A Checklist for Moral Decision Making

Each of the following points is followed by commentary on its meaning and importance to the overall outcome of the moral decision-making process.

1. **What is the ethical issue/problem? (Define in one or two sentences.)**

   It is important to recognize that every problem has more than one component, and that not every component involves an ethical decision. Therefore, the *ethical* issue involved in the case must be stated succinctly, and it must be made clear that other elements of the problem have not been confused with the ethical component. For example, in a case involving a decision to advertise a product in a certain way, the client’s right to advertise must be separated from any ethical question involved in the planned advertisement, and the issue must be stated in such a way that the ethical component is clear. The question, or issue, may not be whether the client should advertise, but whether the client should advertise in a particular manner that might have ethical ramifications.

2. **What immediate facts have the most bearing on the ethical decision you must render in this case? Include in this list any potential economic, social, or political pressures.**

   Only the facts that bear on the *ethical* decision need be listed. For instance, while it may certainly be a fact that a given newspaper employs 500 people, it may have no bearing on its decision to run a story that potentially violates someone’s privacy.

   The realities of the two most important factors of any decision made within the mass media industry must also be recognized. Very often, economic or political factors are present which, while typically amoral in nature, will probably have a direct effect on the ethical decision-making process. In the world of media industries, “doing the right thing” may very well lead to severe economic consequences, and those consequences must be seriously weighed. This weighing most often leads to compromise. The same is true for political forces affecting a decision. While most people may not admit to political pressure, its almost constant presence should be noted; and decision makers must be prepared to deal with it and to recognize how it will affect their decisions.

3. **Who are the claimants in this issue and in what way are you obligated to each of them? (List all affected by your decision.) Define your claimants based on the following obligations:**

   - a promise/contract you made (implied or express)? (Fidelity)
   - a wrong you committed that you now have to make up? (Reparation)
   - gratitude for something one of the claimants did for you? (Gratitude)
   - the merit of the claimants when compared with each other? (Justice)
   - your ability to help someone out who needs and deserves help? (Beneficence)
   - your ability to avoid harming anyone unnecessarily? (Non-injury)
This is the first point at which ethical theory is applied. The notion of moral claimants is tied both to consequential and non-consequential theory. From a utilitarian perspective, for example, majority interests must be considered, thus the majority claimants must be recognized as a group. As Mill would have us consider the rights of the minority as well—since he would limit that liberty that severely affects the rights of others under his “harm principle”—that minority must also be recognized. Duty-based theories (non-consequential) such as Ross’s also require us to be aware of all claimants potentially affected by our decisions. His six prima facie duties allow not only for a listing of claimants, but also how to decide on who they are by applying his six categories of obligation: fidelity/reparation, gratitude, justice, beneficence, self-improvement, and non-injury. For example, if, as a reporter, you are obligated by the duty of fidelity to honor your implied contract with the public to give them the news they want to read, that reading public must be listed as a claimant on your decision. Likewise, if you are obligated by the duty of non-injury to refrain from violating a person’s privacy, that person (perhaps the subject of your story) must be listed as a claimant. At this point, conflicts will begin to show up among various claimants and the obligations to them.

At this stage the decision maker (moral agent) should try to step into the shoes of the various claimants and try to determine, honestly, what their perspective is. One of the hardest tasks in ethical decision making is this. Many philosophers say that to be able to see a problem from another’s perspective is a great gift. Philosophers such as John Rawls suggest we step behind a “veil of ignorance” from where we become free of the encumbrances of our existence (social status, education, ethnic/cultural heritage, etc.). It is only from there as “original” people that we can make moral decisions free from the affecting variables of our lives. While this may seem a bit extreme, the key here is to try to see the problem from as many perspectives as possible.

4. List at least 3 alternative courses of action. For each alternative, ask the following questions:

   • What are the best- and worse-case scenarios if you choose this alternative?
   • Will anyone be harmed if this alternative is chosen, and how will they be harmed?
   • Would honoring any ideal/value (personal, professional, religious, or other) invalidate the chosen alternative or call it into question?
   • Are there any rules or principles (legal, professional, organizational, or other) that automatically invalidate this alternative?

It is extremely important to list at least three alternatives. As Aristotle noted, there are always at least two, and these two often represent the extremes. Nothing is ever either black or white, and we must be forced to think in terms of compromise, even if that compromise doesn’t exactly conform with our personal notion of what is the right thing to do. A true
“Golden Mean” is not simply a watered-down decision. It bears the marks of that internal struggle already begun above, and is the result of hard thinking. We must also be prepared to state where we would go if such a compromise fails. It is not sufficient to state that we would go to a source and ask permission before revealing that person’s name to a court of law. We must be prepared to drop back to another option if the compromise option fails. It is also important to realize which options may be most favored by which parties. Although it is probably apparent by this time, putting it down in writing serves to clarify the decision maker’s position and shows exactly where it conflicts with the preferences of others involved in or affected by the decision.

**Best- and worst-case scenarios**—This is a great exercise for discovering whether or not we can live with our decisions. By visualizing the absolute best and worst outcomes for each alternative, the potential effects that decision may have on others may then be assessed. It is important to deal with the probable (not necessarily possible) extremes here since anything may be possible. For example, while it is possible that any person having their privacy invaded might be so distraught as to commit suicide, it isn’t very probable.

**Harm**—Likewise, it is vital to recognize what options will harm which claimants. It is the rare case in which no harm will be done by the carrying out of any option. By listing the options and the concomitant harms, we are made to weigh the amount of potential harm involved with each alternative and to understand that avoiding harm is practically impossible. This might lead, as utilitarians suggest, to choosing the option that will produce the least amount of harm. It might also lead to a closer examination of our values according to, for instance, the ethic of care.

