at the front of the room or, even better, in a small circle in the middle of the room. Make sure everyone else is able to observe the activity closely.
- Tell those not in the fish bowl that their role is one of observation rather than participation. Advise them that you, too, will only observe unless the process gets off track. Remind them of the purpose of the exercise.
- After the fish-bowl group identifies the actor in the dilemma and has considered all relevant facts, ask the members of the group to discuss and come to a conclusion on the answers to the following questions:
  - First, does the dilemma pass the five right-versus-wrong tests?
  - If so, how can the two rights be stated? (It is right, on the one hand, to _____; it is right, on the other hand, to _____.)
  - And, finally, which of the Four Dilemma Paradigms applies?
- Your role in the fish-bowl exercise is one of coach. Only intrude into the discussion if the small group seems to be getting off track, in which case it is important to let the group as a whole understand how that happened and what should have

happened instead. Also, be sure the exercise moves along at a reasonable pace, allowing perhaps ten minutes for the entire activity.

- When the fish-bowl activity has been completed, give your demonstration group a round of applause, and immediately send everyone into their small groups to practice the same process on another dilemma.
- Bring participants back together as a large group and solicit feedback from each small group on the decisions they reached.

The Paradigm System



How was the paradigm system developed? Why are there only four paradigms?

The paradigm system developed out of our observation of the ways in which individuals actually address their dilemmas. It is therefore not so much a deductive approach—in which a particular proposition or assumption is extended into four subcategories—as an inductive one through which four categories have been discovered empirically.

The question nevertheless arises: Why are there only four? The short answer is: because that's all we could find. In fact, however, there may be a logical reason why no more are readily visible.

These four approaches can be explained by the dichotomy between scientific thinking and humanistic thinking.

Scientific thinking, on the one hand, involves:

- An inclination for observing and measuring physical objects
- A focus on objectivity: the truth, method, reality, thinking
- An effort to exclude the personal side of experience
- The use of numbers

Humanistic thinking, on the other hand, reflects:

- An impulse to use stories and discern an individual's mental state
- A desire to remain subjective: fiction, imagination, feeling
- Inquiring into personal motives, responses, observations
- A focus on character

To explain the Four Dilemma Paradigms, each of these two perspectives can be further dissected. Consider how, when we think scientifically, we tend to focus on the measurement of time or space, but when we think humanistically, we look more closely at the uniqueness of an individual's character or the culture of the larger group or organization.

Scientific Method: Counting

- Space (scale): self versus community
- Time: short term versus long term

Humanistic Method: Character

- Uniqueness: truth versus loyalty
- Organizations: justice (expectation) versus mercy (exception)

Self versus community requires us to consider space or scale. If the smaller group cannot be distinguished from the larger group, the dilemma ceases to matter.

Short term versus long term depends on an ability to measure time. Again, without the concept of time, there is no dilemma.

Truth versus loyalty pits truth—as perceived by the individual—against a kind of personal allegiance to others.

Justice versus mercy, however, arises in situations in which the greatest emphasis is put on order, organization, and wholeness.

Linking Values to Paradigms

Values List:	The Four Dilemma Paradigms:
1. _____	truth versus loyalty
2. _____	
3. _____	individual versus community
4. _____	
5. _____	short term versus long term
6. _____	
7. _____	justice versus mercy
8. _____	

Question: If a right-versus-right dilemma occurs when two core values come into conflict, where are these core values reflected in the four paradigms???

TIPS ON THE ANALYSIS PROCESS

Encourage participants to state each right-versus-right dilemma in the following way: "It is right, on the one hand, to _____; it is right, on the other hand, to _____" This is not easily done, but serves to reinforce the concept of right versus right and to prevent participants from talking about wrong versus wrong, a common tendency. Consider the following examples from *How Good People Make Tough Choices*:

- It is right to protect the endangered spotted owl in the old-growth forests of the American Northwest—and right to provide jobs for loggers.
- It is right to resist the importation of products made in developing nations to the detriment of the environment—and right to provide jobs, even at low wages, for citizens of those nations.
- It is right to find out all you can about your competitors' costs and price structures—and right to obtain information only through proper channels.
- It is right to "throw the book" at good employees who make dumb decisions that endanger the firm—and right to have enough compassion to mitigate the punishment and give them another chance.

