

# My Consultancy 1996-2018

Key pages From the Workplace  
Ethics Consultancy website

(See also my profile on LinkedIn)



## **Workplace Ethics Consultancy**

**We provide management consulting services to government, business and the voluntary sector.**

**We specialize in workplace values and ethics programs -- helping you develop a productive organizational culture.**

**Workplace Ethics Consultancy** provides services on such matters as:

- organizational values initiatives
- corporate codes of ethics
- professional competencies and standards
- case studies and training on values and ethics
- communications on values and ethics

### **Workplace Ethics Consultancy**

Principal: Cornelius von Baeyer

Affiliated with specialists on leadership, organizational accountability, corporate learning, and other workplace ethics services. We assemble the expertise to meet your needs.

We specialize in customized solutions developed together with you.

### **Services in French and German**

Nos services sont également offerts en français.

Unsere Dienste werden auch auf Deutsch angeboten.



## Cornelius von Baeyer

**Management consultant specializing in government and business ethics,  
language policy and training,  
as well as other politically sensitive areas.**

### **Experienced in:**

- **policy and program design**
- **consultations with stakeholders**
- **presentations, publications and speechwriting**
- **training design and delivery**
- **development and use of information technology**
- **applied research**
- **legal and administrative approvals**
- **parliamentary relations**

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I have been the Principal of Workplace Ethics Consultancy since 1996. Projects have included:

- a series of case-study sessions on values and ethics co-sponsored by the Canada School of Public Service (formerly CCMD) and the former Office of Public Service Values and Ethics (see *Building on a Strong Foundation - The Dialogue Continues, vols. I & II* / *Bâtir sur de solides assises - Le dialogue continue, volumes I et II*);
- numerous presentations for the Deputy Minister Co-Champions of Values and Ethics in the Public Service;
- a year-long, case-based values and ethics program for Citizenship and Immigration Canada (see *The Ethical Compass / Cap sur l'éthique*);
- a study with KPMG Canada on compliance for the federal Lobbyists Registration System;
- a best-practices collection for the federal science community based on cross-Canada consultations (see *Best Practices for the Conduct, Management and Use of Science in the Government of Canada*);
- self-study ethics materials for the Canadian Technology Human Resources Board (see *Professionalism in Practice - Workplace Ethics Self-Study Module*, also available in French);
- a variety of values and ethics projects for public, private and voluntary sector organizations; and
- learning materials, communication tools and policy analysis for the Official Languages Branch of the Treasury Board Secretariat.

I was Chair (2002-2004) and Past Chair (2004-2006) of the Ethics Practitioners' Association of Canada (EPAC). I provided drafting services during the production of the Ethical Standards for this organization, and led the development of a Competency Profile for Ethics Practitioners and a Competency Self-Assessment Guide for Ethics Practitioners (all also available in French). I later rejoined the Board of EPAC (2010-2012) and became Treasurer and creator of a new website. I was the longtime treasurer of the Ottawa Roundtable on Ethics, for which I have organized two symposia on ethics in the public service and a workshop on organizational codes of conduct and ethics programs.

From 2000-2004, I was a member of the "supervisory board" of an international manufacturing corporation,  
From 1997-2001 I was a member of the Ethics Review Committee of the Canadian Council for International Co-operation.

Previously, I have worked 22 years with the federal government, the last five as Director of Policy in the Office of the Ethics Counsellor (now Conflict of Interest and Ethics Commissioner). Responsibilities included:

- federal codes of conduct: Conflict of Interest Code, Lobbyists' Code, guidelines for Crown corporations, boards, tribunals, and organizations being privatized;
- international codes of conduct: United Nations, Organization of American States, and individual states, including emerging democracies;
- liaison, publications and presentations: network of provincial commissioners on conflict of interest, publications on Canadian ethics rules.

Before that, I worked ten years in the Treasury Board Secretariat, ultimately as Director of Policy in the Official Languages Branch. Projects included development of the new act and regulations.

I also worked for seven years in the Public Service Commission, English Development Service, active in curriculum design, teacher training and publishing. I have published with Cambridge University Press: see Functions of American English, an ESL text co-authored with Leo Jones.

I have an M.A. in South Asia Regional Studies from the University of Pennsylvania, and a B.A. from the University of British Columbia. I was a CUSO volunteer in India for two years.

