

Ethics 1

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Question #1: Find and provide an appropriate definition, discuss your understanding, and provide illustrative examples for each of the following seven terms: morals, values, personal bias, professional boundaries, confidentiality, right and wrong (100 words each minimum, not including definitions).

Morals

A simple definition for 'morals' comes from *Websters New World College Dictionary* ("Morals." Def. 3) – "principles, standards, or habits with respect to right or wrong in conduct; ethics; sometimes, specifically, standards of sexual behavior."

Morals are based on intent, and moral actions depend on the intentions behind them, on their results, and the values of the person or society that they reflect (Thompson, 7). And they are also based on freedom of action – if we are not free to choose what we do, we cannot be held morally responsible for our actions. Of course, our freedom to choose is also limited by the choices of others, so our moral responsibility is only as great as the degree to which our choice is important overall.

An example of morals, or of a moral choice, might be what a person would do in the following situation. Imagine that you are walking down the street and find a wallet on the sidewalk. Inside it are a driver's license (presumably belonging to the wallet's owner) and a \$100 bill. Should you keep the money or try to return it to its owner? In your life, you've usually been pretty honest, and you were taught from an early age that stealing is wrong. Based on your habit of honesty and your values about stealing, the moral choice would be to return the money to its owner.

Values

'Values', according to the *Websters Dictionary* ("Values." Def. 7), can be defined as follows: 'the social principles, goals, or standards held and accepted by an individual, class, society, etc.' Values are those ideas that each of us has that we base our moral decisions upon. These can be our thoughts and beliefs that we have come to accept based on the memories of past actions and pleasures and hurts we have received. While some believe that values are inherent in our characters from birth, I believe that most of them are learned in childhood, and the more empathetic we are, the more outward looking our values will be. Most of us value kindness and some version of the Golden Rule, while a psychopath might not even understand such ideas.

Values could include ideas like treating others fairly, protecting children from harm, the equality of the sexes (or lack thereof), kindness, stinginess, etc. Modern values of individuals and western society include protecting the weak, humility (or at least not excessive pride), and an agreement not to steal from others. Heroic values (as in ancient Ireland), on the other hand, would have the warrior boast of his superiority to all, of his ability to collect the heads of his enemies, and of his prowess in stealing cattle from the neighbors.

Personal Bias

Websters ("Bias." Def. 2) gives the following definition for 'bias': 'a mental leaning or inclination; partiality; bent' and then goes on to give 'prejudice' as a synonym.

We all have biases. And our biases are personal. We have all decided over the course of our lives that certain actions, certain reactions to situations, and certain attitudes have enabled us to survive this long, and we bring these decisions (biases) to all we do. Indeed, these biases may be reflected in our basic values.

An example might be someone who has been raised in a fundamentalist Christian family. All his life he has 'known' that homosexuality is wrong, a basic disorder, and against God's plan for the universe. As a result of this personal bias, he treats anyone he believes might be a homosexual differently from other people, and can't help but feel sorry for them, as well as a little disgusted. Yet his friend from school, a girl who has a gay uncle, believes that gay people are no different from anyone else, and it had never occurred to her that anyone would think otherwise. Both of these people have a bias concerning gay people.

Professional Boundaries

According to Professional Boundaries, Inc., an accredited group that gives seminars and on-line courses to helping professionals, "professional boundaries define effective and appropriate interaction between professionals and the public they serve. Boundaries exist to protect both the professional and the client." ("What Are Professional Boundaries?")

When anyone, like a priest, is in a mentoring, pastoral counseling or other relationship where it can be assumed that the priest is working within a position of trust, it is essential that a line be drawn between behavior that is appropriate for the situation and behavior that would be inappropriate, and which could be seen as taking advantage of the client.

One of the most common reasons for lawsuits between a priest and members of a congregation comes from sexual relationships growing out of a counseling situation. The congregant comes to the priest for advice, and over time, a sexual relationship develops, and before long a marriage is broken up or scandal rocks the church. Not only is the congregant's family hurt, so is the rest of the congregation and the church as a whole.

