Accountability and Aspiration:
An Insight Approach for Organizational Ethics

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Acknowledgements

CHAPTER 1: INTRODUCTION

Civil society organizations (CSOs)[1], worldwide, are increasingly developing

codes of ethics and/or codes of conduct. CSOs are also increasingly facing questions

about their accountability and results. Existing literature on civil society organizations'

codes of ethics deals primarily with the role these codes play in relation to

accountability. There is no doubt that codes have, in large part, been developed as a

response to these accountability questions. Nevertheless, there is much more to discuss

about the role codes play.

CSOs are quite deliberate when they choose to develop codes as a response to

questions of accountability. Codes allow these values-based[2] organizations to publicly

express their aspirational goals. Codes may also document norms or standards that

guide organizational practices. When organizations establish mutual accountability

mechanisms, they demonstrate their commitment to ethical practice by confirming

compliance with those standards. Codes are developed by civil society organizations

because they not only offer a means to demonstrate accountability; they also are a means

to give voice to CSO aspirations for a better world.

The goal of this thesis is to expand the conversation about CSO codes so as to

broaden it beyond the current focus on accountability. The thesis aims to promote an

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[1] The term Civil Society Organization is used here to refer to not-for-profit organizations that are working for social change. In some literature the term used is NGO (non-governmental organization) which is a subset of CSO, but for the purposes of this paper they are equivalent, and so both terms are used.
[2] Civil society organizations self-identify as values-based organizations in comparison to profit-based. This is not to say that organizations that are profit-based do not have values to guide them. For CSOs, however, their identity and the work they undertake are based, first and foremost, on promoting their social values.

understanding of a broader public ethics perspective. This broader perspective provides

an opportunity to shine a new light on the role of CSO codes.

Challenge of Accountability

The prominence of CSO accountability, as the point of reference for codes of

ethics, is not surprising. As the size and influence of CSOs in public policy debates and

in implementing international development programming have increased, so too has

external pressure to demonstrate accountability. Anthony Adair makes such an

argument in his comment:

> NGOs that seek to make a virtue out of highlighting the failures of governments,
> business and other institutions should be subjected to the same degree of scrutiny that
> everyone else faces. They too need to be accountable for their actions.[3]

Traditionally, CSOs have accounted for their activities by explaining how and

where funds are spent. Such a focus follows what Hugo Slim calls the "mercantile

formula for accountability"[4] that tends toward strengthening direction and control, and

seeking consistency and coherence.   This "mercantile" focus is common within

organizations because of reporting demands by funders. Nevertheless, many civil

society organizations and authors specializing in the sector have reacted strongly against

this focus. Lisa Jordan expresses the dominant theme found throughout much of the

CSO literature when she writes, "global market solutions to the NGO accountability

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[3] Anthony Adair, "A Code of Conduct for NGOs-A Necessary Reform," 1 October 1999, *Institute of Economic Affairs,* accessed February 25, 2009, www.iea.org.uk/record.jsp?type=book&ID=374.
[4] Hugo Slim explains this as the minimalist reporting on "the money raised and spent, the number of poor people reached, and the administrative cost of raising and spending the money." See Hugo Slim, "By What Authority? The Legitimacy and Accountability of Non-Governmental Organisations" (paper presented at the International Council on Human Rights Policy International Meeting on Global Trends and Human Rights, Geneva, January 10-12, 2002): 3, accessed October 11, 2009, http://www.jha.ac/articles/a082.htm.

question are on the rise and are divorced from context and the values base of much NGO practice."[5]

The call for stronger forms of accountability often leads organizations to concentrate on strengthening rules in order to satisfy these pressures. The question, for CSOs that have aspirational goals as well as accountability requirements, is whether merely adding more rules will contribute to, or undermine, the progressive and developmental nature of these aspirational goals. The worry is that "any toughening of accountability may lead to an overbearing influence from funders and governments, which could then lead to cooptation and a deflection of original purpose, or lead to the stymieing of innovation and reducing the diversity of NGOs."[6] Alnoor Ebrahim, a key proponent for a more relevant approach, challenges the CSO sector "to find new forms of accountability which enable, rather than constrain, innovation, creativity, and agency for long-term social change."[7]

Philosophical underpinnings

This thesis will demonstrate that a number of the concerns from the writings about the CSO sector are mirrored in writings about other sectors including business, law, education and public (government). In fact, the literature reveals deeper philosophical traditions underpinning ethics programs. These similarities and the

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[5] Lisa Jordan, "Mechanisms for NGO Accountability," *GPPi Research Paper Series No. 3,* (Berlin: Global Public Policy Institute, 2005), 12.

[6] Jem Bendell, "Debating NGO Accountability," *NGLS Development Dossier* (New York: United Nations Press, 2006), *xii*.

[7] Alnoor Ebrahim, "Towards a Reflective Accountability in NGOs," in *Global Accountabilities: Participation, Pluralism and Public Ethics,* ed. Alnoor Ebrahim and Edward Weisband (Cambridge University Press, 2007), 193.

influence of the philosophical traditions demonstrate that this issue is not just limited to an accountability challenge for only one particular sector. It appears to be of interest as a broader public ethics concern.

Lonergan's Insights

The Canadian Council for International Co-operation (CCIC) is "Canada's coalition to end global poverty."[8] It is a network of approximately 100 Canadian-based civil society organizations. CCIC members have formed and sustained this organizational structure in order to support their individual and joint efforts to achieve sustainable human development. One of the core documents of the Council is the *CCIC Code of Ethics*.

Over the years, the Council sought innovative approaches to help member organizations tackle challenging ethical issues. Canadian philosopher Bernard Lonergan's work on Insight was researched and subsequently used to pilot an initiative aimed at addressing a particular ethical issue. The success of that initial experience highlighted the need to undertake more intensive research to determine what opportunities this philosophical framework could offer CSO ethics programs more broadly.

This thesis will examine the Lonergan ethics framework more closely. It will delve into the experiences of the ethics program of CCIC and reflect on how the Lonergan framework was used to respond to a specific issue. The thesis will also examine how the framework might also apply to other elements of ethics programs.

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[8] See www.ccic.ca for full information on the Council.

A New Challenge

This paper will advance Ebrahim's challenge for the CSO sector "to find new forms of accountability which enable, rather than constrain, innovation, creativity, and agency for long-term social change."[9] While I agree with the goal of enabling innovation and creativity in the sector, I will argue that if organizations are to live up to their roles as long-term social change agents, then they need to think beyond the status quo and a new form of accountability. My challenge for the sector is to broaden its thinking about codes beyond accountability. The conversation must be about ethics. An ethics framework is needed to ensure that the sector both encompasses an accountability mechanism and develops the ethical knowledge needed to progress on its path to a better world.

This thesis, therefore, will focus on this new broader ethics challenge. Specifically the paper will examine whether the Canadian philosopher Bernard Lonergan's ethics framework that promotes reflection, insight and innovation can help answer this new challenge. Chapter 2 will examine the literature related to CSO codes of ethics and explain the approaches and terminology used. Chapter 3 will discuss how issues and concerns raised about the appropriateness of the various approaches are similar across all sectors. A brief overview of the philosophical traditions underpinning these issues will highlight the relevance of this topic as a public ethics discussion. Chapter 4 will ground these discussions in concrete experiences of the CSO sector through examples from CCIC. Chapter 5 will provide an overview of the Lonergan

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[9] Ebrahim, "Towards a Reflective Accountability," 193.

ethics framework. Chapter 6 will use the Lonergan framework to view the CSO

challenges in terms of ethical meaning. It will also examine how the framework could

respond to these challenges. The Conclusion will then address whether the framework

answers the CSO challenge of promoting ethical aspirations of social development while

also responding to obligations for accountability. The overall goal of the thesis is to

contribute to a better understanding and advancing of CSO codes of ethics programs.

CHAPTER 2: THE CHALLENGE FOR CSOs

Growing Influence of CSOs

The influence of CSOs has increased over the last few decades as these

organizations have strengthened their activities promoting dignity and respect for human

rights globally; working in solidarity with people around the world to ensure community

development priorities are met; and being the conduit for financial resources to flow

between the Canadian public and the people in southern countries. These activities have

expanded the role of CSOs from funding recipients to advocates for change in public

policies. This expanded role brings CSOs increasingly into contact with other actors

including government donors, public policy decision makers and private sector

corporations. As these other development actors have become targets of criticisms and

questioning on their respective roles and accountability, so too have civil society

organizations[10].

David Bonbright and Srilatha Batliwala comment that a significant part of "this

clamour" for accountability in the citizens sector:

> is politically motivated – there is a mix of resentment and genuine concern at the
> increasing voice and influence that citizen organisations at all levels have gained in
> public policy over the past few decades. Decision-makers in governments, multilateral
> institutions and corporate boardrooms increasingly have to take account of the voices of
> organised citizens.[11]

They also point out that "the most significant questions about our accountability arise

from within our own sector."[12] In recognition of the responsibility that goes with such

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[10] Hugo Slim "By What Authority?," 1.

[11] David Bonbright with Srilatha Batliwala, "Answering for Ourselves: Accountability for Citizen Organisations," (paper presented for CIVICUS 2007 meeting): 1, accessed 23 February, 2010, www.dochas.ie/Shared/Files/4/Civicus_Accountability_Paper.pdf.

[12] Bonbright and Batliwala, "Answering for Ourselves," 1.

influence and roles, and in response to the criticisms levelled at the international development sector, CSOs globally have been improving accountability mechanisms. One approach has been the development of codes of ethics and codes of conduct to confirm CSO commitment to ethical practice and to supplement existing reporting and financial audits that have been the traditional mechanisms for accountability. For many CSOs[13], the choice has been to create a code of ethics or code of conduct for a collective, network, or grouping of organizations. Building on an existing commitment to collaborate within a national network, for example, organizations may decide to state their mutual commitment to good practice by elaborating a set of ethical principles. Networks such as CCIC and InterAction have also created a set of Operational Standards and accountability mechanisms to ground that commitment in action[14].

Given the history of CSOs responding to challenges about their accountability, it is not surprising that the literature on CSO codes of ethics is dominated by writings on accountability. Researchers of international co-operation CSOs such as Alnoor Ebrahim, Lisa Jordan, Robert Lloyd and Edward Weisband mention codes of ethics and accompanying self-regulation as one of the tools used for CSO accountability. There is little written, however, on the role of CSO codes in terms of a broader ethical framework. It is this gap in the literature that this research paper seeks to address.

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[13] The American NGO network InterAction appears to have been the first network to do so, followed closely by Australia and Canada. Codes have been written for networks in countries including Britain, Cambodia, France, Ghana, Ireland, the Philippines and Arab nations to name only a few. Organizations have also created codes for specialized groups such as the Sphere Project applicable to Humanitarian Organizations.

[14] A list of CSO networks that have established such mechanisms are available in a database compiled by One World Trust at http://www.oneworldtrust.org/csoproject.

While the focus on ethics through the narrower issue of accountability remains the dominant theme, an overview of literature on CSO codes of ethics also reveals a common concern that the most prominent accountability approach is inappropriate for civil society organizations. As Hugo Slim explains:

> Many western charities have traditionally reported in a similarly minimalist vein to the business enterprises of the numerous merchant philanthropists who founded or supported many of them. In broad terms, charities have mainly been asked to report on the money raised and spent, the number of poor people reached, and the administrative cost of raising and spending the money.[15]

This accountability approach tends to be short-term solution ("results") driven with the emphasis being rules-based in order to regulate behaviour. As Edward Weisband and Alnoor Ebrahim explain, "the 'problem of accountability' is frequently cast in technocratic terms; it is a problem of poor oversight and inadequate representation, amenable to correction through stringent regulation ... and backed up by punitive measures."[16] The criticism of the results focus, i.e. requiring organizations to define tasks and expectations from the start, and then being held to account for the success of those results "can mean either pushing for quick fixes, or insisting upon digging up the seedling to examine its roots before it can bear fruit."[17]

Many CSO codes of conduct concentrate on standards that prevent wrong-doing and mostly address issues of concern to donors rather than to other CSO stakeholders.[18]

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[15] Hugo Slim "By What Authority?," 3.

[16] Edward Weisband and Alnoor Ebrahim, "Introduction: forging global accountabilities," in *Global Accountabilities: Participation, Pluralism, and Public Ethics,* ed, Alnoor Ebrahim and Edward Weisband (Cambridge University Press, 2007), 3-4.

[17] Coralie Bryant, "Evaluation and accountability in emergency relief," in *Global Accountabilities: Participation, Pluralism, and Public Ethics,* ed. Alnoor Ebrahim and Edward Weisband (Cambridge University Press, 2007), 170.

[18] A recent study by *One World Trust* into CSO self-regulation noted that most of the initiatives involving development organizations still give precedence to governance and financial management. See www.oneworldtrust.org/csoproject.

Jordan points to the downside of accountability mechanisms such as codes of conduct

being that:

> they prioritize the needs and desires of donors and governments over those of other
> stakeholders within and surrounding NGOs. They do not always address the immediate
> knowledge needs of the NGOs, they rarely reflect the value-base of NGO
> activities...[and] ...can often seem to NGOs to be quite divorced from the mission of the
> organization.[19]

The dominance of this approach is not surprising given, as Weisband and

Ebrahim say, "the discourse of accountability is a reflection of broader social norms, and

assumptions at work in our society",[20] and that:

> accountability discourse is a manifestation of more pervasive forms of social mistrust,
> marketized measurement, and control that have emerged and come to characterize our
> worlds, thereby influencing our individual relationships, our organizations, and our
> governance systems.[21]

Often framed as a technocratic or administrative issue, such discourse of accountability

assumes the problems needing to be controlled are identifiable (e.g. mismanagement of

finances) and solutions are straight-forward because it is "assumed that more

information and transparency will reveal the 'truth' about behaviour, thus making

corrective action or rectification possible."[22] Codes are one of the mechanisms identified

as solutions under these assumptions.

It has been argued that this concentration on meeting obligations to act in ways

consistent with the standards, "suggests that accountability practices have value in

creating stability and assuring public confidence, but not necessarily in promoting

ethical behaviour"[23]   since it "involves the production of internally consistent – but not

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[19] Jordan, "Mechanisms," 11.
[20] Weisband and Ebrahim, "Introduction," 15.
[21] Weisband and Ebrahim, "Introduction," 15.
[22] Weisband and Ebrahim, "Introduction," 16.
[23] Weisband and Ebrahim, "Introduction," 10.

necessarily *truthful* – accounts of how resources have been used by an organization, as well as about the decisions, rules and actions that led to them."[24] It has also been argued that "increasingly NGO accountability will only be important when the reforms will be feasible, beneficial, and worth the costs that such mechanisms inevitably generate. Increasingly NGO accountability will only be important insofar as this works to reduce poverty."[25]

Ebrahim points out that "any mechanism for improving accountability is myopic unless it is understood in terms of a broader system of relationships, and in terms of its long-term impacts."[26] British NGOs have raised similar comments on systems of relationships, noting:

> The world of development is not the world of business and may not want to be subsumed into a quintessentially business-like contractual relationship of manufacturer and consumer or service provider and client. In its more charismatic form, western development discourse still talks of a relationship of solidarity, accompaniment and partnership between NGOs and poor people. An overly business-like application of quality and standards could distort such relationships forever.[27]

These critiques and concerns are not efforts to deny the need for accountability. Civil society organizations are quite willing to be accountable and they spend a great deal of time and resources to be so. The issue is one of appropriate mechanisms. As Hugo Slim explains:

> ...the actual demands of NGO accountability today are much wider than a financial procedure that ensures that figures tally. Accountability is much more about reporting on relationships, intent, objectives, method and impact. As such, it deals in information which is quantitative and qualitative, hard and soft, empirical and speculative. It records

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[24] Weisband and Ebrahim, "Introduction," 10.
[25] Leif Wener, "Accountability in International Development Aid," *Ethics and International Affairs* 20 (2006): 15, accessed February 13, 2010, doi: 10.1111/j.1747-7093.2006.00001.x.
[26] Alnoor Ebrahim, "Towards a Reflective Accountability," 202.
[27] Slim, "By What Authority?," 4.

facts and makes judgements. Also, current orthodoxy in accountability is as keen to "embrace failure" and so learn from it, as it would be to celebrate success and repeat it.[28]

For networks or platforms of organizations, it is particularly important to identify appropriate mutual accountability mechanisms to address the relationship issues. As Weisband and Ebrahim point out:

> In multiparty settings, it is possible to envision and devise interdependent forms of accountability...But this requires a vision of what is important in social and political development, and a perspective on the interconnected nature of normative expectations in a world that is both global and local. Such normative accountability is thus a public endeavour, in the broad and inclusive sense of promoting an ethics of societal betterment, rather than in the narrow and exclusive sense of oversight, punishment and control.[29]

Ebrahim poses the question of whether the purpose of holding an actor to account is "simply to enforce rule-following behaviour, or is it linked to a larger view of public interest"[30], and argues:

> accountability mechanisms that emphasize rule-following operational behaviour run the risk of promoting NGO activities that are so focused on short-term outputs and efficiency criteria that they lose sight of long-range goals concerning social development and change.[31]

When crises of confidence in NGOs arise, the response of funders and regulators is frequently to call for more oversight and better reporting and disclosure. Lisa Jordan argues that "accountability when narrowly defined as external oversight, can also result in stringent directives imposed by donors stifling experimentation, innovation and flexibility to respond...."[32] Alnoor Ebrahim refers to the resulting common accountability challenge among NGOs of "creating mechanisms of accountability that

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[28] Slim, "By What Authority?," 10.
[29] Weisband and Ebrahim, "Introduction," 19.
[30] Ebrahim, "Towards a Reflective Accountability," 195.
[31] Ebrahim, "Towards a Reflective Accountability," 195-96.
[32] Jordan, , "Mechanisms," 12.

are aligned with organizational missions and visions, and which promote critical reflection and learning."[33]

The need for reflection, critical analysis, judgement and action is essential to ensure CSOs are not only accountable, but that they develop the habits of seeking and acting upon ethical knowledge. This necessity goes much deeper than responsibility to account for one's actions. For organizations that have the opportunity, through their ethical frameworks, to identify and maintain aspirational goals as well as requirements of compliance, there may well be a way forward in answering this common accountability challenge and broadening it into a common ethical challenge.

