

## Phil 330 Professional and Business Ethics A01

Fall 2024

Instructor: Peter Dietsch, PhD

Lectures: MR 2:30-3:50

Office hours: tbd

Email: [pdietsch@uvic.ca](mailto:pdietsch@uvic.ca)

### Course description

Building on an overview of common approaches to ethics, this course explores the professional codes of ethics and their ethical foundations in four domains: medicine, law, politics, and business. A special emphasis is accorded to business ethics. In this context, the distinction between approaches that focus on the actions of individuals versus approaches that analyse the institutional structure in which individuals act will be a recurring theme in the course.

### Course Website

Online materials will be made available via Uvic Brightspace. Access your customized Brightspace page by signing in to Uvic and clicking on Online Tools. You should see Brightspace as an option.

### Texts

Core readings will be available as a course pack for sale at the UVic Bookstore.

### Grading System

Percentage	Letter Grade	Grade Point	Grade Definition
90 – 100	A+	9	An A+, A, or A- is earned by work which is technically <b>superior</b> , shows mastery of the subject matter, and in the case of an A+ offers original insight and/or goes beyond course expectations. Normally achieved by a minority of students.
85 – 89	A	8	
80 – 84	A-	7	
77 – 79	B+	6	A B+, B, or B- is earned by work that indicates a <b>good</b> comprehension of the course material, a good command of the skills needed to work with the course material, and the student's full engagement with the course requirements and activities. A B+ represents a more complex understanding and/or application of the course material. Normally achieved by the largest number of students.
73 – 76	B	5	
70 – 72	B-	4	
65 – 69	C+	3	A C+ or C is earned by work that indicates an <b>adequate</b> comprehension of the course material and the skills needed to work with the course material and that indicates the student has met the basic requirements for completing assigned work and/or participating in class activities.
60 – 64	C	2	
50 – 59	D	1	A D is earned by work that indicates <b>minimal</b> command of the course materials and/or minimal participation in class activities that is worthy of course credit toward the degree.
0 – 49	F	0	F is earned by work, which after the completion of course requirements, is <b>inadequate</b> and unworthy of course credit towards the degree.

Interpretation of these grade definitions is up to the discretion of the instructor. If you receive a grade during the course that you believe is unfair, please begin by discussing the matter with the TA in a respectful, open-minded manner. If you are still not satisfied

with your grade, you can ask for a re-correction of the copy by the instructor. The new grade will count, whether it is higher or lower than the original one.

For additional information regarding undergraduate grades, please consult the [Grading](#) section of the Uvic Undergraduate Calendar.

All evaluations of tests and assignments will be calculated according to percentage scores. Letter grades and grade point scores are listed purely for reference.

Final examinations are the property of Uvic and are not returned. They are available for viewing at the Records Office according to Uvic Examinations procedures and regulations.

Uvic is committed to providing a safe, supportive learning environment for all members. Further information regarding Uvic policies on human rights, equity, discrimination and harassment are located in the Uvic calendar [General University Policies](#), but if you have any particular concerns related to our course please do not hesitate to contact me.

### **Graded student activities**

- Mid-term exam\* on October 10 (30%)
- 1500-word essay (30%) due on November 14  
[5 percentage points penalty for each 100-word increment over 1500 words, excluding footnotes and bibliography – *everything* else counts; e.g. 1507 words => 5 percentage points penalty; 1623 words => 10 p.p. penalty]
- 15-20 minutes oral exam at the end of term (30%)
- Weekly summaries of readings (400 words; 10 weeks out of 12; 10%)

\* Exams missed for ineligible reasons will not be rescheduled. Deferred exams will have a more limited choice of questions.

### **Policy on Late Assignments**

5% per working day will be subtracted from grade unless students are delayed by illness or family emergency.

### **Plagiarism**

Review the [University Policy on Academic Integrity](#) very carefully, and be aware that anti-plagiarism software may be used in this course. Resources will be provided via Brightspace for students seeking guidance about what constitutes plagiarism and how they can avoid it, but it is the responsibility of each student to be informed about these details.

