KNOWING RIGHT FROM WRONG



HOW WOULD YOU ACT IN A SITUATION THAT WAS GREAT FOR BUSINESS BUT ON ETHICAL GROUNDS WAS CLEARLY WRONG ASKS **JUSTIN WELBY**, THE ASSOCIATION'S CONFIDENTIAL ADVISER.

thical problems catch us by surprise – they are best resolved by prepared instincts, they never go away and they almost always leave us uncertain as to whether we did the right thing. Surprise creates uncertainty for most people, sometimes pleasurable, often not, and issues of ethics very rarely announce themselves far in advance. Of course, that is not always the case – if you accept employment as group treasurer of Mafia plc, or, more realistically, start dealing in countries with high levels of corruption, you can guarantee that you will face ethical questions.

But even then the actual issue is surprising. Take a position I was in recently. I was working in a country which is known for corruption and was offered as a partner someone who was able and willing to help my business greatly but at the same time would be doing himself quite a few favours. He was probably one of the best fixers in the area concerned, as well as being very enjoyable company. Should I use this man or be much less effective without him?

THE SURPRISE FACTOR. Part of the surprise is also that not everyone sees the same things as ethical problems. I was at the Monday morning Group Management Committee, sleepily listening to reports of exploration and production activity over the weekend. In one country, it became apparent that the state provided escort to one of our exploration rigs tended to shoot people in distress rather than rescue them. Of the eight of us three thought that our operations merited further thought, and five thought it was a local matter in which we should not meddle.

I do not believe that the answer is rational thought at the critical moment. First of all, there is often not time to reflect carefully enough. Ethics is not just 'what I feel' — or at least it should not be. Second, reflection at the time does not always lead to doing what is right. The pressure to go with a majority, or not to make waves, is always enormous. Even in the best companies, whistle-blowing takes courage, and may have personally painful outcomes. Some people are capable of looking these things in the face and going ahead, though many are not ("I can resist everything except temptation" — Groucho Marx).

All of us have systems for making up our minds about right and wrong. They may be code based (such as the ACT Code of Conduct). They may be consequential (the likely outcomes, with some kind of

explicit or implicit weighting giving more importance to outcomes nearer to ourselves or those close to us). They may be virtue based (what kind of conduct develops me/us towards what I/we feel to be 'good' people?). Usually they are a combination of all three, depending on where we are and who we are with. Unreflective reactions are usually consequentialist and need a level of self-awareness if they are not to be selfish or merely seeking the path of least resistance. That takes time and thought. I wonder how many people have recently read the Code of Conduct? Or, reading of an Enron, tried putting themselves in the position of an executive in the company so as to imagine the pressure and work out what is right and how to do something about it.

One of the biggest problems in that situation was that it went on for a long time. It is one thing to be faced with a one-off decision (do I take a bribe?), quite another to live consistently where the culture is against one. Very often people find themselves well down the wrong track and feel caught. They know what they are involved in is wrong but past decisions have compromised them and they can see no escape. That is almost always a delusion. First, going further usually means getting worse. Second, most regulatory authorities or senior management will react favourably to a problem uncovered, unless they are implicated themselves.

IT'S NEVER TOO LATE. Whatever we do, if we hope for certainty, we will be disappointed. There are few genuinely simple ethical questions. So much is about nuances, interpretation, and conscience. Practically, therefore, the features of surprise, persistence and uncertainty need preparation, perseverance and partnership with others we can trust for objective, thoughtful and experienced help in reflection. It is never too late to begin to sort out an issue.

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