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other engineers may not be able to make the necessary changes immediately because of budget or schedule, or at all because changes that they have already made bar the improvement in question. Engineers may also find an alternative way to achieve the same end. For these reasons (and perhaps others), nuclear plants, however alike at birth, tend to grow into noticeably different individuals, much as biological plants do. Some people, especially philosophers, seem to think of those who stayed on at Fukushima—those who, for example, worked in the dark in cold waist-high radioactive water to restart the generators—as engaged in “supererogatory” conduct, that is, as engaged in conduct above and beyond what morality requires. The engineers I have discussed this with seem to view the conduct as heroic but required (supposing the “workers” in question to be engineers). An engineer who left when needed would have acted unprofessionally; he would have failed as an engineer even if he left to save his life or look after his family. Engineering sometimes requires heroism (a significantly higher standard than proposed in Alpers 1983)—or so the engineers I have talked with about this seem to think.

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References


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A Pluralist Ethical Decision-making Procedure

This paper claims that the use of several moral tests to assess the ethics of a new policy is unavoidable. All the efforts to make credible a methodological monism – by critical or reductionist strategies – have been unsuccessful; moreover, it must be acknowledged that even if there were a single test, when applied successively or by different people it would usually give divergent results. The main aim of the paper is to propose a pluralist procedure of ethical decision-making, using a set of proper ethical tests (such as utilitarian, Kantian, Christian, principlist and casuist) in the frame of an “ethical Delphi” procedure intended to make the adoption of the supposed variety of verdicts. This pluralist testing process, made by moral experts, is only a fraction of a more complex procedure intended to deliver social sanction for a new moral policy. This longer procedure also shows that the adoption of a new moral policy, rule or law is not only a question of passing a strict ethical test, but also a political (i.e. multi-criteria) decision. In general, the adoption of a new moral rule does not rely solely on an ethical test, but is essentially the outcome of a complicated social agreement. That is why in academic applications of the usual moral tests we do not take a moral decision on a new case, but merely simulate it.

Key words: ethical decision-making, ethical pluralism, ethical Delphi, pluralist model

Decisions about the moral value of an action, rule or public policy cannot be reduced to a verdict resulting from the application of traditional tests based on the major ethical theories, despite the fact that handbooks still unanimously support this view. The history of ethical test results is more one of surprises than one of predictability. You would expect, for instance, that people who adopt the same moral doctrine do this in order to approach issues in the same way, including the moral assessment of actions. We all believe that this is the main reason it is useful to embrace the same moral creed. Therefore it seems strange to find that several members of the Romanian Parliament, all active supporters of Christian morality, assessed the legalization of prostitution in opposing ways. On the other hand, it is also strange that two people who adopt different ethical theories – precisely because they offer distinct explanations of moral phenomena – can frequently assess actions in the same manner. When a utilitarian and a Kantian – or a follower of Christian ethics and one of Muslim ethics – debate issues, it is somehow surprising to see them judging situations in the same way in most cases, despite the fact they declare themselves to be supporters of opposing ethical beliefs. Are these beliefs really opposing? In general, it appears that use of tests based on distinct or even opposing theories, such as utilitarianism and Kantianism, can result in different verdicts, but in most cases it results in convergent ones (Kantian and utilitarian moral duties are, ultimately, the same). On the other hand, if we dogmatically adopt a single theory and apply the same test repeatedly to the same action we usually get similar results, but some divergent ones also appear (see the cases of divergent utilitarian assessments of the same case given as examples in the textbooks).
The labyrinth of Ethical Decision-making

These results bring to light several lessons: 1) using a single test does not ensure the uniqueness of the ethical verdict, as commonly expected, and using several tests does not guarantee a diversity of verdicts; 2) it is possible to have (a) two distinct, even opposite, tests (such as the utilitarian and the Kantian) leading to the same verdict, but also (b) two different tests resulting in two distinct verdicts; 3) it is also possible to have (c) a single test (used at different times or by different people) that leads to different verdicts, but also (d) a single test leading to a single verdict.

