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The Professional as the Executive's Ethical Aide-de-Camp

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ABSTRACT

In light of recent managerial oversights such as those connected with the Challenger space shuttle disaster, this paper questions whether having executives rely more on their professionals might serve to improve their ethical consciousness. Although the professional record on corporate ethical behavior is by no means exemplary, the functional basis of the professions, especially the support rendered members through their professional associations and codes, is sufficient to make them potential watchdogs of corporate misconduct. The paper reviews some of the ways particular professional associations support corporate members faced with corporate ethical dilemmas and presents a set of steps which management can take to encourage professional participation in upgrading ethical consciousness within the organization.

THE PROFESSIONAL AS THE EXECUTIVE'S ETHICAL AIDE-DE-CAMP¹

A nagging question in the minds of most Americans following the Challenger space shuttle explosion on January 28, 1986, is how on earth could NASA management officials have allowed the shuttle to take off given what appears to have been clear-cut warnings about problems with the shuttle's solid rocket booster joints. Whatever pressure the managers were facing to get that shuttle off the ground, didn't they know enough technically to realize that the lives of the crew, including the teacher-in-space, Christa McAuliffe, were in serious danger? If they did not in fact know enough about the technical apparatus of the shuttle, as good managers, should they not have been in constant contact with their trained professionals regarding the space craft's safety?

Events in the aftermath of the disaster, especially the findings of the presidential commission investigating the loss of the Challenger, have revealed that indeed NASA management officials did have sufficient information to cancel the flight, although this information may not have risen to the top of the organization, and that, furthermore, the information was made available by some engineering professionals as late as the evening before the doomed flight. Indeed, we now know that one Allan J. McDonald, a senior engineer in charge of the solid-fuel booster rocket motor program at Morton Thiokol, Inc., NASA's principal contractor of booster rockets, argued vehemently against the launch only hours before the Challenger was scheduled to lift off. In testimony before the presidential commission, McDonald and another engineer, Roger Boisjoly who had graphically demonstrated the erosion of the infamous O-rings in prior flights, testified about their objections but asserted that their bosses had overruled them after presumably being pressured by NASA officials at the Marshall Space Flight Center in Huntsville, Alabama. According to the testimony,

McDonald stated that the engineering people would not recommend a launch below 53 degree fahrenheit. The commission also learned that engineers at another contractor, Rockwell International, had also warned about the adverse effects of cold weather on the shuttle's tiles. On the morning of the launch, temperatures below 10 degree were recorded by NASA technicians on the booster rocket's exterior. Jerry Mason, former senior vice president at Thiokol, testified that the decision to launch was reached by polling appropriate managers. When asked if company officials polled the engineers, Mason replied, "We only polled the management people."

Although the evidence from the presidential commission is damaging to the management officials involved in the NASA launch, one might also question why the engineers, when learning that their objections weren't heeded, had not gone to higher officials within NASA or to the press. McDonald was quoted as saying that he had *assumed* that his objections would be passed up the NASA hierarchy. To have carried his concerns beyond his bosses, however, would have comprised an act of heroic proportions, something which ethicists refer to as supererogatory. As it was, both McDonald and Boisjoly were subsequently stripped of their responsibilities and transferred to lesser jobs within the company, only to have their original positions restored after public pressure on the company (McDonald is now director of the rocket redesign effort). When questioned about the apparent retaliatory gesture against the engineers, Thiokol's chairman and CEO, Charles S. Locke, denied that the men had received demotions. He acknowledged that they had been re-assigned, however, and was critical of them because at Thiokol, he was quoted as saying, "people are paid to do productive work ... and not to wander around the country gossiping with people."

But aren't professionals distinctive in the corporation, not only due to their technical expertise, but because of their commitment to a wider ethical code of conduct? If so, shouldn't executives rely on them precisely on the basis of this ethical commitment, or is management sufficiently "professional" to go it alone?

Although the subject of the manager's professional status hasn't been resolved,² in this article, I would like to consider the professional working in the large organization - the so-called "salaried professional" - to be distinct from the manager. Using an attribute approach, the contention that managers are not professionals could be refuted on a number of accounts. For example, the attributes of specialized knowledge and expertise associated with the professions can be associated with management since many executives are now being or have been trained in professional schools which have been even accredited to provide relatively prolonged specialized training in a common body of abstract knowledge. Similarly, the attribute of autonomy which grants the professional the freedom to choose the examination of and means to solve problems has been conferred at least to the top managers of any given enterprise. However, one attribute of professionalism has not yet been assumed by management, and this characteristic will become one of the dominant themes of this article. Management worldwide (with the possible exception of the National Management Association which has 72,000 members from its 265 affiliated chapters and the British Institute of Management which has 45,000 members³) has yet to create a pervasive professional society or association which can police the conduct of fellow managers not only vis-a-vis their own organization but vis-a-vis society as a whole. Societal responsibility is a particular concern since the development of an ethical stance vis-a-vis one's clients within the larger society -- a common professional undertaking -- may in fact be anachronistic to the practice of management. Managers are first and foremost and by definition beholden to their organization. Their organizations are typically chartered by society to serve the common good, but there is no assurance on this account. Testimony at the Challenger investigation disclosed that NASA managers may have overlooked the warnings of lower-level engineers to convince legislators controlling the agency's purse strings that things at NASA were running smoothly and successfully. It was also alleged that Thiokol managers were concerned about second sourcing should further delays in Challenger launchings occur.

Professionals are deliberately chartered through various oaths and codes to serve society. They are first taught about their responsibilities through an ethics course typically included as part of the graduate curriculum. Indeed, these courses tend to illustrate that ethical responsibility is synonymous with professional responsibility. Once in the working world, however, some professionals are obliged to or choose to practice their craft inside an organization. Here they presumably must follow managerial direction, but many professionals, even under the strictest bureaucratic constraints, will never lose sight of their identification with and commitment to their profession which are held up through their independent professional associations. Others are surely socialized to follow obediently the norms of their organization which may run counter to professional values. For example, some engineers connected to the Challenger who must have known about the shuttle's lack of integrity chose not to voice their concerns about managerial decisions. Nevertheless, there is a natural detachment from organizational life that is imparted to all professionals during their preparatory educational experience. It tends to persist even in spite of pressures to conform to organizational standards.