Click here for my short articles on workplace ethics and some useful ethics-related Web sites.



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## SHORT ARTICLES ON WORKPLACE ETHICS

by Cornelius von Baeyer



- ✓ ● Making Ethical Decisions in the Workplace
- ✓ ● The Importance of Dialogue
- ✓ ● Ethics in Organizations: A Brief Retrospective
- Workplace and Policy Ethics: A Call to End the Solitudes (with Marc Saner)
- Public Service Ethics in the New Millennium: The Evolving Canadian System (with Marc Saner)
- The Perils of War-Room Politics (with Michael W. Sutton)
- [Additional materials]
- Competency Profile of Ethics Practitioners - An Overview
- How EPAC Came to Have a Competency Profile of Ethics Practitioners
- ✓ ● What's Workplace Ethics?
- ✓ ● Discovering Discourse Ethics
- ✓ ● Benefits of Case Discussions
- Codes of Conduct: Panacea or Bunk?
- Interpreting Your Code

## Trillium Ethics Round Table

### Making Ethical Decisions in the Workplace My Conclusions after 15 Years in the Trenches

Cornelius von Baeyer  
Former Chair of the EPAC/APEC  
Toronto, November 13, 2007

I know I am preaching to the converted – I would guess that everyone here has a number of decision-making frameworks in their files. But I want to set out some concrete conclusions from my own experience – I want to hear what you think of them, and if they provide a useful direction for the practice of ethics.

First, why focus on making ethical decisions? I would argue that ethical decision-making is at the heart of workplace ethics. Ethics programs also have training, communications, advice, etc. But if we get ethical decision-making right, we get the most important part of workplace ethics right.

Ethical decision-making is also key to getting policy ethics right [i.e. the ethics of big policy issues such as genetic engineering, just war, animal welfare, etc.]. Policy ethics uses the same values as workplace ethics, and is enhanced by an ethical workplace.

So ethical decision-making is critical to two great branches of applied ethics – ethics in the workplace itself, and in the strategic directions of organizations and society. But let me focus more on the workplace.

I want to be very practical – I am not talking about ethical decision-making in an idealized or in an academic way – I am talking about making ethically defensible decisions in the modern organization. That is our concrete goal.

#### **Conclusion 1: KISS (Keep It Short and Simple)**

There is a danger in being too simplistic about the art of decision-making.

- we don't want to reduce ethics to a few moral dictates [don't bribe]
- decisions have to be made in wildly different circumstances by very different types of people

There is a greater danger if we don't keep it simple and short.

- people's attention spans are getting shorter
- the word ethics is overused – in a wide variety of contexts
- but ethics is still a scary concept

But serious consequences follow from the decision to keep things simple! We have to look for the core concepts, and leave the finer points aside. The resulting approach can easily be criticized, but we have to stay the course.

## Conclusion 2: The Great Traditions

We have thousands of years of recorded thinking on what makes an ethical decision.

- Hammurabi wrote in 1760 BC
- There are countless approaches:
  - what matters is good people – you can't teach ethics – so just hire good people
  - spirituality, or religion, is the road to ethical decisions
  - recognizing human biology (the selfish gene) is critical for ethical decisions
  - emotions, as drivers of action, are the key to ethical decisions
  - organizational culture is the key to ethical decisions
- All of these approaches contain much truth, but they don't really settle the question of what ethical standard applies in an organization. "Whose ethics?"
- On this, there are several classical schools of thought
- But we don't want a philosophical debate at this point!

Why not use the best of this experience?

- Take the essential features from the well-known schools of thought and build them into a single all-inclusive approach
- This approach is specifically designed for practical use by decision makers in organizations

## Conclusion 3: The All-Inclusive Approach

I call them **the four pillars**:

- (1) Duty-based ethics – compliance with rules (à la Kant?)
  - rules come in all shapes and sizes, expanding on the concept of duty as the basis for action
  - from Hindu philosophy to Immanuel Kant
  - from the golden rule to Federal Accountability Act
- (2) Results-based ethics – maximizing outcomes (à la Mill or Bentham?)
  - results come in all shapes and sizes too
  - what is the public interest? what is the greatest good for the greatest number?
  - there are many versions of utilitarianism
  - Mill acknowledged the role of duty, values & dialogue
- (3) Values-based ethics – making integrity come to life (à la Aristotle?)
  - values are critical where rules can't provide enough guidance in novel or rapidly changing situations
  - honesty, respect, and responsibility come to mind