How is it possible that the same test (case c), when applied by different individuals or by the same individual at different times, can lead to different verdicts? And equally, how is it possible that different tests, based on competing theories, lead to the same verdict in most cases (case a)? For instance, how is it possible to evaluate the same case using consequentialist methodology and get sometimes one result, sometimes another? Or how is it possible that a utilitarian and a Kantian, who try to convince us that morality means different things, in most cases get the same results from the assessment process? Is assessment not an intrinsic part of an ethical creed? And if we have the same ethical creed, how is it possible to have distinct verdicts? Are we really dealing with ethical frameworks so weak or even simply wrong?

The Unavoidability of Ethical Pluralism

My answer is that if ethical decision-making procedures were formulated to ensure a verdict’s uniqueness and thus the overall internal consistency of moral assessments. However, there is no algorithmic ethical test. It is acknowledged that ethical decision-making procedures are not conclusive, in the sense that any verdict is merely probable and therefore revisable.

My approach is, however, broader (not only corporations, but any kind of organization at the local, national and global levels may be the object of analysis) and it is not focused on the moral content of a company but on the systematic moral assessment of important and social issues. These include, for instance, new laws with moral content, public policies, and new technologies with a global impact. The big question in both the integrity approach and my approach is: how can such a scheme be implemented and enforced? Before trying to answer this question, we must consider some additional reasons that the alleged variety of verdicts resulting from the application of a variety of tests is made to converge (case a).

In my approach, I believe that we need a methodological pluralism of ethical decision-makers, in which each member uses distinct moral principles and distinct assessment methods, and we must accommodate the reality of such an irreducible pluralism. Moreover, we must use this characteristic, which defines democratic societies, to find a way to ensure a maximum of objectivity, convergence and rational grounding for our ethical assessments. Methodological pluralism does not exclude convergence of results. Let us imagine a case in which there are two different tests (or ethical views) that evaluate the case (or a moment to consider this).

At first glance, this seems counter-intuitive. A plurality of methods is supposed to spontaneously induce a dispersion of verdicts, disqualifying pluralism as a possible method in ethical decision-making. If we look at the world through a plurality of ethical theories, we are likely to arrive at a plurality of ethical verdicts; although, of course, it is also possible to have only one. My question is: could we proceed in such a way that the alleged variety of verdicts resulting from the application of a variety of tests is made to converge (case a)?

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Secondly, is it possible to have only one verdict (case b)?

This irreducible pluralism of moral theories, views and methods has little chance of being eliminated. However, contrary to the view that plurality of methods inevitably entails plurality of verdicts, it has been proved that people with different ethical views may easily reach the same solution when they are put together to solve a practical problem. MacIntyre gives as an example the story of the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research, which proved that the disagreement in principles (in the theories or ethical views adopted by members of the team), instead of generating a similar disagreement in their assessment of the case, was compatible with a practical agreement. The Belmont Commission is another good example of a pluralist group of ethical decision-makers, including people with various ethical involvements who, instead of spending their time in an unending debate around the best moral theory, rapidly arrived at a convergence of opinion and agreement in a common verdict. How can this be explained?

MacIntyre sees three possible explanations for the commissioners’ straightforward agreement. The first is that adoption of conflicting or rival moral principles may, surprisingly and unexpectedly, lead to the same verdict in the field of applied ethics. There is nothing new in this statement, but the question is: how is such a thing possible? We could use this example to wonder whether the so-called gap between natural sciences and the moral sciences (the distinct explanations they give to moral phenomena) is as great as has been assumed, since their assessment outcomes are similar rather than conflicting. The second explanation is that the members of this assessment did not actually apply their own principles (or theories, or ethical views); in fact, they judged the matter not following the principles they claimed to adopt, but in the light of the moral case, which they were casuists without knowing it. This implicit use of the same method explains the convergence of results. Finally, the third explanation, to which MacIntyre...
Convergence Induced: The Ethical Delphi