Orienting the Orientations

The two dominant orientations for ethics programs described in this paper are most often referred to as "values-based" and "compliance-based."[34] A values-based program emphasizes the development of shared ethical values for a particular organizational context. Weaver and Trevino explain:

> a values-oriented program suggests that employees already are committed to ethical behaviour. The task of the program is to encourage the development of meaningful, shared ethical values within the organization's particular context. In a values-oriented program, emphasis is on activities that aid employees in decision making. [35]

In the case of international development organizations such as the members of CCIC, for example, the particular context involves values of human rights, fairness, accountability, transparency, cooperation, and sustainability. These common values all relate to

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[33] Ebrahim, "Towards a Reflective Accountability," 208.

[34] Other terms used included "rules-based" as it is to established rules that organizations must identify their compliance and "aspirational" ethics because it calls for organizations to aspire toward a shared set of ethical values.

[35] Gary Weaver and Linda Klebe Trevino, "Compliance and Values Oriented Ethics Programs: Influences on Employees' Attitudes and Behavior," *Business Ethics Quarterly, Volume 9, Issue 2* (1999): 320.

functioning as Canadian organizations that receive public money to carry out their global efforts for social justice and the eradication of poverty. Each organization is autonomous, has its own structure and different constituencies in Canada. Each one works in different parts of the world and uses different approaches to development practices. Nevertheless, they would all identify with these core ethical values. It is this common set of values that, in fact, brings organizations together as a community within which these individual organizations find meaning and identity.

The ethics program at CCIC follows such an approach to aid decision making when it offers staff and Board members of organizations opportunities to seek advice on ethical practice. It is assumed that context is essential and there is not one "right answer." Responses provided by CCIC to questions from individuals are designed to guide decision making; they do not tell those seeking advice what they must do. The values-based orientation is designed to support people in organizations, while at the same time promoting the shared values that create expectations for appropriate behaviour. Weaver and Trevino argue that the "focus on shared values, in effect, creates a role identity for employees that specifically incorporates ethical concern and action as components."[36] A values-based orientation is used to bring about a commitment to common ideals and that commitment can serve to bring a level of order.

The supportive nature of the values-based approach follows the lines of the Virtue Ethics notions of community, relationships, excelling, and promoting what is best

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[36] Weaver and Trevino, "Compliance and Values-Oriented Ethics Programs," 320.

not merely avoiding doing wrong.[37] The ethics program at CCIC, for example, assumes people and organizations already have a strong ethical commitment and the ethics program is there to enhance understanding and help individuals and organizations strengthen this commitment. It does not assume as its starting point that people or organizational systems are unethical and need to be controlled or corrected.

A compliance-based orientation concentrates on ensuring organizations understand and meet the rules or standards of practice, i.e. emphasizing what organizations do. This orientation usually includes a requirement for reporting, or accounting for how the rules are being met and a punitive element; a means of addressing non-compliance. This orientation is primarily designed to bring about order and stability by making expectations of practice explicit and common for all so that everyone is aware of the obligations and is treated equitably. It is also an approach that maintains order through the threat of discipline if practice is found to not be adequate. For organizations that involve themselves in activities that affect people's lives and livelihoods, including civil society organizations, a compliance-based approach can ensure a minimum level of practice that has been vetted as being appropriate by not merely one organization, but the many who have created the standards. Making these obligations explicit and organizations accountable for them can serve to ensure some consistency of practice across organizations and enhance the public's trust that there are common standards of expected practice and mechanisms to address concerns about inappropriate practices.

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[37] These notions are described in greater detail in Chapter 3 below as per the writings of Aristotle, Foote, Hursthouse, and Solomon.

The rules-based and compliance-based orientations are not mutually exclusive, but each orientation has its critics and flaws as well as its champions and benefits. Some ethics programs choose one approach over another. Others, however, choose to find ways for the two approaches to work together. As will be described in Chapter 4, the *CCIC Code of Ethics and Operational Standards*, for example, includes a values-based orientation for the section of the document that is the *Code of Ethics* and for the educational elements of the ethics program that promote understanding and implementation for organizations. At the same time, CCIC has maintained an accountability mechanism for all member organizations using a compliance-based approach[38] connected to the *Operational Standards*.

Separately each orientation can respond to different needs and goals. Weaver and Trevino comment that:

> these two types of programs may influence different outcomes; a compliance orientation may generate behavioural conformity, while a values orientation may generate other outcomes such as commitment to the organization.[39]

A values-based code without compliance is often criticized as just a nice set of commitments without any accountability for action. The diversity of situations that organizations face and the inability to predict such situations, opens up the rules-based approach to criticism that rules cannot be anticipated for everything that organizations will face. A rules-based code of ethics or code of conduct can also be open to the criticism highlighted above related to short-term results and a punitive approach to

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[38] The requirement is that every three years CCIC and its member organizations complete a self-assessment form indicating whether and how they comply with each standard. This form must be submitted to CCIC for record keeping. A concern mechanism also exists for anyone to raise a question or complaint about an organization's compliance. An Ethics Review Committee examines these registrations of concern.

[39] Weaver and Trevino, "Compliance and Values Oriented Ethics Programs," 318.

accountability if focus is placed on setting standards of conduct and demanding organizations report on compliance with those standards or face sanctions from the network. Organizational energy goes to ensuring that the minimum standard of practice is met in order to meet the obligation of "compliance." Little more is required, i.e. moving beyond minimum expectations, because nothing more is asked of the organization than to have checked the "in compliance" box, with perhaps a description of "how" the organization believes it meets the expectations.

Values-based codes of ethics, that have a set of ethical principles identifying the values of the organization(s) involved, are written as aspirations of what "should" be done. The expression used by CCIC is that these principles guide organizations to "do the right thing." There actually may be various ways to do the right thing and so individuals decide with the guidance of the principle. A compliance-based set of standards on the other hand speaks about what organizations must or shall do, i.e. "doing things right." There is less flexibility in choosing what to do.

A mixed orientation allows for the principles behind the standards to be accessible for organizations to turn to when a standard is not available. For example, if a CCIC member is seeking advice as to what to do when a donor asks for detailed reports about all organizational activities, the *Operational Standards* are of limited help. They do not include specific details on what the organization must do to respond to such requests, i.e. what kind or level of information must be provided. The organization needs to turn to the *Code of Ethics*. It will guide them to "be transparent", but also to consider other principles such as "respect for personal privacy." As Vincent Johnson

notes, "without 'background' moral principles that can be used to fill the gaps that arise from inevitably imperfect rules or as aids to interpretation, mandatory ethics code provisions quickly degenerate into mere legalisms."[40]

Organizations, however, often ask for guidance for what they should do to demonstrate they are implementing the ethical principles[41]. Standards of practice provide concrete guidance. When organizations develop these standards together, the discussion lets organizations agree on what practices are realistic and credible[42]. Many organizations and networks establish rules or standards incorporated into some form of a compliance-based accountability or ethics program. This is partly in response to the desire for concrete guidance, but also due to external pressure for organizations to demonstrate accountability.

Codes have often been written or promoted as a response to calls for greater accountability. Codes, therefore, are most often seen as a tool for accountability and less as part of a broader ethics framework. This close connection to accountability merely adds to the complexity of this research topic. Just as there are different approaches to codes, there are also different approaches and definitions of accountability. Karine Levasseur and Susan Phillips point out that accountability is generally talked about in

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[40] Vincent Johnson, "The Virtues and Limits of Codes in Legal Ethics," *Notre Dame Journal of Law, Ethics & Public Policy* 14 no 1, (2000): 6, accessed March 7, 2010, http://vnweb.hwwilsonweb.com/hww/results/results_single.jhtml;hwwilsonid=0R1ACLUFQT5ZHQA3DI LSFGGADUNGIIV0.

[41] This was the CCIC experience, borne out by Trevino and Brown's research findings that "most people need to be led when it comes to ethics". Linda Klebe Trevino and Michael E. Brown, "Managing to be Ethical: Debunking Five Business Ethics Myths," *Academy of Management Executive,* Vol. 18, No. 2 (2004):71.

[42] In CCIC's most recent update to its Operational Standards, for example, input was sought from professionals within the membership organizations including accountants and fundraisers. The result was improvements made to the standards based on the expertise of these practitioners.

terms of "vertical" and "horizontal" approaches and can encompass two related but different concepts: answerability and responsibility.[43]

Vertical accountability is the more traditional form and as the name implies is an up-down approach involving subordinates or agents complying with expectations and/or standards set by superiors or principals. It usually applies in hierarchical structures (e.g. government/public service, top-down management style organizations, etc.) or relationships where power imbalances exist (e.g. contractual relationships often found in funding mechanisms).

Horizontal accountability is a newer approach that deals more with groups or individuals who consider themselves equal in status rather than subordinate. They generally have an understanding between them of a partnership relationship involving mutual responsibilities. One example of a group that might require a horizontal accountability approach would be peer civil society organizations formed into a network, such as CCIC. Another group might be a coalition created to carry out a political campaign on an issue such as global poverty or HIV/AIDS. A third example might be individual CSOs that have created strategic alliances with private sector companies, research groups or academics where they are working together to fulfill shared goals.[44] These partnership arrangements[45] are created due to the complexity of

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[43] Karine Levasseur and Susan Phillips. "Square Pegs in Round Holes," *The Philanthropist*, Volume 19, No. 3 (2004): 214, accessed December 12, 2010, http://www.thephilanthropist.ca/index.php/phil/article/view/48/48.

[44] See *Make Poverty History* www.makepovertyhistory.ca for a campaigning example and *Plan Canada* at http://plancanada.ca/ for one CSO example of corporate partnerships.

[45] For a good overview of the accountability issues of partnerships, see Julia Steets' research paper: *Developing a Framework: Concepts and Research Priorities for Partnership Accountability.*

social development issues and the recognition that no single organization will have a sufficient impact. As Jordan explains:

> Accountability in networks, federations, coalitions and partnerships is the most muddled of areas, but perhaps the most critical as these relationships are very modern and have arisen in response to complex global crises that cannot be solved through command and control hierarchical relationships.[46]

This approach doesn't supersede vertical accountability since individual organizations will also be accountable to others (staff to their directors, boards to donors, etc.) in the more traditional model at the same time as having horizontal accountabilities.

Whether vertical or horizontal, accountability is understood to be a two-sided process. "Rendering an account" is one side of the process. It is a requirement to report on one's actions to others. Peter Aucoin considers this to be less important than the second side which is "holding to account." He points out that if officials "merely render an account, the accountability process invariably is reduced to a public relations exercise in self-congratulation on self-reported results."[47] In order to fulfill the second side of the accountability process, mechanisms must exist for holding actors to account for their actions. Actors being held to account must personally accept the consequences, including sanctions or other methods of redress that may be imposed in cases of wrongdoing.

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[46] Jordan, "Mechanisms," 11.

[47] Peter Aucoin, "Improving Government Accountability," *Canadian Parliamentary Review (*August 2006)*: 25, accessed December 13, 2010, http://www.revparl.ca/29/3/29n3_06e_Aucoin.pdf.

CHAPTER 3: THE INFLUENCE OF PHILOSOPHICAL TRADITIONS

A wider public ethics issue

Concerns about the appropriateness of a compliance-based approach to codes of ethics and the calls for a learning approach are not solely found in the literature of the CSO sector. They are mirrored in the ethics literature of other sectors including business, law, education and public service. These conversations reveal deeper philosophical underpinnings and highlight the relevance of the topic to broader public ethics discussions.

Mollie Painter-Morland writing about business ethics, for example, disputes many of the assumptions underlying the current rules-based accountability approach. She argues that:

> Those who attempt to curb corporate misconduct through legislation and regulation tend to assume that responsible business behaviour is a matter of staying within legal boundaries, following rules and institutionalizing systems and procedures. This approach to corporate accountability often leads to a check-the-box mentality. In the process, the existence of compliance measures and reporting practices is mistaken for ethical responsibility. [48]

We can see echoes of the criticism that rules-based approaches put too much emphasize on preventing wrongdoing in Robert Solomon's arguments that it "is not enough to do no wrong", and that business ethics should not be merely about "toeing the line" and "keeping one's nose clean" but be about excellence.[49]

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[48] Mollie Painter-Morland, "Redefining Accountability as Relational Responsiveness," *Journal of Business Ethics* 66 (2006): 91, accessed March 7, 2010, doi 10.1007/s10551-006-9046-0.
[49] Robert C. Solomon, "Corporate Roles, Personal Virtues: An Aristotelean Approach to Business Ethics." *Business Ethics Quarterly* Volume 2, Issue 3 (1992): 327.

Such criticism of the punitive nature of codes along with the call in the literature for CSO Codes of Ethics to promote learning is also echoed in the educational research sector:

> ...it is important to realise that many (though not all) of the practices which a code of ethics is intended to guard against are not underhanded and dishonest devices, but the actions of people acting with good intentions, who at the worst can be charged with haste or insensitivity. This is why it is appropriate to speak of "ethics" here, and to define the task as one of education rather than enforcement, and the means for achieving it as learning rather than deterrence.[50]

Similarly, recent disagreements between approaches are evident in literature on the public service sector. Tensions arose as shifts took place between traditional notions of public administration and newer forms of public management.[51] Ronald Moe and Robert Gilmour outline one side of the disagreement in their concern that "the field of public administration has gradually lost its theoretical distinctiveness... and has accepted, to varying degrees, the generic behavioural principles of management as taught in schools of business."[52] They argue that law-based principles of public administration "not only protect the citizenry from an overbearing, arbitrary, and capricious use of government power, they permit substantial public involvement in the processes of developing rules and regulations."[53] They contrast this with the public management paradigm, whose proponents argue that systems should shift so that emphasis is on people being accountable for achieving results more than for following

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[50] Robin Small, "Codes are Not Enough: What Philosophy can Contribute to the Ethics of Educational Research," *Journal of Philosophy of Education* Vol. 35, No. 3 (2001): 389.
[51] These distinctions were popular in the mid '90s and discussions in some circles subsequently evolved to reflection on a "governance approach". See Levasseur and Phillips for explanation of this next shift and the issues related to that next model.
[52] Ronald C. Moe and Robert S. Gilmour, "Rediscovering Principles of Public Administration: The Neglected Foundation of Public Law," *Public Administration Review* Vol. 55, No 2 (1995): 135.
[53] Moe and Gilmour, "Rediscovering Principles": 143.

rules; preventing problems rather than punishing those who make mistakes; empowering front-line workers to make their own decisions and solve their own problems.[54]

These shifts between public administration and public management approaches have had implications for ethics programs that reflect deeper philosophical issues.   For example, OECD's study of ethics in the public service of nine countries concluded that a range of systems and processes to manage the ethics of their public servants exist in most countries.[55] The range includes a mixture of rules and incentives to manage the behaviour and, therefore, the ethics of each country's public servants. Charting the various approaches, the study notes that there is a consistency between a teleological, often called integrity-based, approach to ethics management and a results-based managerial approach to public management. At the other end of the scale they argue that a deontological, commonly called compliance-based, approach to ethics management is consistent with the rules-based approach of traditional public administration.[56] The OECD study suggests that integrity-based approaches accept clear rules and sanctions relating to illegal behaviour but the focus is more on what is achieved and on encouraging good behaviour. Adopting this approach, they highlight, means giving up some control since "you cannot have enforceable aspirational codes, because anyone who fell short of best practice would be punished."[57] They contrast this with the compliance-based approach to ethics management that focuses on minimum standards defining what public servants should do and how, or more to point, what they

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[54] Moe and Gilmour, "Rediscovering Principles," 143.
[55] OECD "Ethics in the Public Service: Current Issues and Practice," *Public Management Occasional Papers* No. 14: (1996): 59, accessed October 11, 2010, http://www.oecd.org/dataoecd/59/24/1898992.pdf.
[56] IBID.
[57] IBID.

should not do or avoid. The emphasis is on policing actions and wrongdoing which "reinforces the tendency to management by rules since rules provide a base-line for identifying error."[58]

Philosophical Underpinnings to Debates

These discussions and criticisms about whether approaches to ethics programs should focus on rules, results, developing excellences, etc. echo Peter Singer's comment that:

> The great divide within ethics is between those who judge an act right or wrong in accordance with whether it produces the best consequences, and those who judge right and wrong by some rule or principle.[59]

Although the applied ethics literature for the most part uses the language of accountability and administration frameworks, the philosophical traditions that underpin these varied approaches and critiques are evident. In compliance-based approaches to ethics programming we see the influence of the traditions of philosopher Immanuel Kant and deontology. In the writings criticizing rules-based ethics and appealing to ends and goals we see the influence of the two most prominent teleological traditions, namely consequentialism and a virtue ethics grounded in Aristotle's philosophy. It is not the intention of this paper to go deeply into each of these traditions and examine the many levels of criticisms and similarities that lie among them. For the purpose of moving beyond the arguments and discussion underway related to codes of ethics and their place in public ethics – specifically the organizational programming elements – a very brief

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[58] OECD "Ethics in the Public Service," 60.
[59] Peter Singer, ed., *Ethics,* (Oxford: Oxford University Press, 1994), 243.

description of the influence that each of these traditions has on the arguments and approaches will help to provide background for a more focused thesis topic.

