

WORKING DRAFT

THE GIVE AND TAKE OF BEHAVIORAL AND NORMATIVE ETHICS¹

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Two spheres of knowledge can be identified in the world of scholarship on ethics: normative and behavioral.³ One is largely concerned with what we ought to do and is prescriptive; the other focuses more on what it is that we do and is descriptive. The tradition of the former goes back millennia and is the domain of philosophers and theologians; the tradition of the latter has a far shorter history and is the domain of behavioral and social scientists, along with a small group of experimental philosophers. Here, like Donaldson (1994) we endorse the idea of a symbiosis between the normative and behavioral spheres – not mutual exclusivity, but a give and take. That is, because these traditions are both different (in their intellectual histories and approaches) and the same (in their concern for morality), one stands to gain from the other. We consider what the study of behavioral ethics can offer the tradition of normative ethics, and what the tradition of normative ethics can offer the study of behavioral ethics. This endorsement of a “symbiotic relationship” (Trevino & Weaver, 1994) recognizes the desirability of maintaining the distinctive logic of each sphere. A rationale underlying our posture is captured by Weaver and Trevino (1994, p. 133): “Deliberate attention to descriptive, empirical theory can prevent normative researchers from posing programs of moral improvement which, however much they embody some noble normative principle, in practice are unfeasible or even likely to undermine moral behavior. Attention to

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³ While a discussion of normative ethics might draw broadly on the fields of philosophy and theology, we draw not exclusively, but primarily on philosophy. By “behavioral ethics,” we refer to research that is primarily focused on individuals’ moral judgments, decisions, and behaviors. In our discussion of this work we draw largely on the fields of psychology and organizational behavior.

normative theory, in turn, aids empiricists in being self-conscious about the purpose, character, and results of their work.” The purpose of our paper is to investigate this symbiosis with a view toward incorporating recent research on behavioral ethics and an expanded view of normative philosophy. In what follows, we begin with a brief history of the is/ought distinction, which we show to be a modern convention, and one that is perhaps not entirely necessary. Loosening the rigidity of this distinction, we then discuss in some detail ideas about what behavioral ethics can contribute to normative ethics and vice versa.

“IS VS. OUGHT”: A BRIEF HISTORY

There are obvious disciplinary and methodological differences between moral philosophy and behavioral sciences. Yet, these are typically viewed as secondary to a much more fundamental divide. It is the coin of the realm that the domain of normative and evaluative judgment, discourse, and theorizing is sharply delineated from the domain of factual and empirical judgment, discourse, and theorizing. The existence of this deeper division is often taken as indicating a bright line separating philosophy and behavioral ethics (Donaldson, 1994; for a contrary view see Werhane, 1994). This gap is usually framed in terms of the classic is/ought distinction, which, in turn, amounts to the claim that *prescriptions* cannot be inferred from *descriptions*. In the background of this stance there is a way of thinking about ethics as being analogous to law. Ethics, it is widely thought, prescribes certain duties and prohibits certain actions, where these prohibitions are often articulated using the language of rights. In a paper that is now itself regarded as a classic, Anscombe (1958) argues that this way of thinking about ethics has not been the dominant one in the history of philosophy and that it is, in fact, fairly recent. Perhaps not surprisingly, the distinction between “is” and “ought” is also fairly recent in terms of the millenia-long history of moral philosophy. It is generally agreed that it was first articulated in the form now assumed to be correct by Hume (1740/2000) in Book III of his *Treatise of Human Nature*. The legalistic conception of ethics fails to capture what ethics looked like in the centuries prior to the early modern era or, indeed, in non-European philosophical traditions.

Classical ethics, that is, the discipline as carried out by Plato, Aristotle, and the other principal schools of ancient thought, Stoicism and Epicureanism, did not deal so much with duties and rights as with two other interlocking concepts: well-being (Greek: *eudaimonia*) and excellence (Greek: *aretē*). A defensible account of these concepts needed to reflect an adequate account of human nature for the simple reason that one cannot understand what the well-being and excellence of a certain kind of creature are supposed to be without understanding what Aristotle (c. 335 BCE/1999) called the *ergon* - the characteristic behaviors and mode of life - of that creature. In the centuries after Aristotle, the degree to which a moral theory accurately reflected the human form of life became the key criterion for assessing its success (see Cicero, 45 BCE/2001). For instance, it was frequently alleged that Epicureanism was a theory fit only for non-human animals, in that it identified well-being exclusively with pleasure and considered various forms of excellence as instrumental to pleasure.

During the medieval period, classical ethics remained the dominant approach, as the works of figures like Boethius, Abelard, Aquinas, and Ockham demonstrate. This is somewhat surprising in light of the emphasis placed on law by the Jewish, Christian, and Islamic traditions. Nonetheless, even Maimonides (1190/1963), famous for his authoritative compilation of *halakha* (rabbinic legal traditions), frames ethics in terms of the classical tradition in his *Guide of the Perplexed*.

In Hume's era (the 18th century), usually referred to as the Scottish Enlightenment, classical ethics was intimately linked to the very beginnings of modern disciplines like psychology, anthropology, history, and economics. Confronted by various forms of moral skepticism and deeply impressed by the achievements of the Royal Society in the physical sciences, figures like the Third Earl of Shaftesbury, Francis Hutcheson, Lord Kames (Hume's distant cousin), Adam Smith, and others turned to the "original of human nature" – i.e., moral psychology – in order to construct an account of motivation, judgment, personality formation, and other phenomena (on Hutcheson in particular, see Crowe, 2011). Rather than pursuing these inquiries in a neutral, non-evaluative mode, all of these figures were deeply committed to a vision of human well-being and to a serious program of social reform – and they fully embraced the classical conception of ethics. These ideas were well received in France, Germany, and in Britain's North American colonies. In Germany, Herder undertook a similar project of integrating psychology, biology, linguistics, and history into a comprehensive science of human nature meant to serve the interests of well-being and moral excellence (Crowe, 2012). Closer to our own era (late 19th - early 20th centuries), and likewise during one of the formative periods in the history of the social sciences, Dilthey developed a rich account of the role of evaluative judgments in historiography, partly drawing on his own work in descriptive psychology (Crowe, forthcoming).

In light of this brief review of some of the relevant history, it is safe to conclude that the Humean view, which postulates a rigid dichotomy between the normative-evaluative and the descriptive, is very much the minority brief. Instead, there is a long and illustrious tradition of pursuing moral theorizing in light of accounts of human nature, and of developing such accounts in the interests of promoting human well-being. The "symbiotic relationship" that we endorse best reflects this tradition. In the next two sections we build on this tradition by discussing what behavioral ethics and normative ethics can contribute to each other.

WHAT BEHAVIORAL ETHICS CAN CONTRIBUTE TO NORMATIVE ETHICS

The is/ought distinction is not merely of historical interest; there is currently a lively discussion of the relationship between normative and behavioral ethics (e.g., Doris, 2002; Greene, 2007, 2014; Kelly, 2011; Rini, 2015; Sinnott-Armstrong, 2008). Doris and Stich (2006) claim that there are two questions about actual human lives that ethicists need to address: "(1) what empirical claims about human psychology do advocates of competing perspectives on ethics theory assert or presuppose? (2) how empirically well supported are these claims?" According to them, the first question is for philosophers to pursue, the second for behaviorists (see also Greene, 2015; Huebner, 2011; Kumar, 2015; Williams, 1973/1985). The potential contributions of behavioral ethics largely but not exclusively, will be addressed by examining when the application of a normative theory may or may not yield the best outcomes.

