**Week 3 Philosophy 323 Ethics in Management**

**The Ethical Theory of Contextualism**

In my previous two lectures, I’ve hinted that there may be another alternative to the deontological and teleological approaches to ethical theory. This week, I’d like to address an alternative known as contextualism. For those of you who may be troubled that the deontological approach is too rigid to allow for the myriad of situations humans find themselves in their day-to-day living and that the teleological approach may lead one into the adage of the “ends justify the means,” the contextualist theory may be attractive.

The contextualist has a rule, too, and that is to always act so as to best preserve the well-being of others. Aside from that, however, there are no rules that the contextualist will not break *if a situation demands it*. And the situation is key here: without being faced with a situation that demands an ethical decision, there is no moral problem that needs to be solved. The contextualist believes that the formal rules of the deontologist are good guidelines, for the most part, to live by, but sometimes situations arise that defy the use of some rules that one has been taught.

As an example, the philosopher James Christian is fond of posing this problem. A young wife, let’s call her Mary, has been raised to obey and believe in the teaching of the Catholic Church. Her husband has been accused of embezzlement at the bank where he works, an accusation he vehemently denies. But the case looks open and shut against him until a stranger calls Mary and says he has information in writing that will prove her husband’s innocence. However, he will only turn the information over to her if she agrees to sleep with him. What to do? On the one hand, Mary knows that the Catholic Church considers adultery a sin—it violates the Seventh Commandment and is God’s law. On the other hand, she believes in her husband’s innocence and wants to act out of her love for him to clear him of the crime for which he is accused. Clearly, Mary is faced with no good decision—only bad ones. She goes to bed with the stranger, and he turns over to her the documents that clear her husband of the accusations and lead to the arrest and conviction of the real embezzler (45-46).

Now, did Mary’s action have moral worth? Did she act ethically? She said that she “went through hell” to get the information, so she certainly wasn’t maximizing her happiness. Although the utilitarian would turn this argument around, Mary wouldn’t buy the rhetoric. She broke an apodictic law, so she certainly was at odds with the formalist. But what would the contextualist say? First, she definitely had a situation, so an ethical decision was necessary. Second, she acted out of love and concern for the well-being of another, and finally, since there is no formal moral law that the contextualist will not break if the situation dictates, she was guilty of no wrongdoing. In fact, the contextualist would hold that Mary’s decision had total moral worth and that, far from feeling guilt, she should feel ethically satisfied.

The latter point is a key one, too. While the other theories certainly recognize that situations arise where one is not faced with an easy choice between a good and bad decision, they hold that when one does have to make the “bad” choice, one has not acted ethically. But the contextualist is different. The contextualist recognizes that situations will arise where one has to lie, kill, or, in Mary’s case, break other formalist rules to protect another. In those cases, the contextualist believes that one has acted in a completely moral way.

Contextualism has many attractive features. Psychologically, it absolves one from feeling the personal guilt that one associates with breaking a rule that the formalist would recognize as “unbreakable” when one simply does the very best one can in a bad situation. It also recognizes that love, compassion, and a sense of duty to humanity are the glue that fuses the moral fabric of a society. The philosopher John Locke felt humans were *owed* certain rights by virtue of being human. Using the same terms, Kant felt us *owing* certain duties by virtue of being human. In a sense, contextualism incorporates both notions in formulating a system of situational ethics.

Notwithstanding, others would be unmoved by a system that pays so little heed to laws that they feel are concrete maxims. In addition, contextualism is relativistic—different people would probably act differently given the same situation. One of the strengths of a formalistic system is its uniformity; one need not worry about whether one’s action is ethical if one follows the rules that have been spelled out.

Still, you couldn’t convince someone that an action is immoral when it comes to the choice of whether to lie to save another’s life, and you couldn’t convince Mary.

Reference: Christian, James L. *Philosophy: An Introduction to the Art of Wondering*. 7th ed. New York: Harcourt Brace College Publishers, 1998. Used with permission of the author.

1. Three lectures have emphasized three different theories of ethics. Briefly, with which are you most comfortable and why?
2. A major car manufacturer has decided to shut down one of its plants in a small town with almost no warning. Argue in Kantian terms how at least one of the stakeholders should be treated.