

Ethics and Community Council Officers

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Aristotle recommends beginning ethical analysis by identifying the unique goal or purpose (telos) of something.

This purpose (telos) gives us both a definition of something AND its standards of excellence (arete=excellence=virtue)

Purpose of Community Councils

Provide a direct and continuing means of citizen participation in local affairs. It exists to

Afford citizens an opportunity for maximum involvement in self-determination.

The council is intended to provide:

Local people a method by which they can work together for expression and discussion of their opinions, needs and desires in a manner that will have an impact on their community's development and services

Governmental agencies a method for receiving opinions, needs, desires and recommendations of residents and groups;

Local governing bodies an improved basis for decision making and assignment of priorities for all programs affecting community development and individual well-being

Common Governmental Ethical Issues

- Conflict of Interest
- Receipt of Gifts
- Misuse of One's Position
- Misuse of Public Resources



General Ethical Problem

Using one's position to promote (or appear to promote) one's private interests.

Rodgers Park CC Bylaws

H. Maintain credibility of the Council by not allowing misuse of the Council by, including but not limited to, the following:

1. Special Interest Groups

2. Withholding information

3. Attempting personal, financial or political gain by an individual or group

4. Intentionally misrepresenting or not representing an expressed cross-section of opinion

5. Not representing a minority in addition to a majority opinion of the Council

Conflict of
Interest:
Primary
vs.
Secondary
Interests

An action situation in which an individual:

- (1) Occupies a social role that requires fulfilling primary interests (e.g. promoting patient health, promoting public good/safety, promoting community dialogue)
- (2) But also possesses personal interests (i.e. secondary interests)
- (3) That would lead a reasonable observer to doubt the impartial judgment of the individual.

The P's of Private Interest



Profit



Prestige



Preferences (values, ideology)



Power



Personal Relationships (positive or negative)

Blind Spots

- People tend to be very poor evaluators of their own self-serving bias.
- In some experiments, people recognized bias in others, but failed to recognize it in similar decisions they themselves made.

Blind Spots

Why We Fail to Do
What's Right and
What to Do about It

Max H. Bazerman
Ann E. Tenbrunsel

Poor Self-Evaluators of Susceptibility to Bias

A survey asked doctors if lavish gifts from pharmaceutical companies would sway the average doctor's prescribing decisions. >90% responded it would.

Asked if such gifts would sway *their* prescribing decisions >90% said it would not.



Challenges in Assessing Conflicts of Interest

Self Interest
Bias

Entitlement
Bias

Overconfidence
Bias

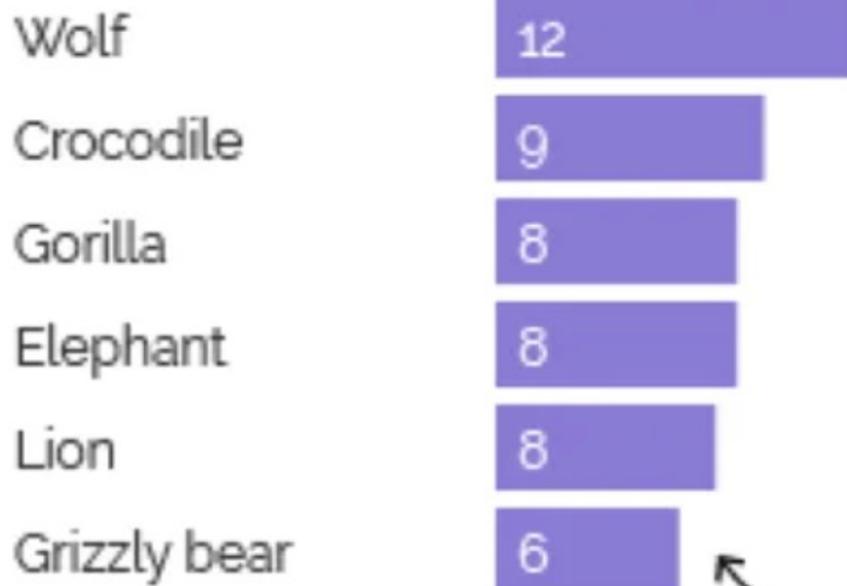
Overconfidence Bias

73% of American drivers believe they have "above average" ability.

90% of all accidents are caused by driver error.



Percentage of Americans Who Believe They Would Win an Unarmed Fight Against a...



YouGov

Fundamental
Mistake in
Assessing
Conflicts of
Interest

“I am a good person and would not let my interests bias my decisions, therefore I do not have a conflict regardless of my interests in the matter.”