To introduce our account of what behavioral ethics can contribute to moral philosophy, we turn to Kumar's (2015) recent discussion of ideal and non-ideal ethical theory. Kumar's position rests on work by Rawls (1971). In addressing theories of justice, Rawls distinguished between "ideal theory" and "non-ideal theory." Ideal theory, which precedes non-ideal theory, can be thought of as "what we should think about what we should do" (Gilbert, 2008, p. 58); ignoring feasibility constraints, it is a yardstick for measuring the degree to which our society meets the standards of a fully ideal one (Valentini, 2012). Alternatively, non-ideal (or realistic) theory embraces feasibility, so its

prescriptions are likely to be effective in the real world; for example, it considers common human flaws (e.g., selfishness, greediness and corruptibility; North, 2010; Galston, 2010; see also Valentini 2012). Again, our position is that non-ideal ethical theory could and should benefit the most from empirical findings. Non-ideal ethical theory is where the boundary between normative-evaluative and descriptive becomes most permeable. Thus, it seems to us that empirically informed non-ideal theory perhaps is most useful in the domain of applied ethics (e.g., business ethics; Moriarty, 2016). One can obtain the flavor of this utility in Werhane, Hartman, Archer, Englehardt, and Pritchards' (2013) *Obstacles to Ethical Decision-Making: Mental Models, Milgram, and the Problem of Obedience*. Below, we begin to articulate what some of these relevant findings might be and how they pertain to two central normative theories: utilitarianism and deontology.

Behavioral Ethics and Utilitarianism

Utilitarianism is a case of consequentialism and is defined by the view that the moral quality of actions is determined by the degree to which they produce the greatest aggregate happiness. It and deontology - a view according to which the moral quality of actions obtains primarily due to features of actions unrelated to outcomes - are often contrasted views of normative ethics. While we do not attend to the possibility that they are not mutually exclusive (e.g., Conway & Gawronski, 2013; Tanner, Medin, & Iliev, 2007), we will discuss the contributions of behavioral ethics to these two theories separately.

Utilitarianism has received considerable attention by psychologists and business scholars alike, due in part to its analogous relationships to cost-benefit analysis (e.g. Bennis, Medin, & Bartels, 2010), and to a calculative mindset (e.g., Wang, Zhang, & Murnighan, 2014), both of which clearly are evident in business and economics decision-making. It should first be noted, however, that utilitarianism is not without its critics. For example, Gigerenzer's (2008) criticisms target the application of utilitarianism to solving moral problems in the "real world," which is consistent with our emphasis on non-ideal theory. He assumes, for the sake of argument, that utilitarianism is more useful for solving "textbook problem(s)" such as the trolley problem (p. 21). More troubling from Gigerenzer's perspective, however, is the slogan associated with Bentham, "seek the greatest happiness of the greatest number" (p. 20). Gigerenzer argues that any maximization theory has computational limits. These limits are imposed by time horizons and the sets of possible actions and consequences, thus disallowing uncertainty and surprises. He goes on to note that maximization also may be unrealistic because the criterion (e.g., good and happiness of the greatest number) cannot be measured sufficiently and because there may be multiple goals or criteria in play, as is often characteristic of moral dilemmas. Moreover, Gigerenzer recognizes that maximization can harm trust; for instance, if an employer seeks to maximize the talent of his or her workforce annually, he or she may be forced to dismiss workers, thereby destroying loyalty, identification, and trust among those who remain (e.g., Baumol, 2004). Finally, he notes that real world moral problems are often ill defined; for example, the set of possible actions is often unknown and the consequences unforeseen. While arguments consistent with Gigerenzer's position can be found in both the philosophy (e.g., Smart & Williams, 2008) and economics (Simon, 1955) literatures, similar criticisms are also present in moral psychology (Driver & Loeb, 2008; Sunstein, 2008).

Bennis et al. (2010) provide another broad critique of utilitarianism, in this case focusing on the difficulties of applying cost-benefit analysis (CBA) to moral problems. In a vein similar to Gigerenzer (2008), Bennis et al. recognize that CBA is more applicable to decisions characterized by "closed world assumptions; for example, by situations accepted as stated (complete and accurately

with no other considerations or interpretations entertained); thereby, for instance, failing to consider alternative actions and unintended consequences” (p. 188). They go on to argue that CBA (and, thus, utilitarianism) is poorly suited to moral domains. Bennis et al.’s argument recognizes that it is often the case for actual decision situations that (a) there is no limit to the choices or outcomes to be considered, and (b) moral choices, in particular, elicit strong emotions which skew the subjective likelihood that various outcomes will occur from a choice (Rottenstreich & Hsee, 2001), contributing to the impossibility of deducing and weighing all potential costs and benefits associated with same decisions. See Schwartz (2010) for supportive arguments and Bazerman and Greene (2010) for a negative assessment of Bennis et al.

For a final general critique, we turn to Wang et al. (2014). They note that a “calculative approach” is consistent with utilitarianism, for it seeks the greatest good for the greatest number of people thereby requiring calculations to convert decision factors into a metric (p. 41). Wang et al.’s critique, unlike the previous two, is empirical, focusing on the consequences of a calculative mindset. The researchers demonstrate across five experiments that a calculative mindset crowds out moral concerns resulting in more self-interest and even immoral behavior (see Small, Loewenstein, & Slovic, 2007; Zhong, 2011). In one experiment, for example, participants were randomly assigned to perform a calculative or non-calculative task and then engaged in a modified version of the utilitarianism game (Straub & Murnighan, 1995) where they had the opportunity to lie. Those induced to a calculative mindset by the calculative task lied over twice as much during the utilitarianism game than did their non-calculative mindset counterparts.

In sum, the three general critiques reviewed suggest a non-ideal utilitarian theory (a) is best applied in situations where moral choices and their consequences appear clear and (b), even more challenging, its use, because of the calculations entailed, may lead to undesired actions. Now, we turn to additional empirical findings that address utilitarianism in use.

We begin with a set of rather dark findings. Koenigs, Young, Adolphs, Tranel, Cushman, Hauser, and Damasio (2007) found that patients with damaged ventromedial pre-frontal cortices, resulting in emotional deficits, are more likely to endorse utilitarian solutions to sacrificial dilemmas (also see Ciaramelli, Muccioli, Lådavas, & Di Pellegrino, 2007; Moretto, Lådavas, Muccioli, & Di Pellegrino, 2010). Such emotional deficits are similar to those observed in psychopaths (Saver & Damasio, 1991). Bartels and Pizarro (2011) followed up on this lead and examined, in a non-clinical population, the relationship between antisocial personality traits and utilitarian responses to moral dilemmas. They observed that participants who endorsed utilitarian solutions to a set of moral dilemmas scored higher on psychopathy and Machiavellianism scales. Bartels and Pizarro’s findings are consistent with those of Glenn, Koleva, Iyer, Graham, and Ditto (2010), Landon and Delmas (2012), and Gao and Tang (2013) (but see, for example, Cima, Tonnaer, & Hauser, 2010; Glenn, Raine, & Schug, 2009). Shifting gears, Duke and Begue (2014), in two field studies, recruited a combined sample of 103 males and females from two bars in Grenoble, France, finding that participants’ blood alcohol concentrations were positively correlated with utilitarian preferences.

In addition, Côté, Piff, and Willer (2013) theorized and observed across three studies that lower class persons feel more empathy towards those harmed by utilitarian judgments, and that upper class participants, feeling less empathy, are more calculating, and, thus, more utilitarian in their judgments. Moreover, Gleichgerrcht and Young (2013) consistently found among their research participants that low levels of empathic concern predicted utilitarian responses (see also Decety & Cowell, 2014).

A number of studies indicate that religious individuals exhibit an aversion towards utilitarianism (e.g., Piazza, 2012; Piazza & Sousa, 2013). Piazza and Landy (2013) found this aversion is rooted in the belief that morality is founded on divine authority.