- [the link with classical theories is weakest in basing values on Aristotelian virtues, which are more about the golden mean
  - later virtue ethics adds metaphysical dimensions]
- (4) Discourse ethics – reaching good decisions (à la Habermas, or Daniel Yankelovich in the management field?)
- this pillar is clearly different from the first three – more process oriented
  - ethics emerges from dialogue on dilemmas (dialogue is not just a communications tool)
  - the discussion must be frank and honest
  - individual reflection and analysis is important, but teamwork on building an ethical culture through dialogue is even more important
  - involves courage to speak truth to power

All this is not new. What I propose is that

- organizational ethics should focus its attention on these four as critical, AND
- we work for greater harmonization between the four.

Why these four? These are basic aspects of human endeavour. Including rules and results in the model is uncontroversial.

Adding motives and values is not so obvious for some. But note that when motives and values are explicit, the ability to forecast future behaviour is much improved. In fact, motives and values can trump rules and results if they fall out of alignment.

So I repeat: it is essential to harmonize the pillars as much as possible.

Adding the discourse element to the conception of ethics is even less obvious. But individual reflection and analysis are not enough – for lasting ethical decisions, we must often:

- create ethical understanding
- explore the implications for the organization with others
- ensure the buy-in of our co-workers with the solution
- use discourse to integrate the pillars with each other.

This brings us to the application of the approach.



#### **Conclusion 4: Case Study**

The only way to learn ethical decision-making is to practice, especially before a crisis takes place.

- not everyone believes in case study – some fear the demon of situational ethics and relativism in work on specific cases
- but the all-inclusive approach is a simple tool that becomes most useful when you apply it in a number of different situations

Economic, scientific, political, legal, social and personal factors must all be balanced

The four pillars are not equally important in every case: a contracting decision may focus more on rules, an access to information request more on values.

- these values include the public's right to know, transparency, accountability, integrity of government

#### **Conclusion 5: At the Macro Level**

The federal government, for one, is currently focussed on legal rules to catch crooks

That's good, but you get: culture of distrust, search for loopholes, and proliferation of rules.

The rules have to be augmented by aspirational values and dialogue on ethics.

#### **Conclusion 6: Calling All Managers**

The approach may seem to challenge existing authority, but the advantages of the approach are real.

Help unleash personal autonomy, creativity, and judgment...

- I could have listed here many other benefits of maintaining an ethical workplace:
  - enhance the reputation of your products and services
  - enhance the trust of the public or investors
  - enhance customer and client loyalty
  - reduce risks
  - enhance effective governance

Let the approach be spread to organizational leaders across the land!

- in the government, business, professional groups and the voluntary sector

So, what do you think?

Canadian Ethics Leadership Forum (CELF)  
Ottawa, November 30, 2006

## The Importance of Dialogue in Applied Ethics – Some personal remarks on key insights and experiences

Cornelius von Baeyer  
Principal, Workplace Ethics Consultancy &  
Past Chair, Ethics Practitioners' Association of Canada

### 1. Discovering Discourse Ethics – A Philosophical Approach

- My own journey through the dead white male philosophers left me dissatisfied – does virtue, utility or duty trump the others, and if so when and why?
- Then I discovered discourse ethics – rather than set out the conditions that make an act ethical, this approach sets out a procedure for arriving at ethical conclusions based on reasoned argument among concerned participants.
- Conditions on good discourse include freedom, equality and consensus.
- Ethics emerges from dialogue (i.e. dialogue is not merely a communications tool).

Reference: Jürgen Habermas, *Moral Consciousness and Communicative Action*, 1990, MIT Press. Secondary Sources: short article on my website: [www.workplaceethics.ca/discourse.html](http://www.workplaceethics.ca/discourse.html); Michael Sutton's IPE 2000 article: [strategis.ic.gc.ca/SSI/oz/sutton.pdf](http://strategis.ic.gc.ca/SSI/oz/sutton.pdf).

