

Bernard Williams on Integrity: an Application to Whistle blowing Ethics

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Abstract

There is a tradition of questioning whether any universal ethics, utilitarianism, deontology, or any other 'ism' has universal applicability. Drawing upon the development of this critique in the work of the philosopher Bernard Williams, this analysis considers typical accounts of the ethics of whistle blowing. These accounts provide a checklist of criteria for determining when whistleblowing is either permissible or morally required. Williams' account of the integrity of human moral actions questions whether such 'checklist' ethics is compatible with authentic, human moral decision-making.

Key Words: Whistle blowing, Business Ethics, Integrity, Bernard Williams

1. Introduction

There is a tradition (often outside typical ethical theory) of questioning the applicability of grand and comprehensive ethical system; that is, questioning whether any universal ethics, utilitarianism, deontology, or any other 'ism' has universal applicability. This modern questioning can be traced back to Elizabeth Anscombe (Anscombe, 1958) who asked whether ethics was law-like and whether ethical action could be codified in a concrete list of rules ("It might remain to look for "norms" in human virtues ... But in this sense "norm" has ceased to be roughly equivalent to "law." In this sense the notion of a "norm" brings us nearer to an Aristotelian than a law conception of ethics." pp. 14-15), but we shall focus on the approach of Bernard Williams and specifically his consideration of the integrity of human action and its implications for ethics. This anti-'ism' strategy has not been widely applied in business ethics, and here we shall use whistleblowing as an exemplar. Applying Williams' analysis to whistleblowing is especially apt for several reasons: first, whistleblowing is a highly personal decision, especially since the action will often have ramifications for people and institutions that the agent values; second, the motivations for whistleblowing can be complex; third, the agent often has independent commitments, e.g., friendship or loyalty, to the people and institutions involved; fourth, it is a decision about which the agent can easily be morally conflicted; and finally, there are often quite bitterly divergent responses to the act from those around the agent. Whistleblowing is personal and intimate in ways that other ethical decisions may not be.

We begin by introducing some standard accounts of the ethics of whistleblowing, whether they be motivated of utilitarianism, or any other universal ethical approach. The next section turns to Williams on the notion of integrity (and it must be stressed immediately that it is not *moral* integrity that is at issue, but rather integrity—in the more seminal sense of 'unity', wholeness' or 'completeness'—of human action). The final section integrates the two themes by asking how integrity can inform and deepen our ethical analysis of whistleblowing as an example of how it might likewise develop other aspects of business ethics.

2. Typical Accounts of Whistleblowing Ethics

The goal of this section is not to survey the entire panoply of theories in the ethics of whistleblowing, but rather to examine some paradigmatic cases of such ethics to note (in Section 4) the common failings in such analysis resulting from the 'impartiality' of modern ethical systems. But prior to this analysis which will necessitate the elaboration of Williams' 'integrity objection' in the next section, we need to gain an understanding of the ethical structure shared by most modern accounts of ethical whistleblowing.

The *locus classicus* for the modern ethical analysis of whistleblowing is surely that developed in Richard DeGeorge, *Business Ethics* (DeGeorge, 2010—first published 1986). This overview will not do justice to the full intricacy of DeGeorge's account, but that is not needed here. Restricting his analysis to "nongovernmental, impersonal, external whistle-blowing" and "in which serious bodily harm, including possible death, threatens either the users of a product or innocent bystanders because of a firm's practice, the design of its product, or the action of some person or persons within the firm." (DeGeorge, 2010, p. 313), DeGeorge develops five conditions (DeGeorge, 2010, pp. 318-324):

- 1) The action of the firm must do serious harm,
- 2) The agent must first report the threat internally to a supervisor,
- 3) If the second condition is met but ineffective, the agent must exhaust all other internal procedures,
- 4) The agent must have reasonable documentary evidence of the threat, and
- 5) The agent must believe that publicly exposing the situation will have a reasonable chance of ameliorating the situation.

Of these the first three are needed for the moral *permissibility* of whistleblowing, while the addition of the two remaining makes whistleblowing morally *required*.

As the author notes, “The five conditions outlined can be used by an individual to help decide whether he or she is morally permitted or required to blow the whistle. Third parties can also use these conditions when attempting to evaluate acts of whistle-blowing by others, even though third parties may have difficulty determining whether the whistle-blowing is morally motivated.” (DeGeorge, 2010, p. 324) DeGeorge gives us a checklist or an algorithm for almost ‘calculating’ the ethics of whistleblowing, and it is this algorithmic approach to ethics that we shall see Bernard Williams rejects as inappropriate.