DEONTOLOGY: Rules-based approaches

When a code of conduct is put in place within an organization, it provides a written account of expectations for behaviour by employees, volunteers, service providers, etc. These standards or norms of practice are usually written as an obligation, e.g. *the affairs of the organization shall be conducted with transparency*. By setting out what people involved in organizations "shall" do, one can see the strong influence of the moral theory *deontology*. The word comes from the Greek *deon* meaning "must" and the theory puts an emphasis on duty and obligation of particular actions. Immanuel Kant, recognized as one of the most influential moral philosophers of modern time, is credited as "a prominent standard bearer" for deontology.[60] This ethical theory promotes rightness or wrongness of actions based on principle. Decisions should be based on one's duty to take an action because there is an inherent rightness in the action itself, independent of the goodness or badness of the consequences of that action:

> An action done from duty derives its moral worth, *not from the purpose* which is to be attained by it, but from the maxim by which it is determined...[61]

The emphasis of this ethical theory is on the question "what ought one to do" rather than on the question that virtue ethicists ask: "what kind of person one ought to be", i.e. what characteristics are needed to be a good person. It also is a different question than that of consequentialists who ask whether the action will maximize a good.

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[60] Michael Boylan, *Basic Ethics* (New Jersey: Prentice Hall, 2000), 89.
[61] Immanuel Kant, *Groundwork for the Metaphysics of Morals,* ed. Lara Denis, trans. Thomas K. Abbott, revisions Lara Denis (Toronto: Broadview Press, 2005), 61.

Those who sit together to draft their organization's code do not likely have Kant's categorical imperative: *Act only on that maxim whereby you can at the same time will that it become a universal law*[62] in the front of their mind for guidance when choosing which principles are relevant for a code of ethics. Nevertheless, I believe the influence of deontology is evident in various aspects of these codes, in particular Kant's discussion on rules and obligation:

> man is obstructed from giving the laws of reason free and unobstructed obedience,
> insofar as inclinations opposed to them, sensuous drives, and ends aroused in connection
> with his actions incline him toward transgression. Therefore, it is necessary that
> practical rules always be imperatives for humans – that is, rules to which their will must
> be subordinated in order to determine what ought to happen.[63]

A code that is designed by, and for, a group of organizations makes explicit the commitments for ethical action that were discussed and agreed upon by leaders of the organizations. What is key to these obligations is that they not only serve as guidance for what organizations must do in terms of compliance to rules (i.e. "Duty is the necessity of acting from respect for the law"[64]), they also serve as statements of organizations' identity. Core principles are chosen because they speak to what organizations believe about themselves and how they will act. This connection to identity provides a key motivation for why there is agreement to abiding by the rules, as much if not more motivation than any threat of discipline.[65] I will concentrate on two essential elements of this notion of identity to demonstrate the connection to Kant's theory.

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[62] Kant, *Groundwork,* 81.

[63] Kant, *Groundwork.*

[64] Kant, *Groundwork, 61.*

[65] Although in pure Kantian terms this must be the only motivation in order to make it a moral obligation as well as a legal one, I acknowledge that some organizational leaders have other motivations for abiding by the code, including threat of expulsion from the community and the ability to brand themselves as "compliant with a code of ethics.

First is the importance that civil society organizations have placed on establishing their own codes. One of the common reasons for taking such a step is to ensure that they will not have one imposed on them from external powers[66]. For CSOs, their identity rests heavily on their autonomy, and the distinctive role they play in society. Key to Kant's justification that moral requirements have authority over us is his position that "the idea of freedom is inseparably connected with the concept of autonomy, and this again with the universal principal of morality which is ideally the foundation of all actions of rational beings."[67] Kant concentrates on the autonomy of individuals' rational will, explaining that a person is free and able to express her own will. Reason guides her will through rules, therefore, the source of the authority for binding her to the rules is in her own will, not from the will of another. Thus, it is possible to see the desire by groups of individuals to follow this same principle of autonomy when they form themselves into organizations. This notion of willing their own principles, therefore, gives these codes of ethics authority as mechanisms to bind the organizations to them; the rules being expressions of their own wills, not the will of others.

The second element of the notion of identity is the formulation of the categorical imperative known as the formula of humanity: *So act as to treat humanity, whether in your own person or in that of any other, in every case at the same time as an end, never*

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[66] Heather Murray and Robert Aitken. *Creating a Code of Ethics: Developing ethical standards for a sector* , (Ottawa: CCIC, 2000), 5, accessed October 11, 2010. http://www.ccic.ca/_files/en/what_we_do/ethics_create_code_e.pdf .
[67] Kant, *Groundwork*, 108.

as a means only.[68] This principle that the person is an end it itself and "humanity itself

is a dignity" has strongly influenced many codes of ethics. Kant says that each of us is:

> under obligation to acknowledge, in a practical way, the dignity of humanity in every
> other human being. Hence there rests on him a duty regarding the respect that must be
> shown to every other human being.[69]

Organizational codes of ethics often emphasize human dignity and respect as core

principles. Additional rules addressing specific conduct also "acknowledge in a

practical way" this core principle.[70]

By establishing a set of norms with a regulation mechanism, organizations set

themselves on the deontological path that focuses the question on judging actions as

right or wrong on the basis of their compliance with these rules or principles. As Peter

Singer has noted[71], it is only possible to comply with, or break a rule, not maximize it as

one might if the focus was on a value instead of rule. For deontologists the right takes

priority over the good. Such a rules-based approach for an ethics program holds appeal

to organizational leaders for basically the same reason that Kant argued for his

categorical imperative over teleological approaches: universality and consistency of

application.

Kant argues that having a rule to guide one's will ensures it will be determined

the same way each time. This idea of unchanging rules is very appealing to

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[68] Kant, *Groundwork,* 88.

[69] Kant, *Groundwork*, 173.

[70] In the CCIC Code, for example, the preamble of the development principles refers to "the full
realization of human rights and fundamental freedoms", while the Operational Standards include "shall
treat donors and potential donors with respect", and "shall ensure that images and text included in all
communications to the public respect the dignity and rights of the individuals portrayed..." Canadian
Council for International Co-operation, *CCIC Code of Ethics and Operational Standards* (Ottawa: CCIC,
2009), 6, 14.

[71] Singer, *Ethics,* 11.

organizational leaders who see the benefit and stability that consistent behaviour brings throughout their systems. Another appeal is the deontologists' claim that because their theory is based on human reason, "anyone can apply the supreme principle of morality and come up with the same conclusions that can be intersubjectively analyzed according to a common set of rules."[72] Organizations that consist of a highly diverse group of individuals (e.g. culture, religion, education, etc.) may not be as fast to come to agreement on appropriate action as would a more homogenous group. Such a claim of universality, therefore, could appeal to leaders who are faced with the challenge of ensuring a constructive working environment for staff of mixed cultural, religious, etc. backgrounds. Universality also appeals to leaders who wish to have order and a degree of predictability in staff behaviour to help bring about consistency between that behaviour and the broader organizational goals and expectations.   Similarly, it holds appeal among groups of organizations that join together within some form of association where it is important to outline mutual expectations and responsibilities for members.

While authors commonly identify rules-based approaches with Kant's philosophy, clearly there are limits to this identification. A code of conduct with its list of minimum standards of practice, is in contrast to Kant's supreme principle theory given his point that "it would be, moreover, a horrible limitation if for every act a command or prohibition were basic in determining what I ought to do."[73] Organizations are often accused of adopting ethical codes not as universal standards but as a marketing

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[72] Boylan, *Basic Ethics*, 112.
[73] Immanuel Kant, "The Metaphysics of Morals," in *Moral Philosophy from Montaigne to Kant,* ed. J.B. Schneewind (Cambridge: Cambridge Press, 2007), 662.

technique to improve public relations, or in order to ensure foundation and/or government funding. L'Etang points out that such motivations would be unethical in terms of Kant's theory "because its ignoble intention is self-promotion rather than the moral improvement of self and the development of good will for its own sake."[74] In addition, the imposition of such codes often takes the form of extrinsic obligations imposed on individuals and groups. Some of the criticisms of business codes, in particular, relate to how they are used "as a management tool of control – albeit a highly subtle one" because the employee is "expected to yield to moral suasion quite divorced from any overt managerial pressure."[75] This approach to codes clearly runs counter to Kant's demand for the intrinsic autonomy of a person's willing. Still, authors have responded by pointing out that for those who formulate the codes, the expectations and responsibilities are understood not as externally imposed duties, but as a strongly held sense of obligation, i.e. just because it is the right thing to do. Proponents of writing their ethical obligations into codes of ethics defend such codification from a number of angles including equality of treatment, promotion of rational decision making, or as declarations of essential practice, because "when we articulate ethical obligations, we identify certain kinds of behaviour as not merely desirable, but so important as to command unswerving compliance."[76] There may be limits to identifying the rules-based, compliance approach entirely with Kant. Nevertheless, I argue that general

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[74] Jacquie L'Etang, "A Kantian Approach to Codes of Ethics," *Journal of Business Ethics 11: (*1992): 738.
[75] Michael Schwartz, "Why Ethical Codes Constitute an Unconscionable Regression," *Journal of Business Ethics 23* (2000): 174.
[76] Johnson, "Legal Ethics," 2-4.

features of his philosophy remain and authors continue to point to these features as philosophical underpinnings of this approach.

TELEOLOGY:

Authors that disagree with a rules-based approach to ethics provide as an alternative approach an appeal to ends and goals. In reviewing the literature for this paper, however, it became evident that those arguing on behalf of a teleological approach to ethics programs did not necessarily agree with one another. I argue that there is actually a further break-down of those arguments. I have, therefore, broken the next part of the paper into two sub-sections to address my conclusion that the conversation on codes of ethics and accountability demonstrate the influence of not one, but two of the most prominent teleological traditions. I will explain that authors promoting a results-based accountability mechanism demonstrate a connection to the tradition of consequentialism and the philosopher John Stuart Mill. On the other hand, I will explain that other authors are less inclined to push for a results-based accountability focus, instead appealing for excellence and learning and a broader ethics approach. In the latter case, I argue we can see connections to a virtue ethics and the influence of Aristotle.

a) Results-based approach and consequentialism:

When critics today say that organizations need to be "more accountable", they are defining "accountability" as giving an account for results, as opposed to being accountable for following the rules. There is little interest by such critics in hearing that a good process was followed. In these calls to account for results we can see the

influence of the dominant ethical theory called consequentialism, and in particular, the specific form utilitarianism. Like deontology, this is a supreme principle theory interested in conduct and what actions we should do. Unlike deontology, the basic principle that governs utilitarianism is that the action that is morally right is the one that produces the most good. While there are many forms to the theory, the key elements most relevant to this paper can be found in the words: "produces" and "most good." At its basic level utilitarianism is a form of consequentialism. It judges the goodness of an act based on what uses/utility it will have as an end product, i.e. its effects or consequences. The ends are more important than the means to reach those ends. In terms of a conception of ethics, the consequences of the action are assessed based on the amount of happiness that is promoted; in other words, maximizing the overall good and minimizing the bad. This notion of maximizing requires some level of measurement. It opens the door to accounting for one's actions based on whether the effects of each situation have been considered and whether the chosen act is the alternative that will cause a higher ratio of pleasure to pain for all. It is not based on whether one is or isn't in compliance with a standard rule.

One of the key elements to consequentialism as an ethical theory is impartiality. It is not enough that these consequences be measured in terms of one's own happiness. An individual's pleasures do not rank higher in value than anyone else's. Each person is of equal value so actions are morally good in proportion to their ability to produce pleasure for everyone. In other words, the notion of maximizing the good means that

everyone's happiness counts the same and the "standard is not the agent's own greatest happiness, but the greatest amount of happiness altogether."[77]

This focus on the end product and the notion of the greatest good for the greatest number is closely tied to some of the particular discussions found in the codes and accountability literature. . Many leaders living in democratic and capitalist societies have a comfort level with this maximizing theory because it is so closely aligned with common economic and political theories where the cost-benefit of consequences is prominent. As a result, as Boylan points out, "this is the way most of us make our rational decisions in our day-to-day lives."[78] We also see this point highlighted in the Weisband and Ebrahim comment that "the discourse of accountability is a reflection of broader social norms, and assumptions at work in our society."[79] While maximization obviously leads to a close attraction to this particular ethical theory for those in business, the attraction also holds true for those in civil society organizations. The notions of impartiality and greatest good for greatest number are very much guiding principles for many people working in development organizations striving to improve the lives of people around the world.

For those who expect others to account *for* their actions, the appeal is to ask for actors to account *for* end products, i.e. results that can be measured, rather than account for how a rule was followed. The quantifiable nature of the theory is well suited for accountability mechanisms that revolve around monitoring, reporting and evaluation

[77] John S. Mill, "Higher and Lower Pleasures," in *Ethics,* ed. Peter Singer (Oxford: Oxford University Press, 1994), 204.
[78] Boylan, *Basic Ethics,* 80.
[79] Weisband and Ebrahim, "Introduction," 15.

systems. The emphasis of such systems tends toward the results. This consequentialist focus holds particular appeal for leaders who are less concerned about how one gets there as long as there is a good outcome. This focus on results serves leaders well who prefer, in certain situations, the flexibility to make choices that are not hindered by rules. Proponents of this approach argue that "trying to regulate for every contingency and then demanding strict adherence to rules and processes works against efficiency and can actually undermine ethical conduct."[80]

As with deontological approaches, the effort to identify consequentialist approaches with a particular philosopher – in this case Mill – has its limits. Mill's utilitarianism clearly aims at a good "for the greatest number", yet those who relate getting good results with more accountability frequently fail to appreciate this broader aim. More accountability does not always lead to the greatest benefit. Wenar cautions that "increasing accountability can increase efficiency, and assurance, and honesty, but it can also waste resources, divert attention toward irrelevant targets, and foster distrust."[81] The expectation that organizations implement utility measurement standards and increasingly provide more specific outputs has led to the criticism that:

> Such an overweening desire for specificity can result in management becoming a numbers game in which what is measured is what can most readily be measured and...the nonmeasureable becomes undervalued.[82]

This focus on what can be quantified fails to live up to Mill's requirement that, "some kinds of pleasure are more desirable and more valuable than others"[83] and the

[80] OECD, "Ethics in the Public Service," 58.
[81] Leith Wenar, "Accountability in International Development Aid", *Ethics and International Affairs* (2006):8.
[82] Robert J. Gregory, "Social Capital Theory and Administrative Reform: Maintaining Ethical Probity in Public Service," *Public Administration Review Vol 59 No 1* (Jan – Feb. 1999): 66.

importance he places on considering quality as well as quantity. Despite these

limitations, I argue that a defining feature of Mill's philosophy is its results-based focus

and it is this feature that provides the philosophical underpinning of the authors

promoting the current dominant accountability approach.

b) Values-based approach and Virtue Ethics:

The second of the teleological traditions to strongly influence the discussion of

ethics programs and codes of ethics is Virtue Ethics. Virtue Ethics is teleological in its

emphasis on goals. It differs from consequentialism and deontology, however, because

of its emphasis on the person over the act. Rather than asking what a person ought to do

and whether an action is right or wrong, virtue ethics asks what sort of person should

one be and focuses on developing character traits to be a virtuous person. This character

development revolves around three concepts dating back to Aristotle's writing:

happiness or human flourishing (*eudaimonia)*; excellences or virtue (*arete*); and

practical or moral wisdom (*phronesis*).