The initial independence of the professional can be actually helpful to both the manager and the professional since it allows for professional judgment over the many transactions which come into view in corporate life. Whereas the manager must apply personal or team consciousness in evaluating the merits and effects of corporate transactions, the professional is privileged to possess the added benefit of professional consciousness. Managers, then, have to face their peers or superiors when reporting the consequences of corporate transactions. So do professionals, but they have the additional cushion of a professional association to report to either in addition to or in spite of the feedback from their corporate colleagues.

Given this critical difference between professionals and managers, having to do with the capacity to sustain independent judgment, this article will consider whether and how top-level managers, i.e., executives, can use professionals to assist in articulating the corporate conscience. This isn't

to say that executives by themselves can formulate no position on ethical responsibility nor institutionalize ethical practice in their organizations. I shall demonstrate, in fact, how this can be done. However, we start by examining the precise role of salaried professionals as employees with special privileges and insights to analyze corporate problems with detached eyes, making them valuable allies in promoting corporate ethical responsibility.

BACKGROUND ON EXECUTIVE SOCIAL CONSCIOUSNESS

Formal executive attention to ethical concerns is a relatively recent phenomenon. The corporate culture in the United States has generally operated on a belief that management's basic responsibility is to maximize profits for the company's stockholders. There have been countless attacks on this principle, however. A notable early criticism was by Adolph Berle and Gardiner Means who documented a transformation in American corporate practice that has become known as the First Managerial Revolution.⁴ According to this observation, ownership and control had been separated in the corporation, with the formal owners or stockholders delegating decision-making power to a class of professional managers. The word "professional" was used to suggest that these managers would be trained to operate across different types of organizations. Although this practice has not really occurred,⁵ management has begun to see its "professional" role as being accountable to other groups in society beyond the stockholders. Nevertheless, regular surveys of Fortune 500 executives still find stockholder allegiance to be paramount.

Defenders of the profit maximization principle advocate it as the best vehicle to manage the workings of society. If there is profit to be made in pollution abatement, then firms will emerge to devise processes or introduce technologies to diminish pollution. Of course, some groups may suffer the effects of business practices which escape notice by the market. This may even incorporate the organization's employees, who in most states are subject to peremptory dismissal -

known as the "employment-at-will" doctrine. Should not these groups have a right to be heard by or even challenge management?

One accommodative course for management to take under these conditions would be to embark on a socially responsive course that modifies the pure profit maximization standard. This approach suggests that a sole focus on one group with which the corporation interacts, namely the stockholders, could have negative consequences on other groups in its social environment. Hence, corporate management needs not only to respond to but also to anticipate the social, political, and ethical consequences of its actions in society. This approach has been referred to as the stakeholder approach, stakeholders referring to the multiple interest groups in society, whether they be employees, customers, suppliers, government agencies, community groups, and so forth.

There are countless other approaches which have been developed to assist executives in formulating an ethical policy for their organizations to the extent that a field of management has evolved to research this critical question.⁶ Our concern here is how professionals can assist management in the formation and implementation of such a policy.

PROFESSIONALS AS INDIVIDUALS

Before speaking in general terms about salaried professionals and their potential assistance to executives on ethical problems, let's acknowledge that not all professionals are alike. Although I would argue that the long ordeal of advanced education and training which all professionals go through has enormous socializing power, not all professionals come out of this experience the same way. Thus, there are many characteristics which shape each professional as an individual who must, when faced with any ethical dilemma, put his or her identity on the line apart from the professional umbrella.

Of all the characteristics which differentiate professionals, the question of loyalty to the

organization is critical for our purposes. Some professionals, which Alvin Gouldner⁷ labelled "cosmopolitan," maintain marginal loyalty to the organization, preferring to align themselves for purposes of recognition and evaluation with their professional colleagues and associations. Others, called "local," maintain first loyalty to their management and organization. It is also possible to be "combined," that is, to have dual loyalties, to the professional and to one's organization. Since it has already been established that support for ethical decision making by the professional is sustained through the professional association, clearly cosmopolitan-leaning professionals are most apt to be conscious of and take uncommon courses of action when faced with ethical problems.

Professionals are also likely to differ in their ethical choices based upon their age and tenure. Older workers whose families have grown up, for example, may have less to lose than those in middle age, but, on the other hand, may not want to sacrifice the security and benefits they have obtained in their years of service in the organization. There may also be a cohort or period effect operating on particular professionals. I hypothesized in an earlier article in this journal that 60s professionals, those raised during the protest period of Vietnam and Civil Rights, tend to still be committed today (though more transparently) to the issue of social justice.⁸

The professional's actual job is another differentiating factor. Some professionals are in positions which carry relatively high status and responsibility in their organizations, whereas others may feel that they're simply a cog in the organizational hierarchy and subject to the same close supervision as other employees. Hence, professionals can differ in terms of how much autonomy they may actually have over corporate decisions or whether their actions significantly contribute to a chain of events leading to public harm. Some professionals may also be doing work which is variably strategic to the firm's principal function. A test engineer in a consumer products company, for example, may not have as much access to vital corporate information as one in a semiconductor manufacturer.

Finally, the salaried professions differ among themselves in the support they give to individual

professionals. Some of the older, established professions, for example law and medicine, are new to salaried practice and are only beginning to formulate differential standards for their practitioners operating in bureaucratic settings. Meanwhile, other professions, such as engineering, teaching, and nursing, have become accustomed to organizational problems since their services are typically provided within large organizations. Indeed, this structural characteristic of these latter professions has led to their referral as "quasi" or "semi" professions since their professional autonomy is assumed to be compromised by bureaucratic requirements. The latter two, the teachers and nurses, have been in the forefront of union organization as a means of preserving professional rights and responsibilities eroded because of bureaucratization. Although the various professions have thus got off the starting block at different times with regard to instituting formal mechanisms of support for their salaried members, no one profession has yet to emerge as the recognized leader embodying ethical consciousness within the corporation.⁹

Besides the individual characteristics mentioned above, there are, of course, many personal factors, whether they be the individual's values, aspirations, gender, personality, and so on, which constrain ethical decision making. Furthermore, as we shall see next, the professional associations are not consistent in the extent to which they lend assistance to individuals facing corporate ethical dilemmas.