Confidentiality

Confidentiality "refers to an ethical principle associated with several professions (e.g., medicine, law, religion, professional psychology, journalism, and others). In ethics, and (in some places) in law and alternative forms of legal dispute resolution such as mediation, some types of communication between a person and one of these professionals are "privileged" and may not be discussed or divulged to third parties. In those jurisdictions in which the law makes provision for such confidentiality, there are usually penalties for its violation." ("Confidentiality")

Very simply, when a priest is told something in confidence, in his or her capacity as a priest, then it is the priest's responsibility to keep the secret and not reveal it to others. The whole idea of pastoral counseling hinges on trust, and even when there are no legal ramifications to telling the secret, it would be unethical to do so and to betray that trust.

As a priest, congregants (and others in ADF) have told me many things, from problems within a marriage and sexual problems, to past felony convictions. In most cases, these are no one else's business, and to reveal these secrets could cause problems in the marriage and/or destructive gossip in the grove. In the case of felonies, the information might have to be shared with the Senior Druid (with the person's permission), depending on the nature of the offense. In general, I hold confidentiality as sacrosanct unless there are legal reasons to do otherwise or if there is a possible danger to the Grove or its members.

Right and Wrong

According to *Webster's*, 'Right' means, 'In accordance with justice, law, morality, etc.; upright; virtuous /right conduct/' ("Right"). 'Wrong' on the other hand, is defined as, 'Not in accordance with justice, law, morality, etc.; unlawful, immoral, or improper' ("Wrong").

As to what a person might think is right or wrong, these things would be based on their values. But how can we really know the difference? A subjective approach would allow someone to use their intuition to decide the difference, and this would produce personal and individual criteria (Thompson 43). But many people want to apply criteria universally, using a more objective approach. This has produced many different approaches, such as Natural Law, which argues that every object and action has some final meaning and purpose, its 'final cause', often found not as a choice, but as a command (like from God). Therefore, if sexual congress produces children, then the ultimate meaning of sex is procreation, making new people. But to argue this way is also to say that any sexual act that doesn't produce children is intrinsically wrong. Something that very few of us in Paganism would accept (Thompson 47-50).

Another way of looking at right and wrong is through Utilitarianism (often the basis for 'common sense'). Here, the right thing to do is that which is likely to produce the greatest happiness for the greatest number of people. But how is a balance found between the happiness of the individual versus the happiness of society? (Thompson 65-66) For a long time (and still now for some groups) the idea of same-sex marriage was repugnant, and that the sanctioning of such unions would irreparably harm society. The happiness of the gay people who wanted such a union was not considered important.

Immanuel Kant came up with a universal principle of morality (called the categorical imperative) that has three forms: (Thompson 81)

1. Act only on that maxim (or principle) which you can – at the same time – will to become a universal law.
2. Act in such a way as to treat people as ends and never as means.
3. Act as though a legislating member of the Kingdom of Ends.

Take suicide as an example. What if everyone chose to commit suicide? That would be the end of man, so if it were a universal law, it would be wrong. But what if I were suffering from a painful, incurable cancer? I might wish to have the option to kill myself, and think that others, in my situation, have the same right. But since I see this as an option, and not as compulsory, then it isn't a universal law, but a universal option - a very different thing. Also, I would be an 'end' result, not the means to an end (which is what mandatory suicide in the book/film, *Soylent Green*, involved).

Question #2: Self-awareness is key to the implementation of professional ethics. Discuss how your personal morals, values, bias and ability to maintain adequate boundaries, confidentiality and determine right from wrong might both positively and negatively impact your professional relationships. (200 words minimum)

I believe that I am basically a moral person whose values reflect those of many Pagans. I value fair play, and believe that everyone has a right to be heard. I also value scholarship and UPG both, for the roles that they play in a broad spiritual life. I do have biases, though. As a gay man I am biased in thinking that everyone deserves to love whom they please as long as both parties are consenting adults, and that parts of our society are simply wrong on this issue. I am also biased against Christianity, which is something I'm working on. There are also times when my boundaries haven't been as clear as they could be – I do sometimes jump in where angels fear to tread. I am aware of this, though, and trust that by keeping centered I'll be able to navigate this problem.