Other findings that may be pertinent to relying on a non-ideal theory of utilitarianism include the following: (1) Aguilar, Brussino, and Fernandez-Dols (2013) reported three experiments demonstrating that as “psychological distance” (Trope & Liberman, 2010) increases so do preferences for consequentialist choices; thus, for instance, one would expect utilitarian choices to be preferred for a moral dilemma arising thousands of miles away rather than for the same dilemma arising in one’s neighborhood; (2) Ham and van den Bos (2010) showed that participants who thought unconsciously about a moral dilemma were more willing to make utilitarian decisions than those who thought consciously or who made an immediate decision; and (3) Lucas and Galinsky (2015), based upon an examination of the literature, observed that the same seven antecedents (e.g., testosterone and power) that predict risky choices also predict utilitarian choices.

What baggage might come with relying on utilitarianism? People focusing on consequences are particularly susceptible to “framing effects” (e.g., Tversky & Kahneman, 1981; Tanner, Medina, Iliev, 2007), thus presumably leading to less rational decision-making. Utilitarian evaluations of consequences do not occur in a rationalist vacuum; rather, they are biased by deontological intuitions of the immorality of the action itself, affecting, for example, people’s estimations of the likelihood of positive and negative consequences of an action (Liu & Ditto, 2016). Finally, utilitarian decision-makers are seen as less preferred social partners, less moral, and less trustworthy than deontological decision-makers (Everett, Pizarro, & Crockett, 2016; Kreps & Monin, 2014; Sacco, Brown, Lustgraaf, & Hugenberg, 2016).

While our review of the literature pertaining to the psychology of utilitarianism is not exhaustive, we believe it is sufficient to construct the following description. Utilitarianism appears to be most applicable to situations where moral choices are clear and the costs and benefits associated with them are also clear. Moreover, the mere calculation of costs and benefits may lead to greater self-interest and even promote immoral behavior. People who endorse utilitarian choices tend to exhibit antisocial personality traits and the consumption of alcohol is associated with those choices. Preferences for utilitarian choices are related to being a member of the upper class, presumably due to their lower levels of empathy than members of the lower class. Religious individuals, especially those believing in a divine authority, show an aversion for utilitarianism. Psychological distance, unconscious thought processes, and predictors of risk-taking all appear to be related to utilitarian preferences. Relying upon utilitarianism is associated with being more susceptible to framing effects, aligning costs and benefits with the moral negativity of the act judged, and being judged as less preferred social partners, less moral, and less trustworthy. Collectively, these findings strongly indicate that there are serious limitations to the successful application of utilitarianism in real-life moral decision making. Advocates of utilitarianism would do well to consider such findings.

Behavioral Ethics and Deontology

Derived from the Greek word for “duty,” deontological theories of ethics focus on the rules and principles that inform our actions. Deontologists believe that certain actions are morally worthy apart from any good or bad consequences they generate. Kant, the figure most closely associated with deontology, argued that individuals who act from duty are guided by universal principles

(defined by what he termed the *categorical imperative*, with the *principle of universalizability* - act only on those principles that one can will to be a universal law - and the *principle of humanity* - treat people as an end in themselves and never merely as a means - being two of the more well-known formulations (see Shafer-Landau, 2013)). A Kantian perspective is based on the belief that these principles should be regarded “as absolute, that is, as never permissibly broken” (Shafer-Landau, 2013, p. 481).

Deontology is not without its philosophical critics. Strict adherence to a rule or principle is argued to produce a potential “rigidity” of decision-making (Donaldson & Werhane, 1983), a rigidity that can fuel what has been termed the “paradox of deontology” (Nozick, 2013). If, for example, the value of human life leads to the principle of “do not kill,” a deontological perspective would suggest we should adhere to that principle and not deviate; however, if, in following the “do not kill” rule, more lives are actually lost, then the value of human life asserted by the principle is not being protected (Nozick, 2013). The alternative is to recognize that such rule-adherence rigidity is not desirable, but if that is the case, then a central tenant of deontology, namely that rules are never to be broken, is violated - hence the paradox of deontology.

Another weakness of deontological theories involves the conflicts that exist between duties. While Kant claims “a conflict of duties is inconceivable” (Kant, 1780, p. 25), philosophers have challenged that assumption. The classic “borrowed gun” scenario illustrates this challenge: If one believes that keeping a promise and refraining harm are both duties, what is one to do when a friend asks you to return his borrowed gun (as you promised you would), which you know that he intends to use to commit harm? Though establishing a hierarchical ordering of rights has been offered as a possible solution, even that is not without its problems (i.e., the choice between which child to save and which to kill as depicted in Sophie’s choice; see Greenspan, 1983).

Given these concerns, next we turn to a discussion of how behavioral ethics might inform a non-ideal theory of deontological ethics. We outline three possible insights offered by behavioral work, including how the decision context affects the (in)consistent application of a deontological approach, how distinctions between action and inaction alter the endorsement of protected values, and how our inability to even recognize a situation as one that requires the application of a universal rule calls into question its applicability. First, however, we provide an overview of the concept of sacred values, the topic of most of the behavioral research that relates to deontology.

The investigation of sacred or taboo values has received significant attention in the decision-making literatures (Baron & Green, 1996; Baron & Spranca, 1997; Fiske & Tetlock, 1997; Iliev et al., 2009; Tetlock et al., 2000). Baron and Spranca (1997) define protected values as “those that resist trade-offs with other values, particularly with economic values.” Similarly, sacred values are defined as “any value that a moral community implicitly or explicitly treats as possessing infinite and transcendental significance that precludes comparisons, trade-offs, or indeed any other mingling with bounded or secular values” (Tetlock et al., 2000, pp. 853). Though the labels differ, a commonality in definition exists: namely, sacred or protected values (hereafter referred to as sacred values) are those that represent essential values upon which there are moral restrictions that prohibit trades or compromise. It is here that the connection to deontology is evident. As articulated above, deontology appeals to universal principles that protect values, principles that are likewise absolute and should not be violated. This connection is made explicit by Baron and colleagues (Baron and Spranca, 1997; Baron and Ritov, 2009) who argue that protected values are in fact deontological rules and principles. Empirical evidence suggests that sacred values can in fact be sacred, immune to trade-offs (Iliev et al., 2009).

The sacredness of “sacred” values, however, has been questioned. Sacred values have been argued to reflect overgeneralized concepts, akin to strong opinions that are weakly held (Baron & Leshner, 2000). Empirical results suggest that claims of sacred values should not be accepted as such, given that individuals often change their assessments upon future probing (Baron & Leshner, 2000). Tetlock and colleagues found, for example, that merely thinking about sacred trade-offs can lead to a reduction in the sacredness of that value (Tetlock et al., 2000). Similarly, prompting decision makers to think about counterexamples to such values resulted in them being re-categorized from “protected” to “non-protected” (Baron & Leshner, 2000). This pattern of evidence had led to scholars to suggest that sacred issues might be better categorized as “pseudo sacred” issues (Tetlock, Peterson, & Lerner, 1996), which in turn suggests that the application of deontological rules and values are context-dependent (Iliev et al., 2009).

The decision context and its effect on endorsement of sacred values lends support to the notion that deontological rules and values are malleable. For example, Bartels (2008) examined presentation effects across several different types of scenarios, scenarios in which individuals were asked to indicate support for a harmful action that would bring about a greater good. Bartels found that when the initial scenarios described large (positive) consequences for the harmful action, in subsequent scenarios, it led to a reduction in support for a harmful action that led to more standard (smaller consequence). Such contrast effects are argued to support the notion that individuals are inconsistent in their implementation of rules or principles that are supposed to be uncompromising.