### **Counseling Services**

Many, if not most, students experience some difficulties with their mental health during their years as undergraduate students. Make sure you are familiar with [Uvic Counseling Services](#), which is an excellent resource you have at your disposal on campus. It is hard to shake the stigma associated with problems like depression and anxiety, but if at any point you can benefit from help with mental health issues, please contact Counseling Services. They genuinely want to help, and why not take advantage of this free resource?

### **Important Dates**

Please consult the Uvic calendar's [Academic Year Important Dates](#) for information about last possible dates to withdraw from courses without penalty, examinations period start/end dates, etc.

## **Technology in Classroom**

Some students require laptops or voice recognition apps for their learning strategies, so I do not prohibit their use in the classroom. However, studies demonstrate that multi-tasking reduces the performance of other nearby students. Therefore, I strongly discourage the use of computers in the classroom. Anyone caught on social media, internet surfing, etc. will be asked to leave and potentially subject to disciplinary action. Chat GPT is not permitted for this course.

## **Uvic Sexualized Violence Prevention and Response**

Learn more about preventing sexualized violence by visiting [www.uvic.ca/svp](http://www.uvic.ca/svp). If you or someone you know has been impacted by sexualized violence and needs advice, and/or support, please contact the Sexualized Violence Resource Office in EQHR, Sedgewick C119; email: [svpcoordinator@uvic.ca](mailto:svpcoordinator@uvic.ca).

## **Territory Acknowledgment**

The University of Victoria is committed to acknowledging and respecting the Lekwungen peoples on whose traditional territory the university stands, and the Songhees, Esquimalt and W SÁNEĆ peoples whose historical relationships with the land continue to this day. For information about support for indigenous students and efforts to foster reconciliation, visit the Uvic [Office of Indigenous Academic & Community Engagement](#).

## **Detailed course plan**

### **PART I: Key concepts and professional ethics in different contexts**

#### **Week 1 (Sept 5): introduction**

#### **Week 2 (Sept 9 and 12): Three approaches to ethics**

##### *Compulsory reading*

- James Rachels, *The Elements of Moral Philosophy*, 3<sup>rd</sup> edition, McGrawHill, 1999, chapters 7 and 13.
- Onora O’Neill, “A Simplified Account of Kant’s Ethics”, in: Steven M. Cahn, *Exploring Ethics*, 6<sup>th</sup> edition, Oxford University Press, chapter 13.

##### *Complementary literature*

- Robert E. Goodin, “Utilitarianism as a public philosophy”, in: Robert E. Goodin, *Utilitarianism as a public philosophy*, Cambridge: Cambridge University Press, 1995, pp. 3-27.
- James Rachels, *The Elements of Moral Philosophy*, 3<sup>rd</sup> edition, McGrawHill, 1999, chapter 9.
- Julia Driver, “Virtue ethics”, in: Steven M. Cahn, *Exploring Ethics*, 6<sup>th</sup> edition, Oxford University Press, chapter 17.

#### **Week 3 (Sept 16 and 19): Professional ethics in the medical context**

##### *Compulsory reading*

- Tom L. Beauchamp and James F. Childress, excerpts from “Respect for Autonomy” (chapter 4), in: *Principles of Biomedical Ethics*, 6<sup>th</sup> edition, Oxford University Press, 2009, pp.99-121.

##### *Complementary literature*

- Anita Allen, “Privacy in health care”, in: Bruce Jennings (ed.), *Encyclopedia of Bioethics*, 4<sup>th</sup> editions, New York: MacMillan, pp.2064-73

- Robert Young, “Informed consent and patient autonomy”, in: H. Kuhse and P. Singer (eds.), *A Companion to Bioethics*, Blackwell Publishing, 2001, pp.441-51.
- Canadian Medical Association’s Code of Ethics and Professionalism, <https://policybase.cma.ca/media/PolicyPDF/PD19-03.pdf>

#### **Week 4 (Sept 23 and 26): Business ethics as an instance of adversarial ethics**

##### *Compulsory reading*

- Joseph Heath, “An adversarial ethic for business: Or when Sun-Tzu met the stakeholder”, *Journal of Business Ethics* 72/4 (2007): 359-74.