The influence of virtue-ethics is particularly evident in the ethics programs

known as "values-based" where the guiding framework is a set of shared values and a

system within the organization to support individuals' aspirations[84]. The concept of

eudaimonia was, for Aristotle, the absolute goal we all strive for, "the best, noblest, and

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[83] Mill, "Pleasures," 202.
[84] Weaver and Trevino, "Compliance and Values Oriented Ethics Programs", 320.

most pleasant thing."[85] Such human flourishing comes about from having the proper

skills known as excellences:

> Excellence, then, is a state concerned with choice, lying in a mean relative to us, this
> being determined by reason and in the way in which the man of practical wisdom would
> determine it.[86]

This notion that excellences or virtues are a state refers to general patterns of

behaviour that a person follows over time. It is not a one-time action. As Rosalind

Hursthouse explains, virtues are not "mere tendencies to act in certain ways, perhaps in

accordance with a rule" but are character traits, i.e. excellences of character.[87] Such

character development is an ongoing process of reasoning, deliberation and study. It

requires having supportive conditions in place. Such patterns of behaviour are not

mindless habits, nor actions arising by following instructions or actions of others.

Virtuous actions should be mindful acts, undertaken because people are rational beings

with freedom of will and able to make choices. A person acts virtuously because she

understands that to do so is right and because she wants to accomplish good ends. A

conscious choice is made, not about which end to choose, but about how to achieve the

good: "we deliberate not about ends but about what contributes to ends."[88] As such,

each person acts appropriate to each situation and so actions will vary based on

individuals and on situations.

The desire for universality rooted in the pure quality of the will is not the

defining feature of virtue ethics as it is in deontological approaches. A person's ability

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[85] Aristotle, "Nicomachean Ethics," *A New Aristotle Reader,* ed. J.L. Ackrill, trans. Oxford Aristotle
Translation 1984 (Princeton: Princeton University Press, 1987), 373 [1099a24-25].
[86] Aristotle, *"Nichomachean Ethics",* (1106b36-1107a2).
[87] Rosalind Hursthouse, *On Virtue Ethics,* (Oxford: Oxford University Press, 1999), 11-12.
[88] Aristotle, *Nichomachean Ethics,* (1112b12).

to make ethical judgements comes about through practical wisdom (*phronesis)*, "which is the ability to reason correctly about practical matters."[89] For Aristotle this ability comes from experience, not by watching others or following instructions. All of this takes time. It is a developmental process where individuals develop the patterns of behaviour, i.e. the habits that can demonstrate a virtuous character. Key supportive mechanisms for nurturing virtue ethics, therefore, are education and learning opportunities connected to practical experience.

Modern philosophers have given the name of virtue ethics to today's version of Aristotle's theory. Rosalind Hursthouse has summarized virtue ethics:

> 1) as an ethics which is "agent-centred" rather than "act-centred"; 2) as concerned with Being rather than Doing; 3) as addressing itself to the question, "what sort of person should I be?" rather than to the question, "what sorts of action should I do?"; 4) as taking certain areteic concepts (good, excellence, virtue) as basic rather than deontic ones (right, duty, obligation); 5) as rejecting the idea that ethics is codifiable in rules or principles that can provide specific action guidance.[90]

In today's ethics programs it is rare to hear people refer to virtues. Instead, the term values-based ethics is used.[91] For organizations that want to develop a culture of ethical decision making among all staff and volunteers an aspirational model of learning and progress toward the mission of the organization would be of particular interest. Such organizations promote values such as respect, fairness, cooperation and inclusiveness as core to their being. These values serve to guide the behaviour of a "good" organization. Although ethics programs rarely use the language of virtues, they speak of values in ways that invite organizations to promote the habits and character

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[89] Hursthouse, *On Virtue Ethics,* 13.
[90] Hursthouse, *On Virtue Ethics,* 25.
[91] This is not merely a CSO term but can be seen in the Canadian public service (see See http://www.tbs-sct.gc.ca/rp/sgs01-eng.asp) and business ethics (see Weaver and Trevino article "Compliance and Values oriented ethics programs").

traits necessary for a sustained commitment to values. Such concerns are central to

virtue ethics. When Weaver and Trevino[92] explain how values-based ethics programs

emphasize developing common ethical values within the organization, one sees the

connection to the importance virtue ethicists place on community and shared purpose.

As Solomon has said:

> According to Aristotle, one has to think of oneself as a member of the larger
> community, the *Polis*, and strive to excel, to bring out what was best in ourselves and
> our shared enterprise. What is best in us – our virtues – are in turn defined by that larger
> community...[93]

Jordan[94] raises the concern that accountability mechanisms rarely reflect the

values base or mission of CSOs. In such an argument, she is putting a focus

more on what the organization "is" rather than on what it "does." The

importance of promoting critical reflection and learning rather than deterrence[95]

reflects core notions of character development. In the criticism that some

accountability mechanisms create a fix-it mentality concentrating on an

immediate problem[96] there is a desire to broaden the question outward to look for

a more holistic and longer-term answer that goes beyond an individual's

immediate act. This desire to ask a different sort of question is similar to the

desire of virtue ethicists to move away from act-oriented questions. Instead of

focusing on the here and now problem as if it is an isolated event that can be

solved with a single action, virtue ethicists are interested in "what sort of person I

should be." With its emphasis on promoting organizational values, the focus of a

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[92] Weaver and Trevino. "Compliance and Values Oriented Ethics Programs," 320.
[93] Solomon, "Corporate Roles," 322.
[94] Jordan, "Mechanisms," 11.
[95] See the example of Small, "Codes are Not Enough," 389.
[96] For example Ebrahim, "Towards a Reflective Accountability in NGOs," 195-96.

values-based ethics program is on a very similar interest: what sort of organization we should be.

As with discussion above on the approaches of Kant and Mill, there are limits to identifying current aspirational approaches in public ethics with a single philosopher – Aristotle. Within many aspirational models of organizational ethics there is a tendency to write codes of conduct in ways that give particular direction for particular acts. One example would be: "The Organization shall make its most recent financial statements, annual report, and a current list of members of its governing body easily accessible to the public (e.g. in a visible and public section of their website)."[97] The formulation here is to focus on acts rather than values or virtues. I suggest, however, that behind such directions are usually identifiable organizational values that call forth virtues for their regular achievement. If the code drafting process is done with an eye to an aspirational approach, in other words, what we want the organization to "be" rather than "do", then the standard would reflect the answer to the question: how could this organization be as transparent as possible?

The formulation of codes as minimum standards is another criticism that would indicate limits to identifying current public ethics approaches with Aristotle because:

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[97] CCIC Standard 6.9 http://www.ccic.ca/_files/en/about/001_code_ethics_operational_standards_e.pdf.

> According to Aristotle's virtue ethics, a good man is good beyond an ordinary level of expectation. ...not breaking the code rules, is simply not enough. The issue is to do one's best and to be sensitive to the situation as a whole.[98]

I agree that ethics programs where organizations are merely interested in setting and meeting minimum standards works against Aristotle's theory. When an ethics approach puts an emphasis on a rules-based compliance program, most organizations use their time and resources for affirming that they meet the minimum expectation. Little effort is made to go beyond this level of expectation. In some cases Aristotle's theory can, nevertheless, still be an underpinning influence even where ethics programs incorporate minimum standards. These standards provide the stepping stones or compass points from which to guide and further develop practices, particularly when accompanied by a set of ethical principles.[99] For organizations within a network-wide ethics program, "doing one's best" starts with the challenge to meet the minimum standards set by that network. Organizations demonstrate their willingness and ability to uphold the organizational virtues expressed by the network by meeting these minimum standards. Research by Trevino and Brown highlights that when it comes to ethics the majority of adults "behave based to a large extent upon what those around them – leaders and peers – expect of them."[100] People may well be guided by systems that support flawed behaviour, but a code of ethics

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[98] Johannes Brinkmann and Knut Ims, "Good Intentions Aside: Drafting a Functionalist Look at Codes of Ethics," *Business Ethics: A European Review Vol 12 No.3* (July 2003): 266.

[99] Although the values behind the standards may be evident without having them expressly written, I add this particularity because the process of writing the principles and the standards at the same time keeps the drafters of the code mindful of the relationship and would help avoid writing a mere set of behaviour-controlling rules.

[100] Linda Klebe Trevino and Michael E. Brown, "Managing to be Ethical: Debunking Five Business Ethics Myths," *Academy of Management Executive,* Vol. 18, No. 2 (2004):73.

provides staff and board members with ethical guidance. When seen through the eyes of an aspirational approach, the requirement to comply with standards serves as a core learning tool to begin a deliberation about current practices within organizations. The deliberation opens the door to organizational development through learning about ethical practice; deciding what must be done to strengthen levels of practice within the organization; and identifying possible new standards for the whole network that would further improve practice.

Thus, while criticisms remain, it seems that authors are not completely misguided in identifying elements from Aristotle as the philosophical underpinnings of the values-based approach for codes of ethics. This theory's aspirational nature and strong connection to values holds particular appeal for ethics programs of civil society organizations. Nevertheless, one of its greatest challenges remains the ability to connect such an aspirational model to an accountability mechanism since it is difficult to succinctly report compliance with a value.

Help or Hindrance?

The strong influence that each of the three philosophical traditions has on ethics programs in various sectors is evident. As discussed in this chapter, these influences can, and have, contributed to the initial development of organizational ethics programs. The extent to which these strong influences help or hinder the functioning of CSO ethics programs, in particular, will be discussed in the next chapter.

CHAPTER 4:

ETHICS IN PRACTICE: THE EXPERIENCE OF ONE CSO NETWORK

James Sterba argues that there is a great deal of common ground between the ethical theories when viewed through the lens of practice.[101] This has not been the view through the lens of CCIC's practice. The experience of the Council demonstrated that sufficient differences between the theories exist to create a number of challenges for ethics programs. The influence of each tradition was found throughout the member organizations of CCIC. Since these were the participants of the ethics program, the influences became evident in how organizations responded to the program and to ethical issues. The international cooperation/development CSO sector is a strong values-based group of organizations that have aspirational goals. There, nevertheless, remains a demand – both internal and external to the sector – for some form of an accountability mechanism. The response to this demand in Canada has remained the same over the years – to manage as the core element to its ethics program an aspirational type code of ethics *and* a set of standards of practice accompanied by a compliance approach[102].

The decision to develop or maintain a code of ethics using an aspirational approach while at the same time incorporating a compliance approach for accountability purposes means that each approach must work side-by-side. Increasingly, civil society organizations around the world are making a similar choice as the CCIC members did many years ago. This thesis, therefore, will examine how the use of both approaches can

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[101] James Sterba, *The Triumph of Practice over Theory in Ethics* (New York: Oxford University Press, 2005), 1.
[102] Strategic review processes and evaluations have borne this out since the inception of the Code.

help to enhance the overall values base of organizations and, in turn, strengthen

operational and mission-related practices. A reflection on the CCIC experience will help

to ground the analysis.

The Canadian Council for International Co-operation's (CCIC)[103] *Code of Ethics*

and Operational Standards has been the guiding document for a peer accountability

mechanism developed by, and for, Canadian CSOs working in international

development[104]. The initial *CCIC Code of Ethics*, approved in 1995, added a "Code of

Conduct" – a set of operational standards guiding civil society organization's practice –

to a previously existing set of Development Principles. The latter was the long-standing

vision of development held by member organizations of CCIC. From the beginning,

therefore, CCIC members incorporated their aspirational goals as Canadian development

organizations together with their commitment to standards of operational practices in the

areas of governance, organizational integrity, finances, fundraising, and human

resources. In addition to approving the *Code of Ethics*[105] for all organizations involved

in the Council, CCIC members established an implementation program that included an

Ethics Review Committee – mandated to guide understanding about the *Code of Ethics*

and respond to questions and concerns about organizational practices – plus a

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[103] CCIC is a coalition of Canadian volunteer sector organizations working globally to achieve sustainable human development.

[104] At the time of writing, the Council's core funding has been recently cut. This defunding has resulted in the Council's decision to maintain for the moment the compliance element with guidance documents available on the website. Components of the ethics program that support peer learning have been put on hold. This paper is, therefore, written based on the history of the program. It may not reflect all the elements that are able to continue.

[105] The document has been updated twice. In 2004 members added new principles and standards relating to relationships with Southern CSOs. A revision was again completed in 2009 to better clarify the two sections as separate but interrelated parts: a *Code of Ethics* and an accompanying set of *Operational Standards.*

compliance process that required organizations to be accountable to their peers for their practices.

The *Code* has always been described as part of a learning process for guiding and strengthening organizational practices[106]. Combining a values-based code of ethics with a rules-based set of operational standards (called a *Code of Conduct* in the original version) mixed an aspirational approach to ethics and a compliance approach. What the authors of the *Code* did not clearly explain, however, was where to put the emphasis for guidance to organizations. These are not mutually exclusive goals, but they are not always compatible. With limited resources, both staff and financial, CSOs such as the Council often must decide where best to put the focus in the interest of promoting ethical practices.

There are many challenges with having a compliance model for a group of diverse values-based organizations. Despite differences in size, structure, approaches to development practice, values, and geographic location and reach, members of CCIC have continuously identified the Code of Ethics as an important membership benefit[107]. The approach has always been to have some form of compliance requirement for all member organizations to confirm organizational practices are in line with the standards. From time to time the question is raised as to whether the existing compliance approach – which uses a self-assessment model – is strong enough, or if the Council should have a model that requires organizations to have their compliance assessed by an external body.

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[106] Murray and Aitken, "Creating a Code of Ethics," 6.
[107] This fact is most evident in 2010-2011 when the Council underwent significant financial cuts and members reinforced "a commitment to the sector's Code of Ethics & Operational Standards" as one of the priorities for the Council going forward. CCIC Annual Report 2010-2011 (Ottawa: CCIC, 2011), 2

To-date, the membership itself has not called for an external assessment model in sufficient numbers to warrant such a change.

For the most part, this code and compliance approach serves to guide organizations to good practice. Individually the organizations use the principles and standards to know and implement practices agreed to by the sector. If organizations do not have in place the required policies and procedures as indicated in the standards, then they take the necessary steps to ensure they meet the minimum expectations[108]. This may be an issue for some organizations in terms of finding the time and resources to meet the standards, but for the most part it is seen as an important, and affirming, step to ensure the organization meets the ethical expectations of the broader sector. The challenge, however, arises once organizations believe themselves to be in compliance but others interpret the practices and the standards differently. Let us look at one concrete example to demonstrate how this plays itself out.

Concrete Experiences

The original version of the CCIC Code of Ethics included the following three standards to guide fundraising practices of organizations:

> 3.5.1 Fundraising solicitations shall be truthful... There shall be no misleading information (including material omissions or exaggerations of fact), no use of misleading photographs, nor any other communication which would tend to create a false impression or misunderstanding.

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[108] When first submitting their self assessment forms, members identify in which areas the organization fulfills the requirements of the standards. Within a three-year deadline these organizations re-submit their self assessment forms indicating areas of improvement. Examples of improvements recorded include approving conflict of interest and gender policies, updating governance policies and practices, and establishing mutual agreements between partners.

3.5.3 Any and all communications to the public by the Organization shall respect
the dignity, values, history, religion and culture of the people supported
by its programs.
In particular, the Organization shall avoid the following:
• messages which generalize and mask the diversity of situations;
• messages which fuel prejudice;
• messages which foster a sense of Northern superiority;
• messages which show people as hopeless objects for our pity, rather than
as equal partners in action and development.

3.5.6 The Organization will ensure that the content of the messages sent out in
disaster appeals does not undermine the work of development education
which calls for long-term response.[109]

Despite having such deliberate guidance, an ongoing debate about what was an "ethical image" for fundraising purposes, nevertheless, existed between people in, and across, different organizations. There were those who argued that certain types of images were not appropriate and, therefore, not complying with the above standards[110]. The response from those who had chosen to use such images, however, was always worded in strong values-based and ethical terms[111]. Upon close examination of these arguments, one can see the influence of all the three ethical theories at play.

