



Chumir Ethics Forum

Sheldon Chumir Foundation for Ethics in Leadership



Phone: (403) 244-6666

www.chumirethicsfoundation.ca

Fax (403) 244-5596

Thinking about Ethical Leadership: **“Reasons and results — a reader reacts”**

The second in a series from President, Janet Keeping



In the last Newsletter I argued that something done for the wrong reasons might still yield good results and that we should not close our minds to such a possibility. I said that sometimes we have to distinguish between the ethical qualities of the actor and the rightness of wrongness of the act. I used an example from an international context – the US led incursion into Afghanistan – and another from business. In the latter, I suggested that even if the community benefit, e.g., the creation of new scholarships, is driven not by altruism but by PR considerations, if what is proposed really benefits the community, then the result, rather than the motive behind it, can be good. While I acknowledged the importance of understanding the operative motive – I said we should not turn a blind eye to motive – one reader was adamant that I did not go far enough in this vein. I agree.

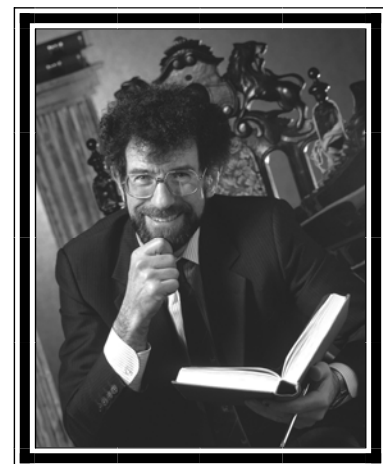
Her concern was twofold. First, where the community receiving, let's say, the new scholarships, does not appreciate that company self-interest is the driving force, people may be

misled into rewarding corporate “generosity” with acquiescence to something, for example, the drilling of a well, that they otherwise would have rejected. If it is understood that the company is providing lunches to a local school so as to improve its image, and not merely to “do good”, then perhaps the community receiving such benefits will be better able to stick to the position it thought initially best, that is, opposition to the well, pipeline or other proposed facility.

Her second concern went to a deeper issue and one that warrants much more comment than can be given here. In essence it is this: why is it so often a profit driven company providing a social necessity, rather than the public sector, where one would have thought such a duty lies? Why is a school which provides key services to a publicly funded board given buses by a private company and not that board? When the school bends over backwards to thank the donor company, we have reason to worry not only about the distinction between motive and result, but also about the trend to replace public services with corporate “generosity”. This concern goes much further than an analysis of how we view the ethics of the particular action:

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Sheldon M. Chumir

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it raises the question of where the line ought to be drawn between the private and public sectors, and whether we seriously err when we concede too much of the public realm to firms operating in the interests of their owners or shareholders (as they are supposed to) rather than in the public interest, which is after all not their mandate.

The Foundation's work will often be concerned with this very issue: are we drawing the line between public and private – in education, in law enforcement, in general – in the right places? There is not the opportunity here to go further with this, other than to thank one thoughtful reader for making her views known and to invite others to do the same.

Janet Keeping

Internship Announcements 2006-07



Megan Burrows is completing a Master's degree in Peace and Conflict Studies from Mount Saint Vincent University in Halifax this fall. She worked with UNESCO on cultural approaches to HIV/AIDS prevention and human rights education. In Jasper, Alberta she facilitated HIV/AIDS outreach and community programs. She has volunteered as a student mentor, literacy coordinator, HIV counselor, and street project board member. Megan has been a researcher and landscaper.

Daniel Shapiro is finishing his MA in Philosophy at Queen's University. His thesis explores distortions and endurance of virtue in the face of human rights atrocities. He holds a BA (Hons) in Philosophy from University of Winnipeg, and is committed to ethical education. He was an Instructor at U. Winnipeg and has held numerous Teaching Assistant positions. Daniel volunteered as an ESL tutor and is a Journeyman Cook.