A second example is warranted: more recently Ronald Duska has presented criteria for ethical whistleblowing (Duska, 2019):

1. The agent must have proper motivation,
2. The agent must have sufficient evidence,
3. “There must be sufficient analysis of a grave, immediate, and specific matter”,
4. The agent must use “appropriate channels”,
5. There is a need,
6. The agent must “be capable of preventing the harm without sacrificing something of comparable moral worth,
7. The agent is proximate, and
8. The agent is the last resort.

Of these the first four are needed for the moral *permissibility* of whistleblowing, while the addition of the four remaining makes whistleblowing morally *required*. (NOTE: This is a somewhat simplified presentation of Duska’s analysis, and he further explicates these conditions, but these qualifications do not alter the basic ethical approach.)

While a comparison and an evaluation of these somewhat divergent lists would be both valuable and instructive, our concern is the common methodological approach shared by both. Duska, like DeGeorge, provides a checklist of criteria: “[W]histle-blowing is permissible only if a certain set of conditions is met before a whistle-blower can justifiably inform on his or her company.” As we shall see the checklist approach again violates Williams’ notion of the integrity of human action—though one might understand the first condition (that the action must flow from a proper motivation) as akin to the requirements of Williams.

We shall not delineate a host of ethical theories of whistleblowing, but contemporary approaches share the strategy common to DeGeorge and Duska, i.e., to produce a list of criteria, which, if met, deem whistleblowing either acceptable or morally necessary.

3. Williams on Integrity

We now turn to Bernard Williams’ account of integrity.¹ We again must note that, despite the context of moral theory, ‘integrity’ here does not have its derivative moral meaning of ‘honest’; instead, it must be understood in its primal sense on ‘wholeness’ or ‘completeness’. The ‘integrity objection’ to modern moral theories comes from a correct understanding of human action, specifically human moral action, human moral decision-making. Traditional ethical schemes introduce an impartiality that separates the human decision-maker and their character from the ethical decision; they make moral decisions impersonal.

Williams’ critique was developed in the context of his arguments against utilitarianism (consequentialism), and (though it also applies to other ethical ‘isms’) is best elaborated from that perspective. Utilitarianism is often described as applying a hedonistic calculus, which, like the mathematical calculus or any mathematical calculation, produces results independent of the calculator. While this is a virtue in mathematics and scientific endeavors, it is anathema to Williams’ view of ethics—this methodology is what violates the integrity of human action. It takes the human being with a certain character and lived experience out of the ethical decision: “Consequentialism is basically indifferent to whether a state of affairs consists in what I do, or is produced by what I do, where that notion

¹ This account of integrity is primarily derived from Smart and Williams (1973). Strictly speaking, the criticisms of ethical systems in this work are directed against utilitarianism, but I believe it uncontroversial that they apply to any ethical system that employs a calculation or algorithm ethical decision-making.

is itself wide enough to include, for instance, situations in which other people do things which I have made them do, or allowed them to do, or encouraged them to do, or given them a chance to do.

All that consequentialism is interested in is the idea of these doings being *consequences* of what I do, and that is a relation broad enough to include the relations just mentioned, and many others.” ([Smart and] Williams, 1973, pp. 93-94)

The failure of utilitarianism (as well as other ‘isms’) is in the analysis of the nature of human action—failing to distinguish the specific person’s agency from that of others. The impartiality of these theories divorces the action/decision from the individual: “Practical deliberation is in every case first-personal and the first person is not derivative or naturally replaced by anyone. The action I decide on will be mine, and ... its being mine means not just that it will be arrived at by this deliberation, but that it will involve changes in the world of which I shall be empirically the cause, and of which these desires and this deliberation itself will be, in some part, the cause.”(Williams, 1985, pp. 68-69)

Ethical decision-making is not a calculation; but, rather, “[the person] is identified with his actions as flowing from projects and attitudes which in some cases he takes seriously at the deepest level, as what his life is about... [Utilitarian calculation] alienate[s] him in a real sense from his actions and the source of his action in his own convictions... [T]his is to neglect the extent to which his projects and his decisions have to be seen as the actions and decisions which flow from the projects and attitudes with which he is most closely identified. It is thus, in the most literal sense, an attack on his integrity.” ([Smart and] Williams, 1973, pp.116)