The number of options has also been shown to affect the importance of rules (Bartels & Medin, 2007; Bartels, 2008), an effect that is argued to be driven by attentional shifts in what is valued and preferred (Iliev et al., 2008). Original research in this area investigated sequential (i.e., two options presented one at a time) versus simultaneous (i.e., side-by-side presentation of both options at the same time) options sets, demonstrating that these differing presentations shifted preferences, including preferences for relative versus absolute money and personal electronic device (VCR) versus air quality (Bazerman, Loewenstein, and White, 1992; Bazerman, Schroth, Diekmann & Tenbrunsel, 1994; Irwin, Slovic, Lichtenstein & McClelland, 1993). This pattern replicates in the domain of sacred values, with evidence suggesting that individuals are particularly sensitive to harmful actions that reduce a risk when those decisions are evaluated in isolation but less so when they are evaluated alongside other possible scenarios (Bartels, 2008; Iliev et al., 2009). Sensitivity to the decision context has also been demonstrated in work on the attraction effect, an effect that occurs when individuals are more likely to prefer an option that dominates an (often irrelevant) option in the choice set (Huber, Payne & Puto, 1982; Simonson, 1989). Results reveal that, similar to studies examining the preference for non-sacred values, sacred values for charities were indeed dependent on the presence or absence of dominating alternatives (Iliev & Medin, 2007). Outside options have also been found to affect the endorsement of sacred values. In a study based in a negotiation context, Tenbrunsel and colleagues (2009) demonstrated that a focus on sacred values negatively affected the negotiation, leading to more impasses, lower joint outcomes and more negative perceptions of one’s opponent; however, this only occurred when the negotiator perceived that they had a strong alternative to a negotiated settlement. In contrast, when negotiators perceived they had a weak alternative to a negotiated settlement, sacred issues did not have any impact on the negotiation. The authors conclude that “exercising one’s principles and values may depend on whether people can afford to do so...suggesting that the impact of certain sacred issues may be contextually dependent” (Tenbrunsel et al., 2009, p. 263).

The context dependent application of deontological rules and principles is argued to be driven in part by the differences between acts of omission and commission. A sin of commission is doing something overtly wrong (i.e., telling a lie), whereas a sin of omission is refraining from doing something right (i.e., withholding the truth). Though many normative theorists argue that the omission-commission distinction is morally irrelevant (Bennett, 1966; Hare, 1981; Singer, 1979; though see Kagan, 1988; Kamm, 1986; Steinbock, 1980), individuals empirically rate harmful omissions as less immoral than harmful commissions (Spranca, Minsk & Baron, 1991). Deontological rules, because they focus on acts, are argued to reflect an inherent omission bias: acts that violate those rules are seen as worse than omissions that also violate those rules, even if the omission is equally or even more harmful (Baron and Ritov, 2009). Baron and Spranca (1997) argued that, if individuals did not exhibit this bias and instead were neutral between acts of commission and omission, absolute rules would be very difficult to follow. As Baron (2014) illustrates, if you think abortion is absolutely wrong, then it may be easy for you to avoid an act of commission (avoiding an abortion) but quite difficult for you to avoid an act of omission, for then you would be morally obligated to spend all of your time doing nothing other than making sure abortions did not occur.

Empirical evidence also suggests that deontological principles may be irrelevant if individuals do not recognize that a situation is an ethical one. Though many models and theories of ethical behavior presume moral awareness, individuals are argued to fall prey to ethical fading, a process by which they do not recognize the situation as an ethical one (Tenbrunsel & Messick, 2004). Ethical fading is argued to be driven by the tension between the “want self,” which is characterized as impulsive, hot-headed and self-focused, and the “should self,” which is more cognitive, rational, values-focused (Bazerman, Tenbrunsel & Wade-Benzoni, 1998). While the “should self” dominates before (in the prediction phase) and after (in the recollection phase) an ethical decision, the “want self” is argued to be dominant at the time of the decision; as a result, individuals do not “see” the moral relevance of a decision and therefore their normative principles are not evoked (Tenbrunsel, Diekmann, Wade-Benzoni, & Bazerman, 2010). Relatedly, Iliev et al. (2009) assert that individuals who hold strong moral values are sensitive to features in the environment and that this can lead individuals to ignore or focus on actions that produce harm. If individuals do not see the ethics or are not paying attention to actions that produce harm, actions that may violate their deontological rules, then the deontological rules will not have any relevance or impact on the resulting decision.

Similar to our review of the psychology of utilitarianism, the overview offered on behavioral ethics and deontology is not meant to be comprehensive. Rather, we hope that it encourages discussion on when deontological rules are evoked and when they are not. Our review suggests that adherence to deontological rules is most likely when individuals make decisions without considerable reflection on the exceptions to those rules. Empirical evidence also reveals that adherence to such rules depends on the types and numbers of options that are presented. More specifically, deontological reasoning is more likely when deontological choices are evaluated one at a time, when a deontological choice dominates an inferior alternative, and when the positive consequences for violating a deontological action are relatively small in comparison to the consequences of a previously considered deontological violation. Deontological reasoning is also more likely to prevail when individuals have strong outside options (alternatives). Deontological reasoning further depends on whether direct action is entailed, with the employment of such rules prevailing in acts of commission versus omission. Finally, because adherence to deontological rules may be less likely when ethical fading has occurred, it is more likely to be evoked before and after a decision has been made but less likely during the actual decision making process

Implications for a Non-Ideal Theory of Utilitarianism and Deontology

It is beyond the scope of the present essay to develop a complete non-ideal theory corresponding to either deontology or utilitarianism. Instead, in this section, we suggest some of the parameters for such a theory. We begin by quoting Flanagan (1993, p. 32): “Make sure when constructing a moral theory...that the character, decision processing, and behavior prescribed are possible, or are perceived to be possible for creatures like us.” Thus, a non-ideal theory of utilitarianism should reflect limits on recognizing possible choices and calculating the costs and benefits of those choices (also see Rini, 2015; Sidgwick, 1907). Such a theory also should reflect that some of those who prefer it are likely not to exhibit the best of character traits (e.g., empathy and other-directedness). This might be accomplished by incorporating into the theory prescriptions that might reduce, for instance, indifference to others and self-interest. Likewise, a non-ideal theory of deontology should recognize that the “core challenge is to understand how these values can be at once fundamental to personal identity and (sometimes) lead to dramatic actions and sacrifices but at the same time be so flexible that modest experimental manipulations lead to qualitative changes in judgments” (Iliev et al., 2009, p. 189). Doing so requires understanding how the decision context, including the number, order and types of options, can influence the extent to which individuals adhere to their principles and values and providing recommendations that identify preferred decision contexts. Attention should also be focused on the irrelevance of deontological rules when ethical fading occurs (i.e., when a decision is actually being made versus thinking about the decision one might make and the decision that was made) and, drawing on research in the behavioral ethics domain, discern conditions under which they will most likely be evoked. Finally, the seeming irrelevance of deontological reasoning during acts of omission reflects realistic time constraints on individuals, constraints that non-ideal theory can and should incorporate.

We close our consideration of how behavioral ethics might inform normative ethics by noting that if one wishes to design moral prescriptions that are likely to be effective, given some human flaws, then we had better factor in more real-world constraints (Valentini, 2012); a good way to do this is for philosophers and psychologists to work together (Rini, 2015).