Some argued that an image that was a graphic illustration of impoverished and starving people was depicting the situation as it is and so they were fulfilling the principle of truthfulness. Others argued that such graphic pictures were not respectful of

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[109] CCIC, *Code of Ethics* (Ottawa: CCIC, 1995).
[110] Betty Plewes and Rieky Stuart, "The Pornography of Poverty: A Cautionary Fundraising Tale," in *Ethics in Action: The Ethical Challenges of International Human Rights Nongovernmental Organizations,* ed Daniel A. Bell, and Jean-Marc Coicaud (Cambridge University Press. 2007), 23-26.
[111] The various arguments are outlined in pages 2-6 of *Focus on Ethics: Addressing Tensions in Choosing Fundraising Images.*

the people they were depicting because they portrayed individuals as objects of pity and this was undermining their human dignity. They noted that consistent portrayal of whole nations of people in this way fuelled racist beliefs and sent the message that simple acts will provide solutions to the problem, even though the issues are complex. Still others responded that such messages were efficient and effective and resulted in more financial support for programs aimed at addressing the issues, meaning they produced better ends than other images that were less effective in fundraising. The counter-argument to this has been that such effectiveness is focused on the short term. When the pattern of behaviour in organizations is to repeatedly show images of suffering, then Canadians are led to think that the situation is hopeless and not worth supporting. This is not a virtuous habit of practice in the long term.

These arguments persisted for a number of years with such cycles of ethical arguments. In the years since the inception of the *CCIC Code of Ethics,* a number of ethical challenges, such as the example above, have presented themselves. Values conflicts arose between individuals within organizations and between organizations. These values were strongly held and often at the heart of organizational identity. A punitive accountability approach would not have worked since it would be punishing organizations for acting on their strongly held values. Organizations would have dropped their membership in the Council before accepting that these actions were considered to be "wrong."

These arguments highlight the challenges posed for anyone running an effective ethics program. The conclusions I have drawn from the CCIC experience have been

somewhat reinforced by the literature about codes of ethics and accountability. With so much of what is written about CSO codes of ethics being focused on accountability, however, I find the conversation limited. CSO codes of ethics can be, and often are, much more than mechanisms for accountability. They are often a core element of a broader organizational ethics program that encompasses much more than a tool to render or hold to account. This paper is an effort to, therefore, broaden the conversation to address some of the challenges of an ethics program that go beyond the accountability challenge. The need exists for councils of multiple organizations to identify a framework that will address the relational nature of such a network and strengthen their desire for cooperation among themselves. Such a framework must also facilitate the long-term aspirational social change goals; respond to the mutual accountability obligations; address the desire for learning and progress; and help resolve conflict in constructive ways. A framework that meets these sector needs will resonate strongly for values-based civil society organizations.

CCIC's experience has highlighted that aspects of the three main ethical theories are prevalent in how individuals and organizations relate to one another and how they make choices. Values are strongly held and promoted. Obligations must be met and are spelled out to ensure some level of consistency across organizations. Results are expected and must be accounted for. The reality of these influences is evident in the structure and processes attached to ethics program, but I would contend that too often there is a danger of missing many of the realties that encompass organizational ethics programs: strong values lead to values-based conflict; obligations are interpreted

differently as people and organizations give their own meaning to them; and calls for reporting on results is prone to focusing on the short term rather than the long term. Dealing with these realities has led the CCIC ethics program, over the years, to raise a number of questions including: How does an organization address ethical dilemmas arising from values-conflicts? How can an organization be sure that it not only does things right, but also does the right thing? How can choices be made that help and not hinder progressive results, for the organization but also for broader social change goals?

In an effort to answer these questions, CCIC turned to the work of Bernard Lonergan. That philosophical resource proved to be a valuable source to help members embroiled in this ongoing and seemingly endless ethical conversation to move through their values conflicts constructively. Philosopher Bernard Lonergan's 3-fold structure of the human good, a framework for understanding the inner structure of what we mean when we say something is "good", helped organizations to identify and validate their values. His hierarchical scale for prioritizing diverse kinds of values helped CSO practitioners see how their values relate to one another. It all provided a means for reflection, gaining insight, making judgement as related to a path of progress or decline, and encouraging innovation. Individuals found this resource empowering. It fit well with CCIC's approach of strengthening individuals' capacity to make ethical decisions, rather than a top-down approach telling people the "right" answer.

CHAPTER 5: UNDERSTANDING HUMAN UNDERSTANDING

Overview of Lonergan's Insight Theory

As I prepare to write this chapter, I realize that I'm hungry. So I take a break and eat a banana. What might such a simple act tell us about organizational ethics and the research question of this thesis? Canadian philosopher Bernard Lonergan would say that if we carefully observe what really goes into that seemingly simple act, we would realize that it is a much more complex sequence of connected operations that tell us a great deal.

The process began with my feeling hungry. It might sound strange to speak of a "process" when it appears to be a simple step from desiring something to eat to satisfying that desire, or "fixing it" by having food. In fact, it will take much longer to explain, than it was to do, but by breaking down and examining what I was thinking and doing, it is possible to discern patterns and a sequence of operations.

Upon feeling the sensation in my stomach, I began by asking myself a question: "what is this feeling?" I recognized the feeling because I had experienced it before and quickly associated that particular type of stomach pang and the desire for food. This recognition had not always existed. When I was a very young child I was not sure what caused this feeling and would just cry until my parents helped me figure it out. Even as an adult, although I made a quick association, I still was not positive as there are many similar feelings that are not about hunger. I decided it was most likely to be a hunger pang and so would try to satisfy it with something to eat in order to verify that this was the cause before worrying that it might be something else.

I sought out the nearest food source and found a banana. This finding launched me once again into a new series of questioning. When I saw the banana, I was again able to quickly answer the question: "what is it?" because I recognized it as something that already had meaning for me. I knew that it is something edible; that it is called a banana; that it is a fruit. My mind had determined this because this object fit certain criteria that told me whether it was likely to be a banana: it was yellow, it had an elongated shape, it was neither hard nor very soft to the touch, it was attached, but could be removed from, about five other similar-shaped and coloured objects, it had a little label on the side that read "banana", etc. Determining if this object fit these criteria helped me to verify whether I was correct when I had initially identified it as a banana. Through lots of past experiences that involved taste, sight, recognizing colour, reading, touch, etc., and what I have remembered from them, I have the ability to ask and answer two separate but connected questions as if they were one step: "what is it" and "is it so." The process is so instantaneous that I don't even realize that I'm doing them as two questions. I have acquired the habit of doing them and so, much like when I drive my car, I don't have to really think about how I drive because it has become "second nature", I seem to "just know."

To review the process so far, I felt a stomach pang and I was able to define it as the desire for food. When I saw a banana, I was able to identify it as something that I could eat to address my pang. All of this happened, yet I had still not eaten the banana, and had still not resolved my pang. In other words, I had not as yet verified if the feeling in my stomach was indeed hunger. I was on a trajectory from a feeling in my

stomach to resolving it, but its resolution has not been a direct path. I had instead moved back and forth while still progressing. Even though I have the knowledge of what the banana is, this is not enough for me to decide to eat it. I must also ask myself whether I like the taste of bananas, whether it is safe for me to eat them, or if I am allergic to them. If I didn't know where the banana came from or didn't trust that the system that brought it from the tree to my kitchen was one that took necessary steps to make sure it would not harm me, then my decision would be not to buy it, let alone eat it. Looking at the bananas, however, I remember that not only did I decide to buy them, but I bought organic bananas. In other words, even before I was in this position of deciding whether or not to eat the banana, I had already gone through a different process to choose which kind to buy. I could have bought a non-organic banana, but my decision was to buy what I considered to be a "better" choice. Why would I have been so selective in my choice? What made it possible for me to have a choice of selection? What moved me to make my "better" choice? I had undertaken a deeper level of reflection. Not only did I determine whether the banana would satisfy my desire to eat something, I also judged whether the production process was good for the wider community, for the workers who grow and pick them, for the health of society at large. My decision after that reflection was to act in a way that I thought would also be good for others. My choice was no longer just about what was good for me.

My decision to eat a banana right now, therefore, is possible thanks to a series of other decisions I made up until this point. The banana did not just show up on my countertop; it got there thanks to a series of decisions and acts that others made as well.

All of these choices and decisions, in many ways, make my decision to act now easier and quicker than would be the case if they had not been made, or if they had been made differently. My decision-making process has taken into consideration many factors, past experiences, emotions, values, etc. and each answer I reach will start me down a new path of questioning. I will be able to verify if the stomach pang was indeed what I thought: a signal that I needed food. I will verify if this particular food was adequate for that need. I might instead learn that I was mistaken and the pang was still there even though I ate something. I would need to start a new series of questions to determine what it is. Perhaps it is the beginning of a stomach bug? The cycle of questioning begins again.

This breakdown of the cognitive operations within this seemingly easy decision-making process that led me from a desire to satisfy a feeling to making what I considered to be a "better" choice demonstrates a very simplified version of Lonergan's Insight Theory.[112] Lonergan developed his theory by stepping back and making observations about day-to-day decision-making processes. He explains that these processes are "the concrete dynamic structure immanent and recurrently operative in [one's] own cognitional activities."[113]

Unlike many theories that are designed to encourage people to act differently, to change how things are done by following the theory, Lonergan's "theory" is actually based on what we do already. It is designed to get us to pay attention to how we behave

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[112] In particular, see: Bernard Lonergan, *Insight: A Study of Human Understanding,* ed. Frederick E. Crowe and Robert M. Doran (Toronto: University of Toronto Press, 2005), and Bernard Lonergan, *Method in Theology* (Toronto: University of Toronto Press, 2003).
[113] Lonergan, *Insight,* 11.

when we are at our best. It encourages us all to make more explicit what has become so implicit that we don't realize we're doing it. He challenges us to pay closer attention; by being mindful of what we do and how we do it, we can do it better. He illuminates for us what prevents us from carrying out the ethical decision-making process to its fullest. We are not always mindful, we do not always reflect, and so we do not fulfill our potential to choose the best way forward. His intent is:

> not to provide the reader with a stream of words that he can repeat to others or with a set of terms and relations from which he can proceed to draw inferences and prove conclusions. On the contrary, the point...is appropriation; the point is to discover, to identify, to become familiar with, the activities of one's own intelligence; the point is to become able to discriminate with ease and from personal conviction between one's purely intellectual activities and the manifold of other, "existential" concerns that invade and mix and blend with the operations of intellect to render it ambivalent and its pronouncements ambiguous.[114]

At the core of Lonergan's theory is how we come to know, in particular how we come to ethical knowledge and in what ways does that differ from factual knowledge. Lonergan steps back from the content of our understanding to discuss the *operations* of understanding. He explains that we come to know through four levels of cognition: experiencing, understanding, judging and decision. Each of these levels is actually a group of different type of operations, each having its own characteristics, but each relating closely to the others.

EXPERIENCING

Our experiences provide the data that begins our process of knowing. We see, smell, hear, feel, taste, etc. and this sensory level provides data including "colours, shapes, sounds, odours, tastes, the hard and soft, rough and smooth, hot and cold, wet

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[114] Lonergan, *Insight,* 13-14.

and dry, and so forth."[115] Such experience does not always equate with understanding.

We may see something that we have never seen before. Even if we can recognize its

colour, shape and texture because we undertake a sequence of operations that involve

seeing, hearing, smelling, etc. these are merely parts that may not yet have meaning for

us as a whole. This act of experiencing, however, provides us with the starting point in

our drive to know, to learn what it is:

> Deep within us all, emergent when the noise of other appetites is stilled, there is a drive
> to know, to understand, to see why, to discover the reason, to find the cause, to
> explain.[116]

UNDERSTANDING

The shift from *experiencing* to *understanding* is launched by questions. The

answers we get to our questions are what Lonergan called *insights.* The act of

understanding takes place when we attend to the data provided by experience and ask

questions that probe for meaning or intelligibility in the data. As Lonergan says, "no

one just wonders. We wonder about something."[117] One of the basic questions that

moves us from the "elementary type" of knowing that we have at the level of experience

toward a "fully human knowing"[118] is the "*what*" question. Asking "what is it" moves

us from seeing and feeling something that is, for example, long, yellow, soft inside with

a tougher smooth skin, to understanding that these parts relate to one another in a

particular way as an intelligible whole that is a banana. Our drive to know moves us to

grasp meaning in the colours, shapes, smells, etc. and it is through this new, second level

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[115] Lonergan, *Insight,* 299.
[116] Lonergan, *Insight,* 28.
[117] Lonergan, *Insight,* 34.
[118] Lonergan, *Insight,* 277-278.

of operations that we gain the insights that lead to our understanding. Insights are the answers to questions: "a release to the tension of inquiry."[119] Other questions for gaining and focusing insights include "why" and "how often." "Why" questions, for example, lead to insights on laws, relationships, or systems, while "how often" provides insights on ideal frequency.

Insights arise as answers to questions. We ask "what is it" and search for the answers. Previous insights may well lead us to answer the question quickly as was my experience with knowing the banana when I saw it. In other cases the answer is not so automatic. Everyone at some point has faced moments when we have struggled to understand, be it a puzzle, a joke, a new language or skill, etc. only to have the "ah-ha" and understanding clicked into place. As Joseph Flanagan explains:

> the most remarkable aspect of an insight is that it transforms you, quite suddenly from being stupid to being brilliant. Once you get the point...its meaning becomes perfectly clear, leaving you to wonder how you could ever have missed the point.[120]

Although we often assume such "Eureka" moments happen whenever we line up the ducks and have all the information in place, they, in fact, take their own sweet time. Once we have answered one question we go back to ask and answer more of them, and as such engage in a self-correcting process of learning:

> Insofar as any question is followed by an insight, one has only to act, or to talk, or perhaps merely to think, on the basis of that insight, for its incompleteness, to give rise to still further questions and still further insights. Such is the spontaneous process of learning. It is an accumulation of insights in which each successive act complements the accuracy and covers over the deficiency of those that went before. [121]

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[119] Lonergan, *Insight,* 28.

[120] Joseph Flanagan, *Quest for Self-Knowledge: An Essay in Lonergan's Philosophy* (Toronto: University of Toronto Press, 1997), 16.

[121] Lonergan, *Insight,* 197.

We are influenced by previous insights, by openness and curiosity to know more, by barriers that may delay insights, by which questions we ask or which ones we omit. I enjoy Sudoko puzzles. I often find that those times when I am stumped and unable to make progress, I take a break, and inevitably when I return to it fresh I see immediately how to move ahead. The same information was in front of me, I hadn't been given any additional clues, yet some mental operation took place that initially prevented and then helped it fall into place. As Lonergan points out, "insight comes suddenly and unexpectedly."[122] We have all made the comment that "it'll come to me in the middle of the night" highlighting how true it is that insights often come not when we are trying for the answer, but when we are relaxing and thinking about something totally different.

