

## *Rights and Duties*

Presentation by Dr. Rosa Fernanda Martínez-Cruzado for the NSF Retreat, December 1998. (The following is based on Chapter 6, sections 6.4 and 6.5, from the textbook *Engineering Ethics – Concepts and Cases*, from Mr. Harris, Mr. Pritchard and Mr. Rabins)

What are rights?

Freedoms that can be claimed.

What are duties?

Obligations that you have or acquire by the social function.

Fundamental belief

The intrinsic dignity of each human being is based on:

Rationality

Moral agency

Affective capacity and need

For this reason, human beings are ends in themselves, and worthy of respect. From this aspect arise:

Rights - (to include self-fulfillment)

Duties - (towards others and oneself)

What is the correct action or attitude?

The one that best expresses respect for others.

For this reason, the ethical theory could be denominated as “**Respect for Others**”.

There are three tests to evaluate the options:

Reversibility Principle

Self-Defeating Test or the Universalization Principle

Rights Test

### *The Reversibility Principle*

Basic Question: Would I be willing to trade places with these affected by my actions?

Steps:

Determine the alternative options (of course of action, or attitudes).

Determine the consequences.

Imagine myself on the receiving end of those consequences in order to determine my willingness to trade places.

Problem:

It does not give a clear-cut answer.

Could lead to relativism, because the answer could vary depending on the circumstances or values of the person. For example: I may be willing to work in a company which causes me health problems, if the alternative was to be totally unemployed.

So, we must evaluate the situation from the point of view of the other person, assuming his values and circumstances. But this doesn't solve the issue. At the end, is an answer too superficial to the issue. We must evaluate the circumstances – and ask if we could trade places while someone who must choose between an awful job and unemployment. Or we must evaluate the attitudes or values, and see if they recognize the intrinsic value of every human being. For example, let us say that you should decide if it is morally acceptable to dismiss a lazy and unproductive employee. If you put yourself in his situation, the answer would be no. Nevertheless, our moral intuition doesn't accept this answer. This is why it is necessary to go farther down and say that the employee has taken the decision (a decision in the moral dimension) of being lazy, unproductive, and by taking this decision he should have asked himself if he would accept to be the supervisor of employees that are lazy and unproductive. Is the belief that "the world owes me a living" morally acceptable? These questions are evaluated more rigorously with other ethical tests.

### ***Self-Defeating Test or the Universalization Principle***

Basic question: What would happen if everyone acted this way?

Steps:

Determine the options (actions or attitudes).

Determine the consequences if the option was universalized (if something is correct for me as a rational agent, so with all).

Determine whether the options are self-defeating.

Self-defeat comes in two ways:

A contradiction would be created in terms of, for example, to make a promise without the intention of keeping it. The word *promise* would lack sense, because it has in its definition the intention of keeping it.

The intended purpose would be defeated: for example, cheating – everyone would get a good grade, or no one would study or in the end I would be unable to perform the action because of countermeasures. For example, falsify an environmental report of my company.

### ***The Rights Test***

There are different levels of rights:

The human rights are the most basic and inalienable right to life. One of them, the right to life (that represents a conceptual problem) has the minimal meaning of the right to breathe, etc.; and on a more broadly meaning, it includes the quality of life: education, health, housing, maybe job.

There are civil and political rights, like the right to freedom of expression, association, to vote, of participating in the government.

There are social, economic and cultural rights; like the right to education, health, work, decent housing, to participate in the cultural life of its community.

These last two categories (civil and political on one side, and social, economic and cultural on the other side), are equally important for what it is, maybe the last right: the right to happiness, understood as the full self-realization.

Another distinction, closer to our real life politic and economic setting, includes three levels:

Most basic level – rights essential to action, to make decisions in life or achieve a quality of life. It includes the rights to life, physical integrity, and mental health.

Second level – rights necessary to maintain the level of achieved purpose fulfillment or self-realization, to maintain the standard or quality of life achieved. It includes the right not to be deceived or have possessions and private property stolen.

Third level – includes the rights necessary to improve an achieved standard or quality of life. It includes the right to have property

According to this test, is not morally acceptable to release carcinogenic pollutants to increase our wealth, because you are violating a basic right (the right to health) to achieve a right of the third level (to improve a life standard). It would mean achieving a right of the third level at the expense of a first level right.

The steps are:

Determine the options and the rights in question (course of action or attitudes).

Determine the audience for each option.

Determine the level and degree of rights violations with each option.

Choose the option that preserves the most basic rights and causes the least degree of rights violations.