WHAT NORMATIVE ETHICS CAN CONTRIBUTE TO BEHAVIORAL ETHICS

As the foregoing discussion amply demonstrates, there are many interactions between behavioral research and normative moral theories. Moral philosophers stand to gain by considering the findings of behaviorists. At the same time, behaviorists can enrich their own research programs by taking moral philosophy seriously. One issue regarding existing behavioral work is that, despite frequent reference to moral theories, many behaviorists stand at arm’s length from the philosophical theories on which they draw, preferring to define morality based on social consensus rather than normative theory. Further, while there is much more that can be said about utilitarianism and deontology, there is also room for broadening our scope to consider other moral theories. Moral life is a complex phenomenon that resists ready systematization (see Williams 1986). The long, complex history of philosophical reflection on morality contains valuable articulations of the manifold issues at stake in moral life. Together, considerations such as these show that there is a great deal yet to be learned from the full range of moral philosophy. We explore these considerations in more detail in this section.

Beyond “Consensus”

The idea that behavioral ethics can contribute to normative ethics presumes that the project of normative ethics is not complete, that there is more work yet to do. While this is good news for the normative philosopher and her gainful employment, it is sometimes viewed by the behavioral ethicist as a sort of failure in the sense that centuries of thought have not yet produced an agreed upon definition of morality. This state of affairs proves inconvenient for the behavioral ethicist who might like to rely on normative ethics for a construct definition of her focal construct: moral judgments, decisions, and behaviors (Tenbrunsel & Smith-Crowe, 2008). Normative ethics seems to raise more questions than it answers: is morality the greatest good for the greatest number, is it the categorical imperative, is it the actions of the virtuous man, is it adherence to social custom? For the behavioral ethicist who wants to study the predictors of unethical behavior, for instance, normative ethics apparently offers a moving target: should she investigate what leads people to push one person off the footbridge to save five more from death by trolley, or should she investigate what leads people to refrain from intervening in trolley matters? In the majority of cases, behavioral ethicists sidestep this conundrum altogether by simply omitting a definition of morality and instead relying on what is commonly held to be immoral (for a review see Smith-Crowe & Zhang, 2016). Implicit in these articles is a reliance on a social consensus of what is considered immoral (Warren & Smith-Crowe, 2008). In the few instances that researchers proffer a definition of morality, it is always grounded in the idea of social consensus. Jones’ (1991, p. 367) definition of an ethical decision has been especially influential: “...a decision that is both legal and morally acceptable to the larger community. Conversely, an *unethical decision* is either illegal or morally unacceptable to the larger community.” Similarly, in reaction to the lack of a clear definition forthcoming from philosophy, Palmer (2012) advocated for a sociological approach to defining morality. This approach “...entails adopting understanding of the law, ethics, and social responsibility that are in use in society. Among several sociological approaches from which one would chose, the most common define wrongdoing as any behavior that those responsible for monitoring and controlling wrongful behavior, called social control agents, label as wrongful” (p. 29).

While the rationale behind the recourse to social consensus is straightforward, there are important limitations to this approach (e.g., see Tenbrunsel & Smith-Crowe, 2008; Warren & Smith-Crowe, 2008). Here we explicate three philosophical considerations, “pluralism,” “tragedy,” and “idealization,” which collectively call into question the value of the appeal to social consensus at the expense of philosophical theorizing. We discuss each in turn below, beginning with pluralism.

It is fairly uncontroversial to claim that virtually any large society with a degree of complexity is going to house a plurality of authoritative values and valuations. By values, we mean pursuits, interests, institutions, and the like that are regarded as worthwhile in themselves and as furnishing authoritative practical reasons (i.e., reasons to behave or think in a particular manner). By valuations, we mean more derivative assessments of specific situations that appeal to such values. Few societies, either historical or contemporary, are normatively monolithic. This is especially true for the social context of most work on behavioral ethics: Western European and North American societies. Prominent philosophers have made a strong case for thinking that normative pluralism is a defining feature of modern, secular societies (MacIntyre, 2007; Taylor, 2007). One need look no further than recent cultural and political events so see the profound differences in values and valuations within the population of a single country, such as the United States. The pace of globalization and the phenomenon of mass migration from Africa, the Middle

East, and elsewhere to Europe and North America suggest that pluralism will only increase. The reality of normative pluralism calls into question the very existence of a social consensus about values and valuations. It likewise suggests that whatever definition is to be gained from an appeal to social consensus is very likely going to be highly abstract and attenuated, or, to use a philosophical term of art, “thin” (Williams, 1986; cf. Foot, 1977). “Thin,” as opposed to “thick,” moral concepts fail to capture the culturally conditioned meaning of value-terms, and so fail to encompass their full range of meaning for the people who employ them. In other words, a definition that relies on social consensus is likely to be too low-resolution to adequately embrace the realities of moral judgment and related phenomena.

A second consideration is tragedy. In the last several decades, a number of philosophers have turned their attention to the phenomenon of moral tragedy; that is, when two authoritative valuations are deemed irreconcilable while an agent nonetheless finds herself compelled to act on one or the other (Nagel, 1979; Williams, 1981). The classical analysis of moral tragedy is found in Hegel’s discussion of Sophocles’ *Antigone* (Hegel, 1807/1977). Without rehearsing the plot, Sophocles’ play depicts the conflict between familial obligation and the interests of the state. In Hegel’s account, this drama indicates the inherent limitations of reliance on socially authoritative values and points towards a higher, more reflective kind of moral agency that transcends social authority.⁴ That is, the tragedy results because there is some conflict or incommensurability built into a particular social consensus, such that appeal to what is socially accepted as moral provides no way forward for a person faced with a dilemma. The fact that irreconcilable norms can be structural features of a given social consensus implies, in a way similar to the reality of pluralism, that such consensuses are rarely monolithic and that no clean definition is to be gained by appealing to them. Further, since the appeal to socially authoritative norms proves unsatisfactory from the point of view of the moral agent, something approaching reflective theorizing becomes vital to navigating moral life.

A third consideration is idealization. Moral discourse, deliberation, and judgment involve more than appeal to the normative *status quo*. In fact, idealization is a common feature of ordinary moral thinking. Loosely, idealization can be thought of as an awareness on the part of an agent of the distance between current norms, institutions, and the like and a more optimal normative order, where this awareness becomes a central factor in one’s deliberations. Arguably, the ability to conceive of the latter, even in a vague way, is one of the hallmarks of human moral agency. As Victorian philosopher Bradley observes, morality exists in this gap between how things - including authoritative valuations, institutions, and norms of practical reasoning - are and how they should be (Bradley, 1876). Hegel, who was one of Bradley’s inspirations on this point, put it this way, “The state is not a work of art; it exists in the world, and hence in the sphere of arbitrariness, contingency, and error, and bad behavior may disfigure it in many respects” (Hegel, 1821/1991). A social consensus approach to defining moral outcomes is likely to overlook the important role of idealization in moral judgment and decision making. An example that is unfortunately all too relevant today in the US is the World War II era incarceration of people living in the US, mostly citizens, who were of Japanese descent (National Archives, undated). Upon reporting as ordered, they were tagged, shipped to assembly centers, and finally shipped to permanent relocation camps (FitzGerald, 2017; Frail, 2017; National Archives). At the war’s end many found that they were unable to resume their former lives (e.g., their homes were gone; Fitzgerald; Frail). One woman

⁴ In the concept of a reflective moral agency transcending social authority, behavioral ethicists will recognize a parallel to Kohlberg’s (1976) conception of the highest level of moral development.

remembers thinking as she and her family were forcibly relocated that there was “nobody to speak up for us” (FitzGerald). This measure was apparently acceptable to Americans; indeed, the Supreme Court ruled that such measures are permissible during wartime (Frail). What this example shows is that an appeal to social definitions is unable to capture the gap between existing practices and institutions and acceptable normative standards.