My perceptions of right and wrong are very important to me, though. I think Kant's take on the 'right' is a good one, with his three forms. I have tended to follow the golden rule, tempered by the idea that if someone attempts to screw me (or others) over, then it's fair to stop him or her however necessary. If anything, I may be too mild, willing to take abuse longer than others would before reacting, but I'd rather be sure than overreact wildly or prematurely. I have learned to take confidentiality seriously, and am able to keep the secrets of others, something I had trouble with when I was younger.

On a professional basis, I think that as long as I keep centered and aware of myself, and what's going on around me, that I'll be able to behave in an ethical manner.

Question #3: Discuss how an individual learns to determine right from wrong and explain the factors that influence this determination? (100 words minimum)

For most people, ideas of right and wrong seem to come instinctually – they just seem to 'know' what is right. But a person's conscience has been formed through experience over the course of life, and by the society in which they grow up, and is not necessarily influenced by reason (Thompson 77). Often this is called 'common sense'. However, in our position as members of the priesthood, these subjective ideas of right and wrong might not be enough. Issues will come before us that are not easy, that will require reason and careful balancing of values in order to be dealt with in a fair and even-handed manner. One thing to always remember is that a crucial moral question of right and wrong for one person might be of negligible significance for another (Thompson 8). As my grandmother used to say, we have to walk a mile in someone else's moccasins before we dare judge.

Question #4: Describe several reasons why an individual would strive to "do the right thing"? (100 words minimum)

For some people, pressure to 'do the right thing' would come from inside themselves. If their values include a need to act morally, then they will do so automatically, sometimes even to their own detriment. But for most of us, I believe that we often operate from mix of pressures both internal and external.

Internal pressures include a desire to maintain integrity in one's own eyes (based on values which can include religious beliefs), or even simple guilt, hammered into one throughout childhood. External pressures could include peer pressure to conform to societal norms (even if the 'society' at question is that of a small group), or legal requirements. In many cases, a judgment of gain versus loss may have to be made by the person in order to decide what to do (such as the idea of, "Is it worthwhile pursuing this, or should I let sleeping dogs lie?").

Question #5: Discuss how an individual's values relate to the decision making process. (100 words minimum)

An individual's values are central to decision making. Values are the basis of moral and ethical decisions. Actions are moral if they reflect a person's values (and/or those of society). Actions are immoral if they go against a person's (and/or society's) values. And Actions are amoral if they don't reflect choices that are made based on values or social norms (Thompson 8).

Also, it must be remembered that our values usually come in a social context and that we create them for ourselves (in addition to those we grew up with) as we act in life and make choices. And in making these choices, based on our values, we need to balance benefit with harm (Thompson 105). In any moral choice, there could be losers and winners, and our values will need to take that into consideration for us to be able to make decisions we can live with.

Question #6: Discuss the importance of ethics to the clergy-lay relationship. Do you believe a clergy person has ethical responsibilities? If so, what are these responsibilities? (300 words minimum)

In ADF, we like to say that the role of a priest is to be a ritual leader, someone who is well trained in leading a group of people to the Otherworlds, so that we may make our sacrifices and receive the blessings of the Kindreds without anyone being left behind. But in practice, history and the pressures of society (not to mention the influence of the dominant religion in our lives, whether we like it or not) make priests much more than that.

Folks will tend to look up to us. And this means that we are put in positions of trust automatically, whether we deserve it or not, and whether or not we solicit it. And this trust is what makes ethics so important in the clergy-lay relationship. We must do no harm.

Confidentiality is one responsibility we have that is crucial. To reveal the personal details of a privileged communication is a gross violation of trust. And not only would this breach of trust hurt the lay congregant, it could also create other problems in a grove or ADF.

Honesty is also crucial. It would be wrong to pretend that we know things that we don't know, to lead someone on when we're just making it up as we go.

We must also treat each individual as a valued person, whether we like them or not, giving everyone the benefit of the doubt. We cannot play favorites, but treat everyone equally.