We often also find ourselves thinking that we will never succeed in our effort to learn a new skill or talent, despite repeated attempts. The person next to us may be able to do it right away and this frustrates us, especially when they say, "it's easy, just do it." We plod on practicing, working at trying to figure it out and one day we realize that we can do it but we didn't notice when it happened; when did we have the ah-ha moment? Such cases involve the accumulation of many small insights that went unnoticed but when clustered together eventually moved our learning forward to the point where we had developed the skill or talent because, "insight depends upon a habitual orientation, upon a perpetual alertness ever asking the little question, Why?"[123] Such insights build on previous insights but we cannot predict when or if they will happen (for some they never happen), we cannot plan for them to take place at a particular time, nor can we

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[122] Lonergan, *Insight,* 29.
[123] Lonergan *Insight,* 29.

hurry them along by providing the exact missing piece of information that will move us. Insights require both humility to acknowledge that we do not know, and the interest in engaging in the search. As Ken Melchin and Cheryl Picard note, "the principle engine of learning is the curiosity that draws us forward in questioning towards insight."[124]

I was once with a friend in a wonderful market in a country in the South Pacific. We were admiring all the amazing fruits and vegetables, many of which we knew, but some we recognized by look but had never eaten. We noticed one long green leafy item that neither of us had previously come across in any store or market in our respective countries of Scotland and Canada. My friend asked the woman selling the item what it was and was given the local name. We weren't familiar with that name and so were no closer to understanding what it was. Her curiosity, however, drove her on and so she asked another question that would direct us down a particular path to identifying the object. The laughter from the woman selling the item to my friend's question, "how do you cook it" gave us the insight that this wasn't a vegetable for eating. Undeterred, she continued with another question that might get us closer to understanding what this object was. All of our previous experiences and insights had led us to guess (Lonergan refers to it as a formulation) that it might be a vegetable because of its shape, colouring, the fact that it was being sold in a farmer's market beside other food items, etc. In our search for an answer, for the insight, we used questions as the criteria to find the fit for a vegetable, hence the "how do you cook it?" question. The response of laughter and shaking of heads made her realize that she needed to ask a different question, e.g. "well

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[124] Ken Melchin and Cheryl Picard, *Transforming Conflict through Insight* (Toronto: University of Toronto Press, 2008), 61.

then what do you do with it", until we had found the answer we needed. The item was not a vegetable, it was a palm leaf and the women were selling them for the procession on Palm Sunday. While we had both heard of palm leaves before, and may have seen one as a child, we didn't know what it was that day. The next time we saw one, however, we would know it right away since our insight of that day becomes integrated into our experiential data that we will draw upon in our future searches for insights. As Lonergan says:

> Once one has understood, one has crossed a divide. What a moment ago was an insoluble problem now becomes incredibly simple and obvious. Moreover, it tends to remain simple and obvious. However laborious the first occurrence of an insight may be, subsequent repetitions occur almost at will.[125]

Inverse insight, on the other hand, is the recognition that we are asking the wrong questions and those questions aren't going to get us where we need to go. That kind of insight leads us to change direction and ask a very different set of questions. Direct insights are gained when we ask various questions, and the answers direct us to new questions all of which aim us eventually toward the next insight. But inverse insights do not provide answers. They are the recognition that our questions are not aiming us in the right direction at all and the discovery that we need to ask new kinds of questions. The learning and redirection of the kind of development activities carried out by civil society organizations working in international development over the years demonstrate such inverse insights. There is an old saying that serves well to demonstrate the shifts in understanding that have occurred. "Give a man a fish and he'll eat for a day, but teach a man to fish and he'll eat for a lifetime" or some variation of that is sometimes used by development organizations to explain their approach to development. If we think of this

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[125] Lonergan, *Insight,* 30.

in terms of inverse insight we would see that the original understanding of development was based on the answer to questions about how we could ensure the impoverished man had something to eat. It is a legitimate question that was able to be answered in a way that ensured the man was fed. At some point, however, development actors began to realize that this question was not going to get them where they needed to go in terms of long-term development. They began to say that this was the wrong question. The point was not to ensure the impoverished man was given food because this would not be sustainable beyond one day. This launched organizations to begin a new direction of questions about how can we ensure the impoverished man can be supported to feed himself. Shifts in development work then involved less provision of food aid and more technical assistance for training fisherfolk, for example. Over the years other inverse insights have led development actors to discover that their line of questioning was not leading them in the best direction. They realized it was omitting women and the important role they play in feeding families. It was resulting in indigenous systems being undermined because existing capacity was ignored. It was focusing attention on the impoverished rather than the factors creating the impoverishment, etc. The ability of the international development sector to undertake new directions as a result of these various inverse insights has been the history of the evolution of understanding what constitutes good development practice.

It is interesting to note that among the management training and organizational professionals who promote complexity theory as an approach, facilitators use a deliberate questioning technique known as "wicked questions." These are designed to

"expose the assumptions which shape our actions and choices."[126] These questions are not designed to have an answer, but are used to shake up what we thought we knew and to open up the inquiry. Although inverse insights are not actual questions, I think that the premise behind wicked questions recognizes what Lonergan has identified as an important step in our efforts to gain insight: the act of questioning and the essential part of figuring out when we are on the wrong path and need to change our current questioning.

JUDGEMENT

Our insights can be wrong. We may be put into situations that take us beyond our horizons and out of the range of understanding we have. In such cases, we need to ask many more questions and rely on many insights to get to the point of understanding. For international development organizations, this is an important consideration for knowledge development. Individuals working with people from different cultures and backgrounds are often put into situations that are outside existing horizons of knowledge. The palm leaf was a simple, humourous example of an initially wrong insight that was corrected during the operation of understanding, but there are many situations where harm can arise when organizations don't follow through on the intellectual process and merely act on incorrect insights.

To avoid this problem, we move to a higher level of knowing, Lonergan's third-level of operations that he calls *judgement*. At this point of the process we have formulated answers, but they are just hypotheses and must be judged as to their

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[126] This term was coined by Brenda Zimmerman of York University. See explanation of technique at http://www.plexusinstitute.com/Edgeware/archive/think/main_aides5.html.

accuracy. This judgment level consists of a new sequence of operations that are not designed to illuminate new insights, but to reflect upon and evaluate existing insights. The question of judgment asks "is it so?" and searches for evidence of whether or not the direct insights are accurate and correct.

It is important to note that this judgement is not one's opinion about whether one agrees or disagrees about the insight[127], but as Flanagan points out: "what gets judged when you judge is whether you have understood things correctly."[128] I judged whether or not my insight that the object on the table was a banana was correct. I was not deciding if its colouring and shape had artistic merits to warrant using it as a model in a painting class. I sought evidence of what it was by touching it, opening it, tasting it and if I had tried to open it and discovered it was a plastic imitation then I would have said, "no, it is not a banana" and my insight would have been wrong. We make such judgements all the time and rarely notice we're doing it. Someone says, "it's three o'clock, time for coffee break" and we check our watches for the evidence that it is that time, even though we fully trust our colleague to tell us the truth. We ask our professors, "do I understand you to be saying..." and rephrase the idea in one's own words to verify we have it correct. We hear the song of a bird we don't see too often and stop and search the trees to see if we can confirm that it is.

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[127] I make this note because I think Lonergan's choice of the term judgement is actually somewhat problematic. The term judgement is often defined as the act of judging the right and wrong of something rather than this level of understanding that he means. During the pilot work at CCIC we chose the terms 'evaluation' but again this term is loaded for many CSOs who have to do evaluations for accountability purposes and so it's meaning is already entrenched, often with negative feelings associated. Writers such as Melchin and Picard have chosen to use the term 'verification' instead, and I think this better describes the operation as intended.

[128] Flanagan, *Quest,* 126.

A DYNAMIC PROCESS

All of these levels contribute to one another, looping back and forth in a cumulative process. The first level requires the next level to make it understood and each subsequent level relies on the ones before it and often loops back to them before adding to them: "the earlier are incomplete without the later while the later have nothing to complete without the earlier."[129] Previous insights and judgements stay with us, but remain hidden. We don't realize the operations are going on or that they have gone on before and transformed our experiences. This transformation means that we don't have to repeat the same whole cognitive process again next time. These insights and judgements continue to influence the direction of our questioning, allowing us to jump ahead to new insights and judgements. Even though often hidden, the process does not stop. It may appear to be one simple step instead of three whenever insights and evidence come quickly. We tend to only notice the distinctive operations when they don't come quickly. We struggle to solve a puzzle or we realize that hitting a baseball is harder than it looked. The transformative learning demonstrated by Lonergan's Insight Theory highlights how knowledge is a dynamic structure:

> The business of the human mind in this life seems to be, not contemplation of what we know, but relentless devotion to the task of adding increments to a merely habitual knowledge.[130]

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[129] Lonergan, *Insight,* 300.
[130] Lonergan, *Insight,* 303.

DECISION and ACTION

Ethics is rooted in the above three groupings of cognitive operations, but then

moves into a fourth level: action. The judgements made at the third level brought us to

know the facts, what is or isn't. Once we know the facts, however, our drive is not yet

satisfied. As Lonergan says, we are not just knowers but also doers:

> The same intelligent and rational consciousness grounds the doing as well as the
> knowing; and from that identity of consciousness there springs inevitably an exigence
> for self-consistency in knowing and doing.[131]

If the sound wasn't just a rarely-seen bird, but was a hurt bird or a crying baby, then we

would be moved to respond. That response would take us into Lonergan's fourth-level:

decision. As Melchin notes, "once we have the 'fact' answers, we seem to be propelled

into quite a different set of questions: "What to do?"[132] Here once again we see

ourselves looping back through a similar process as that of the cognitive one outlined

above, but with some variations. Our "what" question provides us with a series of

possible answers that lead us then to seek the best fit for our action. We develop action

plans based on what we know. Our "is it so" question becomes "is it the right/best thing

to do"? Our judgement is no longer about whether we understand, but about whether it

is worth doing.

An example from the CCIC ethics program demonstrates how the early levels

relate to this new level of decision.   In a workshop on the topic of managing conflict of

interest situations, participants were taken through two stages of learning. The first

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[131] Lonergan, *Insight,* 622.
[132] Ken Melchin, *Living with Other People*, (Ottawa: Novalis, 1998), 24.

stage was designed for participants to develop the factual knowledge about conflict of interest. The session provided opportunities for discussion of what people knew already, e.g. exercises uncovered participants' knowledge at the experiential level, pulling out whatever insights and judgements they had until this point. Participants were then led through exercises, explanations and opportunities for dialogue in order to gain the insights and make judgements to develop the factual knowledge of what a conflict of interest *is.* I believe that one of the impacts on today's organizations of the dominance of a rules-based, punitive approach to ethics is demonstrated when the mere mention of conflict of interest results in people automatically denying that they are in conflict of interest situations for fear of being labelled unethical. For CCIC, however, the approach used in the training was to assist participants to recognize that it is not unusual, or unethical, for people to find themselves in conflict of interest situations. The ethical issues that will then arise depend on what one does about the situation. As noted above, the level of judgement at this point in the learning process was for people to judge whether they understood what a conflict of interest situation is. People were not yet asked to make judgements about the situation itself.

This level of knowledge was essential, but insufficient for an ethics workshop. It was not enough for participants to understand what conflict of interest is without also knowing how to decide what to do about the situations when they arise. Therefore, the workshop continued its learning process onto to the next step that took participants into action steps: preventing and managing conflict of interest situations. This next step moved participants into the new set of questions: "What to do?" and "Is it the right thing

to do?" Participants were provided with explanations and exercises related to scenarios and potential action steps based on the various types of situations. These exercises were not designed to tell participants exactly what they must do, but to guide their understanding. When they would next have an experience of needing to make such a decision they would have a bigger pool of insights to draw upon. The workshop was designed to help develop the habits needed for better decision making.

Although there is a similar structure to "fact" and "act" questions, there is a fundamental difference:

> While the "fact" questions seek to know something that has already occurred, the "act" questions seek to bring into being something that has not yet occurred, our own action. This makes the task of getting a "fit" among the answer, the question, and the data somewhat more complex.[133]

Part of this complexity involves the new chain of operations related to this *responsible* level where "we are concerned with ourselves, our own operations, our goals, and so deliberate about possible courses of action, evaluate them, decide, and carry out our decisions."[134] Even though we may know what we should do, we don't always do it. As Flanagan notes, "the intrinsic tension exists between what we know and what we choose to do in light of that knowing because our willingness to act in a certain way is an acquired, not a spontaneous willingness."[135] As a tennis player, I may watch Roger Federer play and be willing to play just like him, but I don't have the skills necessary to do that immediately without a great deal of practice. Being able to play tennis well is not only about developing skill and capacity, but also about making the commitment to

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[133] Melchin, *Living*, 24-25.
[134] Lonergan, *Method,* 9.
[135] Flanagan, *Quest,* 226.

the level of fitness and practice necessary. This often means we are choosing between different things that matter to us: time to become a good tennis player, or time with our family and friends at home. While we practice the steps, movements, timing, etc. in our athletic efforts, for Lonergan our practice to develop our cognitive process is about asking and answering lots of questions, working through our feelings, changing our experiences, etc.

This level is so much more complex because it is now about personal commitment, responsibility, consequences, etc.; it brings us beyond the level of facts. When we deliberate about courses of action, we move into understanding and judging values. On the day my friend and I had gained the insight and knowledge of what a palm leaf is, we also had an interesting situation arise that relates to this next level of Insight Theory. After the market visit, we stopped in a small trade store that sold everything from clothing to canned goods. Once again there were many items that were familiar to us and one in particular that caused a reaction in my friend that was very different to my own.

My friend was a health-care professional and the sight on the shelf of a plastic baby bottle caused her to become very angry. I, on the other hand knew what the object was, but wasn't moved to action in the way she was. For her, the fact that this store was selling plastic baby bottles in a country where most women breast-fed their babies was a bad thing. As a health-care professional, she had many more insights than I did into the issues of bottle cleanliness, access to clean water for mixing with powdered milk, economic issues for impoverished women being encouraged to purchase milk for their

babies when breast milk was free, etc. For me the baby bottle was just another product on the shelf that I had seen at home and even knew that my own mother had fed me with one. For me, I was relying on the knowledge passed to me by my mother, who believed there was nothing wrong with the product. But my mother's knowledge was based on the situation in Canada in the late 1950s. For my friend, however, seeing this item moved her to take responsibility to act. She headed straight for the store owner to complain that he should not be selling these bottles in this country and explained why he should refrain from the practice. She acted because the health of women in this country was something that she cared very much about. Because she had deeper insights into why this product threatened their health, she was not as satisfied as I had been at simply knowing what the product was. Her initial feeling of anger at seeing the bottle was a response to her cares. Her action was directed at promoting health for the women and children in that city.

By making a choice we are making a personal commitment to act because we judge that choice to be a valuable and worthwhile action to undertake. In reality, however, we do not always choose between something that is valuable and something that is not. Often all of our options hold some value to us and yet we must choose. In some cases the choice is easy. But this is not always the case and we struggle to decide. What is interesting about Lonergan's Insight Theory is that he has made explicit for us what happens when we observe ourselves thinking through what we consider worthwhile, or "good." What is it that my friend is doing when she says that selling the baby bottles in some situations is wrong? What am I acting upon when I decide that

buying an organic banana is the better choice? What is happening when one fundraiser's choice of an ethical fundraising image differs drastically from another's choice? Everyone in these examples is engaged in a new level of insight: understanding not only where we are, but where we want to be. That sense of movement is key within these examples.

Lonergan's 3-fold structure of the human good explains how we shift back and forth among three different meanings of the word "good" that correspond to the levels of consciousness discussed above: experience, understanding and judgement. In addition, these levels provide a basis for differentiating among values. Lonergan's scale of values provides a way of relating and ordering these values and gives us a means for understanding social progress and decline. The next section will examine this 3-fold structure of the human good and the relationship to values before examining how Lonergan's Insight Theory helps to address the issues of ethics for networks of civil society organizations.

3-fold structure of the human good

When we observe any practical example, be it my search for something to eat, the arguments that have run in circles among fundraisers in civil society organizations, or my friend's anger and response at seeing the baby bottle, we see the three different meanings of good that Lonergan explains in his 3-fold structure of the human good. For Lonergan, human good is always concrete, never abstract or an ideal.

1. Particular good: object of desire

The first level is that of personal desire or interests. We *experience* such desire and this sets in motion a series of operations that will culminate in the "good" that is the satisfaction of that desire. Just as in the operation of consciousness where insights are realized through answers to our questions, particular goods are realized through answers to our questions when we deliberate about our choices. Our experiences of hunger, cold, fear, etc. set us off on a motion to pursue food, shelter, security, etc. My desire for something to eat was satisfied when I chose to eat the banana. This was a good particular to only me. We do not mindlessly eat anything that is in front of us as we have learned what will make us sick. We see the cognitive operation at play and its progressive nature. We also begin to see how it is not merely a one-off exercise, but one of recurring patterns of operations. If we do not learn quickly what makes us sick, how to stay warm, etc. we won't live long. Satisfaction of the first level of personal desires and interests must be repeated over and over again. When we unpack the ways that we ensure our personal desires and interests are met we find ourselves into Lonergan's second level: good of order.

2. Good of order: Patterns of cooperation

None of us can fulfill our particular goods on our own. We need people working together to set up the systems and structures that will ensure our personal interests and desires are achieved. The good of order moves beyond the individual of the first level and widens the horizon to include others: ensuring I can eat to also ensuring everyone can eat. In addition, fulfilling particular goods is not something we only want to have happen once. It is a recurring desire that needs systems and schemes of operations to

ensure it can be repeated many times. This all involves a wider social order that includes governments, the economy, the family, voluntary organizations, etc. There is a correlation between good of order and the operation of understanding. As Lonergan explains, "Man's practical intelligence devises arrangements for human living; and in the measure that such arrangements are understood and accepted, there necessarily results the intelligible pattern of relationships that we have named the good of order."[136]

For the patterns of cooperation to function they make ethical demands on the participants. Such obligations include having the necessary skills and capacities to make the system function properly. Fulfilling promises to pay; ensuring safety and security measures are taken so that no one gets sick or harmed; following rules and regulations that keep the order stable; etc. are all obligations that we fulfill every day because we are committed to the various social orders within which we participate. We know the impact of not meeting these obligations, be it salmonella outbreaks to drunk driving deaths. Meeting these obligations is not only about preventing failures, it is also in the simple acts of courtesy to let someone go before you because she was there first. Such acts maintain a civil society.