Collectively, these observations motivate the thought that appeal to a social definition is often going to fall short, and thus that reflective philosophical theorizing still has an important contribution to make to the study of ethical behavior. In the next section we discuss Confucianism as an example of how normative ethics can help define morality for the purposes of behavioral ethics. We turn to Confucianism in particular because it has been overlooked by behavioral ethicists to date, it stands in contrast to the modern Western view of morality as rule-based, and it has had a huge influence on much of the world’s population.

Beyond Western Views on Morality

Smith-Crowe and Zhang (2016) made the case that a lack of theoretical development on the criteria side of behavioral ethics research - particularly that recently published in top management and applied psychology journals - has led to a science that is overly constrained and thus limited in its applicability to moral life in organizations. That is, in almost 70% of the studies reviewed the dependent variables were cheating and lying. Rather than working toward theoretical development of criteria, researchers expend their theoretical energy on predictors, conceiving of sophisticated, novel, and interesting predictions about when cheating and lying will occur. To the extent that the scope of moral life is broader than cheating and lying, the literature on behavioral ethics in organizations can only speak to a relatively narrow portion of people’s experiences. For examples of the importance of taking the theoretical substance of outcomes seriously, Smith-Crowe and Zhang turned to psychology. An important example that has had an enduring effect on the course of research in moral psychology and beyond is Gilligan’s (1982/2016) insistence that Kohlberg’s (Colby, Kohlberg, Gibbs, and Lieberman, 1983; Colby and Kohlberg, 1987; Kohlberg, 1976) rule-based view of morality is not comprehensive; rather a relational view is equally valid. Beyond a philosophical debate, the scientific effect was a revised evaluation of female moral development. When judged against a rule-based view of morality, girls appeared to be developmentally stunted relative to boys; when judged against a relational view, girls appeared developmentally normal. In contemporary behavioral ethics, we take these views for granted (e.g., as the fairness and harm foundations of morality; Graham, Nosek, Haidt, Iyer, Koleva, & Ditto, 2011), but, at the time, Gilligan’s idea of the “ethic of care” raised females up until they were on par with males in the eyes of developmental psychology.

The broader point of this example is that the way in which researchers define morality, explicitly or implicitly, affects the research they conduct and the conclusions they draw. As discussed previously an obstacle for behavioral ethicists who might like to turn to philosophy for a definition of morality is the perceived need for a singular, universally agreed upon definition. The example of Gilligan v. Kohlberg nicely illustrates that there is value in being thoughtful and expansive in how we define morality. While much has been learned from existing behavioral work, it stands to reason that, given the complexity of moral life, behaviorists can gain by broadening their focus.

In this section, we briefly introduce Confucianism, which, like the previously described classical tradition in ethics, incorporates a broader range of concerns into the domain of morality. Also like

the classical tradition, Confucianism has been neglected by behavioral researchers. However, as work on the moral foundations theory (Graham et al., 2011) shows, for many people what counts as a moral issue is considerably broader than behaviorists' focus on cheating and lying suggests. Confucianism is a normative theory that accommodates this breadth. In the Confucian tradition, issues such as how we speak to one another, how we signal acknowledgment of social roles, how we take into account intimate (e.g., familial) relationships, and how we form ourselves into virtuous people are given equal weight. Confucianism has had a profound impact on East Asian cultures (e.g., China, Japan, Korea, and Vietnam) that is analogous to that of classical antiquity and the Judeo-Christian-Islamic tradition on Western cultures. Confucianism is not only important because of its historical significance; like the classical tradition in ethics, it houses a particularly rich, complex, and carefully argued body of moral theorizing. Confucianism is also characterized by fine-grained analyses of moral psychology, touching on issues such as motivation, moral education, moral judgment, and practical reasoning. All of this suggests, *prima facie*, that much could be gained by behaviorists appropriating Confucian ideas in their own work.

While Confucianism is very much a living philosophical tradition, its most characteristic ideas can be found in writings attributed to Kongzi (Confucius), Mengzi (Mencius), and Xunzi. All of these men lived and taught during the twilight of the Zhou Dynasty (6th-4th centuries, B.C.E.). The organizing concept in their thought is *dao*. In its literal usage, *dao* denotes a road, path, or way to get somewhere. By extension, it came to refer to the way things go (“*dao* of Heaven” is roughly equivalent to the Western concept of the natural order), and then to the characteristic activities or behaviors of a living thing (i.e., particular species of animals have their own *dao*). From this latter usage, the term came to take on a normative and evaluative meaning, connoting the optimal way for things to go in the sphere of human conduct and society. When Confucian philosophers taught their *dao*, they took themselves to be articulating the ultimate pattern of a life well lived. Similar to many thinkers in the Western classical tradition, Confucian thinkers grounded their *dao* in an account of human psychology and physiology. The connection here can be illustrated by many texts, but a particular passage in the *Analects* (the work traditionally ascribed to Kongzi) is instructive.

Analects XVII.21 purports to record an exchange between Kongzi and an erstwhile pupil named Zai Wo. Zai Wo raises a critical question regarding the traditional three-year mourning period prescribed for those whose parent has died, arguing that three years is excessive, and that one year would be sufficient. He supports his contention in part by appealing to Heaven (*tian*) as a moral standard. Heaven (again, roughly equivalent to nature), accomplishes all of its important tasks (fertilization, gestation, birth, growth, etc.) within the span of the solar year; hence, human beings should follow Heaven's lead and set aside only a single year for mourning. Kongzi's response is telling. Rather than appealing to generic Heaven, he appeals to the specific facts of human life. “A child is completely dependent upon the care of his parents for the first three years of his life – this is why the three-year mourning period is the common practice throughout the world.” The natures of human reproduction and nurture, not of any more generic natural process, furnish the relevant norm (Kongzi, n.d./2003).

The Confucian concern with grounding moral theory on an adequate account of human nature is also apparent from the debate between Mengzi and Xunzi on whether human nature is inherently good or inherently evil. Mengzi takes the line that “human nature is good” (*xingshan*), while Xunzi defends the opposing view (*xing'e*). Mengzi's principal targets are those who think that either they or other individuals were not capable of becoming morally virtuous, as well as those who think that human nature is neither inherently good nor evil, and is instead entirely shaped by environmental

factors. In response to both, Mengzi develops a sophisticated moral psychology. The first claim he makes is that people are constrained to seek or pursue whatever they most desire. Next, he argues that a moral person is one whose desires are appropriate, which obviously entails some capacity to manage one's motivations. For Mengzi, this capacity is housed in the "heart" (*xin*); more specifically, Mengzi maintains that human beings have incipient moral impulses that he likens to "sprouts." In the words of one commentator, human beings are "evaluative animals" (Van Norden, 2000). Over and above desires for food, sex, etc., we also desire to feel worthy, to be esteemed, and to lead lives of overall moral value. Only by carefully developing the incipient "sprouts" into full blown virtues can a person come to enjoy these goods.

Xunzi takes an opposing stance: "if people follow along with their inborn dispositions and obey their nature, they are sure to come to struggle and contention, turn to disrupting social divisions and order, and end up becoming violent" (Xunzi, n.d./2014). He bases this claim on a number of considerations, with the plasticity of human nature prominent among them. People naturally desire satiety, warmth, and rest, and yet can deliberately choose not to eat, rest, etc. Thus, actions are not determined by what one desires (*yu*) most, but rather by what one approves of (*ke*). Moral development involves consciously overriding one's desires. As in Mengzi, these claims are put forth against the background of a fine-grained moral psychology. Xunzi points out how people have general psychological tendencies (*qing*), or dispositions to experience certain emotions, such as fondness for certain kinds of objects (*yu*). At the highest peak of moral development, these tendencies harmonize with a person's judgments about what is morally right. To get to this point, one's moral evaluations have to gradually take priority over the bases of one's desires, until one's fondness for certain kinds of objects is totally conditioned by moral categories. This is only possible because such desires alone are not sufficient for action, instead, the latter requires "approval" (*ke*), which itself reflects a power to set a course of action independently of innate psychological tendencies. To become a better person, one must change what it is that one finds worthy of approval or choice through deliberate effort (*wei*) (see Hutton, 2016).

