

Ethical Decision Making Models

Introduction:

Teaching bioethics to high school students can be a challenge for a variety of reasons. First, bioethical issues are complex matters that raise very serious questions about our personal freedoms, our obligations to others, our values, and the consequences of our actions. The difficulty of bioethical dilemmas and the tendency of one ethical question to give rise to several other ethical questions are factors that add to the challenge of ethics instruction. Second, because of this complexity, high school teachers may feel uncomfortable or may avoid introducing bioethics into their classes. Finally, teaching bioethics can be challenging given that not all students share our enthusiasm for it and may find its complex nature frustrating.

The Case-Study Approach:

One approach to teaching bioethics that teachers of applied ethics have found useful is the case-study approach. This method involves working through a bioethical case drawn from real life situations using a model for ethical decision making as a guide. This two-pronged approach (case scenario and decision making model) addresses the aforementioned concerns in the following ways. First, the case scenario limits the philosophical complexity of the issues raised by providing facts and details relevant to the decision at hand. Oftentimes, a case will deal with a very specific bioethical issue and in doing so avoids other serious, but unrelated concerns. Second, since case scenarios do not deal exclusively with abstract philosophical questions, they generally are more interesting to students. Thus, case studies tend to be more stimulating and relevant to a larger number of students. Finally, incorporating a systematic process of ethical decision making provides teachers with a way of thoroughly examining these very complicated bioethical issues. Such a model provides a framework for reasoning through a case to a morally justified conclusion. Having such a system may allow otherwise reluctant teachers to introduce bioethics instruction into their classes.

The Hastings Center Model:

The ethical decision making model used in this unit was developed at the Hastings Center. (Other similar models are included in the packet to demonstrate the number of decision making models that are available.) It is a six-step process that involves (1) identifying the ethical problems raised in the case, (2) gathering and assessing all the facts that are relevant to the decision, (3) identifying who has a stake in the decision, (4) identifying the values at stake in the decision, (5) identifying possible solutions and choosing the better solutions, and (6) evaluating the process of decision making itself. To further explain the process and to relate how it has been used in the classroom with this unit each of the six steps will be briefly discussed.

Step 1: Identifying the Ethical Problems Raised in the Case:

The first step involves identification of the ethical problems the case raises. Once the problems have been identified, one must decide which problem is to be considered. In other words, what is the ethical question the actors in the case must decide? Clearly, many different kinds of questions are raised in bioethical cases. Some are ethical questions, while others are legal, medical, social or psychological questions. Each of these types of questions requires a different type of analysis, however. Thus, in identifying the ethical question to be analyzed one must make certain that it is a bona fide ethical question. This is not always an easy task. Certain key terms may suggest, however, when a question is an ethical question. These terms include: "right" (in terms of entitlement), "responsibility", "duty", "ought", and "should". A common element to ethical questions is that they raise concerns about what is appropriate conduct in a given situation and/or directly refer to the rights or interests of others.

Step 2: Gathering and Assessing all Relevant Facts:

The second step in the decision making process involves assessing the facts that are available to the decision makers. At this step it is important to address the nonethical issues raised within the case. For example, one may need to know the legal constraints of the decision. Furthermore, the likely legal, medical, or social consequences of a proposed course of action must also be considered. In addition to the facts that are readily available, a decision maker should also consider what factual information is not presented in the case but that is important to the decision and how this information can be obtained.

Step 3: Identifying the Stakeholders:

Step 4: Identifying the Values:

The third and fourth steps involve identifying the stakeholders and the values at stake in the decision. Stakeholders include those individuals who will be affected by the decisions to be made. Stakeholders could include individual persons (both existing and future persons), collections of persons, such as societies and organizations, nonhuman beings, and entities, such as the environment. Values, on the other hand, are concepts, goals, or standards that are important to consider when choosing between competing courses of action. These include, but are not limited to, beneficence, justice, autonomy, truth telling, and interpersonal relationships. While each of these values should be considered in every facts of the,ase, they will vary in their importance depending upon the circumstances and case at hand.

Step 5: Identifying Possible Solutions and Choosing the Better Solutions:

The fifth step is to develop and assess the options that are available to the decisionmakers. At this point, one must consider what could be done in this case. Students are asked to be s creative as possible in coming up with a list alternative solutions to the problem, even if these include options that are obviously ethically unacceptable. (Demonstrating why an

option is unacceptable or unjustified can be a very valuable exercise.) The next stage of this step is to consider what should be done. At this point one identifies those options that are ethically acceptable by eliminating the unacceptable or unjustified options from the list of possible solutions. It may be that a range of actions are acceptable. In that case, those options that are preferable can be identified and justified in terms of the values that these options support.

Step 6. Evaluating the Decision Making Process:

The final step is to consider the decision making process as a whole. Was the process fair? Were the interests of all the stakeholders represented or considered? In many cases, the solution that results from this stepwise process is the same as one's initial or intuitive belief about what should have been done in the case. In these cases, therefore, the value of the decision making model is not found in the solution that came as a result of using the model, rather it is in the justification for the proposed solution that the model provides.

Conducting Discussions of Ethical Issues: Tips for Teachers

1. Listen carefully to what students are saying when they argue a particular issue. Be patient and allow students to express their views fully.
2. Take notice of the words that students use in arguing their positions. Often the choice of words will reveal a bias or an unquestioned assumption.
3. Ask clarifying questions. Many students will express important ideas that are rough or unclear. Asking students to define their terms or to reword their statements may help students hone their ideas.
4. Make distinctions that will further the analysis. For example, if students are discussing duties, ask them what kinds of duties they want to include or emphasize in their arguments. Are they referring to legal duties, professional responsibilities, or ethical obligations? To whom is the duty owed? To oneself or to others?
5. Look for logical inconsistencies or fallacies in students' arguments. Do the premises of the argument support the conclusion? Do they support any other conclusions? Are the premises true? Are there unquestioned or hidden assumptions that influence the argument? Are students committing the naturalistic fallacy", i.e. using statements of fact to justify or support their moral judgments? (This is also called the fact/value distinction and requires a leap in logic from "IS" statements to "OUGHT" statements.
6. Ask yourself whether a student's comment is supportive of an ethical theory, e.g. utilitarianism or rule-based theories. Challenge them to consider the shortcomings of that theory and how an alternate theory might address the issue.
7. Challenge students to take an opposing view or to be critical of their own view. Ask them to consider the weaknesses of their arguments. How confident are they in their decisions? What, if anything, makes them uneasy about their views?
8. Ask students to justify their views or the statements they make. If the response is "I just feel that way" or "I just know it's right", ask them to explain why. Many times students will refer to principles or values to justify their views, and these provide more justificatory power than do feelings or intuitions. If no principle or value emerges challenge students to consider whether their emotive responses or intuitions are wrong.
9. Provide balance. Play the devil's advocate. Don't let the argument be decided by the strength of a student's personality or by the loudness of an argument.
10. Check to see whether this is a redundant view. Has it been represented already in the discussion? Keep the analysis as simple as possible.
11. Be on the lookout for frustration. If you sense a student is becoming frustrated, ask him or her to express this frustration. Many times this will lead to interesting and important ideas.
12. Stick to the case. While departing from the case may be useful sometimes, letting the discussion go too far afield can be dangerous. You may create a discussion that is difficult to direct. Stick to the facts of the case. Many of the facts will limit the number of issues that need to be considered.