



Engineering Ethics: Accepting Gifts and Amenities

An Online Continuing Education Course for Engineers

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Engineering Ethics: Accepting Gifts and Amenities

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Introduction

One of the most challenging and interesting areas of moral reasoning involves deciding where to draw the line between permissible and impermissible actions.

In this course, you will be asked to decide where you would draw the line between morally permissible and impermissible acts and to justify your decisions. In other words, how would you distinguish the perfectly proper acceptance of a business favor from an improper acceptance of a bribe?

A Short History of Bribery

John T. Noonan, a lawyer and historian of moral ideas, traces the history of thought on bribery from 3000 B.C. to the present.

"Moral concepts found enshrined in traditions do not stay the same. They undergo transformation. They are subject to investigation and criticism. They expand, shrink, or disappear."

This thesis can be illustrated by comparing the history of the concept of bribery with the history of other moral ideas.

History of Bribery & Other Moral Ideas

The Concept of Bribery:

- Until about the sixteenth century, it was considered wrong to take interest on money and "usury" was a serious sin. Today, the term "usury" is reserved for the extraction of excessive interest.

Other Moral Ideas:

- Slavery and torture were widely accepted in Western society until the eighteenth century, and now both are condemned as heinous and evils.

Noonan believes that the evidence shows that bribery is increasingly viewed with intolerance throughout the world. He claims that only the Westerner supposes that a modern Asian or African society does not regard the act of bribery as shameful in the way Westerners regard it.

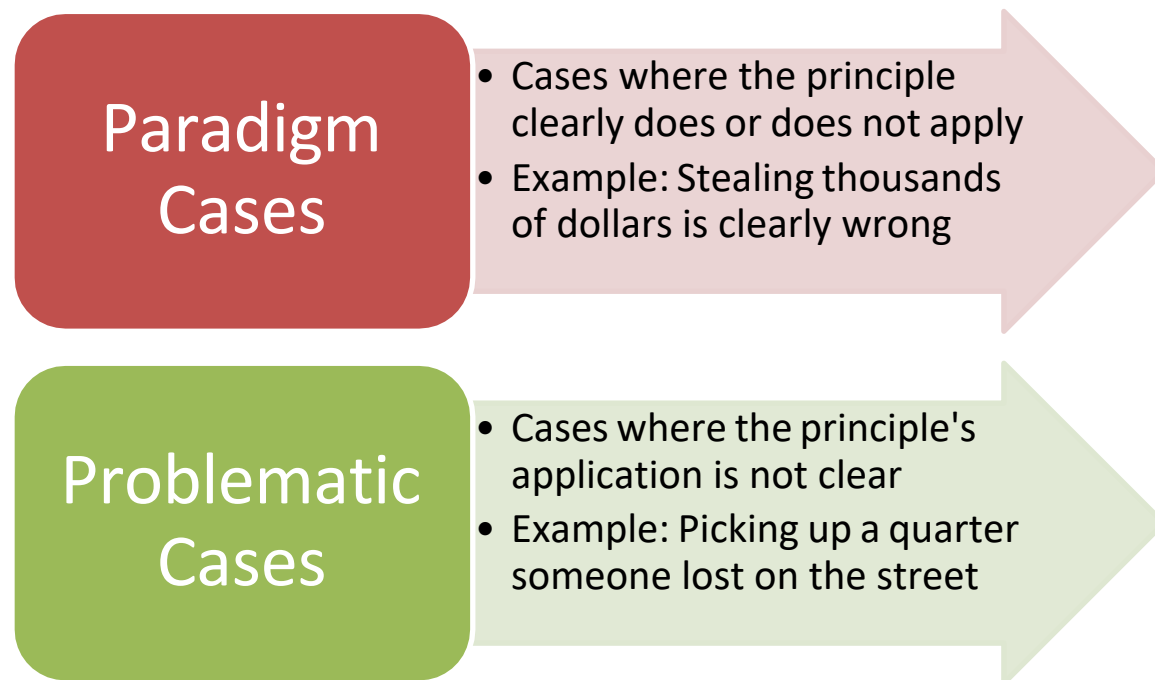
Intolerance to Bribery

There are good moral reasons for this increasing intolerance, especially as the capitalist system becomes more widely accepted:

1. Bribery corrupts the capitalist economic system.
2. Bribery is a sellout to the rich.
3. Bribery produces cynicism and a general distrust of institutions.
4. Bribery treats people as commodities whose honor can be bought and sold.

Casuistry is one method of determining right and wrong based on previous events. This method goes back to the judicial system of comparison of the current case to the way previous cases have been decided. Reasoning cites analogies and dissimilarities between the present and past cases. If analogies are more important than the dissimilarities, then a similar decision is made, otherwise the decision is different.

There are two types of cases recognized in this method – Paradigm Cases and Problematic Cases.