**Ideals versus options**—The term *ideals*, as defined by Vincent Ryan Ruggiero, refers to “a notion of excellence, a goal that is thought to bring about greater harmony to ourselves and to others.”¹ For example, our culture respects ideals such as tolerance, compassion, loyalty, forgiveness, peace, justice, fairness, and respect for persons. In addition to these human ideals are institutional or organizational ideals, such as profit, efficiency, productivity, quality, and stability. So, at this point, we are required to list those ideals that apply to the various claimants.

Ideals often come in conflict with each other, much the same way that the obligations already listed will conflict. We must recognize these conflicts and be prepared to list ideals in the order in which they should be honored. This calls for a serious bout of internal struggling and may be the first time we are forced to consider the ultimate direction our decision will take. For example, if we choose to place the journalistic ideal of providing information our audience wants over the societal ideal of honoring privacy, we are well on the way to deciding to run a story that may, in fact, violate someone’s privacy.

Beginning here and continuing through the process, we must winnow our options. The first step is to compare the options with the ideals of all concerned parties. For example, if we have chosen to honor the journalistic obligation of providing the kind of news our readers

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demand, then an option to withhold a story that would be of vital interest to readers would be invalidated. Again, we are not asked to make a decision yet, only to see how our options stack up against the various criteria.

**Rules**—The winnowing process continues here by applying what Fritzsche refers to as *conjunctive rules*, specifying a minimal cutoff point for a decision. Principles, defined above, are simply the step preceding rules and can be viewed as roughly analogous to the rules derived from them. An example of an ethical conjunctive rule derived from a principle might be, “any action that would involve lying will not be considered.” An example of an actual rule might be Article I of the SPJ code, which states that “The public’s right to know of events of public importance and interest is the overriding mission of the mass media.” Application of such a rule would clearly invalidate an option of not running a story on an event of public importance.

5. **Consider the following ethical guidelines** and ask yourself whether they either support or reject any of your alternatives.

**Guidelines based on consequences: Weighing benefits and harms**

- Is the “good” brought about by your action outweighed by the potential harm that might be done to *anyone*? (Mills’ Harm Principle)
- Is any of the harm brought about by anyone other than the moral agent? (Causal Harm)
- Will anyone be harmed who could be said to be defenseless? (Paternalism)
- To what degree is your choice of alternatives based on your own or your organization’s best interests? (Ethical Egoism)
- Which of the alternatives will generate the greatest benefit (or the least amount of harm) for the greatest number of people? (Utilitarianism)
- In using utilitarianism, ask yourself if by privileging the majority any injustice has been done to individuals in the minority.
- Does this alternative recognize the interrelationships of the parties involved? Does it help anyone by recognizing legitimate needs? (Ethic of Care)

**Guidelines based on the action itself: Honoring integrity**

- Are you willing to make your decision a rule or policy that you and others in your situation can follow in similar situations in the future? (Kant)
- Does the alternative show a basic respect for the integrity and dignity of those affected by your actions? (Ethic of Care)
- Have you or will you be using any person as a means to an end without consideration for his/her basic integrity? (Kant)

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• Is the intent of this action free from vested interested interest or ulterior motive? (Kant’s “good will”)
• Does this action promote the development of character within myself, my organization/profession, and my community? (Virtue Ethics)

This is the final winnowing stage, the point at which the ethical theories come into play. This final stage prior to an actual decision completes the complex reasoning process we have been forced into. We will discover here, as previously, that there is much conflict among these theories. There will be no easy solutions. While one person may use utilitarian theory to support running a story in the interest of the “greater good,” another person may cite Kant’s proscription against using a person as a means to an end as reason for not running the same story. What is most important is to use only those theories that apply directly to a given decision. The best way to accomplish this is to simply answer the questions honestly while considering all sides of the issue. While a particular theory may not seem to apply from one perspective, it very well may from another.

It is important to note that just because a particular theory seems to justify a certain action doesn’t mean that the action is the right one to take. Remember the weaknesses of the various theories discussed in Chapter 4. For example, utilitarianism allows for otherwise egregious actions to be taken in the interest of the majority. Justifying a questionable act just because it benefits a designated majority simply will not wash in the minds of most people. We cannot ignore these problems and must counterbalance them with other theories—in this example, perhaps, the theory of distributive justice or the “harm principle.”

In other words, we must not fall into the trap of choosing theoretical justification only because it bolsters an already held position. We must choose it because we have arrived at an option through the “agony of decision making,” and the theoretical support we have chosen truly reflects our belief in the rightness of our decision.

6. **Determine a course of action based on your analysis.**

People often begin the entire decision-making process by coming into a case with a decision already in mind. However, as we proceed through this worksheet, we are forced to look at each case from too many angles to have a fixed position. Remember, the decision itself is not as important as the process. The goal is to provide the tools needed to assess ethical dilemmas and to reason through them. There are no right answers, only well-reasoned answers—which leads us to the final point.

7. **Defend your decision in the form of a letter addressed to your most adamant detractor.**

As Stephen Carter has pointed out, a person of integrity will be willing and able to justify her actions to others. If we have truly thought through the process and made a decision based on sound reasoning, then we should be able to defend that decision. The most appropriate person to defend it to is that claimant who has lost the most or been harmed the most. The very least the people out there can ask for is that we, as a media representatives, have actually considered our decisions.