### 2. The Magic of Dialogue – A Practical Approach

- Coming from a completely different direction, the great American expert on public opinions about national issues, Daniel Yankelovich, shows how dialogue can strengthen relationships, resolve problems and achieve shared objectives.
- He is very good on how dialogue differs from debate, discussion and deliberation, and he sets out 10 mental potholes to avoid.
- He shows how dialogue can resolve tension between market vs. civil society oriented visions.

References: Daniel Yankelovich, *The Magic of Dialogue – Transforming Conflict into Cooperation*, 1999, Simon & Schuster. Also David Bohm, *On Dialogue*, 1996, Routledge, as well as William Isaacs, *Dialogue and the Art of Thinking Together*, 1999, Doubleday. Secondary Source: Georges Tsai in the EPAC Magazine, Summer 2003 (English & French): [www.epac-apec.ca/cont-ang/magazine.htm](http://www.epac-apec.ca/cont-ang/magazine.htm).

### 3. Case Study – Actual Applications

- In 1997-2001 we experimented with different ways to formalize dialogue into case discussions on values and ethics dilemmas in the federal public service:
  - A year-long case-based ethics program involving a whole department.
  - A 1½ year series of panel discussions with senior officials across government.
- In both experiments, the appetite for dialogue was strong, and the frankness was remarkable. Most participants felt better prepared to deal with ethical issues at work.
- **Is this spirit dying or changing as compliance-based ethics seems to take hold?**

References: *The Ethical Compass, Citizenship & Immigration*, 1998. Building on a Strong Foundation, Canadian Centre for Management Development, Vol. I, 2000, and Vol. II, 2001. Secondary Source: short article on my website at [www.workplaceethics.ca/benefits.html](http://www.workplaceethics.ca/benefits.html).

## **ETHICS IN ORGANIZATIONS: A BRIEF RETROSPECTIVE**

**By Cornelius von Baeyer**

*EPAC/APEC Magazine*, January 2006, vol. 6, no. 1

What can we learn from the roots of organizational ethics? In the dim mists of the past, Jimmy Carter introduced various pieces of ethics legislation to clean up after the scandals of Richard Nixon's presidency, and the defence industry undertook a major ethics initiative to keep Pentagon contracts rolling in. We now live in world where organizations of all sectors – public, private and voluntary – often have to justify themselves if they do not have an active ethics program in place.

Over the intervening years, we have seen public interest in ethics mushroom in Canada. Ethics stories from every sector of life used to generate perhaps a newspaper story per week, often with the word 'ethics' not used at all. Then it began to generate a story a day, and now we often see whole pages of ethics-related stories in a single day. TV is not far behind. Where once the word 'ethics' was seldom used, now it is everywhere.

Unfortunately, as evinced by a myriad of recent public opinion surveys, this exposure has led to a palpable increase in public cynicism about ethics in Canadian organizations. However, something encouraging is also emerging: the beginnings of a strong, continuing demand for real reform.

People are increasingly embracing measures such as fraud awareness, legal compliance, disclosure of wrongdoing and whistleblower protection. These are to catch the few individuals in organizations who are actually crooks.

But even more encouragingly, people are also talking about integrity in leadership, and examining accountability and assessment of ethical performance. People are looking into ethics programs with elements such as communications, training and dialogue, as well as codes, values and confidential advice. These are to motivate and assist the entire body of employees and managers in an organization.

It would be nice if we could claim that the talk of reform is driven by the desire to do the right thing, but in fact, serious reform in organizational ethics has generally come only as a result of scandals. Our neighbour to the south has in recent years given us a whole raft of bad examples to learn from, and Canadians have some home-grown ones too!

The particularly Canadian contribution to the story is that simply increasing regulations and crook-catching activities is not enough. Organizations also need ethics programs to help the vast majority of employees and managers to do the right thing the first time around. And that is precisely the insight that drove the creation of the Ethics Practitioners' Association of Canada (EPAC).

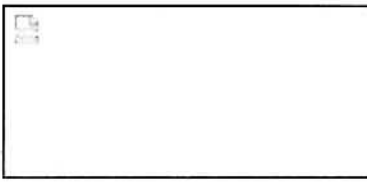
EPAC was created in 1996 in the business community in Toronto. At its inception it was an association of ethics consultants and ethics officers in corporations. Its purpose was to establish some basic standards for the profession and provide mutual assistance and networking opportunities. Over time, the organization added a strong link with the expanding work on ethics in the federal public service. Soon EPAC began to publish in French as well as in English. This set the stage for a major expansion into Quebec.