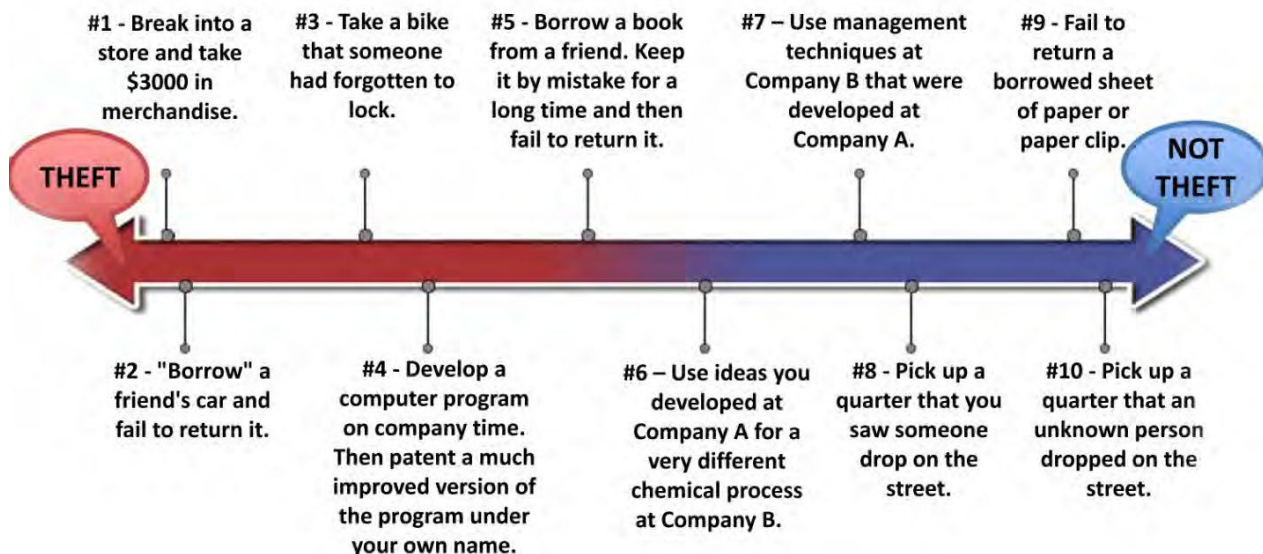
Understanding the Continuum

There are many nuances in every discussion of right and wrong. And, just as many beliefs as to what is right and what is wrong. We can view this nuance on what might be called a “continuum.” For example consider the moral rule, **“People should not steal (or commit theft).”**

There are two well-defined areas: something that is “Theft” and something that is “Not Theft.” These can be placed at opposite ends of a continuum.



But not every instance is so well-defined. For example, take a look at these additional situations and how they might be placed on the Theft-to-No-Theft Continuum:



There are many considerations in determining theft

- There is no single criterion that can be used to decide the issue.
- The most obvious such criterion is the monetary value of the property in question. But this criterion will not always work.
- A variety of considerations are relevant, monetary value being only one.

Considerations in Determining Bribery

Certainly not all examples of accepting gifts and amenities qualify as accepting bribes, just as not all cases of taking another's property should be considered theft.

Determining when a rule against taking bribes is being violated requires:

- common sense
- discrimination
- powers of moral deliberation

Case Study

Case Study C-1 is a Paradigm case of bribery.

C-1

Tom was in charge of designing a large new chemical process unit. He was directed to design the plant to be safe, operable and maintainable, and of course to be as economical as possible within these requirements.

During this period a salesman approached Tom and offered him a number of amenities if he would specify the valve sold by the salesman's company. The valve was more costly and not as safe, but Tom recommended it anyhow. After the valves were purchased, the salesman invited Tom on a very nice fishing trip to South America.

Discussion and Review

Case C-1 is an obvious case of unethical action and bribery. Let's look at some of the characteristics of this case.

- Tom had direct responsibility for specifying the valves.
- The salesman approached Tom and made the offer before the valves were specified or purchased.
- The valves specified were less safe and reliable and more expensive (or in some other way less desirable) than alternative valves.
- There was in fact a causal relationship between the offer of the amenities and Tom's decision. Tom requested the use of Jim's valves because of Jim's offer.
- Even though C-1 involves bribery, the company will probably benefit from an ongoing cordial relationship with suppliers of the valves which Tom purchased.

- Tom rarely accepts amenities from suppliers with whom he does not do business. [We shall assume this.]
- Knowledge of the gift may influence others to buy from Jim, even if Jim's product is not the best.
- The gift was for a substantial amount of money.

Now, Case Study C-10, an example of generally harmless activity that is not a bribe by most people's definition

C-10

Tom was named the department manager of the design unit which was to be designed and then built. He was responsible for the process unit staff, looking over the design to ensure it was safe, operable and maintainable, and

During his previous work, Tom had seen a valve operator could often be used in place of a traditional valve. In every case the new valve was less expensive.

Tom convinced the project manager to use the new valve operators to the design. This improved safety, and in an emergency.

After a large number of projects, Tom came by and introduced himself, giving a gift.

To view the remainder of the course material and to take the quiz for PDH credit, you must purchase the course.

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Discussion

- How did Tom's actions fit into the continuum?
- Can you see how Tom's actions belong at opposite ends of the continuum?

The question for consideration is: what place in the continuum do we assign to the following Case Study C-X?