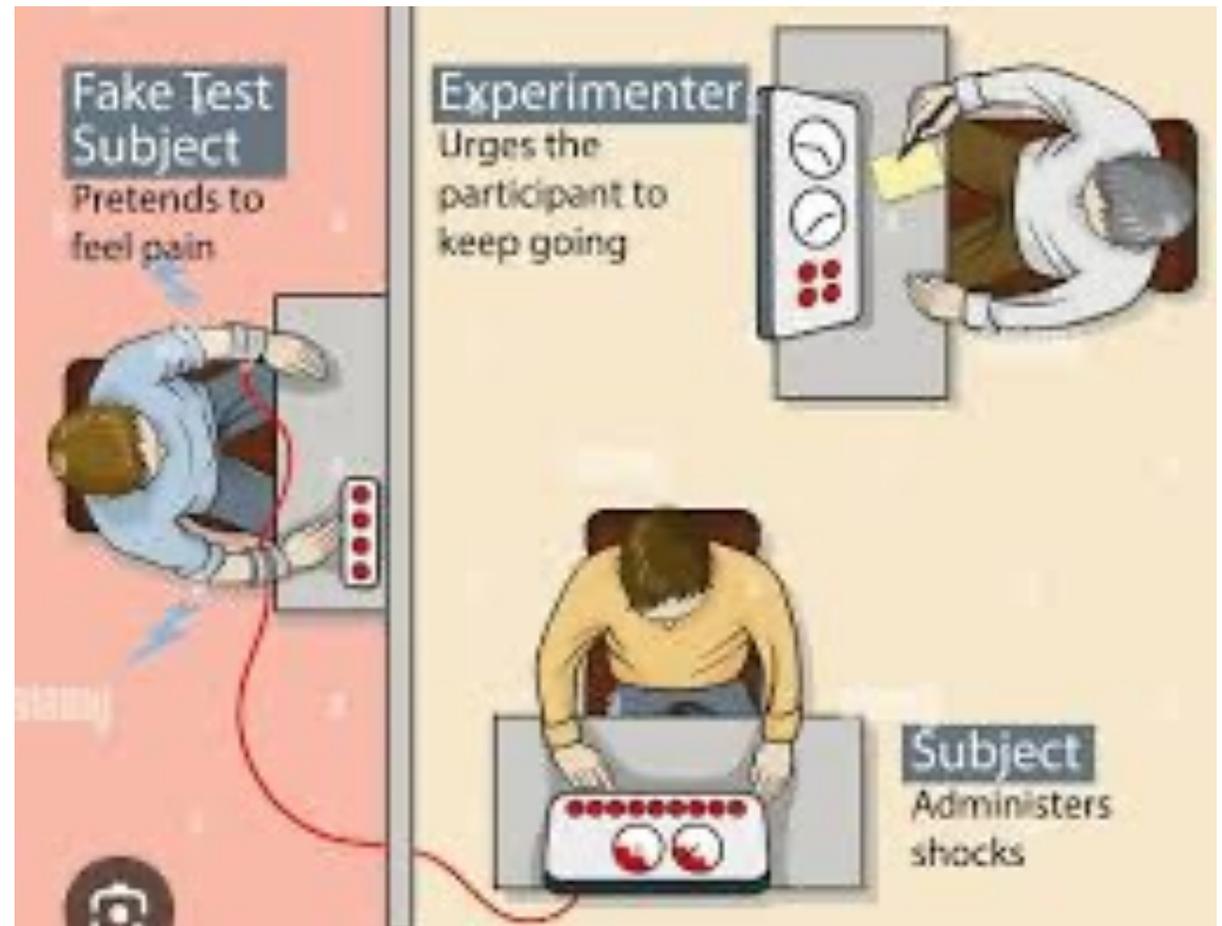
“I have a substantial interest, but I don't feel that it is biasing me, so I have no conflict of interest.”

Fundamental
Mistake in
Assessing
Conflicts of
Interest

Appearances matter.
Conflicts that diminish
public trust are
unethical.

Bias is powerful and
often operates
implicitly or
unconsciously.