THE RECORD OF PROFESSIONAL ASSOCIATIONS IN CORPORATE ETHICS

Before we delve into the question of the professional associations' contribution to corporate ethical decision making, let's consider for a moment the function and structure of these organizations. The general concerns of professional associations as regards their membership tend to be similar. They perform an educational role, disseminating knowledge of the field and keeping

their members updated on recent developments; a social role, helping members maintain contacts with colleagues in other organizations and providing them with an outlet for appraisal and recognition of their work; and a political role, maintaining standards of the profession through such vehicles as accreditation, registration, and licensure. Structurally, most associations maintain national units employing staff members along with local chapters which sponsor general meetings and special events and services. Beneath the cohesive front, however, it is important to note that these professional associations are composed of individuals working in different sectors, whether they be administrators, those employed by industry, those in the public sector, self-employed, professors, and so forth, all with different viewpoints and personal objectives. This diversity of membership constrains decision making when it comes to articulating positions on particular issues or to identifying appropriate professional roles.¹⁰

Besides the aforementioned formal functions of professional associations, they have more practically served to monopolize power and preserve the prestige of their profession as well as safeguard the vested interests of their members. As part of their function to uphold professional standards, associations are normally given authority to police their members through reprimand, censure, or even expulsion. These methods, however, are seldom used since the associations prefer to be seen as supportive rather than antagonistic toward their members. The American Bar Association, for example, estimates that perhaps only .2 percent of all U.S. lawyers are ever disciplined by bar committees, and proceedings against the large firms that do major corporate work are virtually unknown.¹¹ When it comes to ethical dilemmas - whether it be a nurse having to dispense less morphine than what is required to keep a cancer-ridden patient from excruciating pain or an engineer having to pass on a questionable design - professionals have access to their professional codes which may stipulate an appropriate course of conduct.

Professional codes of conduct are used to do a lot more than state the high standards of the profession. Some simply state a set of ideals which members of the profession should try to attain;

others merely spell out the etiquette of the profession. Thus, not all ethical codes are moral codes.¹² Promulgated typically by some board or committee of the profession, they give their members little insight into how the provisions were formulated, what moral principles are exemplified, what procedures to follow when faced with ethical dilemmas, or how to resolve ethical conflicts not covered by the code. Some codes, however, do address the tender issue of how to proceed when corporate conduct runs counter to professional responsibility.

The Code of Ethics of the Education Profession adopted by the Representative Assembly of the National Education Association in 1975 advises teachers not to disclose information about colleagues (who may be administrators) obtained in the course of professional service "unless disclosure serves a compelling professional purpose or is required by law." This statement, however, does little to inform the teacher how to go about making a disclosure nor does it define what compelling professional purpose must be served.

The engineering profession has attempted to address some of the loopholes in professional codes of conduct. The code of the National Society of Professional Engineers states outright that the engineer "will use his knowledge and skill for the advancement of human welfare." When this duty brings the engineer into conflict with the demands of an employer, the code instructs him to "regard his duty to the public welfare as paramount." To put some teeth into this general principle, the Institute of Electrical and Electronics Engineers (IEEE) through its professional activities board modified its bylaws to endorse specific procedures to support any member involved in a matter of ethical principle which could jeopardize that member's livelihood or compromise the discharge of his or her professional responsibilities. This action took place following the famous BART (Bay Area Rapid Transit) case in which three engineers were fired for expressing their fears about safety. In an amicus curiae brief entered in court, the IEEE proffered the concept that the "engineer acting professionally to defend the public interest is protected by an implicit contractual clause from arbitrary reprisals by his employer." Acknowledging the difficulty of having the

engineer determine what constitutes ethical or unethical behavior, the IEEE chose to cite specific cases rather than pinpoint specific conditions under which decisions could be made about ethical behavior. These are illustrated in a guide called The IEEE Role in Engineering Ethics.

Oddly enough, corporate lawyers and accountants have also promulgated reasonably helpful standards and procedures regarding public disclosure. The oddity results from the canon of confidentiality to the client which is a virtual requirement of employment for both the legal and accounting professions. These professionals absolutely require the confidences of those who employ them. Clients must feel free to discuss whatever they wish with their counsel or accountant in order to be afforded proper representation. How, then, should these professionals behave when faced with indiscretions by their clients who, when apprised of their wrongful acts, refuse to moderate them?

The American Bar Association's Model of Professional Responsibility in its disciplinary rules stipulates that a lawyer should reveal misconduct to an appropriate person or tribunal in the instance of fraud, but only provided he or she has called upon the client to rectify the same or except "when the information is protected as a privileged communication." However, should the fraud rise to the level of a crime, the Code does allow the lawyer to speak out, especially when the lawyer's involvement in a particular client matter is significant enough to cast him as a "participant."

The ABA code has been criticized by some ABA members as not going far enough since it doesn't establish a required course of conduct in the event of client fraud. However, some in-house counsel, especially when acting in an advisory capacity, have managed to loosen the tight knot of confidentiality by broadening the conception of the corporate client to include "stockholders, directors, or other persons connected with the entity." This interpretation allows lawyers to report instances of fraud up through the chain of command to the Board of Directors and even to the stockholders. Rulings of administrative bodies, such as the Securities and Exchange Commission

(SEC), and court cases, both civil and criminal, have further raised the level of disclosure to the investing public in instances when the corporate entity's owners or directors stand silent.¹³

The National Association of Accountants (NAA) in its Standards of Ethical Conduct for Management Accountants, although likewise affirming the need for client confidentiality, does stipulate a set of procedures when the accountant is nevertheless faced with an irreconcilable ethical conflict. Quoting in part from the standards, accountants are advised to:

- Discuss such problems with the immediate superior except when it appears that the superior is involved, in which case the problem should be presented to the next higher managerial level. If satisfactory resolution cannot be achieved when the problem is initially presented, submit the issues to the next higher managerial level.
- If the immediate superior is the chief executive officer, or equivalent, the acceptable reviewing authority may be a group such as the audit committee, executive committee, board of directors, or owners. Contact with levels above the immediate superior should be initiated with the superior's knowledge, assuming the superior is not involved.
- If the ethical conflict still exists after exhausting all levels of internal review, the management accountant may have no other recourse on significant matters than to resign from the organization and to submit an informative memorandum to an appropriate representative of the organization.