While EPAC was growing, the international community was also busy on these issues. The OECD, for example, has put in place ethics guidelines for public servants and for corporations. The UN, the Organization of American States and other multilateral bodies have also entered these waters. A consensus is emerging on the essentials of an ethics regime for organizations, founded on a respect for the law but going well beyond it. Meanwhile, the International Institute for Public Ethics was created to further the debate in the public sector.

Comparisons with other jurisdictions provide a mixed result. The Transparency International Corruption Perception Index ratings for Canada have been worsening of late. We have made bribery of foreign officials a crime, but we have no US-style sentencing guidelines to give legal recognition to the benefits of ethics programs in organizations. Many Canadian corporations have been unwilling to undertake work on ethics in bad economic times, while in several other countries legislation simply forces them to act.

So the ethical climate could be improved but is not terrible, and there are some solid achievements in ethics programs, particularly in parts of the federal and Quebec public sectors, and in some large Canadian corporations. The key lesson from the past? Get moving and keep moving on ethics. Virtue is its own reward, but the price of not improving is also sure to get higher and higher.

*Cornelius von Baeyer is Past Chair of the Ethics Practitioners' Association of Canada. He can be contacted at [vonbaeyer@cyberus.ca](mailto:vonbaeyer@cyberus.ca).*



# WHAT'S WORKPLACE ETHICS?

by Cornelius von Baeyer

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I am a management consultant specializing in workplace ethics, what the Americans like to call 'business ethics'. People often want to hear more about my work -- isn't 'business ethics' an oxymoron?

## **Between law and religion**

I describe my work as filling a middle ground. On the one hand there is the law, which deals with crime and punishment. On the other there is religion, which deals with virtue and sin. Organizational ethics sits in between -- it goes well beyond the law, and links to the personal beliefs of employees, but its focus is the corporation or association or government department. Such groups of people must work together to achieve common goals, while also striving to do the right thing in a complex, diverse world.

What I actually do is to help management and employees recognize moral dilemmas in decision-making, and provide ways for these to be discussed and resolved. I also try to strengthen common understanding of ethical norms that apply to modern corporate life. My brand of organizational ethics actually deals much more with creating and maintaining a healthy corporate culture than with exploring philosophical ethics applied to business.

## **Codes**

Let me describe some of my activities. I help organizations to develop codes of various sorts. Ethics codes generally deal with corporate values and guiding principles, and codes of conduct generally deal with actual behaviour that is favoured or prohibited. However, there is no firm line between different kinds of codes. (See my short article on [Codes of Conduct](#).)

How the code is developed (how much real employee input?), and why the code is developed (just to protect senior management?) is as important as the content of the code itself. The focus of a code is also crucial -- whether it points the way for employees to do business with integrity or just sets out some prohibitions (thus assuming the employees are potential crooks).

Codes cover many subjects -- each organization needs some but not others at any given time in its history. Remember all the fuss about quality control, which is now assumed to be a minimum requirement?

## **Values**

Organizational values often include such traditional virtues as trust, loyalty and commitment, honesty and respect for

one another, and avoiding conflicts of interest. Values may also include newer elements such as innovation, teamwork, customer focus and continuous improvement.

## Principles

Guiding principles set standards for the organization that go beyond the law in such areas as:

- professionalism,
- accountability,
- avoidance of harassment and discrimination,
- occupational health and safety,
- truth in advertising,
- environmental protection,
- external communications to shareholders, clients and the public,
- the balance between transparency and openness on the one hand and confidentiality on the other,
- community relations,
- lobbying,
- political activity,
- responsible business practice (prohibitions on bribery, gifts, nepotism, self-dealing), and even
- business goals (such as becoming market leader).

## Ethics programs

In the North American setting, successful codes are embedded in larger ethics programs designed to make sure that everyone in the organization knows the values and principles and how to apply them to their work.

**Communications** programs might include a video for all employees, featuring a personal promise to uphold certain values by the head of the organization, and frank presentation of current issues by a cross-section of staff.