Media Fellow Announcement 2006-07

Canadian journalist, Elizabeth C. Jones, is the Sheldon Chumir Foundation Media Fellow for 2006-07. Her proposal — *If Words Could Kill* — outlines an ethical dilemma for foreign correspondents working closely with local media contacts and sources who are intrinsically linked to conflicts. In particular, she will explore her own relationship with Rwandan publisher and radio broadcaster, Hassan Ngeze, now appealing his conviction for crimes against humanity in Rwanda.



Letter from Fort Good Hope: *A Call For "The Right To Know"*



Following years of legal battles and supportive court decisions, the need for aboriginal consultation in resource development was recognized in Canada. These judicial

decisions were reinforced in the Fort Good Hope region by the 1993 Sahtu land claim, which requires both government and industry to consult with the Sahtu and defines consultation.

This right to consultation has constitutional protection and thus it seemed that the days when a developer, or a government, could do as they wished on Sahtu lands were over. But with the obligation to consult comes the reciprocal right to be consulted. And that's where the trouble starts, for a major impediment to effective consultation is asymmetrical information, where one party knows more than the other.

This is a common complaint in the North. Industry has the experts, technical knowledge and money, while Aboriginal groups have rights, but often no meaningful way to exercise them. What leads to the asymmetrical relationship is differential access to the knowledge which would enable parties to engage as equals in the process.

John Willinsky's "The Access Principle" argues that "access to knowledge (the right to know) is a human right that is closely associated with the ability to defend, as well as to argue for, other rights." Absent the required knowledge, Aboriginals are in a precarious position. Where they are land owners, they can always say "no" to development. If, however, only consultation is required, because they have an interest in the land but not actual ownership, a lack of full knowledge can lead to decisions that will have negative impacts for generations.

It is one thing to have the right to be consulted. It is quite another to have access to the information one needs for adequate consultation. The next big battle is for "the right to know".

Doug Matthews writes, broadcasts and consults on northern energy issues.

Ethical Leadership and the Alberta Landscape: Preserving the Foundation of our Cowboy Heritage



Photo credit: Rafal K. Komierowski

A pre-Stampede panel was held on June 26th to address a new area for the Foundation — environment and natural resource use. Janet Keeping, President of the Foundation, noted that this topic is an appropriate one, for we think of ethics and ethical leadership in a broad way.

Blatant examples of dishonesty, on the part of politicians or other people in public service, or other abuses of power by officials, are certainly examples of ethical problems in the public sector. But they are not the only ones. When an issue or controversy becomes acute -- that is, where there is continuing real suffering, deep frustration or other forms of anguish — and leadership on the issue is not forthcoming, the Foundation feels comfortable in pointing to a lack of ethical leadership. The ethical issue (at least one of them) is the failure to address the acute problem in a responsible way. *It isn't just too bad* that good leadership is missing in these situations; *it is wrong* and something should be done to remedy the situation.

Andrew Nikiforuk, an award-winning Calgary writer, spoke on land-use conflicts occurring in the southern foothills, a part of the province in which he owns land. Andrew outlined how the foothills contain rivers vital to water supply. He talked about the social role played by ranchers and farmers in preserving western heri-

tage and about their contribution to the agricultural economy. He also described how local people have organized to try to protect these crucial values in the face of oil, gas and forestry development. Andrew noted that the experiences of local groups in working with companies has varied greatly. He argued that government needs to ensure that industry works together with local citizens as the rule, not the exception.

Steve Kennett, Research Associate with the Canadian Institutes of Resources Law, University of Calgary, spoke about what would be required to show ethical leadership in this area. He contended that no matter which specific ethical perspective one took to these issues — purely utilitarian, or some other theory — one must consider:

- ◆ Competing values, interests and objectives;
- ◆ Long-term implications of decisions;
- ◆ Individual and cumulative effects across broad landscapes, communities and ecosystems — not simply site-specific effects of individual decisions taken in isolation; and
- ◆ Risks and trade-offs — what are we giving up in order to get what we want?