Although other accounting professional bodies do not go as far the NAA in supporting selective resignation when faced with employer malfeasance, they are consistent in drawing limits on the confidentiality doctrine.¹⁴ In fairness to the other professions, the relatively aggressive approach taken by the accounting bodies has been in part induced by threats of legislation in the advent of widespread wrongdoing among audited firms in the form of improper political contributions, bribes, off-book slush funds, and the like. A bill requiring auditors to search for "any illegal act" has already been introduced and might pass one day unless accountants can even more diligently police themselves than they have in the past. Recently, public accountants have been considering internal proposals to expand audits to provide reasonable assurances that financial statements are not materially misstated because of fraud or error rather than merely presented "in conformance with generally accepted accounting principles."¹⁵

In spite of language in the codes of professional associations which is becoming more specific in informing members how to handle corporate misconduct, the record of support in behalf of professionals who blow the whistle is disappointing. Part of this can be explained by the individualistic nature of professional ethics in our society. Professional codes do little to regulate aggregate professional performance or conduct. They regulate individuals with respect to their behavior within their professional role.¹⁶ Only in rare instances, for example when their professional role conflicts with their other role as employee, will individual professionals be potentially willing to face the risk of challenging the wishes of their management. Professional vigilance can result in either implicit or explicit repercussions, from not getting one's choice of assignments or being passed over for promotions to sudden dismissal, blackballing, personal harassment or intimidation.¹⁷ In a study of the aforementioned Standards of Ethical Conduct for Management Accountants, one respondent noted that ... "the management accountant is always under control as an employee, and real pressure can be applied not associated with public accountants. In many companies a management accountant is simply fired and has no recourse."¹⁸ There is also little statutory protection for whistle-blowers, although case law is probably sufficient in half our states to litigate against reprisals. In the BART case, not only were the engineers fired but it took them eight to fifteen months to find satisfactory jobs elsewhere not to mention the psychological stress they each faced. Clearly, going public against one's employer represents an act of conscience requiring extraordinary personal fortitude. A recent survey conducted by the Educational Fund for Individual Rights, Inc., a nonprofit group, found that only 12 percent of their engineering respondents had been in situations where "they voiced objection to or refused to participate in some work or practice because it went against their legal or ethical obligations as engineers or personal sense of right and wrong." Indeed, it is not uncommon to find reports criticizing engineers for not being concerned about the outcomes of their tasks. Even as a group, engineers don't tend to characterize themselves as protesters, but rather as analytical problem solvers. For many of

them, the technological challenge outweighs concerns about the source of funding or the project's end result.

It may be unrealistic to expect professional associations to support each instance of alleged employer abuse suffered by their members in reprisal for raising ethical concerns. Professional associations are made up of a diverse group of professionals, as we have pointed out, so it is difficult for them to take stands on issues not supported by most of their members. Yet, my discussions over the years with diverse salaried professionals have revealed that most believe they have a special obligation as professionals to do more than other employees, to be more sensitive to how their work is used, and to be more alert to violations of ethical standards in their organizations. Recently, for example, about 3,700 U.S. professors and senior researchers, comprising more than half the science faculty at 109 universities and research centers, signed a petition pledging not to take money from the Strategic Defense Initiatives Office which runs the "star wars" missile-defense program. Scientists as far back as the Manhattan Project have been concerned about the ethics of defense work. That project in 1949 prompted the formation of a group called Scientists for Social Responsibility, whose members swore off nuclear work entirely. In 1961, Physicians for Social Responsibility was organized to promote sufficient education on the medical hazards of nuclear war as to eradicate its threat. Parallel organizations of professionals with similar objectives have since been formed. Even among the presumed conservative engineers, according to a recent IEEE survey, a third reported they would consider assignment to nonmilitary work important when changing jobs.

AN EXECUTIVE STRATEGY FOR ENCOURAGING ETHICAL RESPONSIBILITY

If we are to assume that professional vigilance and ethical consciousness are a benefit not only to

American enterprise but to society as a whole, if nothing else so as to avoid such disasters as the Challenger, is there anything management can do to encourage the expression of this consciousness in a responsible way?

I believe there are three steps executives can take in encouraging their professionals to follow their best instincts in supporting an ethical position within the enterprise.¹⁹ The three steps consist of: 1) ethical consciousness, 2) ethical process and structure, and 3) institutionalization. In the remaining pages of this paper, I shall describe these three critical steps and provide some examples of effective corporate action along these lines.

Ethical Consciousness

Ethical consciousness within an enterprise just doesn't happen by itself. It has to be promoted by the chief executive and his or her staff. The incipient corporate culture is typically shaped by the founder of the organization, who by personal example or through communication with others, establishes the behavioral standards or processes that come to be considered the accepted norms of corporate practice. These norms can be changed, of course, by subsequent executive officers, provided they have sufficient tenure and personality to make an impact.

The most critical step in raising ethical consciousness and the one most likely to appeal to professionals is a pronouncement from the CEO that the company is continually responsive to and interested in a free and open exchange of ideas. This position informs the professional staff that it is expected to contribute its insights, be they technical or ethical, to the decision-making processes of the firm. No suppression of ideas can be tolerated, since the organization's adaptability and creativity depend on employees being free to speak their minds.

The professionals in the firm can serve as aides-de-camp of the CEO in mobilizing ethical consciousness. They are characteristically more interested in doing things right than doing them expediently. Hence their first instinct is to oppose methods that might interfere with quality in manufacturing or service. Thus, a design engineer is likely to resist price-fixing on heavy

equipment since the purchase criteria in this instance would not necessarily include quality and contribution. Similarly, a corporate auditor would find it difficult to face conscientious peers and other coworkers if evidence of fraud in the firm's financial dealings were revealed.

