

Unit 4: Terminology: Ethics vs. Conduct

Unit 4 Learning Objectives How do Ethics and Conduct differ?

After studying this unit you should be able to:

- Recognize that the debate concerning ethics regimes, ethics reforms, codes of conduct and codes of ethics are characterized by great terminological confusion.
- List the peculiar characteristics of both conduct codes and ethics codes.
- Give examples of each.
- Explain why conduct codes can also be called ethical laws.
- Identify the main objectives of adopting a code of conduct and a code of ethics.

Introduction

Because of the similarities of purpose between codes of ethics and codes of conduct, the terminology is often mistakenly used interchangeably. The purpose of this unit is to highlight some of the current debates concerning the differences between them. While the difference between them is often obscure, codes of ethics are actually quite different from codes of conduct (also called conduct codes or ethical laws). Ethics codes are fairly general documents, that identify and state the principles and the values of the people to whom they apply and do not establish sanctions and punishments for violations of the code itself. Conduct codes, on the other hand, are more specific documents that denote in some detail what types of behavior are acceptable in specific circumstances. Conduct codes are intended to provide guidance and establish sanctions and punishments for violations of the dispositions of the code (Willa Bruce).

The Definition Debate

Several organizations have made an attempt to develop the defining description of the difference between codes of ethics and codes of conduct. The debate concerning ethics regimes, codes of conduct and codes of ethics is characterized by tremendous terminological confusion.

The National Democratic Institute & Ethics versus Conduct

According to the National Democratic Institute (NDI), the major difference between the two is represented by the fact that the content of the codes of conduct is fairly general, while the content of ethics rules is fairly specific. They posit that codes of conduct aim to outline the overall principles of proper conduct and include detailed and specific ethics rules that provide the details necessary to fulfill the goals set forth. The NDI argument states that unlike ethics rules that dictate expected behavior in great detail, codes of conduct are basic documents written in easy-to-understand language that sets forth broad goals and objectives that legislators seek to achieve. In sum, the content of a code of conduct is general and its nature is descriptive, while the content of ethics rules is specific and their nature is prescriptive.

Andrew Brien & Ethics versus Conduct

The counter argument is made by Andrew Brien of the Australian Parliament, who provides quite a different characterization of a code of conduct. According to Brien codes of ethics and codes of conduct are often used interchangeably. However, an important distinction must be made between a code of ethics, which he says identifies the ethical principles and values at the foundation of an organization, and codes of conduct, which specify certain behavioral rules or standards to which a person's behavior must comply. Codes of conduct are more specific and leave less to discretion than codes of ethics (Brien 1989).

Ann Florini & the Ethics versus Conduct Debate

For Ann Florini, who's argument refers principally to the private sector, codes of conduct can be either aspirational or detailed. The aspirational code of conduct is a statement of a company's aims stating general principles and does not require confirmation that firms are meeting their commitments. Detailed codes of conduct are more demanding and state the specific commitments requiring independent confirmation of whether these commitments are met or not.

Willa Bruce Solves the Debate

Willa Bruce addressed this terminological confusion and provides the most useful clarification of the concepts under discussion. She argues that neither legislators nor the general public understand what a code of ethics really is but that there is great confusion about the three possible meanings. According to Bruce, ethics codes can be defined as legal systems, moral systems, or symbolic means of communicating. It is when codes of ethics include some of the defining components of codes of conduct that the differences between them blur. For example, if codes of ethics contain sanctions for violations of their provisions they are incorrectly labeled and should be called codes of conduct. Codes of ethics are usually products of professional associations. They serve as a quality assurance statement to society and also provide a set of standards for appropriate conduct for members of the profession that issues the code. Codes of ethics, challenge employees to identify with shared professional values that describe appropriate actions about acting in the service of the public good. Indeed, "the central function of an ethics code is to prevent, rather than punish- unethical conduct, "(Carol Lewis). Ethics codes that function as intended must be known by the persons subject to them, reflect that group's values, support individual values, focus on appropriate behaviors and be responsive to day-to-day conditions...Three generally accepted characteristics of a successful code of ethics are: it provides behavioral guidance; it is applicable to a variety of occupations within the same profession; and it has an effective mechanism to ensure compliance."

Conclusion

This unit talked about the difference between ethics codes and codes of conduct. When academics are arguing about the difference between each it should be assumed that the definitions become even more blurred in practice by member organizations, private sector companies and across government agencies and national governments. Might you be able to recognize the difference between the two? Try the exercise below, then consider: does your parliament have both a code of conduct and a code of ethics? Are they appropriately named?

In this unit we talked about Codes of Ethics and Codes of Conduct. In the next unit, which focuses on *misconduct*, examines what each code helps to avoid within its constituents.

Unit 4 Questions

Please answer each of the following questions. If you are taking this course in a group you may then meet to discuss your answers.

1. _____ What is a code of conduct and how does it differ from an ethics code? |

2. _____ What are the key functions of ethics codes? |

3. _____ Are codes of conduct also called ethics laws? |

Select Bibliography

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