What I want to propose here is to be even more systemic – to develop an entirely research process that is able to make opinions cohere. This can be based on the “Delphi method”. From this, an “ethical Delphi” was obtained by a group of specialists in the frame of a European research project on “ethical Delphi”, and where we suggest – as a modification of this latter: a methodological ethical Delphi. In its original form, this test does not include any moral theory or ethical method for assessing, for example, a new biotechnology: such a methodological Delphi “is not possible to directly deduce from the data analysis the ethical acceptability, or otherwise, of any proposed biotechnology” (Millar et al. 2006, 10). This is not a method to discover in facts the supposed ethical difficulties raised by a new biotechnology, but one focused on a pluralist and expert assessment of the moral acceptability of an already formulated public policy concerning that biotechnology.

Now, suppose we succeeded in assessing such a policy, using several ethical tests and making the evaluators’ opinions converge using an ethical Delphi. How should we proceed to socially impose the new moral policy, starting from the belief that morality is a social product and that a moral rule is a device required by society to protect some of its most important values? Is there a social methodology for influencing the acceptance upon us (and cases where it does not occur spontaneously)? How is it possible that the same test gives different verdicts on the same case: are ethical tests so weak?

Regarding the first question, the most plausible answer would probably be that, in order to reach a partial agreement, the ethicists have to use their “practical wisdom” – the ability to discuss and negotiate, and various forms of irrational persuasion to convince their interlocutors; they have to refine the methods used and adopt new methods, use various forms of “truth propaganda” – in a neutral and impartial way. In these circumstances, it is more probable: ethical assessment is not an entirely rational process. The explanations and the results seem more probable: ethical assessment is not an explanation of the convergence: it is something that occurs spontaneously or quasi-spontaneously. The key questions for me are: what factors determine the spontaneous convergence of the verdicts of two or more opposing tests (and is it possible that rationality does not occur spontaneously)? How is it possible that the same test gives different verdicts on the same case: are ethical tests so weak?

Regarding the second question, the most plausible answer would be that, in order to reach a partial agreement, the ethicists have to use their “practical wisdom” – the ability to discuss and negotiate, and various forms of irrational persuasion to convince their interlocutors; they have to refine the methods used and adopt new methods, use various forms of “truth propaganda” – in a neutral and impartial way. In these circumstances, it is more probable: ethical assessment is not an explanation of the convergence: it is something that occurs spontaneously or quasi-spontaneously. The key questions for me are: what factors determine the spontaneous convergence of the verdicts of two or more opposing tests (and is it possible that rationality does not occur spontaneously)? How is it possible that the same test gives different verdicts on the same case: are ethical tests so weak?

I shall start to shape a new pluralist procedure of ethical decision-making by analysing a specific case study: the setting up by UNESCO, at the global level, of a public policy with a substantial ethical content, trying to capture the actual structure of the process of ethical decision-making (which might be a political, legal, or a social, religious, or a kind of institution). The specific example is the International Declaration on Human Genetic Data (UNESCO 2003) – a new moral regulation claiming universal (planetary) validity.

The initiative to launch an international project to regulate the use of genetic data belonged to the UNESCO Director General. In May 2001 he asked the International Bioethics Committee (IBC) to draft the new regulation. The document was finalized three years later, in May 2003, at which point some voices claimed that the process was a too fast.

The IBC set up a “drafting group” composed of experts: an interdisciplinary and pluralist group. It deserves to be noted that the organizers believed that the best place to take ethical decisions was an ethical committee that was “independent, multidisciplinary and pluralist” (UNESCO 2003, Article 6). In this case, the panel was made up of four legal experts, three experts in genetics, three in bioethics, two in moral philosophy, one in anthropology and one in chemistry. The moderators were selected from France and Italy. All logistical support was, of course, granted. The panel first established the moral foundations of the new regulation (the principle of dignity, which is fundamental; then
the principles of equality, solidarity and responsibility; as well as some form of welfare, precautionary and vulnerability principles) (see UNESCO 2003, Preamble). The group worked in a typical pluralist manner (see Article 1), the criterion of moral acceptability being “internal consistency” with the moral principles accepted and “external consistency” with other moral rules concerning human rights. It also pursued consistency to the national law, sometimes by broadening the meaning of confidentiality and consent, so that the regulation cannot be imposed unless the legislation of the country allows it (DHGD, 2003). The expert group proposed a number of general philosophical options concerning human nature, freedom and responsibility (as opposed to biological reductionism, for example), in the light of which the document was conceived. The first draft of the document was issued in November 2002 and it was sent to the IBC to be analysed. Overall, there were seven meetings of the expert group, but they did not have the last word in the social and political approval of the Declaration: this belonged to a political group, representing all stakeholders.