Hence the professional staff can be a useful resource in promoting ethical consciousness when its best instincts are tapped. Because they tend to be quite respected in most organizations, professionals may also represent an authoritative symbol of social responsibility. Their status often derives from a freedom to operate outside some of the standard bureaucratic procedures. This special status can be used in behalf of social justice for those involved in and affected by corporate actions. Not all professionals can be expected to act responsibly, as we have earlier indicated, and many will fail to voice their concerns when the corporate culture rewards silence. With encouragement, however, they can take a prominent role in supporting ethical standards of corporate behavior. An excellent example of an organization's encouragement of the best combination of ethical and technical competencies of professionals is the area of environmental auditing. Among the corporate leaders in this field are Polaroid Corporation, Atlantic Richfield (Arco), and Minnesota Mining and Manufacturing (3M). The basic principle behind environmental auditing is to prevent environmental hazards by anticipating them and acting to correct problems before they escalate. 3M has purposively enlisted the support of its professionals to assist in a company-wide effort not only to prevent environmental pollution but to generate savings from the solutions developed. Accordingly, in 1975, 3M implemented its Pollution Prevention Pays (3P) policy which instead of adding on pollution abatement equipment at the end of the manufacturing process, sought to eliminate or minimize pollutants at the source, in other words, in the manufacturing process itself and in product development. Scientists, chemical engineers, industrial engineers, and other technical and managerial personnel were encouraged to submit formal proposals to 3P's Coordinating Committee in the areas of product information, process modification, redesign of equipment, and recycling. To date, some 1700 proposals have been

approved, and corporate officials have estimated a savings of some \$300 million from the program, not to mention the goodwill fostered between the company and its constituencies, especially its environmental regulatory agencies.

Regardless of any support from the professional staff, the chief executive must take the lead in promoting ethical consciousness. This person's actions can serve as a message to the rest of the corporation regarding a commitment to ethical issues. For example, he or she may speak out on a particular issue or set of issues at meetings of industry and trade associations, stockholders, and civic groups. He or she may become active in organizations and committees involved in studying ethical problems and influencing opinion about policy approaches. Seminars at all levels can be sponsored to formulate the corporate position on social and ethical issues that fall within its primary market area. Employees' opinions and suggestions could be sought and used to generate support for ethical positions. Indeed, time could be allocated during regular staff meetings for discussion about the ethical implications of particular policies and practices. The CEO and staff might even recognize past failures in responding to particular problems but provide an explanation of what is being done about them now. When Motorola's CEO, Bob Galvin, discovered that an internal audit had revealed bookkeeping discrepancies in one of the firm's departments, he allegedly directed twenty of the implicated parties to make retribution by contributing \$8,500 to charity.

Ethical Process and Structure

Although the chief executive's promotion of ethical consciousness is a good first step, it does not go far enough. Professionals also want to see action; otherwise, they will be quick to point out that the firm's social proclamations represent mere lip service.

Ethical process suggests that it is not enough to announce that economic goals will henceforth share the corporate agenda with ethical goals. What counts is how the organization goes about meeting these goals and what decision-making procedures it adopts in carrying out both its economic and its social policy. Process refers to the treatment of employees, but also of any

individual who performs a corporate role or who is affected by corporate behavior. In principle, it might state that everyone will be treated with honesty, fairness, and dignity.

In concrete terms, organizations might set up specific procedures to handle instances of corporate misconduct. Executives and professionals could be held responsible or even fired for such abuses as filing false reports, knowingly marketing dangerous products, failing to monitor improper conduct among associates or subordinates, and so forth. The intent of ethical process is not to encourage snooping and suspicion, but to make people aware of the consequences of improper conduct. In some instances, widespread condemnation following an immoral act may be more effective as a symbolic deterrent than actual fines or penalties. Ethical procedures are also not meant to impose artificial standards on people. Professionals in particular need wide latitude in performing their expert roles. Sanctions need to be applied, however, for behavior that is thought to be outside commonly accepted standards of ethical responsibility.

One way to formulate standards of acceptable ethical behavior in organizations is to issue a corporate code of ethics. Such a code spells out the leadership's position on appropriate behavior in ambiguous circumstances or in situations where there may not be congruity between professional, personal, and corporate standards. It also serves to supplement, not replace, professional codes of ethics. Records show that about 75 percent of all U.S. firms indeed have such codes, and the percentage rises to 90 percent among the largest companies. The most common item in these codes is conflict-of-interest provisions, although few provide explicit details on conflict-of-interest situations. Other items concern political contributions, use of inside information, illegal payments, prohibition of bribery and kickbacks, proper relationships, proprietary information, use of corporate assets, gifts and favors, and unrecorded or falsely recorded funds or transactions.²⁰ The sheer size of corporate entities today and the geographic dispersion of their operations as well as the need to increase public confidence and to stem the tide of regulations of business have together created a common concern among CEO's for this type of universal statement.

A few years ago, former Secretary of the Treasury and now head of Unisys, W. Michael Blumenthal, even argued for a general code of ethics for all business to ward off the continuing pressure of increased federal legislation.²¹

The obvious problem with any general code (and this is why the Blumenthal idea foundered) is the specifics of its content. There are also difficult administrative procedures to resolve, such as how and to whom the code should be distributed, how violations are to be monitored, and how penalties are to be enforced. At the industrial level, trade association codes face additional charges of collusion and anti-trust behavior.²² It appears that even at a symbolic level, however, codes at least suggest to both the public as well as the internal corporate and industrial communities that management is serious about articulating and acting on what it considers to be responsible community and ethical behavior.

Some firms, recognizing the inadequacy of simply issuing an ethical code, have gone to the next step of putting one into practice, ensuring that it be a "living document." At Norton Company, all managers are expected to maintain an "open door" policy with regard to questions of ethics, especially those embodied in their "Norton Policy on Business Ethics." They review the policy at least once each year with their supervisors and field representatives and investigate any suspicion that unethical or illegal activities are taking place. Perpetrators of illegal or improper practices are dealt with swiftly but fairly. Corporate officers all sign a letter (perfunctory though it might be for some) affirming their understanding and implementation of the ethics policy and the company's chief auditor reports on any ethical violations or suspected violations. The unit primarily responsible for this action orientation on ethics is the Corporate Ethics Committee (of the Board) which answers questions about "gray areas" of the policy, updates it when necessary, and monitors and investigates policy compliance.