##### *Complementary literature*

- Joseph Heath, Jeffrey Moriarty and Wayne Norman, “Business ethics and (or as) political philosophy”, *Business Ethics Quarterly* 20/3 (2010): 427-52.
- Pierre-Yves Néron and Wayne Norman, “Citizenship, Inc. Do We Really Want Businesses to Be Good Corporate Citizens?” *Business Ethics Quarterly* 18/1 (2008): 1-26.

### **PART II: Understanding markets and the construct of the firm**

#### **Week 5 (Oct 3 and 7): Markets and the market failure approach to business ethics**

##### *Compulsory reading*

- Joseph Heath, “A Market Failures Approach to Business Ethics”, in: Bernard Hodgson (ed.), *The Invisible Hand and the Common Good*, Heidelberg: Springer, 2004, pp. 69-89.

##### *Complementary literature*

- Allen E. Buchanan, *Ethics, Efficiency, and the Market*, Totowa, NJ: Rowman & Allanheld, 1985.
- Ronald H. Coase, “The problem of social cost”, *Journal of Law and Economics* 3 (1960): 1–44.

#### **Oct 10: mid-term exam**

#### **Week 6 (Oct 17 and 21): The firm, its purpose, rights and duties**

##### *Compulsory reading*

- David Ciepley, “Beyond Public and Private: Toward a Political Theory of the Corporation”, *American Political Science Review* 107/1 (2013): 139-58.

##### *Complementary literature*

- Ronald H. Coase, “The nature of the firm”, *Economica* 4/16 (1937): 386-405.
- Oliver E. Williamson, “The Economics of Organization: The Transaction Cost Approach”, *American Journal of Sociology* 87/3 (1981): 548-77.
- Nien-Hê Hsieh, Marco Meyer, David Rodin, and Jens Van ‘t Klooster, “The social purpose of corporations”, *Journal of the British Academy*, 6(s1), 49–73.

#### **Week 7A (Oct 24): Shareholder primacy versus the stakeholder approach**

##### *Compulsory reading*

- R. Edward Freeman, “A Stakeholder Theory of the Modern Corporation”, in: Fritz Allhoff and Anand Vaidya (eds.), *Business in Ethical Focus: An Anthology*, Peterborough, ON: Broadview, 2008, pp.69–78.
- Milton Friedman, “The Social Responsibility of Business is to Increase its Profits,” *New York Times Magazine* (Sept. 13, 1970).

### *Complementary literature*

- Oliver Hart and Luigi Zingales, “Companies Should Maximize Shareholder Welfare Not Market Value”, *Journal of Law, Finance, and Accounting* 2 (2017): 247-74.
- Joseph Heath, “Business Ethics without Stakeholders”, *Business Ethics Quarterly* 16/4 (2006): 533-57.
- David Rodin, “What’s Wrong with Business Ethics”, *International Social Science Journal*, vol. 57, issue 185 (2005): 561-71.

### **Week 7B (Oct 28): The firm and the state**

#### *Compulsory reading*

- Mary Lyn Stoll, “Corporate Rights to Free Speech?”, *Journal of Business Ethics* vol.58, no.1/3 (2005): 261-9.
- J. Brooke Hamilton and David Hoch, “Ethical Standards for Business Lobbying: Some Practical Suggestions”, *Business Ethics Quarterly* 7/3 (1997): 117-29.

#### *Complementary literature*

- Daniel T. Ostas, “The Law and Ethics of K Street: Lobbying, the First Amendment, and the Duty to Create Just Laws”, *Business Ethics Quarterly* 17/1 (2007): 33-63.
- Leonard J. Weber, “Citizenship and Democracy: The Ethics of Corporate Lobbying”, *Business Ethics Quarterly* 6/2 (1996): 253-259.