To ensure coverage of the positions of all parties in the document, the draft was submitted to a public debate. The public character of a moral regulation and the requirement for it to be accepted by society at large (not imposed in a paternalistic way) seemed to be a condition for its acceptance by the public. This is a particular public policy, designed to address the issue of genetic data (UNESCO 2003, Preamble). The conference showed a “spirit of tolerance” and received unanimous approval by applause for the Declaration. Being a moral rule, this has to be sanctioned by the final draft (P1) of the public debate, in the case of disobedience. At this level, other independent assessments (OA) may be made – including economic test experts – of the project. It would be pointless to give GPDE a raw version of the project because this group does not make amendments to the draft but assesses the project. The evaluation report is either negative or positive; S is the only participant to decide whether the process continues or not. For instance, there might be a moral assessment rejecting the legalization of prostitution, but the applicant decides to continue the debate of the law in parliament: there – on other criteria, including economic and political ones – the adoption of the law may be decided.

To “continue” the process means that P2 (together with RM) is sent to a group of political decision-makers (GPDE), a group meant to represent the whole society (or the whole organization), which is able to give a final verdict. This group, composed of politicians or other representatives, will inevitably judge by multiple criteria (including moral, economic, religious, political and strategic ones), as well as rational and irrational factors, and will accept or reject P2 together with the RM. It will also establish the weight of this new regulation (is it a law or only a political directive?), what kind of penalties should be associated with it, and whether the public should be informed about it (such as ethics training programmes). A final rejection of the project (which might also occur for extra-moral reasons) would mean delaying its implementation by S. This process looks like this: In contrast to the UNESCO procedure described above, this scheme distinguishes between GPDE and PDGE (groups with different functions and powers), the kernel of the pluralist decision procedure being represented by the group of political decision-makers (GPDE) (which is not a group proposed by UNESCO). But GPDE is not a provider of final moral verdicts. Its activity aims at applying moral tests to a given case. Its main objectives are to identify the divergence and convergence of several expert moral assessments, and to identify the roots of their disunity; to provide a professional basis for the final ethical decision, which is a “political” one; to provide a map of the moral problem under discussion for the use of policy-makers and politicians who will take the final decision; and in general to encourage systematic and professional ethical thinking in the moral assessment of the main practical issues.

It may be objected that the presence of GDP supports that whether a rule is moral or not depends on its approval or rejection by society and not by an objective ethical criterion. Or that the doctrine of cultural relativism: that all moral rules are dependent on the social context in which they are established. In reality, both happen: the moral character of a new rule is established by GDP, not by GDP, and the members of GPDE may use universal principles (I find it is an error to ignore universal moral principles in building ethical codes, as usually happens). GDP does not establish the morality of the new rule, but only decides whether the society recognizes the morality of the regulation approved by the GPDE experts. This suggests that the new moral rule or policy acquires its authority ultimately from a kind of cultural consensus and not only from technical ethical reasons such as “maximization of utility” or “respect for human dignity”, and similar. One may ask what Richard Hare (1993) does when he applies his two-level scheme to concrete cases: does he establish the moral character of the case? In fact, he only simulates a part of the process of moral assessment, conceived as a social phenomenon.