From a more positive perspective, agents have deep-seated projects, attitudes, and commitments that are constitutive of their character. Integrity requires that ethical human actions derive from these, not an impartial calculus. Agents have in Williams’ words ‘ground projects’. One’s attitudes and commitments to such ‘ground projects’ are constitutive of one’s character; “[T]here is a nexus of projects, related to his conditions of life, and it would be the loss of all or most of them that would remove meaning.” and “A man may have, for a lot of his life even or even just for some part of it, a ground project or set of projects which are closely related to his existence and which to a significant degree meaning give a meaning to his life.”(Williams, 1981)

For integrity, actions must flow from one’s own ground projects; otherwise, they are, in a real sense, not the agent’s actions—instead the agent is just carrying out the ground projects of others, as the utilitarian does in applying the hedonistic calculus. When the utilitarian applies the hedonistic calculus of Bentham, or Mill, or some modern analog, they are carrying out the ground projects of those individuals not their own. That is, if an agent is following a checklist or an algorithm that does not flow from their ground projects, then that action is not integral. An ethical program cannot require that the agent give up those projects, “with which [he] is more deeply and extensively involved and identified,” in which he should “take seriously at the deepest level, as being what his life is about.” ([Smart and] Williams, 1973, p. 116) “They presumably bring together the agent’s narrative identity and provide him with a sense of coherence across time.” (Ashford, 2000)

Williams uses (again in the context of utilitarianism) the example of George, who is a chemist who must participate in a chemical warfare development, even though he is morally opposed to that activity. The utilitarian justification, in this situation, is that it is better for George to take that position than allow a chemist, who is not opposed to chemical warfare, to have it and pursue that activity more effectively than George would. The state of the world (state of affairs) with George in that position would be better from utilitarian perspective than the state of the world (state of affairs) with the alternative chemist in that position. Williams, however, takes exception to this justification: if George’s deepest beliefs, that is, his ground projects, are opposed to chemical warfare then it is inappropriate that an ethical system require that he abandoned these. *Ethics and moral action are not about states of the world (states of affairs) but, rather, they are about integral human actions.* In general, the decision-making process of an ethical system cannot require an agent contravene their ground projects.

Williams calls for a reorientation of ethics; or perhaps better, a return to an earlier, even an ancient, understanding of what constitutes ethics and the moral life. As Daniel Markovitz puts it, “These ideas approach ethical justification from the agent’s own point of view, in what I shall call the first person. This more intimate approach to ethics elaborates the thought that ethically justified acts should promote the actor’s success (write large and not just his narrow self-interest)—that is, his efforts to live according to his own suitable life plan and to achieve his own admirable ends.” And “[M]oral persons seek to live in a way that is true to them, to live lives, one might say, of moral *integrity*.”(Markovitz, 2009)

4. Integrity in Whistleblowing Ethics

Our remaining task is to understand the inadequacy of most approaches to whistleblowing (and by analogy to challenge the ethical approach commonly used in the field delete of business ethics). I shall argue that the checklist approach utilized in the ethics of whistleblowing is subject to the same critique, the integrity objection, that Williams applied to utilitarianism—even though the various theories of whistleblowing may not be utilitarian in origin.

Imagine an employee confronts a situation in which all five of DeGeorge's criteria are met. DeGeorge's analysis would then suggest that whistleblowing is not only permitted but required.

The context parallels that of George, the chemist: in his case, the utilitarian criterion is met. Williams, however, demurs from allowing that George has the proper moral motivation for undertaking the act. Williams sets the bar higher, because the goal of ethics is to undertake integral actions, not merely, to bring about certain states of affairs. In both scenarios a seemingly 'better' state of affairs ensues, but we do not know whether the action is consistent with the ground projects of the agent. Presumably, if George had no deep objection to chemical warfare, then the utilitarian solution, that he take the position, would present no objection to Williams. Likewise, the whistleblower would, in Williams' view, need to do more than meet DeGeorge's five criteria. Our ethical evaluation of the act of whistleblowing would also require that we know the ground projects of the whistleblower. If, for example, part of the whistleblower's ground project included an attitude of extreme loyalty to his or her firm, the friends who might feel the impact of the whistleblowing, or the community which might suffer economic hardship, then meeting just the five criteria is not sufficient. Meeting the checklist criteria of traditional whistleblowing ethics fulfills the ground projects of scholars, such as, DeGeorge and Duska, but whether they are consistent with the ground projects of the whistleblower themselves must be a further consideration.

While we have explicated Williams' approach in the context of whistleblowing, the larger task is not just to develop a new theory of whistleblowing, but to challenge the typical ethical strategy applied in business ethics through its full range of interests. The checklist approach is endemic to the entire field.

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