**Training** programs are of various sorts: integrated with other training or separate, self-study or group work. A famous American training program includes a game that brings large numbers of engineers and other professionals together to solve ethical dilemmas that reflect common workplace situations.

Another piece of most ethics programs is an ethics **advisory service**, to give employees impartial, confidential help. The advice might come on a hot-line from the corporate ombudsman, or from an ethics counsellor or commissioner. Generally it should not come from the company lawyer or staff relations officer.

An ethics program expands the effect of a code, but the question remains, is the code really just warm words? There is no definitive answer. With constant attention to ethical decision-making, ethics programs can act as **preventive medicine**, to avoid crises, and to help resolve crises when they occur. However, you cannot create an ethics program in the middle of a crisis in order to solve the problem -- no one would accept your good faith without further proof.

## Case studies

Ethics programs are not the only way to work on ethics in an organization. One of my clients with staff around the globe had recently been downsized and reorganized, and employees were disillusioned. A code exercise might deepen cynicism, but it was important to reaffirm basic values.

So we asked all staff to contribute values and ethics dilemmas in their work. We received many, on a range of subjects: hiring fairly, dealing with political pressure, questionable accounting, personal safety, conflicting policies, and so on. The most representative were sent out again as generic cases (without naming names), and employees met in groups to develop responses.

When the many answers were compiled, it was found that the organization still had its fundamental values. Furthermore, it is much more acceptable now to bring an ethical dilemma to one's colleagues in the organization. The year-long project has evidently helped to raise morale and reinforce values without a code or ethics program.

### **Resources required**

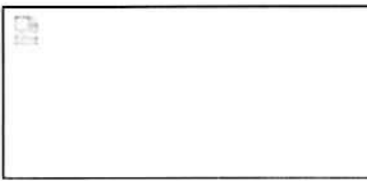
Even for typical North American ethics programs, it is important to note that they do not consume large resources, or impose onerous tasks on employees. A number of large American corporations give employees training in corporate ethics when they first join the company, and then require them to spend a half day or a day every year to review ethical practices -- check the code, discuss some cases, watch a new video on the subject.

### **Benefits**

A major benefit of such activities is that it becomes much easier for employees to overcome their reluctance to discuss ethics in public and to talk about troubling workplace issues with their colleagues. Such discussion is the proper way to resolve problems in a large organization, so that the solutions will benefit from group thinking and also be useful in future cases. Teamwork and good communications -- sounds familiar. (My short article on Discovering Discourse Ethics expands on this approach.)

My conclusion? Business ethics is not an oxymoron. In fact, good ethics is good business.

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# DISCOVERING DISCOURSE ETHICS

by Cornelius von Baeyer

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Ethics practitioners know a great deal about what is likely to succeed in a given work situation. But some of us are less clear on precisely **why** a particular approach is the right thing to do. What follows is a brief outline of a personal quest for some 'whys'.

## Business ethics texts

My first step was to examine a stack of business ethics texts. These presented all manner of approaches to ethics. There was the **virtue ethics** of the golden mean, the **utilitarian ethics** of the greatest good for the greatest number, and the **duty ethics** of doing unto others as you would have them do unto you. I was led through teleological theories (based on consequences) versus deontological theories (based on duties and motives).

The authors admitted that no one approach has been shown to be the best. To deal with the variety, some of the texts did little more than encourage me to pick a theory and apply it to the problems set out in the rest of the text. Slightly more sophisticated texts told me to apply several approaches to the same problem and examine the different results.

Even more sophisticated texts told me that the process of applying theories to practical issues only gave me deeper awareness of moral issues and ethical reasoning -- its purpose was not really to give me answers. The solutions to real organizational dilemmas require good common sense. This is, of course, where I had begun my quest.

## What's 'common sense'?

So I tried again to dig deeper -- could anyone help me to figure out what good common sense in ethics was based on? I knew from personal experience that this precious commodity improves when differing points of view are brought to bear on a dilemma. Doing the right thing, particularly in organizational settings, requires people to seek solutions together. Imagine my delight when I discovered an approach that gives this truth a central place.