At Motorola, a similar board committee, The Business Ethics Compliance Committee, meets on an ad hoc basis approximately 6-8 times per year to rule on cases requiring an interpretation of their

code. As a result of these cases, the code of conduct has been revised three times in the last decade. For example, a corporate policy on frequent flyer privileges has resulted from a number of cases arising from this relatively recent but controversial travel benefit.

Some companies, aware that ethical codes can be interpreted too broadly, have composed handbooks or policy guidelines to provide more detail, for the benefit of their professional and other staffs. At Chemical Bank, the Code of Ethics has been supplemented by rule books in such technical areas as the Trust and Investment Division and the Capital Markets Group. The rule books offer more explicit guidelines and are every bit as stringent as the code. In commenting on this extension of the code, John Wynne, Chief Counsel and Secretary of the Board, noted that "... because non-banking corporations do not have the millions of transactions we have, the need for ethical guidelines may be more pressing in a financial institution, where money is an inventory, than anywhere else."

Another vehicle to affirm management's commitment to ethical standards and procedures is the internal appeals process (in union settings, it is referred to as a grievance procedure). It is important that professional employees, aware that the organization has taken a stand on ethical behavior, have some internal mechanism for voicing their complaints about possible corporate misconduct. It is equally critical that this mechanism assure them that no one will not suffer any adverse consequences for using the appeals process. At General Dynamics, a company which has been embattled for years over allegations about overcharging the government through its contracting business, a revised code includes a "squeals clause" that protects and rewards employees who blow the whistle on co-workers who violate ethical guidelines. Although a mechanism such as this has immediate bearing on how ethical standards are upheld in the organization, it also has a beneficial side effect for management, in that professional employees given an opportunity to use an internal mechanism for relief will tend to forego reliance on outside sources, such as is associated with "whistle-blowing." An internal process also gives management

time to research the issue at stake and seek a remedy to prevent its recurrence. If its research reveals that the complaint is unfounded, it can also use the time to prepare a defense of its actions.

The existence of an appeals process does not force the professional to use it if he or she concludes that doing so will not solve a problem or may lead to reprisals. For example, the professional may believe that bringing a complaint will lead to the destruction of evidence. The best way to insure that any internal appeals mechanism work effectively is to see that it abides by commonly accepted standards of due process. There should be a clear method to receive complaints, conduct impartial investigations, define standards of judgment, provide a fair hearing, and reach objective, fair, and responsible decisions. One of the recommendations of the presidential commission investigating the Challenger disaster was the establishment of an independent safety board which would have direct access to the head of NASA and authority to stop a launching. This recommendation was swiftly acted upon with NASA's creation of a new Office of Safety, Reliability, Maintainability, and Quality Assurance. Involvement by engineering professionals and astronauts in launching decisions was specified and also symbolized by the fact that the new office was headed up by an engineer and former test pilot.

Among the appeals processes that specifically incorporate professionals interests, the procedures installed in the mid-1980's by the U.S. Nuclear Regulatory Commission (NRC) stand out.²³ If a professional holds a judgment contrary to NRC practice, he or she submits a written statement to management, which evaluates its merits. The NRC's Office of Management and Program Analysis collects and makes public a quarterly report of all these filed professional opinions. The NRC meanwhile expressly forbids retaliation against any professional who holds a differing opinion. Finally, each year, a Special Review Panel of NRC employees and outsiders reviews the professional opinion process not only to see that it is functioning properly but also to suggest merit awards for those professionals whose opinions "made significant contributions to the agency or to public safety."

Although an appeals process can be a very effective formal mechanism for encouraging ethical corporate practice, it cannot take the place of less formal processes that simply provide common means for professionals to question managerial decisions. I am referring to such practices as suggestion systems, employee-management meetings, question-and-answer programs, and survey feedback. One recent study found that the more of these processes available to professionals to voice their complaints, the greater would be their confidence that their organization would effectively address their problems.²⁴ Outside of these processes, management can also set up a corporate structure to respond to ethical issues.

One structural adaptation to ethical concerns is the appointment of a staff specialist or even a select committee in a particular social area, for example, affirmative action or environmental policy. The specialist typically gathers information on the organization's activities in the substantive area of concern and matches these data with his or her assessment of external demands. The specialist may also mediate between operating divisions and outside organizations, such as government agencies, which may be pressuring the corporation. At Dow Corning Corporation, an executive committee made up of four members was formed to develop a global system of values since a significant share of the company's business lay outside the United States. Initially, the committee was charged with learning how the company really operated outside the U.S., drafting guidelines and reporting on the legal and ethical business behavior of the company around the world, and recommending ways to correct questionable practices as they arose. As part of the process, committee members would conduct "face-to-face audits" of company sites, working with local managers to identify problems and resolve them. Today, the face-to-face audits are still used but, according to company officials, in a less adversarial manner since the company has assured its managers and professionals that ethical standards are taken seriously.

Beyond individual appointments, organizations can establish enlarged structural arrangements to respond to ethical concerns, especially as firms grow in size or participate in markets or

services that are particularly vulnerable to ethical dilemmas. Some of the alternative structures include: temporary task forces of managers and professionals, executive committees, committees of the Board, a permanent department, or some combination of these.

As the particular structural arrangement to be used by the organization in response to ethical issues evolves, management can decide further whether to follow a decentralized or centralized format. As we shall see shortly, the decentralized approach is preferred. Accordingly, each department is assigned responsibility for social issues that fall within its purview. For example, finance might handle investor relations, engineering would be concerned with product safety, marketing would deal with consumer relations, and so on. At Weyerhaeuser, a widely diversified forest products firm, although a corporate committee, called the Business Conduct Committee, exists to interpret and support the company's business conduct program, the committee's secretary acknowledged that responsibility for implementing the program now rests fully with the company's businesses. Under the centralized format, all these functions would originate through one department. The head of this department would typically report to the CEO and coordinate all activities related to external social relations.

Institutionalization

Assigning the firm's ethical responsibility to a single individual or unit does not do enough to elicit a full corporate commitment to social or ethical policy. An ethical specialist, for example, can become burdened with moderating individual conflicts within the organization or moving from crisis to crisis. In this third step, management attempts to make conformity with the firm's ethical policy a goal for all employees. This entails modifying the organizational procedures, especially those concerned with planning and evaluation, to incorporate social or ethical objectives along with the more traditional economic objectives of the enterprise.

