

19.5

20

= 97½%

A

Section I

- ✓ ① professional ethics - the branch of ethics that deals with situations involving morality as it pertains to professionals or in professions. Whether a lawyer should mislead the court in his clients interest is an issue dealt with under the realm of professional ethics.
- ✓ ② argument - a set of statements (premises) given in order to support the belief of another statement (claim/^{claim/}conclusion). Friedman's argument that professional morality differs from ordinary morality is an example. He gives reasons to believe his claim. It helps its ^(for a good argument) validity ^{or} ~~and~~ logical strength are present.
- ✓ ③ teleological theories - also known as consequential theories. These theories focus on the circumstances of actions. The circumstances or outcome of an action are all that make it moral or immoral. In opposition to deontological theories that claim some actions are morally obligatory regardless of the ^{(such as Kantism) → sp?} circumstances.
- ✓ ④ paternalism - acting as a father towards someone, especially by providing for them without giving them responsibility. Bayles disagrees with this model as it relates to professional ethics as does Callahan regarding student/professor and student/university relationships.

Section I Continued

- ✓ ⑤ moral dilemma - a situation that is forced and that requires the sacrifice of something morally valuable. The key is that one must choose because not choosing is in essence a choice. One must choose between competing moral values.

Section II

✓ ⑥ According to Bayles there are three reasons the consulting professions pose a threat to social values.

① they provide an important service

② they have a monopoly

③ they are self-regulating to a great extent

Society needs the service and only professionals may provide that service. If ^(and they do) professionals make their own rules and those rules are self-beneficial then a threat to social values may exist.

⑦ There are two broad categories into which actions may be sorted.

① morally permissible - those actions permitted by morality ✓
i.e. they are not wrong

Section II Continued

② morally impermissible - those actions prohibited by morality, i.e. they are morally wrong.

Further, morally permissible actions can be further classified.

① obligatory - you must do them, if not you have done something wrong

② supererogatory - you don't have to do them but it is good if you do. Above and beyond what morality requires.

③ morally neutral - they have no moral value whatsoever. neither right nor wrong.

They are related because all actions must fall into one of these categories and they may sometimes overlap.

Section III

C. There are three ^(arguments) reasons/instances that support the paternalistic model:

"Incapacity" ① Superior Knowledge
② Reduced Capacity } 2 named by Lane.
③ Future Consent

Bayles disagrees with all of the above. The main reason is that they are too vague, and don't fit in general. To dispute the first support (Superior Knowledge) Bayles brings to issue the client's overall well-being. A professional may

Section III Continued

good, but it
could be more
detailed.

In particular,
it would help
to explain the
arg. of superior
knowledge before
explaining Bayles'
criticism.

have superior knowledge within their profession but not know what is best overall for their client. An example recalled from lecture involves an ill patient that is told to adhere strictly to bed rest. That may be the best choice medically but it may also involve the loss of the ^(client's) person's job and/or inability to pay for children's college. In this case the professional gives advice from their advantageous position but it is ultimately up to the client to make value judgements.

Yep... but
again, it would be
better to say
something about
the arguments
themselves.

To dispute the second (Reduced Capacity) and third (Future Consent) claims, Bayles argues that they only apply in very rare circumstances and therefore do not describe the P/C relationship in general. ✓

What Bayles does argue is that the fiduciary model best describes the P/C relationship in general. In this model the P and C share authority and responsibility with the P usually having more. The P is in an advantageous position and C needs P more than P needs C, so the C must trust P to act in his or her best interest. The level of decision making authority and responsibility

Section III Continued

delegated to C varies depending on how technical the situation is. The more technical the decision, the less input C has. The less technical the decision, the more input C has. As Greene noted: a ^(defendant) client may choose to have a jury trial or not, how to plea, and to testify on his/her behalf. These are general decisions. The professional (attorney) ~~decides~~ makes the tactical (technical) decisions. According to Bayles, the fiduciary model best generally fits the relationship between Ps and Cs. good

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