The approach does not try to set out the conditions that make an act ethical (because it is virtuous, utilitarian or whatever); rather, this approach sets out a procedure for arriving at ethical conclusions based on reasoned agreement among concerned participants. The approach is called **discourse ethics** (championed by Jürgen Habermas in *Moral Consciousness and Communicative Action*, MIT Press, 1990).

## Discourse ethics

Conversations on moral issues allow understandings of ethical norms to be developed and shared, whether in organizations or in society generally. Ethics is not about meeting an external criterion, but about people learning



from one another. Such conversations have obvious characteristics -- participants must be sincere, respect each other's views, be fair in examining each other's positions, and be accountable in seeking to question and be questioned.

Notice that these characteristics of good conversations are also frequently cited as traits of good solutions to workplace dilemmas, and of course as values of ethical organizations -- sincerity, respect, fairness and accountability.

### **The cynical response**

Isn't all this a bit utopian though? People have prejudices, and employees may be cynical. Advocates of discourse ethics are not disheartened. In fact, if a person is interested in understanding (and that is true of most of us most of the time), then prejudices serve to get discussions going and to show alternate views of a situation. Employee cynicism also has a positive side -- it challenges managers to trust their employees more, not less, in describing and solving practical workplace problems and the attendant ethical dilemmas.

### **Implementation**

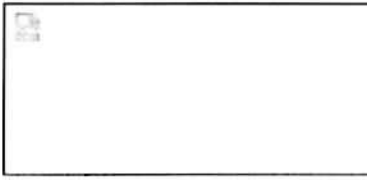
What are the practical implications of this approach for organizations? One good way to stimulate discussion on moral questions is to do **case studies**, especially on dilemmas selected by the employees themselves. (See the short article on [Benefits of Case Discussions](#).)

Other provocative suggestions to stimulate dialogue have been made by Frederick Bird (in *The Muted Conscience*, Quorum Books, 1996): **speaking up** should be part of managers' job descriptions, not just to do trouble-shooting but to improve quality; the **auditing** function should be transformed from one-way policing to two-way interactive activities; there should be regular **discussions of ethics** in each work unit; employees should have access to **multiple media** to voice their concerns; and there should be training in **conflict resolution**.

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Adapted from an article that appeared in the *Newsletter of the Ethics Practitioners' Association of Canada* (vol. 2, issue 4, winter 1999). The author is EPAC Membership Secretary.

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# BENEFITS OF CASE DISCUSSIONS

by Cornelius von Baeyer

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The traditional reason for using case discussions in business ethics is to encourage people to reflect on the **ethical appropriateness of specific actions** in a familiar workplace context. In doing so, individuals expand their **understanding of ethical issues** while developing and honing skills necessary for the practice of **moral judgement**. Examining cases also provides opportunities to **learn from the mistakes of others**. More ambitious goals might include stimulating reflection on the **ethical appropriateness of shared organizational practices and the market setting** in which organizational practices are shaped.

The theory of discourse ethics, however, suggests that we ought to expect more from case discussions. (See my article on [Discovering Discourse Ethics](#) for a brief outline of the theory).

1. Such discussions should establish and foster conditions of **civility** and **openness** in which all members of the conversation are encouraged to voice their concerns.
2. We should expect discursive interaction to stimulate and reinforce a **commitment to moral values** in approaching specific problems and in work life generally.
3. Encouraging discursive interaction should implicitly signal the **unacceptability of silent acquiescence**, encouraging one to defend one's convictions, to question actions and policies, and to hold others accountable.
4. Discussion of ethical problems ought to create **shared understandings of organizational operations, constraints, norms, rules, and culture**, as well as provoke reflection on the appropriateness of these shared understandings.
5. An organization which encourages and sustains dialogue oriented towards understanding ought to see an **improvement in its in its ethical climate and consequently in the morale of its employees**.
6. Case discussions ought implicitly to reduce reliance on the paradigm of the rational moral individual caught alone in moral quandary. We should expect to find **community ownership of moral problems**.

Preliminary findings from a year-long experience of case discussions in a major department of the Canadian government provide positive support for these expectations, although results are not yet definitive. (See the [brief description of the project](#) in *What's Workplace Ethics*; more detail is available in *The Ethical Compass*, Citizenship and Immigration Canada, 1998). The experience gained already allows us to recommend the case study approach to other organizations.