

## Elephants in the Ethics Room

The essential issue almost always ducked in ethics is, generally, that of motivation and, especially, how to respond to the circumstance where people (we or others) prefer rationally to avoid doing what would otherwise be desirable or right. It would be slightly misleading to call this the challenge of the opportunist, or the free-rider, since identifying these as the culprits fails to acknowledge that it is largely a matter of degree rather than confronting a specific category of fellow mortals. It is a rightful privilege for all of us, at times, to be opportunistic or indeed to take a ride for free.

To counter easy & lazy recourse to the word *ethics*, the concept has to be defined in a variety of directions such as north & south, east & west. On one reading of the compass, ethics is about taking the more comprehensive view. There is a devout hope that, in the long run, virtue, like foresight, will be rewarded or, failing this, it will be prove to be its own reward, as if the future always trumped the present. According to some religious perspectives or indeed prayers, even seeking to obtain reward is to be disparaged, and the question is consequently suppressed, which is short-sighted, since it always imposes itself anew.

The brief answer to the question of moral motivation is that ingrained habits dye hard, especially when kept in line by social sanction and, at the extreme, the lengthy arm of the law. A bigger answer is that a person's sense of self might be sufficiently large to encompass a few or many of their fellow mortals, causing a fortunate conflation of egoism and altruism.

Be that as it may, any individual will experience an ebb & flow of their sense of self, or sufficient fuzziness if not deceit in their self-image, so as to do what is rational at the individual level while drawing limits to what they do for others; others who, it should be said, may well if not likely otherwise have no compunction about exploiting the moral sensibilities of those less worldly wise than themselves.

The scope of ethics cannot, therefore, be confined, as it mostly is, to issues of what is best for the wider good or to tackling quandaries when ways of thinking, whole moralities indeed, conflict with each other. Ethics is not only about judging finely the best course of action when we are torn two ways, or about where to draw the line between what should be governed by law or custom and what must be left to individual if contentious discretion.

The scope of ethics also encompasses passing judgement on others and then acting in accordance therewith. It is vain to suppose that the opportunist will be moved to abandon opportunity by appealing to his vanity or even the unsustainability of his course of action in an unsure future. The opportunist is not bound to be consistent; that is the whole point about opportunism.

The opportunist is stopped only when someone bars his way. The problem is who that someone is to be, for the world is full of passably good people who would prefer it not to be them; rather that the cup of being unpleasant pass over. People who take it on themselves to utter judgements must, moreover, themselves fear being judged, and their motivation will be suspect, in the eyes of many. If all other slander fails, then it is their psychological balance that can be impuned: they are bound to be busy-bodies. If some whistleblowers are misfits, it follows all must be, and the *ad hominem* argument proves surely that the substance of their complaint can, therefore, itself hardly be substantiated.

It is necessary therefore to address the issue of who is to bar the way. This question grows bigger as society becomes more anonymous. Reputation counts increasingly for nothing as its visibility dwindles. Or else slander transforms good reputation to bad, and image management bad to good or, at least, passable.

The way can only be barred by reporting regimes; records must be kept of legally permitted misdemeanours and mischief. Readers will feel uncomfortable about this. It is not without its perils, but the alternative of inaction is itself perilous.

Return a moment to what was said above: those bringing charges must themselves fear being judged. Quite rightly so. A thousand years ago, in parts of Europe, there being no public prosecutor, the person who brought to court a charge against another, in those days for a felony, incurred the risk of themselves being judged if their charge was determined to be ill-founded.

The problem we have at this juncture is age-old. *Quis custodiet ipsos custodes? Who guards the guardians?* The discomfort felt at the idea of reporting regimes is reflected in this question. The answer is, surely, that the guardians – or the

record-keepers, or the elites – must be answerable to the mass of people on whose shoulders society ultimately rests. Such people are those who have worked steadily for many years at tasks involving the assumption of responsibilities and not a little expertise or skill. And since plebiscites are impracticable and are themselves wide open to manipulation, it is necessary to draw a very small sample from the mass of worthy citizens, and let this handful decide. We might call this sample of, say, a dozen individuals, selected randomly from a pre-selected pool, a jury.

It is no felony to have bad judgement or to be opportunistic. We must indeed all sometimes be a little machiavellan. As for poor judgement, this is commonly improved upon by being exercised, and our learning from mistakes, even if some of us, sadly, are incorrigible. Those lacking in the faculty of self-criticism will for ever be in need of external judgement and opprobium. Think of it as therapy.

Not only are we all, if to varying degrees, different; we are all different at different times in our lives. Some of us not only change, but mature. Any system of ethics that sets up a moral code, parallel to the law and the regime of good manners, has missed this point, overlooked indeed a second elephant in the room. Not only are we different;

obviously so, too, are our motivations and our ways of fitting into society. Rather than something to be deplored, this aspect of life is to be celebrated as a richness (in novels, and tapestries, and the other arts, for example).

Society has need of many if not quite all kinds of people, although it is not in doubt that we do need more of some types than of others. Not least, on occasion we need people who will seize on an opportunity and with vision run roughshod over the sclerotic sensibilities of established opinion.

But equally we need mechanisms to reign the beast in: checks, and balances, too. We need more than one kind of check, more than one set of counterweights. Those who pay little heed to the conventions of morality or indeed stretch the law a little should sometimes be measured not by their rule-keeping but by the greater benefit they bring to the rest of us. Some will pass the test, others not. And the test must be, for those who seem to have overstepped the mark, a restraint imposed not by officials but by the consensual and considered judgement of a sample of citizens whose own achievements are modest yet certain.