

# Ethics and Expert Judgement

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# Research Question

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- What is the role of Ethics in Expert Judgement?
- Is there a particular ethical responsibility of experts in relation to decision-makers, politicians and managers?



# The famous cases

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- The Ford Pinto Calculations
- The US Challenger Explosion
- Enron and Arthur Anderson
- The BP Oil Spill in the Mexican Gulf
- The Fukushima Accident
- The Italian Earthquake
- The Volkswagen Fraud case



# The Danger of Moral Blindness

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- Blindness – failure to see problems
- Deafness – failure to listen to others about moral problems
- Muteness – failure to speak up about moral problems (Whistle-blowing).



# The ethics of science

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- The morality of science: The internal perspective
- The role of science in society: The external perspective
- The ethics of science includes researchers, but also experts and practitioners of technology



# The virtues of science

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Merton, 1942, The ethics of CUDOS:

- 1. Communism
- 2. Universalism
- 3. Disinterestedness
- 4. Organized Skepticism

Today?: Place (Property, local, authoritarian, commissioned, expert)



# What does the change of science mean for ethics?

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- Science and Technology studies (STS) operates with classic science (Mode 1) and new science and technology as applied science (mode 2), that combines nature, society and humanities and therefore it also includes ethics, politics and normativity: Science is normative!



# Foundations of ethics of science

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- Virtue ethics
- Deontological ethics
- Utilitarianism
- The ethics of communication
- Existentialism
- Ethics and criticism of science
- Combined ethics and reflective judgment



# Ricoeur's ethics

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- The ethical vision: "The good life for and with the other in just institutions"
- The self and the moral norm: Concern and norm: Dignity and universality in just institutions. Respect and autonomy
- The Self and practical Wisdom: Possible conflicts between institutions and self
- judgement as mediator



# The principles of ethics of science

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- Responsibility of science
- Respect for freedom of research
- Moral Consciousness and dignity
- The ethical integrity of science
- Justice and solidarity



# From ethics to bioethics

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- Foundations in the phenomenology of the body: Human beings as fragile and vulnerable
- Vulnerability and autonomy as a central problem of bioethics: the formation of narrative identity
- From vulnerability to normative bioethics: Basic ethical principles (Rendtorff & Kemp: *Basic Ethical Principles in European Bioethics and Biolaw*, Copenhagen & Barcelona 2000)



# The principles of bioethics

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- Responsibility and precaution
- Beneficence and non-malificence
- Autonomy
- Dignity
- Integrity
- Vulnerability
- Justice and solidarity



# Between fact and value

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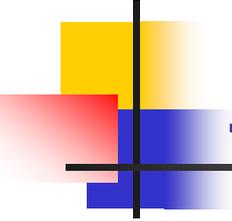
- Is there are sharp separation between fact and value?
- Ethical principles are close to the context of application
- Hermeneutic ethics: Critical relation between "is" and "ought"



# The normal and the pathological

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- Canguilhem: *Le normal et le pathologique, 1943*
- Normality and pathological are normative concepts
- There are institutional aspects of definitions of these concepts
- How could we have respect for people with disease and illness?



# Paul Ricoeur on bioethical judgement

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- The three levels of medical judgement
- The level of prudence and the pact of confidentiality between doctor and patient
- The level of the medical contract: *Le code de deontologie!*
- The level of reflective judgement
- Relation between medical and judicial judgment



# The applied ethics of Ricoeur

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- Reflective judgement between the good life and the moral norm
- The level of the institution and Sittlichkeit of society
- Reflective judgement in ethics committees helps us dealing with: ethics of the unborn, ethics of the body, ethics of dying persons
- We can never avoid tragic dilemmas because the vulnerability of humanity

# Problems of technology science



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- What are the risks and benefits of different technologies and products
- How do we evaluate technologies from an ethical point of view
- How do we ensure the safety, health and welfare of the public
- How do we ensure that economics does not override professionalism (e.g. the Ford Pinto case!)



# Institutionalization of ethical expertize in Ethics Committees

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- Max Weber - Responsibility of professionals
- Jürgen Habermas – Communicative Ethics
- Sociology of Institutions – ethical formulation competency bridges the gap between fact and value



# Fra micro to macro ethics

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- Organisation ethics (structures)
- Business ethics (the market)
- Political ethics (Economic prioritization)



# Professional ethics

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- Good research and ethics of science
- Care for human beings
- Good professionalism
- Understanding of explicit and hidden values
- Understanding of the grey zone between ethics and law
- Tension between personal autonomy and use of force
- Possible conflict between personal and professional values



# The dimensions of judgement

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- Aristoteles: Phronesis
- An action is based on reflection and character
- Phronesis: "a rationality searching for good solutions with use of correct means"



# The dimensions of judgement

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- Kant and Ricoeur: judgement mediates between rules, principles and situations
- Determinant judgement. Rules is given judgement subsumes the particular under the universal
- Reflective judgement. The particular is given. We have apply universal principles or rules.

# Explicit and hidden values

Explicit values	Hidden values
Take initiative	Don't brake with the rules
Be honest about your errors	You will be punished if you make errors
Think ahead	The will be reward or punishment now
Think about community and totality	Dont't mix with the affairs of others
You should cooperate with others	You are in competition with others



# Values and interpretations

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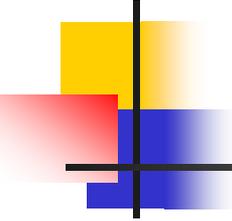
Personal values	professional values	Social values
World view	World view	World view
Conceptions of human beings	Conceptions of human beings	Conceptions of human beings
Value conception	Value conception	Value conception



# Warning Flags

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- “Well, may be just this once”,
- “No one will ever know”,
- “It doesn’t matter how it gets done as long as it gets done”,
- “Everyone does it”,
- “Shred that document”,
- “We can hide it”,
- “No one will get hurt”,
- “What’ in it for me?”,
- “This will destroy the competition”,
- “We didn’t have that conversation”,
- “This is a ‘non meeting’”



# Quick Quiz

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- 1. Are my actions legal?
- 2. Am I fair and Honest?
- 3. Will my action stand the test of time?
- 4. How will I feel about myself afterwards?
- 5. How will it look in the newspaper?
- 6. Will I sleep soundly to night?
- 7. “What would I tell my child to do?”
- 8. How would I feel if my family, friends, and neighbors knew what I was doing?”

# A model for ethical reflection

1. Precomprehension: Story and facts about the situation: Who are involved? Open and closed values?

2. Analysis. Understand the context. Use ethical theory and conceptions of life and world view

3. Describe possible alternatives for action. Use theory to describe strengths and weaknesses about these

4. Action, implementation, evaluation.  
Competency in ethical reflection and action.