And we must establish and maintain appropriate physical, emotional, sexual and psychological boundaries. As I mentioned earlier, sexual contact (or contact that could be construed as sexual or just too familiar) between priests and members of their congregations is a landmine-filled terrain. And once again, this goes to the question of trust. Those who come to us may be vulnerable and open to things that they might not normally want, and for a priest to take advantage of this would not only be wrong, it would destroy trust, and could cause a lot of trouble, both legal and otherwise. Manipulation, competitiveness and collusion must be avoided in the pastoral relationship.

Question #7: Discuss the meaning of confidential privilege, the laws in your state that provide for this privilege and the extent to which it applies to clergy-lay communications in your community. (200 words minimum)

In the state of Washington, confidential privilege covers all communications and 'any information acquired from persons consulting the individual in a professional capacity when that information was necessary to enable the individual to render professional services to those persons' for people registered as such under chapter 18.19 of the Revised Code of Washington. This is for registered counselors. ("Confidential Communications")

And the registration requirements for counselors specifically states that, "Nothing in this chapter may be construed to prohibit or restrict:

(6) The practice of counseling by a person under the auspices of a religious denomination, church, or organization, or the practice of religion itself;" ("Registration Exemptions")

So confidential privilege covers priests in the performance of their duties.

However, there are exceptions to this rule:

(1) With the written consent of that person or, in the case of death or disability, the person's personal representative, other person authorized to sue, or the beneficiary of an insurance policy on the person's life, health, or physical condition;

(2) That a person registered under this chapter is not required to treat as confidential a communication that reveals the contemplation or commission of a crime or harmful act;

(3) If the person is a minor, and the information acquired by the person registered under this chapter indicates that the minor was the victim or subject of a crime, the person registered may testify fully upon any examination, trial, or other proceeding in which the commission of the crime is the subject of the inquiry;

(4) If the person waives the privilege by bringing charges against the person registered under this chapter;

(5) In response to a subpoena from a court of law or the secretary. The secretary may subpoena only records related to a complaint or report under chapter 18.130 RCW; or

(6) As required under chapter 26.44 RCW. ("Confidential Communications")

Number (2) is interesting. It says that a confidential communication "is not required" to be kept confidential. It does not say, "may not be kept confidential," which implies that it could be kept secret.

Chapter 26.44 refers to Abuse of Children. Here, under 26.44.030, there is a list of those who must report, and clergy are not listed. However, in section (b) it says:

(b) When any person, **in his or her official supervisory capacity with a nonprofit or for-profit organization**, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060. ("Reports – Duty and Authority to Make")

It may be interpreted that a priest, as a member of a non-profit organization, would be covered under this section.

However, there is an exception listed in the last line about those who do not need to report child abuse if the information is received as a result of privileged communication:

(3) A member of the clergy, a Christian Science practitioner listed in the Christian Science Journal, or a priest shall not, without the consent of a person making the confession or sacred confidence, be examined as to any confession or sacred confidence made to him or her in his or her professional character, in the course of discipline enjoined by the church to which he or she belongs. ("Who Are Disqualified")

However, in terms of being an ADF priest, can we say that we have total confidentiality of confession "in the course of discipline enjoined by the church to which he or she belongs"? It could be argued that we don't. We certainly don't have 'confession' as one of our required practices.

Without checking with a lawyer it is difficult to say exactly what these laws mean. On the surface they say that a priest 'may' keep knowledge of a crime confidential if the knowledge was obtained as part of a confidential communication, though the priest may be allowed to tell the authorities. On the other hand, we in ADF may not have the required structures that these laws were designed to protect. Perhaps ADF will have to one-day make a decision about confidentiality. Is it a part of our faith to say that all confidential communications are inviolate, or will we require our priests to report crimes?

Question #8: One of the main principles of ethics is to "do no harm". Discuss the meaning of this principle as it applies to the clergy-lay relationship. (100 words minimum)

Sometimes in our zeal to help others, we go overboard and try too hard. Perhaps one way of looking at 'do no harm' might be the concept of 'less is more'. Unless we are trained counselors (which most of us in ADF's clergy are not), we don't have the skills to do therapeutic counseling. We can, however, listen, and listen actively. And we also can refer our congregants to appropriate services in the community, such as marital counseling, psychological therapy, etc., that we are not qualified to give. The worst thing we could do as pastoral counselors is to allow those who come to us to think we can do these things when we can't. Sometimes it is better just to listen and refer than to try to do more.