The preceding discussion makes apparent the way in which classical Confucian thinkers themselves cultivated a "symbiosis" between the normative and the descriptive. On the one hand, a viable and compelling account of the good life needs to reflect the facts of the human form of life. At the same time, getting clear about these facts is significant only to the degree that it serves the goal of spelling out the *dao*. Beginning with Kongzi, Confucian philosophers articulated their moral ideal of the "gentleman" (*junzi*) as a person free of psychological conflict and capable of demonstrating "harmonious ease" in moral judgment and action. Confucians elaborated a complex system of moral education, exploring the ways in which art (particularly poetry and music) shaped one's emotions, speech patterns, and moral attitudes.

Another key concept in Confucian ethics is that of "ritual" (*li*), or normative patterns of behavior covering everything from how one speaks and how one dresses to modes of conduct more typically considered morally charged by Western thinkers. Among the classical Confucians, Xunzi offers the most sophisticated discussion of the significance of ritual, highlighting its role in refining the expression of emotions and providing standards that allow for the optimal satisfaction of basic human needs. As he puts it in one passage, "Ritual cuts off what is too long and extends what is too short. It subtracts from what is excessive and adds to what is insufficient. It achieves proper form for love and respect, and it brings to perfection of the beauty of carrying out *yi* (social duty)" (Xunzi, n.d./2014). Ritual also serves the function of making possible the salutary (to the individual) and harmonious (within the group) satisfaction of needs. For instance, rituals pertaining to the

consumption of food (roughly, table manners) function to ensure that a person does not eat to excess and that each member of the group has access to the food they need. To take another example, ritual also prescribes certain clothing (and other consumer goods) on the basis of social rank. The king is required to wear yellow garments and is forbidden from dressing like a commoner; if each member of the society were allowed to pursue his or her particular tastes without restraint, conflict would ensue and resources would be exhausted. Interestingly behavioral researchers studying cooperation tend to construe this narrowly in monetary terms (e.g., ultimatum games); the Confucian understanding of the function of ritual helps broaden our perspective.

All three of the classical Confucians likewise link ritual closely with the concept of role-specific duty. At the heart of their conception of the latter is a principle labeled in the *Analects* as “rectification of names” (*zhengming*). “Name,” in this instance, refers less to one’s proper name and more to one’s title, and thus, to one’s particular role in the social hierarchy. To “rectify the names” entails two things: (1) that the right people be assigned to specific roles (thus excluding corrupt allotment of position on the basis of kinship or patronage), and (2) that each person concentrate on diligently fulfilling the specific obligations of his or her role. As Kongzi reportedly said to Duke Ji of Qing (*Analects* XII.11), “Let the lord be a true lord; let the minister be a true minister; let the father be a true father; let the son be a true son” (Kongzi, n.d./2003). An interesting question for behavioral ethicists might be what are the moral implications of what is colloquially known as imposter syndrome, or people who feel unqualified for their roles and who fear being “discovered” as frauds? Confucianism provides a framework for understanding why people seem to equate their perceived sense of incompetence with immorality.

Reflecting this emphasis on specific social rules (rather than on generic moral obligations), Confucian ethics is also characterized by a situationist tendency; there is a morally correct response to every situation, but there is no one response that is always morally correct. This contrasts markedly with rule-oriented theories like deontology and utilitarianism, where applications of the same rules - like those derived from the categorical imperative or the greatest good for the greatest number - invariably yield the correct answer. Confucian thinkers also contemplated the significance of intimate relationships, particularly family relationships, in moral development. They all held filial piety (*xiao*) to be a premier virtue. This emphasis also contrasts with the tendency of modern Western moral philosophy to stress impartiality and universality, and it also comports very well with empirical work on moral development (see Gilligan 2016/1982). Further, it is consistent with Tetlock and Mitchell’s (2010, p. 206) conception of moral psychology as contextually situated: “People are flexible decision makers in moral (and nonmoral) domains who employ different decision modes depending on their learning experiences, the task at hand, the values at stake, and the social-ecological context.” Where their observation is descriptive - this is how people are - Confucianism offers a normative view on how to discern what is morally appropriate across various situations.

Confucian ethics is also characterized by its concern with the development of virtuous leaders and a corresponding ideal of non-coercive leadership. The classic expression of this view comes from *Analects* II.1: “One who rules through the power of Virtue is analogous to the Pole Star: it simply remains in its place and receives the homage of the myriad lesser stars” (Kongzi, n.d./2003, p. 8). Confucian philosophers consistently deemphasized rigid legal statutes and harsh punishments. Rather than leading to moral improvement, the result of such measures tends to be that people become “evasive and have no sense of shame” (Kongzi, n.d./2003). As one later commentator, Guo Xiang, notes, coercive leadership shifts the focus of subordinates away from doing right for its own

sake toward mere expedience (i.e., an interest in avoiding punishment). Similarly, in an exchange reported in the eponymous text, Mengzi replies to a powerful ruler's disappointment over recent military setbacks by counseling him to rule benevolently, leading people to "cultivate their filiality, brotherliness, devotion, and faith" (Mengzi, n.d./2008). These ideas are not unlike those that can be found in the business ethics literature. For instance, Stansbury and Barry (2007) argue that to the extent that organizational control systems are coercive, employees' capacity for moral competence atrophies. Confucianism offers much thought on the type of leadership that lends itself to the moral flourishing of followers, and, moreover, the function of the leader is specifically to cultivate followers.

Beyond Definitional Concerns

In the preceding section, we point to a few of the many moral insights from Confucianism that might prove interesting to the behavioral ethicist. Not only does Confucianism provide an example of how normative and behavioral ethics can be intertwined to the end of discerning the pattern of a life well lived, but it can provide behavioral ethicists with an expanded conception of what falls into the moral domain. A Confucian point of view suggests that behavioral ethicists should be including in their research things like social rituals and a person's perceived incompetence at work, and addressing questions like what factors facilitate the flexibility people need in order to be moral across situations (i.e., who excels at situated morality and under what circumstances), and what factors facilitate leaders' cultivation of their followers to become morally adept.

We turned to Confucianism in particular because, while it has had an indelible influence for centuries and is alive and well today in East Asia and other locales within its cultural reach, its ideas are not evident in the behavioral ethics literature. Yet, in our attempt to achieve some measure of breadth, our presentation of Confucianism entails its own narrowness. We have focused specifically on how normative ethics can help behavioral ethicists expand their conception of the moral domain. Indeed, behavioral ethicists seem to assume that if there is a symbiotic relationship between normative and behavioral ethics, normative ethics holds up its end of the bargain by providing insights into definitional concerns. Here we offer two examples of what behavioral ethicists might stand to gain from normative philosophy above and beyond conceptions of morality.