“There are some common attributes of sound and ethically-informed decision-making regarding land and resource use. These might be called principles of ethical leadership and decision-making”.

Steve Kennett

In Steve's view, an important question, as we consider the issues raised by Andrew, is whether we have the decision-making processes that we need in order to carry out this kind of careful deliberation regarding land and resource uses for Alberta “cowboy country”. Legal, administrative decision-making

regulatory and should:

- ◆ Have the capacity to manage cumulative effects; and
- ◆ Be responsive to the full range of values and interests regarding land and resource use.

Steve examined the existing decision-making structure in the province in light of these principles and found them inadequate.

Andrew Nikiforuk's power point presentation and Steve Kennett's speaking notes are posted on www.chumirethicsfoundation.ca. Click on “Follow up to the June 26 panel discussion on Ethical Leadership and the Alberta Landscape.”

Reflections on an Internship with Nicole Bernhardt and Jamie Marie Taylor

Q: Which issues did you find most compelling in your work with the Foundation?

Nicole: My time with the Foundation has led me to care about a broader range of human rights issues, such as the killings in Darfur and ethnic strife in Uganda. I learned that Aboriginal Canadians did not gain the right to vote until 1960 and many still live in a state of third-world poverty. Having lived in a university bubble, the internship has been a wonderfully eye-opening experience.



Q: How has the internship affected your thinking about leadership?

Nicole: I arrived believing firmly that a leader had to have a solid grasp of right and wrong and be willing to defend that. Now I have come to appreciate that leaders should also engage in a sincere dialogue about their values. They must maintain the difficult, and seemingly contradictory, balance of having strength of conviction while remaining open to others. I have grown as a result of the trying and sometimes infuriating conversations with colleagues at the Foundation, and my perspective has widened.

Q: Were there any issues you felt were left unresolved for you?

Jamie: In many ways the internship left me with more questions than answers! I think this is one of the great aspects of ethics in leadership — a constant challenge to consider alternative angles and solutions. When we discussed the avian flu and who should get the vaccines first, I realized that our leaders make these incredibly difficult decisions every day, and the degree to which we need thoughtful and ethical leaders. Later when I began exploring stem-cell research, my opinions evolved as I delved into the complex world of policy, science and cloning. I have a new found respect for our medical leaders as a result.

The World Peace Forum

Cross-cultural understanding. The Iranian nuclear crisis. Abuse of First Nations women. These are some of the topics which I explored at the World Peace Forum in June, held at University of British Columbia.

In an “Overcoming Racism” workshop I was able to share stories with a woman from Israel and another from Uganda. In another anti-racism session we were paired with someone of similar background to actively listen to each other’s personal account of a racist incident. This level of intimate engagement at a very large international conference was profound, and I found myself reflecting on it throughout the week.

Another notable experience was my time in the First Nations House of Learning and sweat lodge. I was moved by stories the Aboriginal women told of abuse, and realized that a true crisis is occurring within First Nations communities all across Canada. I also attended an engaging and complex debate on reforming the United Nations.

All of these situations left me feeling deeply conflicted and asking myself, “Well, what can I do to help?” With so many sessions exploring the troubled nature of society, I was pleased to attend “Moving Beyond Left and Right.” This interactive workshop asked participants to speak from the heart-felt perspective of different individuals involved in the Iranian nuclear crisis: George Bush, Steven Harper, President Mahmoud Ahmadinejad (Iranian leader), an Iranian citizen, and ourselves. Interestingly, the exercise was met with hostility as many participants refused to empathize with the position of George Bush, which seemed somewhat ironic for a peace conference. The focus was on recognizing how communication is different when one tries to empathize, and this thought-provoking exercise achieved that. On the other hand, it would have been beneficial to analyze the positions of the various leaders from an ethical perspective.