What is in many ways unique about Lonergan's 3-fold structure of the human good is the unusual hierarchical framework involved in it. The second-level good of order helps to achieve the first level. This may lead to the incorrect assumption that if the goal, or end, is to have the first-level values met then these should be given priority over the second level. In reality, however, goods of order achieve and sustain not

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[136] Lonergan, *Insight,* 238.

merely a single instance of particular goods for each of us as individuals, but recurrent flows of particular goods for all. This grants them a higher order status. Since it is through the patterns of cooperation at the second level of ethical meaning that sustained flows of first-level goods are achieved for all, the second level must be given precedence in situations where first and second-level goods conflict. As a result the "good" of order is valued as a structure itself, not merely valued for achieving the good of personal desire.

If we take an example from the experiences of civil society organizations we can help to explain this distinction. Just as we need food to survive as individuals, organizations need funding to survive. Without sufficient funding, organizations cannot fulfill their desires and interests to run good programs. In order to have this first-level "good" of survival met, therefore, a system of efficient and effective fundraising must be established so that funds can be obtained, not once but in a recurring way. Such a system involves a sequence of operations involving a multiplicity of groups and individuals. These patterns of cooperation would include organizations as askers and receivers of funds; the public as potential and actual donors; government officials as regulators and overseers; other organizational and community partners as program planners that determine requirements of funding; marketing and publication specialists as the experts in communications able to get the messages across to potential donors; accountants able to ensure proper financial management of the funds; etc. These patterns of cooperation all function on their own, while also being interconnected. They require specialized knowledge, skills and habits to ensure a recurring scheme of operations function effectively.

Each brings with it obligations on its own, beyond the obligation to have the first-level good met. On the one hand, second-level patterns of cooperation are accountable to the first level in that organizations do not fundraise for the sake of fundraising, but for the sake of having the first-level values met. On the other hand, each of these sequences of operations does not *merely* exist as the means to the first level. It is a good in itself, valued for its role in ensuring sustained flows of particular goods. It is a cooperative structure or scheme that coordinates the contributions of many people in the sustained delivery of recurrent instances of particular goods for all. It is the intelligibility of the scheme that is understood on the second level of ethical meaning and it is this intelligibility that grounds its priority over particular goods.

The operations of the skilled accountants are not valued because they satisfy the organization's fundraising interests, they are valued because they ensure the organization has effective financial systems in place and is able to meet its accountability obligations. When those accountants do their job well the organization will be able to repeat the sequence of operations that eventually results in funds raised to support the program and administration interests of the organization. However, accountants cannot carry out their tasks, their skilled operations, if there is no money to keep account. Their operations are linked to those of the marketers who must create interesting materials that attract donors. There is, therefore, an essential sequence, or pattern, to these operations. The values at this second level are a different kind of value than we saw at the first level. The questions these values are answering are not those related to desires and interests, but those of the goods of order. Lonergan refers to these

as "social values"[137] including productivity, efficiency, teamwork, timeliness, cooperation, etc.

This is a particularly important distinction for civil society organizations who struggle against a common challenge to their practices. Organizations are familiar with the complaint that it is "wrong" to spend money on administration instead of using all of their funds in the field to fulfill their program work. While I consider an important part of the deliberations of these organizations to be questioning the appropriate amount for fundraising vs programming, that is not what I mean here. The argument that no funds should be used for administration activities such as fundraising, I believe, demonstrates a lack of understanding about the second level. This argument holds that first-level values trump second-level, rather than seeing how second-level values are essential in their own right. It is the entire set of cooperative schemes in their pattern of interrelations that ensures outcomes are reached at the lower, first level.

The concrete experience of at least one CCIC member[138] helps to demonstrate how this plays itself out within organizations. The fundraising department was fulfilling its good of order within this particular organization. The department had a sequence of activities designed to achieve sufficient amounts of their particular object of desire, namely funds. An element of that scheme was to send potential donors a small gift with the assumption that the recipients would be more likely to donate in response. The initial result was that recipients did send donations. When the fundraisers did a reflection and evaluation of this particular pattern, however, they realized that the object

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[137] Lonergan discusses the scale of value preference in Chapter two of *Method in Theology*.

[138] Based on a private conversation between the author of this thesis and a senior fundraiser.

of desire was fulfilled only once. People did not continue to donate and so there was no recurring pattern.

When we consider this experience in terms of the different levels of ethical meaning what we see happening is that the pattern was being governed by the first level (meeting the object of desire) not the second level (commitment to order). The organization was directing its attention to only meeting its object of desire, i.e. getting the funds. They were not focused on the pattern of cooperation for its own value. That particular activity did not fit the criteria for ensuring effectiveness of the structure. It appears that potential donors never became committed to the organization as a social structure; they were only interested in fulfilling their personal desire of receiving the gift. These one-off donors may not have seen themselves participating in the broader social scheme. This would have prevented them from developing a willingness to meet the obligations that such participation would entail, i.e. supporting the organization as a partner in its development work. The fundraisers got this insight quickly enough that they did not run into financial difficulty (the danger when one is not being attentive, learning from an experience, judging and acting on what one knows). Instead, the choice was made to change their scheme by stopping that particular fundraising practice.

The assumption that organizations can run programs without any structure in place to raise the necessary funds and ensure that it is done ethically, is, therefore, naive. As this example demonstrates, not only is it essential to have the structure in place, but special care needs to be taken to ensure that it is governed by the second level of ethical meaning. Many civil society organizations understand the value of this good of order,

but are not necessarily able to put it into language as an ethical argument. Lonergan

provides that explanation in his 3-fold structure of the human good.

Third-level good: choosing social progress

There is a third type of good that relates to the processes of deliberation and

choice. By directing the deliberation toward what should be, attention is turned to

critiquing and evaluating the patterns of cooperation discussed at the second level. The

main question being answered by the values of this level is whether these structures are

vectors of social progress or decline. It is no longer questioning whether the patterns of

cooperation meet the criteria for a good of order, e.g. are running efficiently; "here the

principal question guiding our operations of meaning is not simply the intelligibility of

social orders, but their contributions to the wider project of human living."[139]

The values at this third level of ethical meaning are what Lonergan refers to as

cultural values. Social values explain what we are doing when we cooperate and

cultural values are at a higher level because "culture may be defined as providing the

why of that social order."[140] It is at this third level that we see such values as human

dignity, care and respect for all persons and the environment. Lonergan explains:

> Not on bread alone doth man live. Over and above mere living and operating, men have
> to find a meaning and value in their living and operating. It is the function of culture to
> discover, express, validate, criticize, correct, develop, improve such meaning and
> value.[141]

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[139] Kenneth Melchin, "Democracy, Sublation and the Scale of Values", in *The Importance of Insight: Essays in Honour of Michael Vertin*, ed. John J. Liptay Jr. and Daniel S. Liptay (Toronto: University of Toronto Press, 2007), 190.
[140] Flanagan, *Quest,* 200.
[141] Lonergan, *Method,* 32.

What is important about the process at this level is that it is not merely critiquing in the sense of whether the systems and structures are right or wrong. This third level focuses on directions of change, questions of progress or decline. There is a danger, however, that people only live at the third level of ethical meaning. That is what is often called "analysis paralysis" where nothing ever gets done beyond the evaluation and criticism.

Deliberation and evaluation at this level is in order to reflect on our values as well as the existing structures and their schemes of operations. The intent is to make the judgements about how to transform and update social order, not destroy it. Lonergan notes, "one has to replace as well as remove, to build up as well as tear down. Mere hunting for errors can leave one a personal and cultural wreck without convictions or commitments."[142] The commitment is a willingness to act on what we know and change the ways of the world that are creating decline instead of promoting progress. This is an invitation to a level of personal empowerment that leads to innovation. The third-level good provides the guidance for such innovation. Through the cycle of such creation of structures, reflection and critique, and renewal and removal, the overall structure of the good orients us in a developmental path of social progress where desires and interests are not just achieved, but are achieved with dignity and care for others and for the world in general.

This third-level evaluation and deliberation for action orients us toward order that builds on what was there before, but this process of critique and evaluation is not

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[142] Lonergan, *Method,* 44.

just rearranging the old order. It finds new discoveries along the way. What emerges cannot be planned for precisely but should result in more fundamental long-term changes, because "progress...is not some single improvement but a continuous flow of them."[143] These changes set in motion the new process of understanding, reflection, deliberation and change and the cycle continues.

I see the existence of civil society organizations as examples of this looping process taking place and third-level ethical meaning guiding patterns of cooperation. CSOs are intelligible patterns of relationships established by people who have come to understand two key points about themselves and society. They have evaluated existing patterns of cooperation and found them wanting in terms of their capacity to fulfill first-level desires in socially progressive ways. They have also recognized their own part in the broader social scheme and that they cannot be separated from others no matter if they are in their neighbourhood, city, country or across the seas. CSOs are examples of the innovation that has taken place when people have chosen not to merely adjust the existing orders (those traditionally held by government or private sector companies) but to create whole new patterns. In particular, people have identified so strongly with such values as dignity, human rights and fairness that they have created these organizations to act explicitly on the third-level good.

Organizations that function well are those that imbue such third-level values throughout their structures. The way they treat employees, volunteers and the public as well as the way they carry out their development work are evidence of acting so that

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[143] Lonergan, *Method,* 53.

first-level goods are met around the world with respect for human dignity and care for others. The creation of CSOs is not to replace the other schemes, since government and private sectors continue to play essential roles in the broader social fabric. There are many linkages between these schemes and the obligations tying them together. The existence of CSOs, however, demonstrates the 3-fold process in action. We see from CSO's own reflections and the external critiques of their role, though, that even newer structures still need to be evaluated and improved. The cycle of understanding, judgment and decision continues.

The three levels of ethical meaning found in Lonergan's structure of the human good are not three alternatives to choose between. There is a hierarchy to the structure that moves us from level one through to level three. Nevertheless, the intent is not for the higher levels to trump lower ones anymore than the lower ones take precedence over the higher. Each level integrates within it the other levels and in turn changes them and us. The higher levels serve the lower ones, but take precedence in the event of conflict between them. This precedence is designed to ensure progress and development on the lower levels. It is not to ignore them:

> The human good then is at once individual and social. Individuals do not just operate to meet their needs but cooperate to meet one another's needs. As the community develops its institutions to facilitate cooperation, so individuals develop skills to fulfil the roles and perform the tasks set by the institutional framework. Though the roles are fulfilled and the tasks are performed that the needs be met, still all is done not blindly but knowingly, not necessarily but freely. The process is not merely the service of man; it is above all the making of man, his advance in authenticity, the fulfilment of his affectivity, and the direction of his work to the particular goods and a good of order that are worthwhile.[144]

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[144] Lonergan, *Method,* 52.

The hierarchical nature of this structure also does not mean that everything must always be evaluated on the third level. Moving from first to second to third advances our ethical knowledge because each level broadens our insights and commitments. Nevertheless, we often address issues at either the first or second levels. We move back and forth between the levels. Melchin points out that "growth towards moral maturity entails movement through the levels, and this includes learning which level of analysis is appropriate for different issues"[145] and "what remains is for citizens to cultivate the virtues required, not only for operating on each level, but for shifting back and forth between them when the situation warrants."[146]

Moving from making a decision to act to then actually acting ethically brings the four levels of consciousness (experience, understanding, judgement, decision) to a full circle. Getting to that point also leads to the discovery of oneself as an ethical being and "with that discovery, there emerges in consciousness the significance of personal value and the meaning of personal responsibility"[147]. The method of self-discovery that we undertake by reflecting on our own operations of meaning, leading us to this sense of ethical agency is what is most important to Lonergan's three-fold structure of the human good and scale of values.

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[145] Melchin, *Living,* 47.
[146] Melchin, *Living,* 60.
[147] Lonergan, *Method,* 38.

CHAPTER 6: RESPONDING TO CSO CHALLENGES

The question remaining to consider is what the Lonergan ethics framework of the 3-fold structure of the human good can offer CSOs. In the previous chapters I have highlighted a series of CSO challenges and issues related to running an organizational ethics program during a time when the most common solution identified for public ethics issues was to have more accountability in organizations. To briefly reiterate, the key issues include:

- the current literature on CSO codes of ethics is concentrated primarily within writings on accountability. My experience with running a CSO ethics program leads me to argue that a broader organizational ethics discussion is needed;

- the growing influence of CSOs has resulted in increasing pressure for more accountability from various channels;

- the dominant accountability approach is geared to short-term, bottom-line results but such an approach is not always considered appropriate for the CSO sector;

- some form of a rules-based compliance approach is a desired component of CSO ethics programs because it provides for consistency among organizational practices;

- shared values do not prevent value conflicts. Strongly held values are tied to organizational identity. Concerns related to ethical practices in CSOs are more often related to questions of value difference than of breaking rules and so punitive approaches are less valid in CSO ethics programs;

- there are strong philosophical underpinnings to the debates and discussions that are influencing the way organizations administer current ethics programs and accountability mechanisms. The focus of this paper is not to argue that a pure version of only one ethical theory should prevail since elements of each are already entrenched in various ways in the social and economic fabric of Canada; and

- CSOs require a framework that: addresses their relational and cooperative needs; facilitates aspirations of long-term social change goals; responds to mutual accountability obligations; promotes learning and progress; and helps resolve conflict within and between organizations in constructive ways.

The Lonergan ethics framework offers two key contributions to addressing these challenges and issues. First, the framework provides a way to explain and understand what is happening in these debates and discussions. Second, the framework provides a helpful resource to address these challenges. I will begin with the explanations and then finish this chapter with an examination of how the 3-fold structure of the human good can contribute to addressing the specific challenges.

Viewing CSO Challenges through the Lens of Lonergan:

By examining the challenges through the lens of the Lonergan ethics framework one can diagnose what is happening when authors and development practitioners make their arguments. I will use a few examples from the issues discussed above to demonstrate how the framework provides this assistance.

I have argued that the existence of civil society organizations is a reflection of the Lonergan ethics framework at work. The growth of their influence is a manifestation of the movement of these organizations through the learning cycle. Through their experiences they strengthen their understanding, knowledge and action as development actors. This growth in influence, however, has drawn the attention and criticism of others. As discussed in Chapter 2, one of the results has been a push for more accountability. What the Lonergan framework offers is a way to explain this criticism from the perspective of ethical meaning.

The questions about the accountability of CSOs indicate that these organizations are recognized as a legitimate second-level pattern of cooperation. The challenge to improve accountability, however, indicates that the evaluation by some critics has concluded that these organizations are weak structures with insufficient accountability mechanisms. The good-of-order value of effectiveness is what is being questioned in such criticism.

The pressure for CSOs to follow accountability systems that work through a contractual basis, however, is drawing its ethical meaning from first-level goods. Here, we see the desire for results being the primary interest and, in particular, results that must satisfy the desires and interests of the contracting party. A similar argument is made in the discussions about the fundraising images where some say the image that results in the most amount of funds being raised should be the one chosen. Here, we see the belief that systems within the second-level good of order should be guided solely by the end results. The examples of focusing on results or the particular interest of the

contracting party reverse the ordering of the levels from the hierarchical structure found within the Lonergan framework. Here, the first-level goods are given primacy over the other two levels.

On the other hand, we also see an evaluation of the accountability approach that traditionally focuses on short-term results. Evaluated as a scheme of operation itself the approach is criticized for what it does to organizations and society more broadly. Judgments about the approach are demonstrated in critics' comments including: "stifling innovation;"[148] "a manifestation of more pervasive forms of social mistrust;"[149] "not necessarily truthful accounts;"[150] and "an overly business-like application of quality and standards could distort such relationships forever."[151] These authors are using second-level values of cooperative relationships, innovation and social cohesion and trust as criteria for their evaluation. By using these values for guidance, these authors have concluded that, in practice, a corporate-style accountability approach, as a scheme of operation itself, is promoting social decline, not progress.

Despite such critique of that particular accountability approach, there is recognition that "accountability practices have value in creating stability and assuring public confidence"[152] and that law-based approaches "permit substantial public involvement in the processes of developing rules and regulations."[153] These comments,

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[148] Jordan, "Mechanisms," 12.
[149] Weisband, "Introduction," 15.
[150] Weisband, "Introduction," 10.
[151] Slim, "By What Authority?," 4.
[152] Weisband, "Introduction," 10.
[153] Moe, "Rediscovering Principles," 135.

like the establishment of codes of ethics themselves, are examples of the values of second-level good of order at work.