Milgram Authority Experiment (1963)

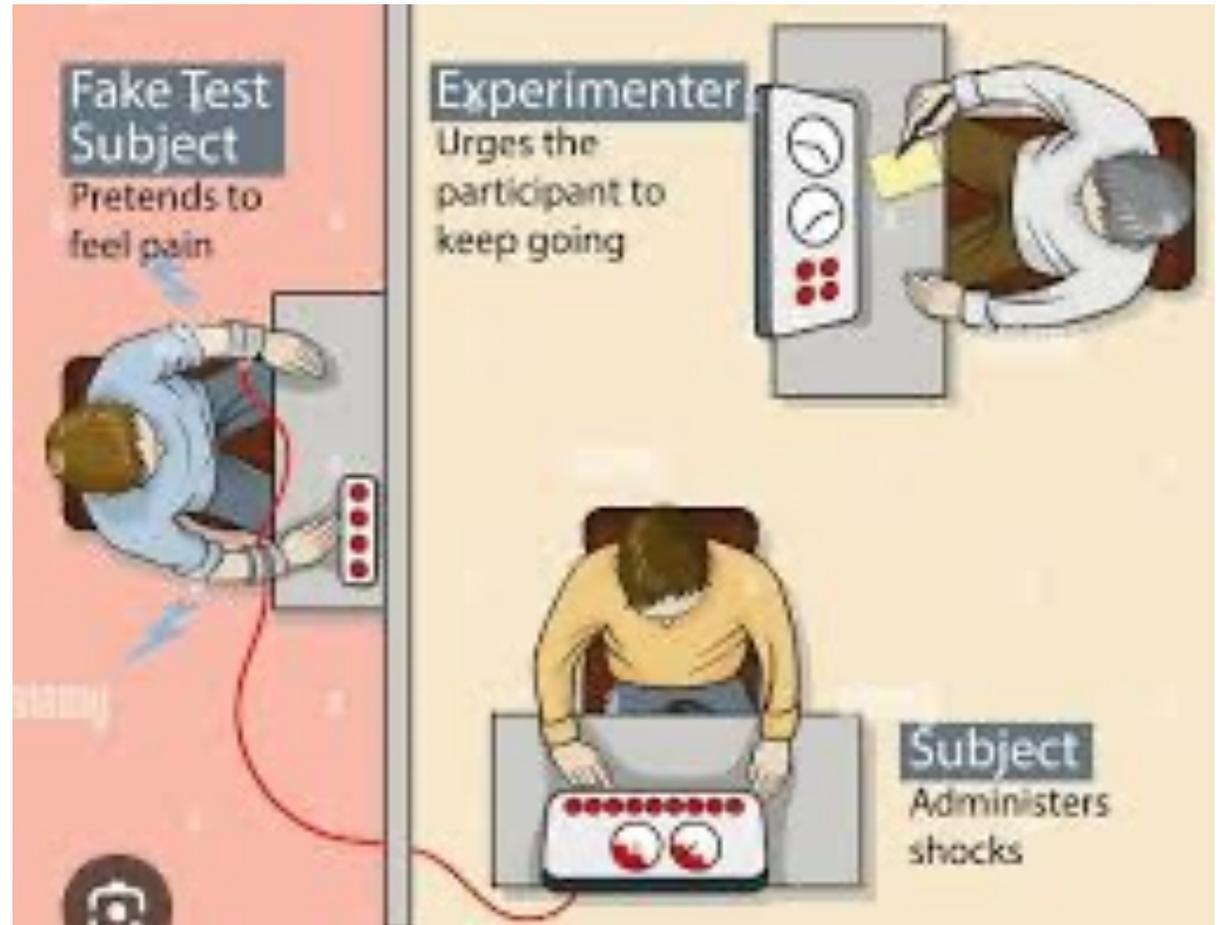




The Milgram Experiment

**DANGER:
SEVERE SHOCK**

~70% were willing to shock the subject beyond consent and to “death.”



Conflict of Interest: Muni Code

A public servant shall place the public interest above any financial or private interest when taking official action. If a public servant's private relationships or interests prevent the servant from placing the public interest above a financial or private interest, or will diminish the public trust, the public servant shall disclose this fact on the record and shall be excused from participation.. (1.15.060 B)

Assessing Conflict of Interest: Nexus and Intensity

1. The degree to which financial or private interest is a substantial part of the matter under consideration.
2. The degree to which the financial or private interest directly and substantially varies with the outcome of the official action.
3. The degree to which financial or private interest is immediate and known or conjectural and dependent on factors beyond the official action.
4. The degree to which the financial or private interest is significant monetarily.
5. Whether the financial or private interest is of a type which is generally possessed by the public.
6. In the case of gifts, the timing of the gifts in light of official decisions.

- Newspaper Test: what would a community member think if your conflict was front page news in the Daily News.
- Dialogue with Others: better to get perspectives.

Responding to Conflicts of Interest

Disclosure: those who trust you have a right to know about possible conflicts of interest.

Management: what can be done to “firewall” the conflicting interest?