We must consider whether this scheme contains a mix of ethical and non-ethical procedures, the latter risking an alteration of the moral substance of the project. Despite approximate equality, the first phase (the public debate) is considered non-ethical) has an obvious connection with ethics: identifying and formulating a moral problem, establishing the conditions of publicity and autonomy in the adoption of a new rule or policy. The first phase is not dependent on the previously adopted moral rules. What follows is also an ethical step: the application of typical ethical tests (GPDE) and the writing of a moral report (RM) which gives a verdict on the moral nature of the new rule or policy. Finally, at the level of GDP a new evaluation occurs; this uses both ethical and non-ethical criteria, but the presence of the non-ethical criteria does not affect the moral nature of P2. This means that GDP should not be seen as a group involved in ethical assessment, but as one meant to socially approve and impose a new moral rule, guided by moral and non-moral criteria. The requirements for the adoption of new rules are not imposed by the IBC or by the RM, but are decided by the GPDE. It could then be argued that the document is not merely a code of conduct, but a new moral public policy (but not of its moral assessment) that it is always done on non-moral criteria too.

It may also be objected that the procedure is too
complicated. In fact, it is no more complicated than the procedure used for the adoption of any important juridical law. And I believe that the ethical decision-making procedures have to be detached from their traditional handbook simplicity if we believe in their social utility. In certain circumstances, when the usefulness of applied ethics is often denied, it seems to me essential to enhance its credibility by a mature development of its procedures, such as that described above.

The Pluralist Ethical Decision-making Group

The procedure of methodological pluralism that I am proposing here requires us to recognize all the tests derived from the great theories and all the decision-making frameworks independent of theories, and to give them an equal chance in the evaluation process; i.e. to use all of them inside a pluralist ethical decision-making group (GPDE). This group should be composed of experts who know the investigated field well and who are also able to handle a moral decision method or know how to apply a general ethical doctrine or moral gestalt (such as the Christian one). An important step in such a process is the setting up of a panel of experts who know these facts and is able to apply one of the following ethical decision-making methods:

• Here’s utilitarian method (or other utilitarian procedures);
• the principlist method;
• the ethical matrix;
• moral casuistry;
• Christian ethics;
• other ethical decision-making methods (such as the Kantian method, the ethics of care, virtue ethics, and so on).

How could we systematically coordinate such a heterogeneous decision-making group, characterized by divergent ethical views? Some would probably say that this process takes place spontaneously, as the case of the Belmont Commission shows. But none of us is sure about this, and therefore it is preferable to control the process. We can do this, I suggest, by making the assessment team work under the procedure called the methodological ethical Delphi – a method that helps the group members to reduce the dispersion from the experts’ points of view, to encourage ethical reflection and provide a rational basis for making ethical decisions. Practically, the GPDE could be structured by this procedure (or the basic panel, concentrating only on the process which becomes functional on demand. It has to have a monitor or coordinator (M) with experience and moral insight. M’s task is to coordinate the activities of the panel, allowing the group to reach a final result from outside, but self-imposed (pace Kant). To be self-imposed it must be known and publicly discussed. Public debate is an early step in the decision-making process. This can be carried out through press releases, manuals, consensus conferences, and similar. The democratic accreditation of the new rule is not a political fad, but a necessary condition of its morality. Moral rules are public rules and a necessary condition of the existence of an ethical code is to be public. Therefore, to complete an ethical decision-making process we need to set up a second group, often consisting of not experts but of politicians, to ensure that the final decision is made. The public opinion of the people who belong to the panel (the statistical trend of opinions in the panel), on other moral considerations, on M’s own moral wisdom and power of persuasion, and on some other ethical criteria (in addition to that panel of views expressed by the experts in the form of a conclusive statistical judgment. The experts’ capacity to obtain information about the preferences of all “stakeholders” and about the foreseen consequences of the policy assessed is crucial at this stage. The interaction of the panelists will also ensure clarification of their philosophical, religious or political commitments, so that all evaluators will judge the same facts, as far as possible. At this stage no methodological uniformity is desirable. Rather, methodological pluralism should be encouraged. The moral verdict (RM), even if provisional, has to be based on public opinion and religious or philosophical supposition in evaluating and making both these kinds of evaluative criteria as obvious. It explains why the members of the group can reach a common result although they remain supporters of their initial divergent moral beliefs and principles.