The institutionalization step is most appropriately directed at middle management. Without the support of these managers, who are principally responsible for supervising professional work, the

organization cannot deliver on its social contract. Further, it should be preceded by the two steps previously outlined. One place to begin is the department budget which can be altered to incorporate socially relevant activities. Testing equipment for secondary safety effects may be costly, but including a line item for this function demonstrates the seriousness with which senior management views safety. Expenditures for an internal audit team are also expensive, but demonstrate to the professional accounting staff that the company will not tolerate standards abuses.

A second strategy is to incorporate ethical responsibilities in the managers' and professionals' job descriptions. Job descriptions should not be so precise as to hinder individual initiative, but they do specify what the jobs require, and hence are a good place to emphasize the importance of ethical considerations in job performance.

Whereas senior management tends to concentrate on strategic planning, middle managers and professional contributors usually focus their planning efforts at the operating level. So, besides incorporating ethical concerns in budgets and job descriptions, department heads, for example, can translate ethically relevant strategic goals into operating objectives. Middle managers design information and reporting systems essentially to control their operations. These systems contain information relating to anticipated demand for products or services, plant and equipment, capacity utilization, pricing, distribution, staffing, and so forth. Here again, social and ethical considerations can be included as data points for entry into the system. For example, although a company may have a sound affirmative action policy, its plan may call for subcontracting some of its specialized work. Beyond cost criteria, the company could determine whether the potential subcontractors have met baseline affirmative action goals.

Perhaps the most critical element in institutionalizing ethical responsibility is the insertion of social or ethical criteria in the performance evaluation process. Performance appraisals are widely used to evaluate and/or develop managers and professionals especially at middle levels. Only when the staff knows that it will be held accountable for its social performance will it be truly

freed to act on ethical principles and processes in its work. Although performance evaluation systems vary in many respects, most measure performance against acceptable standards in some way. The socially responsible company insures that social or ethical measures are included along with other indicators of performance. Hence, corporate attorneys are evaluated not only on the expeditiousness with which they handle claims against the company, but also on their identification of corporate abuses that have gone undetected. Mental health professionals are rated not only on the number of acutely disturbed patients under their care but on the quality and dignity of such care. Chemists are rewarded not only for the curative effects of a new compound but for having also scrupulously identified its side effects and interactions.

Flowing from the performance evaluation system are the rewards to be distributed to organizational members. Consistent with the attempt to incorporate ethical standards into performance appraisal, rewards, pecuniary or nonpecuniary, should ensue for social performance. The reward system is often contingent on the training and career development functions. Education can be provided to managers and professionals on social performance expectations and procedures. A loan officer, for example, may need not just encouragement but skill development in evaluating a proposal from a minority business to operate in a ghetto area on subsidized funds earmarked for neighborhood development. Many companies (44% among the top Fortune 500 firms, according to a recent survey by Bentley College's Center for Business Ethics) have also developed ethics training which focuses not so much on right or wrong decisions but decision-making processes which challenge trainees to think through the effects of their decisions on various corporate constituencies. Chemical Bank's training program incorporates a series of case studies culled from interviews with bank personnel who discussed ethical dilemmas they faced. The cases reflect a commitment by Chemical to tailor its ethics training to the corporate culture not only of banking but of Chemical Bank itself. Beyond training and education, rewards for social performance should also extend to personal career development so that the professional who meets ethical as well as

economic goals is given a chance to explore advanced or enriched career opportunities in other parts of the organization.

A possible final strategy in institutionalizing ethical responsibility is to construct and carry out an actual audit of social performance. Little agreement has emerged, however, on a standard set of indicators that could be used in any kind of social accounting statement. Most companies tend to use only a handful of indicators to evaluate a select number of ethical issues that are seen as relevant to the organization.

By the final step of institutionalization, professionals should feel relatively assured that any concern they have for ethical responsibilities of their organization will not be overlooked. They need not remain silent when they see mishandling of resources, for they know their opinions will be heard. Not many organizations have institutionalized their ethical consciousness, but professionals might be satisfied with a beginning through what Robert Ackerman and Raymond Bauer once referred to as "institutionalization of purpose."²⁵ This corresponds to management's attempt to respond sincerely to professional concerns about questionable corporate practices. Consistent with the thrust of this article, it has the effect of making the professional a potential aide-de-camp in furthering the ethical goals and processes of the organization.

ENDNOTES

1. Portions of this article first appeared in the author's book: The Clash of Cultures: Managers and Professionals (Boston: Harvard Business School Press, 1986). Appreciation is extended to Jerry Cavanagh, S. J. and Walter Klein for comments on an earlier version. I am especially indebted to Gary Edwards and Rob Biesenbach at the Ethics Resource Center in Washington for suggesting contacts and providing me with information leading to some of the examples cited in the article.
 2. The subject of management as a science has been more carefully examined, with most accounts affirming its scientific or near-scientific status. See, e.g., Luther Gulick, "Management as a Science," Academy of Management Journal, 1965, 8, 7-13; and Ronald E. Gribbins and Shelby D. Hunt, "Is Management a Science?" Academy of Management Review, 1978, 3, 139-144. In an optimistic piece on managerial professionalism, however, Kenneth Andrews in 1969 demonstrated that general management was surely on its way to becoming a profession. See his "Toward Professionalism in Business Management," Harvard Business Review, 1969, 47, 49-60.
 3. Other national management associations besides the U.S. National Management Association and the British Institute of Management are the Greek Management Association and the Rationalisierungs Kuratorium der deutschen Wirtschaft in Germany, but they represent so few members that they cannot possibly have much impact as yet. See Nancy G. McNulty, "And Now, Professional Codes for the Practice of Management," Conference Board Record, 1975, 12, 21-24.
 4. Adolphe A. Berle and Gardiner C. Means, The Modern Corporation and Private Property (New York: Macmillan, 1932).
 5. See, e.g., John P. Kotter, The General Managers (New York: The Free Press, 1982).
 6. In 1967, the American Assembly of Collegiate School of Business (AACSB), the principal accrediting body of U.S. business schools, established a standard requiring its members to include in their curriculum material on "the social, political, and ethical influences as they
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affect...organizations." (The word, "ethical," was added in a 1976 amendment). In 1971, the Social Issues in Business Division was formed within the Academy of Management. A good overview of the field can be found in Rogene Buchholz, *Business Environment /Public Policy: A Study of Teaching and Research in Schools of Business and Management - Summary Report* (St. Louis: Center for the Study of American Business, Washington University, 1978), or Lee E. Preston, *Social Issues and Public Policy in Business and Management: Retrospect and Prospect* (College Park, MD: Center for Business and Public Policy, University of Maryland, 1986).

