

Ethical Analysis Framework

CMSC 304 – Spring 2014

General comments: This is not necessarily a linear process, even though the steps are numbered. For example, thinking about consequences may lead you to come up with a new possible policy or situation, which would need to be included in the list in step 2 and in subsequent analysis steps. Also, in each step, you could generate/discover questions that aren't answered by your current sources (in other words, that need to be researched further.)

1. **Identify the relevant facts** (past/future, known/concluded).
 - a. Provide a comprehensive list of facts that are or may be relevant.
2. **Identify the possible policies / decision centers / outcomes / influences.**
 - a. Generate a broad set of reasonable alternative policies/outcomes.
 - b. Who is making the decisions?
 - c. Who are the stakeholders affected by the policies?
3. **Analyze each aspect**
 - a. Impartially consider each aspect from a deontological and consequential point of view.
 - b. Does it pass the tests of fairness and justice? Are some individuals deprived of their rights at the expense of others? Does it make a reasonable *universal* policy?
 - c. Reject – but not necessarily ignore - any aspects or positions that are *prima facie* excessively unethical, unfair, or unjust.
4. **Identify the principles and values.**
 - a. What are the goods to be protected or the rights of the involved stakeholders?
5. **Identify the consequences** (known or potential, both positive and negative).
 - a. Consider the consequences of each decision/outcome, with respect to each group of stakeholders.
6. **Identify the applicable laws, regulations, or ethical contexts involved.**
 - a. Do they require or prohibit any actions by the individuals involved?
7. **Identify and analyze the tradeoffs.**
 - a. Consider each outcome with respect to principles that are in conflict.
 - b. Conduct an ethical cost-benefit analysis – how much positive benefit is created for how many people, relative to the negative consequences?
8. **Analyze the ethical issues with respect to the laws.**
 - a. Are the relevant laws consistent or inconsistent with the ethical tradeoffs?
9. **Analyze the ethical issues with respect to the relevant professional code(s) of ethics.**
 - a. Is the professional code consistent or inconsistent with the ethical tradeoffs?
10. **Draw and justify a conclusion.**
 - a. What action *should* be taken, based on the outcome that is the most ethical (most fair/just/happiness-maximizing) of the available options?
 - b. If this action is inconsistent with the applicable laws, then your conclusion may include a recommendation that the law should be changed.
11. **Write a cogent summary of your analysis and reasoning.**
 - a. The written analysis all of the information that you collected/created during the first ten steps of the process.

Ethical Analysis Framework Quick Reference

1. **Identify the relevant facts**
2. **Identify the possible policies / decision centers /outcomes / influences.**
3. **Analyze each aspect; reject if *prima facie* unjust**
4. **Identify the principles and values**
5. **Identify the consequences**
6. **Identify the applicable laws, regulations, or ethical contexts involved.**
7. **Identify and analyze the tradeoffs**
8. **Analyze the ethical issues with respect to the laws**
9. **Analyze the ethical issues with respect to the relevant professional code(s) of ethics**
10. **Draw and justify a conclusion**
11. **Write a cogent summary of your analysis and reasoning.**