Divestment: Is it necessary to divest oneself of the conflicting interest?

Recusal: Is it necessary to recuse oneself from this particular matter because of the conflicting interest?

Dr. Jones works for professional football team X. The position is both prestigious and financially rewarding. The team owner continually tells Dr. Jones the importance of getting key players back on the field as soon as possible.

When a key player suffers a head injury, Dr. Jones determines if it is safe for the player to return to play.

Is this a conflict of interest?

J is an engineer whose job is to represent the FAA in insuring that new planes made by Company X are meeting federal safety standards. However, J is actually an employee of Company X.

Is this a conflict of interest?

Recently, and unexpectedly, Alex and Joan have begun a romantic relationship. The only problem is that Joan is Alex's supervisor in the municipal clerk's office of their mid-sized city.

Is this a conflict of interest for Joan?

Carl is the head of IT for a municipality. The city needs a new database system and Carl will soon decide on who gets the multi-million dollar contract. One of the companies applying has strongly courted Carl, taking him out to lunch/dinner and giving him small, but frequent gifts.

Jennie is an engineer working with a client on a heat dissipation system. She believes that the client would best be served by a device made by a company she co-owns. She plans on recommending the device but worries about a possible conflict of interest.

Is this a conflict of interest?

The city council is voting on the city budget which will increase the funds for the parks department. With increased funds the parks department could improve the cross-country ski trails. Assembly member X is a cross-country skier.

Is this a conflict of interest?

The city council is voting on the city budget, which includes a large grant to the local cross country ski association. Assembly member X is the president of the association.

Is this a conflict of interest?

Associated Interests as Private Interests

“Public servants are understood to possess their own interests as well as those of:

- **their immediate family**
- **their household**
- **organizations in which the public servant has an ownership interest**
- **Organizations public servant serves as a director, officer, or employee (even if no compensation or profit accrues to them).” AMCE**

Key Takeaways

Watch out for the sneaky power of self-interest, entitlement, and over-confidence.

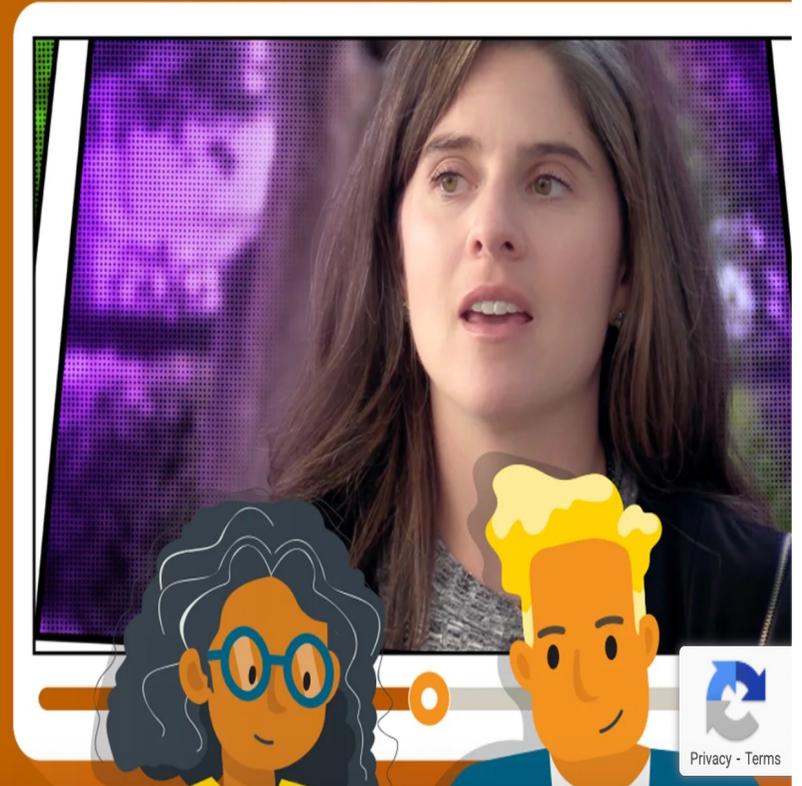
Be disclosive about conflicts of interest but disclosure is often not sufficient. Management/Divestment often required.

Try to “get out of your own head.” Perspective taking or the assessment of others is essential for spotting bias.



WELCOME TO ETHICS UNWRAPPED

THE SCIENCE OF EVERYDAY ETHICS



Thank You: Questions



Sources/Resources

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<https://www.youtube.com/watch?v=OsFEV35tWsg> (great TED Talk by Philip Zimbardo (Stanford Prison Study) on the psychology of evil).

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