7. Alvin W. Gouldner, "Cosmopolitans and Locals: Toward an Analysis of Latent Social Roles," *Administrative Science Quarterly*, 1957, 2, 281-306 and 1958, 3, 444-480.

8. Joseph A. Raelin, "The 60's Kids in the Corporation: More than 'Daydream Believers,'" *Academy of Management Executive*, 1980, 1, 21-30.

9. The professional clergy might rightfully take exception to this statement, but I see their service as ethical counselors to corporate managers inside their organizations, not as parishioners, to be limited. Father Theodore Purcell once advocated electing an "angel's advocate" to the board of directors, but few corporations followed his advice, and not all angels had to be members of the clergy.

10. Herbert R. Northrup and Margot E. Malin, *Personnel Policies for Engineers and Scientists* (Philadelphia: Industrial Research Unit, The Wharton School, 1985), pp. 42-48.

11. Readers may be interested in following the litigation (seemingly going nowhere) against perhaps the premier corporate law firm of Cravath, Swaine & Moore which has been implicated in an illegal foreign payment by its client, Ashland Oil. See Bruce Ingersoll and Seth Lubove, "Three Top Law Firms Are Mired in Litigation Involving Ashland Oil," *Wall Street Journal*, March 21, 1986.

12. Richard T. DeGeorge, *Business Ethics* (New York: Macmillan, 1982), pp. 226-232.

13. For a review of the ethical and legal restrictions on the counsel's canon of client confidentiality, see Samuel H. Gruenbaum, "Clients' Fraud and Their Lawyers' Obligations: A response to Professor Kramer," *The Georgetown Law Journal*, 1979, 68, 191-212.

14. Other codes to consult in the accounting profession include; The Certified Internal Auditor Code of the Institute of Internal Auditors and the Statement of Auditing Standards of the American Institute of Certified Public Accountants (AICPA). The AICPA Statement supports withdrawal of an engagement as a final step on the part of an external auditor who becomes privy to serious illegal acts by a client party. See also Michael E. Meier and Larry E. Rittenberg, "Dealing with Known Corporate Wrongdoing," The Internal Auditor, April 1986, pp. 37-42.
 15. Lee Burton, "Rewriting the Rules: Jerry Sullivan Leads Effort to Increase Auditors' Responsibility." Wall Street Journal, December 17, 1986; Maggie McComas, "How Accountable the Accountants?" Fortune, August 18, 1986, p. 56.
 16. Andrew Abbott, "Professional Ethics," American Journal of Sociology, 1983, 88, 855-885.
 17. For a report of several case histories demonstrating the psychological make-up of whistle-blowers and the repercussions they faced, see Myron Peretz Glazer and Penina Migdal Glazer's, "Whistleblowing," Psychology Today, August 1986, pp. 37-43.
 18. This study is reported in Robert G. Morgan, Jalaeddin Soroosh, and Charles J. Woelfel, "Are Ethics Dangerous to your Job," Management Accounting, 1985, 66, 25-32.
 19. The three steps of ethical responsibility have been adapted from the well-known "social response process" of Robert Ackerman and Raymond Bauer. See their Corporate Social Responsiveness (Reston, VA: Reston, 1976), esp. pp. 119-131.
 20. Bernard J. White and B. Ruth Montgomery, "Corporate Codes of Conduct," California Management Review, 1980, 23, 80-97; Paul H. Hammaker, Alexander Horniman, and Louis Rader, Standards of Conduct in Business (Charlottesville, VA: Center for the Study of Applied Ethics, 1977), pp. 6-10; and Ethics Resource Center, "Creating a Workable Company Code of Ethics," Washington, 1984.
 21. W. Michael Blumenthal, "Rx for Reducing the Occasion of Corporate Sin," Advanced Management Journal, 1977, 42, 4-13.
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22. In spite of these drawbacks, it is interesting to note that in June 1986, a Presidential Blue Ribbon Commission on Defense Management, known also as the Packard Commission, issued the "Defense Industry Initiatives on Business Ethics and Conduct." One of the first of its kind, this industrial code currently has 33 corporate signatories. Although not a code per se, in 1986, a set of Priorities for Insurance Companies in the area of corporate public involvement was also issued by a Committee for Corporate Public Involvement representing member companies of the American Council of Life Insurance and the Health Insurance Association of America.

23. NUREG-0567, "Proposed Policy and Procedures for Differing Professional Opinions," 1979; and also cited in Alan F. Westin (Ed.), Whistle Blowing! Loyalty and Dissent in the Corporation (New York: McGraw-Hill, 1981), pp. 148-149.

24. David G. Spencer, "Employee Voice and Employee Retention," Academy of Management Journal, 1986, 29, 488-502.

25. Ackerman and Bauer, Corporate Social..., p. 124.

BIOGRAPHY

JOSEPH A. RAELIN is Professor of Administrative Sciences at the Boston College School of Management. His research has centered on human resource concerns, most recently, the career development and management of salaried professionals. He is also a management consultant with fifteen years of experience working with a wide variety of organizational clients. He specializes in working with managers of professionals, helping to create organizational climates receptive to the mutual goals of managerial proficiency and professional accomplishment. His recent books are: The Salaried Professional: How to Make the Most of Your Career (Greenwood/Praeger, 1984) and The Clash of Cultures: Managers and Professionals (Harvard Business School Press, 1986). His article, "The '60s Kids in the Corporation: More than Just "Daydream Believers," appeared in the inaugural issue of the *Executive*.