The various methods of ethical decision-making mentioned above provide a strictly moral evaluation of the new rule or policy, regarded from various moral perspectives. None of them is conclusive. To reach a consensus does not mean reaching the correct result. The ethical Delphi, which is meant to generate convergence of opinions in conjunction with the set of ethical tools, only helps us to use clearer structured patterns of the problem under discussion and to offer the political team a solid basis for decision-making. It identifies those topics that the group of experts considers important for the political decision-makers. Various perspectives and ethical rules may support the policy-makers by enhancing their moral creativity and capacity for ethical decision-making when faced with complex moral issues in situations of incomplete or disputed information. This evaluation process of undertaking the same act using several methods produces a strictly ethical verdict signed by the political team, which helps the group members to reduce the dispersion from the experts’ points of view, to encourage ethical reflection and provide a rational basis for making ethical decisions. Practically, the GPDE could be structured by this procedure (or the basic panel, concentrating only on the process which becomes functional on demand. It has to have a monitor or coordinator (M) with experience and moral insight. M’s task is to coordinate the activities of the panel, allowing the group to reach a final result from outside, but self-imposed (pace Kant). To be self-imposed it must be known and publicly discussed. Public debate is an early step in the decision-making process. This can be carried out through press releases, manuals, consensus conferences, and similar. The democratic accreditation of the new rule is not a political fad, but a necessary condition of its morality. Moral rules are public rules and a necessary condition of the existence of an ethical code is to be public. Therefore, to complete an ethical decision-making process we need to set up a second group, often consisting of not experts but of politicians, to ensure that the final decision is made. The public opinion of the people who belong to the panel (the statistical trend of opinions in the panel), on other moral considerations, on M’s own moral wisdom and power of persuasion, and on some other ethical criteria (in addition to that panel of views expressed by the experts in the form of a conclusive statistical judgment. The experts’ capacity to obtain information about the preferences of all “stakeholders” and about the foreseen consequences of the policy assessed is crucial at this stage. The interaction of the panelists will also ensure clarification of their philosophical, religious or political commitments, so that all evaluators will judge the same facts, as far as possible. At this stage no methodological uniformity is desirable. Rather, methodological pluralism should be encouraged. The moral verdict (RM), even if provisional, has to be based on public opinion and religious or philosophical supposition in evaluating and making both these kinds of evaluative criteria as obvious. It explains why the members of the group can reach a common result although they remain supporters of their initial divergent moral beliefs and principles.

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This means that after the completion of the experts’ RM, the political group assesses the “weight” of the new policy – and therefore the degree of its “overridingness” – bearing in mind the social importance of the values it protects (we may live in a society that considers values such as dignity, equality and justice either important or unimportant). Depending on the assessment and negotiation of the degree of “overridingness”, some sanctions will be associated with the new policy (some typically moral ones, such as educating individual moral sense and public attitudes; but also some legal ones). Finally, the group of political decision-makers checks the consistency of the new regulation with the existing moral and non-moral rules, the amount of resources available (to guarantee its applicability) and the degree to which it is satisfactory in relation to the political, economic, religious or philosophical beliefs of the members of that society. For example, an ethical decision regarding abortion or the status of human embryos will be influenced by the religious or political beliefs of the decision-maker, the pressures of public opinion, certain specific emotional episodes, and so on. Or, to consider another example, a strictly ethical technical decision requires the isolation in hospitals of some mentally ill people, if taken during the Cold War period, might have been suspended for reasons of political and geo-strategic expediency considered more important than the moral ones (politicians will not say that to free those dangerous mentally ill people and therefore to risk the security of the rest of the population is a moral action) but they may postpone approval of the new rule for reasons of political expediency (although we might accept, as rational people, that the isolation of some mentally ill people in hospitals is a moral act, it is not expedient for politicians and geo-strategic expediency). In such cases, the Council of Europe agreed that ethical issues in general have precedence over those of expediency or financial convenience, asking at the same time that

A Pluralist Ethical Decision-making Procedure
Valentin Moresan

Journal of Applied Ethics and Philosophy Vol. 4
a new scientific research or technology be assessed with the long-term potential consequences in view, even where uncertain in the light of current science (the “precautionary principle”).