The World Peace Forum was an ideal final experience in my internship as well as the perfect bridge to my new job as the Program Manager at the Parhad Programmes and the Consortium for Peace Studies at University of Calgary. Thank you!

Jamie Marie Taylor

The Ethics of Apology

There are numerous factors which motivate public figures to apologize. Unfortunately, as Barbara Kellerman identifies in her article "When Should a Leader Apologize and When Not?"¹, the desire to fulfill one's ethical obligations is not always the purpose of an apology. Kellerman speculates that "apologies are prompted by fear, guilt, and love — and by the calculation of personal or professional gain." Apologies can be hampered by the appearance of cold calculation rather than remorse or a desire to set things right. As a result, people may regard public apologies as political manoeuvring, divorced from true sentiment.

This scepticism, although often justifiable, does not warrant the conclusion that all apologies are ethically meaningless, for apologies gain ethical worth from the circumstances surrounding their issuance. For example, we need to consider: Why is this person apologizing? Has he done anything that warrants an apology? Is he genuinely remorseful? Or is she being forced to apologize by someone else? What is the outcome of this apology? Does it benefit the apologizer, the person who has been harmed or both?

One key characteristic of ethical apologies is the presence of authentic feelings of remorse. Without authenticity, apologies appear to be strategically motivated and void of an ethical dimension. Authentic apologies are voluntary, substantiated and proportional. In this light, consider the following recent public apologies:

Zinedine Zidane appeared on French television to apologize for head-butting opponent Marco Materazzi during the 2006 World Cup final match. He admitted his behaviour was inexcusable and extended an apology to the all the children watching. He also insisted that he does not regret what he did, claiming that to regret his actions would place Materazzi in the right. Zidane's apology, although visibly sincere, lacks the element of regret. In order for an apology to be authentic is it necessary to wish that one had done things differently?

Prime Minister Stephen Harper offered an apology on behalf of the Canadian Government to Chinese Canadians for the Head Tax which was imposed to prevent Chinese immigrants from becoming Canadian citizens. Harper also offered individual payments of \$20,000 to living Head Tax payers and living spouses of deceased payers. While the payments are described as "symbolic", they also help to substantiate the government's awareness of the past wrongdoing. Can an apology be deemed authentic without the apologizer attempting to make appropriate reparations for the harm that was caused? And some might wonder, how can Harper apologize for actions taken long before his assumption of Prime Ministerial office?

Since apologies are often applauded as ethical behaviour, those eager for the applause might seek out apology opportunities. A descendant of Sir John Hawkins, an Elizabethan sea captain who began centuries of British slave trade involvement, recently made a pilgrimage to Africa to apologize on behalf of his family for their role in slavery. Youth theatre worker, Andrew Hawkins, took part in a pro-



Andrew Hawkins, in Gambia, apologizing for his slave trading ancestor.

cession of Europeans bound in chains that knelt before Gambia's vice-president in a dramatic apology. Was this an expression of authentic remorse or an attempt to garner notoriety? What did the modern day Hawkins have to do with his ancestor's wrongdoing?

While the questions raised cannot be explored here, I suggest that we need to think very carefully about the ethical dimensions of public apologies.

Nicole Bernhardt

¹ Harvard Business Review, July-August 2006.

Racism at the Door

Two years ago Global Television aired a story documenting allegedly systemic racism of various Calgary nightclubs. This spring reporter Jill Croteau once again investigated whether racial minorities were being subjected to differential treatment at Calgary downtown nightclubs. She arrived at the conclusion that little has changed.

The five part report, entitled “Racism at the Door”, uses hidden cameras to capture the experiences of two Black males as they are refused entry to five of the six nightclubs that they attempt to visit, because they do not meet the dress code, are under twenty-five, or not on the guest list. In one case, an off-duty police officer appears to support the bouncer’s right to discriminate on the basis of ‘politics’ (see text box). The cameras then show various young White males similarly dressed being admitted into the clubs, with no mention of a guest list.