### **PART III: Financial aspects of the firm**

#### **Week 8 (Oct 31 and Nov 4): Corporate social responsibility and tax avoidance**

#### *Compulsory reading*

- Peter Dietsch, “Asking the Fox to Guard the Henhouse: The Tax Planning Industry and Corporate Social Responsibility”, *Ethical Perspectives* 18/3 (2011): 341-54.
- Peter Dietsch, “Should International Tax Competition be Regulated?” in: Conrad Heilmann & Julian Reiss (eds.), *Routledge Handbook of Philosophy of Economics*, Routledge, 494-503.

#### *Complementary literature*

- Allison Christians, “Avoidance, Evasion, and Taxpayer Morality”, *Washington University Journal of Law and Policy* 44 (2014): 39ff.
- Liam Murphy and Thomas Nagel, *The Myth of Ownership: Taxes and Justice*. Oxford: Oxford University Press, 2002, chapter 2.
- Adam Kern, “Illusions of Justice in International Taxation”, *Philosophy & Public Affairs* 48/2 (2020): 151-84.

#### **Week 9 (Nov 7 and 14): Socially and environmentally responsible investment**

#### *Compulsory reading*

- Joakim Sandberg, “Socially Responsible Investment and Fiduciary Duty: Putting the Freshfields Report into Perspective”, *Journal of Business Ethics* 101/1 (2011): 143-62.

#### *Complementary literature*

- Peter Dietsch, “Exit versus voice – options for socially responsible investment in collective pension plans”, *Economics & Philosophy* 36/2 (2019): 246-64. (plus the following corrigendum doi: 10.1017/S0266267119000129)

- Avery Kolers, “Ethical investing: the permissibility of participation”, *Journal of Political Philosophy* 9 (2001), 435-52.

#### **PART IV: Firms and workers**

##### **Week 10 (Nov 18 and 21): Worker exploitation**

###### *Compulsory reading*

- Elizabeth Anderson, *Private Government. How Employers Rule Our Lives (and How We Don't Talk about It)*, Princeton: Princeton University Press, 2017, excerpts chapter 2.

###### *Complementary literature*

- Matt Zwolinski, “Sweatshops, Choice, and Exploitation”, *Business Ethics Quarterly*, 17/4 (2007): 689–727.
- Tara J. Radin and Patricia H. Werhane, “Employment-at-Will, Employee Rights, and Future Directions for Employment”, *Business Ethics Quarterly* 13 (2003): 113–30.
- Brian Berkey, “Sweatshops, Structural Injustice, and the Wrong of Exploitation: Why Multinational Corporations Have Positive Duties to the Global Poor”, *Journal of Business Ethics* 169 (2021): 43-56.

##### **Week 11 (Nov 25 and 28): The ownership of the firm and worker democracy**

###### *Compulsory reading*

- Hélène Landemore and Isabelle Ferreras, “In Defense of Workplace Democracy: Towards a Justification of the Firm-State Analogy”, *Political Theory*, 44/1 (2016): 53–81.

###### *Complementary literature*

- Roberto Frega, Lisa Herzog, Christian Neuhäuser, “Workplace democracy – The recent debate”, *Philosophical Compass* 14/4 (2019): e12574.
- Henry Hansmann, *The Ownership of Enterprise*, Cambridge, MA: Harvard University Press, 1996.
- Iñigo González-Ricoy, “The Republican Case for Workplace Democracy”, *Social Theory and Practice* 40/2 (2014): 232-54.

##### **Week 12 (Dec 1): CEO pay**

###### *Compulsory reading*

- Moriarty, J., 2005, “Do CEOs Get Paid Too Much?”, *Business Ethics Quarterly*, 15(2): 257–281.

###### *Complementary literature*

- Carola Frydman and Dirk Jenter, “CEO Compensation”, *NBER Working Paper* 16585, 2010, <http://www.nber.org/papers/w16585>.
- John R. Boatright, “Executive Compensation: Unjust or Just Right?”, in G.G. Brenkert & T. L. Beauchamp (eds.), *Oxford Handbook of Business Ethics*, New York: Oxford University Press, 2010, pp. 161–201.