Ask participants if they think any of the dilemma examples involve more than one dilemma paradigm. While different individuals may see a dilemma differently, the two "it is right" statements will generally suggest which paradigm is dominant. Identifying paradigms is a very creative activity—you might be surprised to see the ways participants summarize what is going on.

During this lesson, it is important to try to keep from speculating as to what decision should be made and why. This type of digression can take away from learning the concept of right versus right. The value of the analysis process is that it causes us to look more deeply into the underlying factors of a dilemma and prevents a too-hasty jump to finding a solution.

Tough Questions You Might Get Asked

1) This idea of ethics as "right versus right," where either side can be right, strikes me as a form of ethical relativism. Why isn't it?

Ethical relativism holds that there never is any one right answer. So the answer to the question, "What ought I to do?" is, "Whatever you want," or "Whatever is best for you." For ethical relativists, even what we would call right-versus-wrong decisions, where an important ethical value comes into conflict with some clearly lesser value, may be decided by each individual or special group as they see fit.

Right-versus-right decision making, on the other hand, assumes, first, that, in a right- versus-wrong decision, one ought always to do the right thing. But also, if a dilemma involves identified shared values and appears to have some right on each side, then we encourage a thoughtful process of analysis and resolution. The goal of this process is to determine, if at all possible, the highest right.

There are times when it is difficult to come down clearly on one side or the other. Many of these dilemmas involve the most difficult issues of our time: Should condoms be made available to students in the schools? Should we allow physician-assisted suicide? Should we censor certain information on the Internet or shows on TV? And so on.

But we are not promoting relativism, since the values that come into conflict are both moral qualities that are always desirable in and of themselves.

2) I can see how truth versus loyalty, justice versus mercy, and individual versus community are all right-versus-right ethical dilemmas. But short term versus long term does not seem to fit. Why is this also a dilemma paradigm?

Comparing the short term to the long term may or may not have an ethical dimension. But when it does, these can be some of our most difficult dilemmas, because short term versus long term pits the immediate survival needs of the present against investment, foresight, and stewardship of the future.

Some examples: Do I sign up for evening college courses to advance my career, or do I spend these same evenings at home with my family? At the organizational level, does a company distribute its meager profits to its shareholders who demand a fair return on their investments, or does it set aside these same funds as a hedge against a possible future downturn? At the global level, do we continue to develop, and encroach upon, our finite natural resources to meet the requirements of a growing population, or do we restrict the use of available resources even if that means more poverty and a reduced quality of life for millions of people?

The key ethical words in looking at a short-term versus long-term dilemma are: "Is it right?" If one can say, "It is right in the short term to do this; it is right for the long term to do that," then the problem is a short-term versus long-term ethical dilemma.

3) Why do you emphasize right-versus-right when so much of the world is struggling with right-versus-wrong? Doesn't that simply amount to ignoring the biggest problems all around us?

There are a number of reasons why we emphasize ethics as right-versus-right rather than right-versus-wrong:

- While right-versus-wrong issues abound, and many have yet to be addressed as clearly and directly as they should be, right-versus-wrong choices do not, in our view, represent real ethical dilemmas. Ethical dilemmas occur only when two core values (or fundamental propositions) come into opposition. Right-versus-wrong situations, by contrast, provide "moral temptations," in which it is possible to know that one choice is right and the other wrong, but, for some (probably personal) reason, one is strongly attracted to making the unethical choice.

- While right versus wrong is common, it is not conceptually very interesting. In a sense, what more is there to say about right-versus-wrong decisions than "always do the right thing?" It is the right-versus-right dilemmas that pose the most difficult, critical questions, because we can see good reasons to make either decision, but only one decision can be made. In these instances, even when we have already decided to "always do the right thing," we will still need to ask, "what is the right thing?"

- Pedagogically, there also are some advantages to discussing ethics as "right versus right." The approach and terminology allow participants to be more open in sharing difficult or personal dilemmas. For if there is right on both sides, then one side does

not have to be seen as clearly wrong. This serves to reduce the potential for finger pointing and participant embarrassment. And, in our experience, it allows participants to discover for themselves whether or not their right-versus-right dilemma is really a right-versus-wrong temptation.

If we are successfully to meet the ethical challenges of the 21st century, then we need to go beyond an understanding of right and wrong to a thoughtful process for framing and then deciding the world's critical issues.