Question #9: Compare and contrast the Nine Virtues described in the ADF Dedicant Path and prominent values in the dominant culture of the country in which you live. (200 words minimum)

The Nine Virtues of ADF are wisdom, piety, vision, courage, integrity, perseverance, hospitality, moderation and fertility. Many of these are in total agreement with those of the culture of the United States, and require little explanation. We all value wisdom, that which comes with experience, and vision, the ability to develop ideas into great plans (the basis of most successful businesses today). Courage is highly valued, especially for our soldiers, and integrity is about being true to your values and to yourself, which is strongly held by many folks outside of ADF.

Our vision of piety, however, may be different from the usual one. We see piety as 'doing' our religion, of making our sacrifices and holding our rites. Unlike for many in the dominant culture, piety for us isn't so tightly tied to belief. Just doing the work is good enough – no belief is required.

Hospitality, while a common virtue in the USA, takes a special spin in ADF. In the common culture it is not always understood that there are obligations on both sides (that of the guest and the host) and that can make for uncomfortable situations. In the ancient world, hospitality was held in such high regard that it would be unthinkable not to take a stranger (at least a traveler) into your home, something that rarely happens today. In ADF we fall somewhere in the middle, though I hope we go more towards the ancient concept than the standard American one. We have realized that hospitality is the basis of our entire religion - *ghosti-, *do ut des* - 'I give that You may give'. It is the basis of our practice of sacrifice and the taking of the blessings of the Kindreds.

Moderation is always touted in the USA as a good thing. It is a virtue more often observed in the breach, it would seem, than in any other way, if popular culture is any indication. And sometimes I fear that the same is true in ADF. Pagans tend to be a rowdy lot, enamored of fun, frolic, sex and intoxication. And I agree that we all require some of that occasionally. But sometimes it seems that folks want more than is healthy, and this is one area where I feel we can grow.

Fertility is another virtue where we may differ from the mainstream. In ADF we equate fertility with procreation, yes, but also with creation of any kind. Creativity is a wonderful thing, and we honor and treasure it. And as a people, we in ADF also like our sex, and that's a good thing, overall. And we allow for our members to love whomever they will, without question (as long as everyone is a consenting adult). This is something that the society at large is still grappling with, and which can still cause pain for some.

Question #10: The Nine Virtues described in the ADF Dedicant Path are proposed as a starting point for individuals embracing a value system inspired by traditions of the past. Utilizing the ADF Nine Virtues, develop a Code of Ethics for your use as ADF Clergy. Describe how you derived this code from the Nine Virtues and how you would apply this Code. (No minimum word count for the Code; however the Code must contain a minimum of 5 principles; 300 words minimum for the description)

Code of Ethics for Rev. Kirk S. Thomas

1. **Confidentiality** – As a Priest, I will maintain confidentiality for all privileged communications between myself and other ADF members.
 - a. Unless disclosure is required by law.
 - b. Unless required to defend myself for breach of confidentiality in a court of law.
 - c. Unless disclosure will prevent physical harm to others.
 - d. Unless the communication reveals an act of child or elder abuse.
2. **Professional Boundaries** – As a priest, I will maintain appropriate boundaries in all situations of pastoral counseling, considering not only the intent of my actions but also how they may be perceived. I will not have sexual contact with anyone in a pastoral counseling relationship with me.
3. **Civil Law** – As a Priest, I will obey the civil law and insist that my congregation (and the members of ADF I may have influence over) do the same. This is not to say, however, that I may not protest any laws or codes that my personal ethics tell me are unjust or unnecessary.
4. **Discrimination or Harassment** – As a Priest, I will avoid any actions that could be deemed as discriminating against any individual, group or class, and will avoid slurs or other language deemed offensive against any group or person based on gender, race, sexual orientation, etc. Sexual harassment will not take place.
5. **Financial Issues** – As a Priest, I will respect any monies raised by congregants or other ADF members as part of a sacred trust. In no way will I benefit financially from ADF or any of its congregations unless such benefit is an agreed-upon remuneration that benefits everyone.
6. **Sexual Issues** – As a Priest and officer of ADF I will refrain from sexual activity with ADF members unless there is a good possibility of an on-going relationship developing. In no way will I allow sexual contact with someone which whom I have any sort of mentoring or pastoral counseling relationship.
7. **Support of ADF and Its Members** – Part of my mission as an ADF Priest is to support and promote the piety, goals and creative efforts of ADF and its members. I will not undermine anyone's attempts to connect with the Kindreds, though I will also uphold the ADF Core Order of Ritual for High Days.
8. **Support for the Earth and the Environment** – As a Priest of ADF I will promote conservation and support for responsible environmental practices. As a private person I will work towards living sustainably with the Earth, in an organic way.