The first example is Holyoak and Powell's (2016) "deontological coherence" framework. Theirs is a very deliberate application of normative ethics, but not with regard to the definition of morality. They argue that normative ethics potentially offers two things to descriptive ethics research: a definition of morality, and a framework of moral ideas. They dismiss the former unless and until a normative ethical theory can be "rationally established," requiring evidence akin to that underlying probability theory (p. 1181). They also note the lack of a universally accepted moral theory among normative ethicists. In this respect, their view aligns with that of many other behavioral researchers who similarly note the absence of an uncontroversial definition of the ethical within the philosophical literature. However, unlike many other researchers, they do not draw the lesson that a social consensus definition suffices for the purposes of behavioral research. Instead, they advocate that researchers refrain from studying whether individuals adhere to normative moral standards, arguing that researchers import philosophical concepts that help formulate psychologically interesting questions and theoretical insights beyond the narrower concern with definitions. They turn to deontology to provide an example, explicating a deontological coherence framework for understanding moral judgment. Their framework entails three sets of predictions: "(a) people hold (potentially sophisticated and complex) deontic moral rules that inform their moral decisions, (b)

these rules are generally not inviolable but instead provide soft constraints that can be overridden by other rules or by considerations related to consequences, and (c) resolving conflict related to moral concerns is achieved through coherence-based reasoning, which yields systematic coherence shifts in relevant attitudes and evaluations” (p. 1179). They review the literature on moral reasoning and judgment, noting evidence supportive of their predictions.

Holyoak and Powell (2016) take rights and duties to be the fundamental units of deontological thinking. “A *right* grants permission, and expands options; it says we *may* do something (or not). A *duty* imposes obligation, and constrains options; it says we *must* not do (or do) something” (p. 1182). The typical formulation of rights as positive and duties as negative offers a theoretical grounding for the so-called “omission bias,” or people’s tendency to find acts of omission to be more morally acceptable than acts of commission. Rather than a bias, deontological coherence predicts the preference for avoiding harming others over helping others. For this reason, Holyoak and Powell suggest that “omission bias” be renamed the “no-action default.” They note that research on the moral foundations theory is consistent with the idea that people prioritize some duties over others; for instance, political liberals care more about harm and fairness than they care about authority, group loyalty, and purity (Graham, Haidt, & Nosek, 2009). They note other research showing that people make trade-offs between duties presumably based on their prioritization. They cite Milgram’s (1974) research showing some participants favoring the duty to comply with authority over the duty not to harm others, and some favoring the opposite ordering.

Perhaps most interesting is Holyoak and Powell’s (2016) notion of coherence-based reasoning. They describe a guiding assumption of normative and descriptive ethics research alike like this: the moral principle, belief, or value is the input, and a morally relevant decision is the output. In other words, there is a unidirectional influence. They argue that, in reality, there is a bidirectional influence: principles, values, and beliefs influence decisions, and decisions influence principles, values, and beliefs. Thus, the status quo point of view is that fidelity to a moral principle is motivational, Holyoak and Powell argue that it is the desire to achieve an overall coherence in their thinking and doing that is motivating. As one example of this bidirectionality, they cite findings of a shift in opinions about the morality of war among United States citizens. More specifically, Spellman, Ullman, and Holyoak (1993) examined the interaction between deontological commitments like pacifism, isolationism, opposition to expansionist aggression, etc. They found that initial judgments opposed military intervention. However, when new information became salient (such as maltreatment of POWs by the opposing forces and unprovoked attacks on neutral parties), respondents’ attitudes towards military intervention shifted. Importantly, the researchers observed that “coherence-based decision making yielded marked changes in attitudes on what would seem to be key moral values, notably degree of pacifism (PAC) and perceived legitimacy of military action (LEG)” (p. 1188). While the specific attitudes of the respondents changed, they were internally consistent. The conclusion drawn from this is that coherence-oriented reasoning has an important place in ordinary moral thinking.

Now, turning to our second example, we must admit that we cheated a little bit. It is not an example of behavioral ethicists drawing on normative ethics, but on another normative philosophical discipline: logic. Yet we present this example because it is an interesting application of philosophy that yields insight into moral psychology.

Where psychologists see sacred values (Tetlock et al., 2000) and moral convictions (Skitka, 2010), neuroscientists see an equivalence of moral and amoral concerns (Cushman, 2017). In other words,

though psychologists find evidence that moral concerns have a privileged status, (e.g., monetizing sacred values can produce moral outrage; Tetlock et al., 2000; moral convictions are more than just strongly held attitudes; Skitka, 2010), neuroscience research has not revealed correspondingly separate structures and processes in the brain. Instead, it seems that moral concerns are processed just as economic and hedonic concerns are processed, via domain-general structures (Miller & Cushman, in press). Cushman (2017) contends that this apparent contradiction in whether morality has a special status can perhaps be resolved via an application of modal cognition, defined by Phillips and Cushman (2017, p. 4649) as “...a capacity to construct and reason over sets of non-actual events.” The concept of “modal cognition” is an application of modal logic, a sub-field of normative philosophy that was developed in the early 20th century, though it is grounded in the 17th century ideas of Leibniz. Modal logic is a formal language that allows for the modeling of inferences about possibility and necessity. Phillips and Cushman use the idea of modality, investigating the extent to which participants perceive immoral options as possible. As described by Cushman, their prediction is that there is something special about the way moral concerns are processed, but that the action occurs prior to the evaluation of the choice set. That is, in the typical neuroscience study, participants are presented with different choices for resolving a problem (i.e., a choice set). Some of these choices might be moral, some immoral, and some amoral. What this line of research does not investigate is how individuals construct choice sets in the first place. Cushman suggests that immoral options have different modal properties than moral or amoral options, and that their modality limits their inclusion in choice sets.

To examine this possibility Phillips and Cushman (2017) presented participants with scenarios of an actor in a problematic situation, and then presented participants with different actions the actor could take to resolve the problem. Participants were asked how possible each action was. They found that when asked to judge how possible an immoral action was under time constraints, participants judged immoral choices to be impossible. It was only when they had more time to think about immoral options that they were able to see them as possible, suggesting that, without prompting, individuals may be unlikely to consider immoral actions in the first place. Phillips and Cushman (p. 4653) concluded that “...an exciting possibility is that morality shapes how we think about many things because it constrains the very possibilities that come to mind.” Interestingly by thinking in terms of modality, Phillips and Cushman may have uncovered a more functional bounded ethicality (Chugh, Banaji, & Bazerman, 2005; cf. Chugh & Kern, 2016), one in which we are blinded to unethical options *a priori*, rather than the unethicality of the options we are considering or engaging. More broadly, the implication is that by borrowing philosophical ideas, behavioral ethicists may discover new and important questions to address.

CONCLUSION

We began this paper by endorsing the idea that a “symbiotic relationship” between behavioral ethics and moral philosophy should be cultivated and pursued. In the interest of opening up such a relationship, we queried the common assumption of a rigid disciplinary division predicated on a supposedly unbridgeable divide between the evaluative-normative and the descriptive-predictive domains. Next, taking our cue from Kumar’s (2015) discussion of ideal and non-ideal moral theory, we examined some of the ways in which behavioral research might contribute to non-ideal versions of two widely discussed normative theories, utilitarianism and deontology. We review findings that challenge utilitarianism in two broad ways: (1) by showing that utilitarian assumptions about the kind of cognitive equipment needed to enact the theory are questionable, and (2) by pointing to the

unsettling “comorbidity” of utilitarian concerns and less than desirable characteristics. We next describe several challenges to deontology, such as its suitability only to fairly narrow decision scenarios and the *post hoc* nature of much deontological reasoning. In the final section of the paper, we looked at the relationship from the other direction, developing several ideas about how normative moral philosophy might positively impact behavioral science. We argued, first, that many behaviorists are too quick to dismiss moral philosophy and to appeal to social consensus, and that doing so unduly narrows the scope of the moral phenomena under investigation. Next, we introduced Confucian ethics as an exemplar of a much more expansive philosophical account of moral life. Finally, having examined the potential of moral philosophy for criterial definition, we look at other ways in which moral philosophy can function to frame behavioral inquiries.

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