Insight Theory also helps us to understand the concerns of those who criticize the assumption that the "truth" will be revealed as long as more information is provided.[154] The complex evolving nature of the self-correcting learning process is not recognized in such an assumption. It does not follow that simply having more "data" will get us to a good solution. The level of knowledge gained by following such an assumption will be much more limiting than need be the case with a more thorough, mindful approach.

The Lonergan ethics framework also helps explain what is happening when civil society organizations promote the importance of social betterment and long-term social change, or fundraising images that respect human dignity and do not fuel racism. These arguments are examples of people in organizations using third-level values as guidance to evaluate and judge second-level practices. We can see calls for new second-level patterns of cooperation that give precedence to third-level values. Such third-level values are usually found within the missions of CSOs. Calls for innovation and progress can be seen in comments about the need for long-range social development, experimentation, and the importance of recognizing the broad systems of relationships among CSOs.[155]

As we put the Lonergan ethics framework into action we get a very different perspective on the discussions about codes and accountability. The examples above are

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[154] See Weisband quote above in FN 18.
[155] Ebrahim, "Towards a Reflective Accountability," 202.

only a few of the ways that this ethics framework provides a helpful diagnostic tool.

When we reflect on the conversation from the perspective of values and ethical meaning

we can see more clearly why people argue certain ways, why conversations tend to run

in circles or may start at the same place but end very differently. What the Lonergan

framework offers is a way to talk about the issues and not get bogged down in the

content disagreements. He provides language for the conversation that is at the heart of

who we are as humans. The framework is based on what we do, but could do better. It

is possible to explain the 3-fold structure of the human good to people in ways they can

relate to from their own experiences. In addition to helping to explain what is going on

in such conversations, however, the framework can also serve to move the conversation

forward. It provides concrete guidance for organizational ethics programs. The next

part of this paper will examine this further.

A Response to the Challenges: The Lonergan Ethics Framework

By considering a couple of examples from CCIC's experience, it is possible to

demonstrate specific ways that Lonergan's method can contribute to tackling some of

the challenges faced in CSO ethics programs.

The first example refers back to the story discussed in Chapter 4 about the values

conflict among different organizations. The issue that surfaced the conflict was the

question of what an ethical fundraising image should be. The Council's original *Code

of Ethics* had three standards[156] written specifically to guide organizations on their

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[156] Standards 3.5.1, 3.5.3 and 3.5.6 of the original CCIC Code of Ethics. With a recent revision the Operational Standards included an updated standard (S6.4) written in response to lessons learned from dealing with this challenge.

fundraising images. Each CCIC member organization reflected on their fundraising practices and determined that they met the requirements for complying with these standards.

It didn't take long, however, for organizations to begin to question one another about their fundraising images[157]. Each organization that was challenged about a particular fundraising image had little trouble explaining how they believed that image met the standards. The disagreements that arose highlighted the conflict of values that was taking place between organizations, and even among staff within individual organizations. The CCIC ethics program faced the challenge of how it should deal with the situation. It was evident that having the standards in place was not sufficient as there was so much disagreement on how to interpret the standards. It was also evident that merely calling organizations to account for their images was not sufficient as they happily did so with strong values-based arguments.

The response of CCIC's ethics program could have been to have the Ethics Review Committee make judgments about each image. The Committee could have determined whether an image was in compliance with the standards and penalize any organization that used an image that did not fit the decision. Instead, the program decision was to create a peer learning opportunity and invite fundraisers who had previously been involved in stalemated discussions about fundraising images to a workshop. The Lonergan framework was the core resource used during the workshop

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[157] Three individuals initiated an official, and confidential, concern procedure with CCIC about whether particular images complied with the standards. In addition, see Plewes and Stuart (28-30) for a description of Africa Canada Forum's decision in 2001 to examine the images used by organizations.

and it proved to be very successful[158]. The 3-fold structure of the human good provided participants with a vehicle to name their values and have those values acknowledged. This was a change from previous conversations where these values were felt to be under attack by those who disagreed with the use of particular fundraising images.

What the framework helped participants understand, in particular, was how the organizations' decisions about images were connected to the 3-fold structure of the human good. Identifying the values behind the concerns and perspectives about fundraising images and then plotting them into the 3-fold structure helped explain why the discussion could be so heated. It also helped participants understand how they could move beyond the impasse and how they could be creative in finding solutions.

For example, participants realized that, in the eyes of some organizations, using an image that they knew would raise funds was good. People had for years used that argument because raising lots of funds was a sign of an effective image and being effective was a strong value. The ethics framework helped participants see how this value fits into the 3-fold structure and how the effectiveness arguments give priority to a second-level order of good. The insight that was gained by participants was that this focus on the effectiveness aspects of second-level good of order did not take into consideration the impact of using these images on third-level aspirational values of dignity, respect, care for the person, etc. Participants understood that focusing on the results gained by getting funds was reversing the values hierarchy and giving priority to the first level at the expense of the third level.

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[158] Internal workshop evaluation forms.

On the other hand, those participants who had always criticized organizations for their fundraising images learned that using images that do not raise funds will undermine second-level goods of order. Without sustained funding the result would be an organization not meeting the needs and desires of good development programming or even mere survival. In other words, first-level goods would not be achieved. They realized that simply criticizing organizational practices could result in decline just as easily as an image that did not respect a person's human dignity. Neither would lead to the social progress that was the goal.

By using the Lonergan ethics framework, the workshop process enabled participants to discuss common ground on shared third-level aspirational values. Since participants came from CCIC member organizations this was not a difficult process because such values are already expressed in the principles of the *CCIC Code of Ethics*. The principle of respecting and promoting the human rights and dignity of all people is at the forefront of the *Code of Ethics*. The work by members to develop the *Code of Ethics* helped ensure that CCIC already had a set of shared aspirational values from which to work throughout their discussion of the Lonergan framework. Participants in the workshop, therefore, came to understand how the *Code* fits together with the Lonergan framework. Once again this demonstrated how the 3-fold structure of the human good works well. It is based on what we do already, but offers ways to improve ourselves, and our organizations.

This opportunity for improvement was one of the key insights for participants. The Lonergan framework provided a resource that allowed CCIC members to see that

the ethics program could move beyond the need for punitive measures. One approach of

the program could have been to bring organizations to the table to demand they account

for their practices and then penalize them if it was determined that they did not meet the

standard. As is discussed above, however, the desire was to find an alternative approach

that would promote reflection and learning which, hopefully, would result in action that

improved practices by all concerned. Once participants understood the framework, they

realized that the way forward need not -be punitive, nor were they going to have to

defend their values from an onslaught of attacks. They realized also, however, that they

had been making their decisions based on their own scale of values, and the value

choices previously made might not have been moving their organizations in the direction

they desired. Participants recognized that the way forward entailed developing

innovative new fundraising materials that would promote, rather than undermine, third-

level values. Fundraisers are some of the most creative minds in organizations. Having

permission to move forward by being innovative, with the guidance of an ethical

framework, is very empowering and affirming.

The outcomes of that CCIC experience with using the 3-fold structure of the

human good were postive. Relationships between the fundraisers were strengthened.

Participants gained many insights into how peer organizations worked. They came to

appreciate what impact they were all having on the public's perception of the broader

sector. They saw how their organization was part of the broader system and their

activities had an impact on the varied patterns of cooperation. In and of itself, this was

an important result for a network of organizations that hold aspirational values of cooperation and mutual respect.

Having the opportunity to bring an array of people together because they were all members of the network made the discussion richer and more productive. A conversation within a single organization would not have brought together the diversity of views and values because organizations tend to become fairly homogenous in their values and beliefs. Networks or platforms of civil society organizations have the advantage over individual organizations of being able to work together to develop ethical knowledge. As L. David Brown has noted:

> Network learning can alter the cognitive and behavioural capacities of multiparty systems, reshaping their shared schemas for understanding events, their strategies and tactics for pursuing their goals, the network structures and systems that guide their activities, or their repertoires of activities.[159]

If opportunities are provided for peer learning using the framework, then faster and deeper insights should be possible. The more varied experiences brought to the table will produce a stronger learning process. When organizations are explicit about their scales of values and discussions are undertaken about how these values relate to one another, the more progress can be made.

In addition to providing a way through the challenge of value conflicts, the Lonergan framework can also provide guidance for interpreting the content of a code of ethics through a values-based approach. As is discussed above, codes are often written with a focus on correcting potential individual behavioural problems. By, instead,

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[159] L. David Brown, "Multiparty social action and mutual accountability," in *Global Accountabilities: Participation, Pluralism, and Public Ethics,* ed. Alnoor Ebrahim and Edward Weisband (Cambridge: Cambridge University Press, 2007), 105-06.

approaching the issues through the Lonergan lens, many standards within codes could be read as addressing threats[160] to the values and cares of the organization.

One example is the requirement for having a conflict of interest policy. Codes often have some standard related to conflicts of interest. When the ethics program uses a compliance-based approach it tends toward controlling an individual's behaviour to prevent wrong-doing. When viewed through the lens of the Lonergan framework, however, having a conflict of interest policy can be seen as protecting the organization from potential threats. All civil society organizations, by their very nature, are about relationships and as such are full of competing interests. Potential or actual conflict of interest situations are, therefore, quite normal. If not managed, however, they remain threats to the values of fairness and integrity that are core to the good of order of an organization. Acknowledging that reality helps to set the tone for the way the code and the ethics program functions in the organization. Providing employees and volunteers with guidance resources will ensure they understand what makes such a threat real and how to prepare for and manage such situations. This approach invites everyone to join in taking responsibility to protect the organization. Personal integrity is not insulted since those involved are not led to believe the standard exists to stop them from acting unethically.

Finally, the Lonergan ethics framework helps to focus attention on a broader discussion of ethics while still providing an answer to the challenge of the need for a

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[160] The work of Cheryl Picard and her colleagues at the Centre for Conflict Education and Research at Carleton University have pioneered this understanding of threats in a new model of conflict resolution they call "insight mediation" as it draws from Lonergan's method.

new form of accountability. Limiting the conversation about CSO codes of ethics to a conversation about accountability is not only disempowering for the organizations involved, but also diminishes the field of ethics to a very small part of accountability. There is much discussion about providing a sector-relevant accountability framework. An ethics framework that enhances the values base and promotes the social-progress goals of CSOs will have more success at promoting ethical practice in the sector. Lonergan's method helps situate codes within an ethics framework. It provides a concrete resource for helping us all advance our ethical knowledge as individuals and as the organizations through which we seek to promote our personal values. As an ethics learning framework it provides an answer to the challenge of finding an alternative accountability framework that is relevant for the CSO sector.

Codes of ethics and operational standards can become very important means for guiding, stabilizing and strengthening patterns of cooperation. Codes of ethics provide the touchstone principles of third-level aspirational values that guide reflection and innovation on organizational practice. Similarly, operational standards can serve to name second-level goods of order among organizations and networks of organizations. They can be the insights and the common knowledge that organizations agreed constitutes good practice at a particular point in time. Operational standards should be the common knowledge that results from a self-correcting learning process within organizations. As such, standards cannot be written and imposed from outside the network. The Lonergan framework puts the responsibility on individuals in

organizations to think through and develop their own understanding of the values and rules.

Incorporating Lonergan's learning framework as part of an alternative accountability mechanism would see codes of ethics serving, primarily, to enhance good practice and innovation rather than to control behaviour. Requirements for compliance would encourage organizations to question existing practices rather than merely "check the box" and confirm they fulfill the practice. The purpose of such questioning would be to gain insights and make judgements about existing schemes of operations and values. The questions would also be designed to go beyond insights. They would encourage deeper reflection and critique with the goal of reaffirming good practice and/or, when necessary, identifying new measures that would improve practices.[161] Standards of practice would then be updated as new insights and understanding develop. Organizations would account for not only how effective they are at fulfilling first-level goods but how these achievements are fulfilling third-level aspirational values.

CCIC found the 3-fold structure of the human good to be a helpful resource for network-wide reflection, discussion and learning. It answered a challenge of CCIC to find a way of moving beyond values conflicts. It answered the challenges discussed in various chapters of this paper to find a framework appropriate for the developmental approach of social change agents. The framework promotes innovation, creativity, and agency and it directs attention toward long-term social change.

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[161] It would not be helpful to expect constant change. The questions would promote reflection and action but not at the expense of stability in the organization.

Based on this experience and this thesis' deeper research into the Lonergan

ethics framework, I see a potential for the Lonergan ethics framework to offer more

assistance for ethics programs. One of the recurring challenges posed was the need to

promote critical reflection and learning.[162] This broad challenge did not indicate what

the reflection and learning should be about. Not only does the Lonergan ethics

framework answer that challenge, it answers the latter question. It guides us to step back

from concerns about content knowledge in order to know how we know; in particular

how we develop ethical knowledge. By understanding our operations of understanding

and the 3-fold structure of the human good we have the opportunity to create ethics

programs that answer the challenges facing not only CSOs, but any organization

interested in ensuring ethical practice is the norm.

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[162] See Ebrahim quote in FN 28.

CHAPTER 7: CONCLUSION

This thesis set out a series of connected challenges and opportunities that exist for ethics programs of civil society organizations. One particular challenge was for the CSO sector "to find new forms of accountability which enable, rather than constrain, innovation, creativity, and agency for long-term social change."[163] While I agree with the goal of enabling innovation and creativity, I also challenge the sector to broaden its horizon even further. For organizations to live up to their roles as long-term social change agents they need more than new forms of accountability. An ethics framework is needed that will encompass an accountability mechanism, but also ensure that organizations learn and progress on their path to creating a better world. Canadian philosopher Bernard Lonergan provides such an ethics framework.

My research into CSO codes of ethics led to the disappointing conclusion that codes are most often written about as a footnote in discussions on accountability. I argue a much different role for codes and this paper is written to expand the conversation into a broader public ethics discussion.

There are many similarities between the sectors on issues and concerns about accountability and ethics programs. I argue how the various approaches promoted in ethics programs are influenced by the two main branches of public ethics: deontology and teleology. I note also distinctions between those who argue for a goal-orientated approach, and conclude that we can see the influence of both consequentialism and virtue ethics in these distinctive approaches. These three ethics theories have a

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[163] Ebrahim, "Towards a Reflective Accountability," 193.

stronghold in enough parts of our social and economic fabric that it is not possible for one pure theory to prevail. This creates a number of challenges for operating an ethics program within a network of civil society organizations. People expect to see results and impact. They desire some form of a compliance-based ethics program because it provides concrete rules and standards for guiding and comparing practice. Values-based CSOs identify with a values-based ethics program. Strong values, however, bring value conflicts between organization and this reality can be problematic for maintaining good relationships in a network.

Canadian philosopher Bernard Lonergan offers a way forward. His framework that includes human understanding through insight and the 3-fold structure of the human good proved helpful for the ethics program at CCIC. This paper explained, and expanded on, the CCIC experience. The framework was analyzed with a focus on the broader challenges and issues identified through the conversations about CSO codes.

The key question behind accountability mechanisms seems to be how do you know you are ethical? The answer from CSOs, so far, has been to report on compliance to standards of practice and to talk about what results have been made in programs. The current accountability approach demands of organizations an outline of their planned results and then a report on having reached those results. Such demands are cause for pause when one considers the distinction made between a "technique" and a "method" in Lonergan's sense:

> To employ a technique or recipe is virtually to dispense with intelligence, reasonableness, and responsibility. But to employ a method is to engage in a deliberate and responsible exercise of intelligence and reasonableness. To employ a technique is

> to know beforehand the result of its application. To employ a method is to seek knowledge of what won't be known until the method has been employed successfully.[164]

Lonergan asks us to step back and pay attention to what we are knowing when we are coming to know; i.e. what is it we are "knowing" when we "know we are ethical?" His method promotes ethical agency in all of us, pushing us beyond just meeting minimum expectations. His method helps people in organizations to develop the habits needed for better decision making. This serves to strengthen organizations much more than getting a logo of compliance and using it as a marketing tool to say "we are ethical." Ethical knowledge takes us to another level of knowledge. Unfortunately, all too often we stop before we get there. Organizations, and the individuals within them, are usually satisfied with existing common knowledge.   The pressure for organizations to account for their experiences keeps them at the first level of ethical meaning.

Lonergan's call for consistency between what we know and what we do is a very empowering message. To fulfill this call is not without its challenges. Nevertheless, I have concluded that the Lonergan ethics framework has much to offer civil society organizations as they seek to find a sector-appropriate learning framework that will address the challenge for accountability and the need for aspirational goals.

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[164] Mark D. Morelli and Ellizabeth A. Morelli, eds., *The Lonergan Reader* (Toronto: University of Toronto Press, 1997), 21.

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