This code of ethics reflects the Nine Virtues of ADF in many ways.

Wisdom – Just having a code of ethics is a wise decision! I have been operating with intuition all this time, and it's nice to have a solid code to fall back on. I also realize that this code may

change and modify over time as my understanding of issues grows and matures. My support for the Earth in my personal and professional life can only be thought of as wise.

Piety – I could not face my Gods if I acted in an unethical manner. Also, a priest leads by example, and no one would follow an unethical priest. There could be no trust.

Vision – I can see that this code will allow me to speak authoritatively on moral and ethical issues, because I have a code for all to see. It is also my vision that all ADF Priests will have such a code, and that we can come up with a standard ethical code for all priests. My support of the Earth is part of my vision for a happy and secure future.

Courage – Some of these items in my code may not be easy to follow. The confidentiality one, in particular, could be very difficult. Should I learn of abuse of elders or children I will have to call the police and turn in someone who could be an otherwise valued member, and that could cause much pain. Sometimes standing up for what's right can be the most difficult decision we have to make.

Integrity – My code has to reflect my personal values, and since it does, it allows me to operate from a place of personal integrity. Also, keeping to this code will be an act of integrity in my relations with ADF and her members. My support of the Earth will allow me to sleep at night.

Perseverance – Just doing the Clergy Training Program and getting so far along in it to get me to the point of making a Code of Ethics has required perseverance. And perseverance will be required to stay on this path, and the path of environmental sustainability, for they aren't easy ones.

Hospitality – In supporting ADF and its members in their endeavors, I am promoting hospitality. The support I can give will allow others to give back to ADF in turn.

Moderation – In limiting possible sexual partners, in refraining from attacking others, and in keeping confidentiality and clear boundaries I am showing moderation.

Fertility – I show fertility in supporting the creative endeavors of others, and by maintaining boundaries and confidentiality, for these things will enable ADF and its groves to thrive and grow. And support for the Earth may allow us all to continue to grow.

Bibliography

- "Bias." Def. 2. *Websters New World College Dictionary*. 4th ed. 1999.
- "Confidential Communications." *Washington State Legislature*. 2009.
<http://apps.leg.wa.gov/RCW/default.aspx?cite=18.19.180>
- "Confidentiality." *Wikipedia*. 2009. <http://en.wikipedia.org/wiki/Confidentiality>
- "Morals." Def. 3. *Websters New World College Dictionary*. 4th ed. 1999.
- "Registration Exemptions." Number (6). *Washington State Legislature*. 2009.
<http://apps.leg.wa.gov/RCW/default.aspx?cite=18.19.040>
- "Reports – Duty and Authority to Make." 1(b). *Washington State Legislature*. 2009.
<http://apps.leg.wa.gov/RCW/default.aspx?cite=26.44.030>
- "Right." Def. 3. *Websters New World College Dictionary*, 4th ed. 1999.
- Thompson, Mel. *Teach Yourself Ethics*. Blacklick, OH: McGraw, Hill Companies, Inc., 2006.
- "Values." Def. 7. *Websters New World College Dictionary*. 4th ed. 1999.
- "What Are Professional Boundaries?" FAQ in *Professional Boundaries, Inc.* 2002.
<http://www.professionalboundaries.com/faq.html>
- "Who Are Disqualified." Number (3). *Washington State Legislature*. 2009.
<http://apps.leg.wa.gov/RCW/default.aspx?cite=5.60.060>
- "Wrong." Def. 1. *Websters New World College Dictionary*, 4th ed. 1999.