Moreover is: a virtual ethical pluralist Delphi group inserted in a larger decision-making structure focused on cultivating the moral dimension of a new law or public policy. I have stressed those moments in the decision-making process where various known ethical principles manifest themselves, such as the principle of publicity, autonomous adoption of a new policy, normative consistency or democratic participation. The kernel of the process is the GPDE. The moral content of a public policy or law should be carefully identified and treated as it deserves during the decision-making process. Finally, I propose that we should think more attentively, contrary to an academic practice which isolates the “ethical tests” in their theoretical technicality, that in the last instance, a real moral decision is a question of social agreement, and in some cases a political decision. Morality is a social institution, not a private choice.

As for the GPDE, I see it as an expert group functioning not following “theoretical” background: imagine the members of the group using not simplistic ethical tests (such as the calculation of consequences, the causistic comparison of a new case with the basic model, the normative imperative, or similar) as they are grounded on ethical theories; instead, they use as a test a kind of Kuhnian paradigm, including several devices (including theories, fragments of theories, principles at different levels, the usual tests, paradigmatic examples, relevant analogies, ethical explanations which are not theories, and their own *phronesis* formed by using a given paradigm) that could be used at large and where needed. In short, they use a moral paradigm, which gives them a kind of *gestalt* for judging all concrete cases. Instead of the utilitarian test we shall have the utilitarian paradigm. In fact, this is the way we function as moral evaluators. If we are Kantians, we see the moral world in Kantian colours. The theologian in the group will, for example, firmly claim the immorality of abortion (which is obvious in his *gestalt*), while the utilitarian may support the morality of abortion (which is also obvious in his *gestalt*), and a doctor with religious sensibility will adhere to the views of the theologian, and so on. The question is: how can we make compatible these various assessments in order to obtain a coherent single verdict? Of course, the *coherentist* procedure of rational critique and rational compromise will be one of the mechanisms to obtain a “reflective equilibrium”, but it is hard to believe that we could force members of the group to make their views compatible only by rational argument. We cannot reach an “overlapping consensus” if the members of the group are not determined to adhere, at least in part, to the views of the others. This supposes a “change of paradigm”, a *gestalt switch*, which is difficult and essentially irrational process, the result of an intense and common activity of convincing partners by using both rational and irrational (persuasive) means. The moral discourse is used in this case, at least partly, as an instrument of persuasion, (in the *emotivist* meta-ethical tradition). And the result may be the adoption of one of the paradigms, or of a partly modified one. This could explain why a text as that of the Oviedo Convention on cloning was finally written in a Kantian style and not in another. In this approach, an ethical decision such as the setting up of a new moral rule is not a completely rational process. The result of this negotiation will be a verdict which is never final.

Of course, not all ethical decision-making tools are like those proposed in this article. This is a large scale and, generally, ethical tools are relative to the context. Members of the community of applied ethicists are called to elaborate such instruments in accordance with various organizational and individual contexts, all of which fall under the form of a hierarchy of procedures. The individual methods of ethical decision-making may serve, for instance, the institutional formation of an ethical mind among all the employees.

To conclude, imagine at one extreme the moral philosopher with her ethical and meta-ethical complex problems, without a great interest in application; then a middle ground populated by applied ethicists of various kinds (among them managers of ethics, makers of methods, builders of ethical codes, specialists in ethical training and the formation of ethical thought); and at the other extreme the interested users of these new products originating in ethics – the managers and personnel of various organization, who participate in specific ways in the contemporary game of applied ethics. The professional applied ethicist has to address the issues and try to help. Using what? Not the Nicomachean Ethics or the articles of Prichard on intuitionism, but an appropriate “ethical toolbox”. This article was intended as another tool in this ethical toolbox.