The report offered viewers the rare opportunity to witness what looks like wide-scale institutionalized racism. Significantly, the story also demonstrates how racism can flourish even within a multicultural society. The vast majority of Canadians are unwilling to tolerate overt racist behaviour, such as placing a sign outside of a nightclub which specifies ‘Whites Only’. However by enforcing club rules selectively, nightclubs effectively are able to create a ‘Whites Only’ environment without having to state their policy.

The Global TV website message board was filled with respondents eager to point out that there are also Whites who have been denied entry due to dress code or age, and that plenty of non-White males are granted entry into the nightclubs. These explanations fail to address the concern that visible minorities may be

disproportionately excluded and held to a different standard. Others cited safety risks from non-White males. This justification makes it clear that racial profiling and negative stereotyping are problems that extend beyond the nightclub managers and bouncers.

These types of reactions seem to illustrate a powerful reluctance to label this behaviour as ‘racist,’ a word with such a negative stigma. It is understandable that people do not wish to believe that the city they live in, or the nightclub they frequent, or the company they work for is racist. So, they generate excuses or explanations for why seemingly racist actions could, in fact, be justified.

In order to help young adults to recognize and challenge racist practices, the Sheldon Chumir Foundation compiled information sheets entitled “Know Your Rights at Alberta Nightclubs” (also available on our website). This information has been included in the student day-timers at SAIT, Mount Royal College and the University of Calgary. This document is intended to help students identify and combat racism when they encounter it, specifically while attending nightclubs in Calgary. The Foundation, with the assistance of the Alberta Civil Liberties Research Centre, is also looking at providing student information sessions about racism which deal specifically with rights of nightclub patrons.

Attending nightclubs is by no means an essential service and may therefore be considered by some to be a superficial instance of racism. The systemic exclusion of non-White males from Calgary nightclubs, however, can be viewed as paradigm case of how institutional racism is able to continue unabated despite anti-discrimination laws and principles in society.

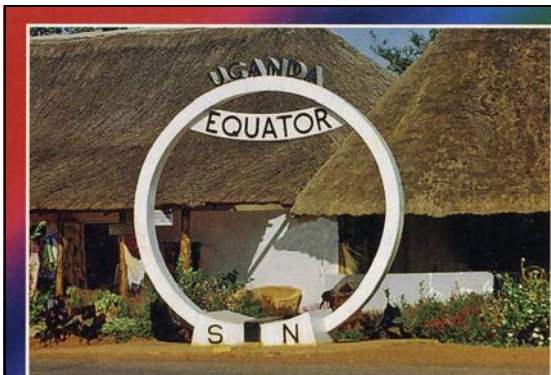
Nicole Bernhardt

When Police Are Off-Duty...

In the process of monitoring the allegations of racial discrimination by Calgary nightclubs, Foundation staff was alerted to another issue. Pursuant to a policy amendment adopted in July 2005, off-duty Calgary police officers can work for payment by owners of “private licensed establishments”, such as nightclubs. Officers working “pay duty” wear official uniform and, according to the policy, are supposed to “perform the function normally expected of an on-duty police officer”. Some concerns about this policy have arisen. For example, might the employment of police officers by private businesses, especially in uniform, undermine the public’s confidence in the impartiality of the police? Might confusion arise as to whose interests the officer is protecting? A public forum was held on September 13th to air these and other issues surrounding the policy.

Ethics and Foreign Aid Conditions

Integrity in governance has become an increasingly important component of international relations over the past decade. Our emphasis on ensuring that Canadian aid money is well spent speaks of our concern for transparency and accountability. But what does it say to foreign governments about mutual respect and imposition of values? I was fortunate to present a paper exploring these issues at a conference in Uganda in July: *Accountability, Responsibility, and Integrity in Development: Lessons from Sub-Saharan Africa*.



Development assistance ...with strings attached

International projects come with conditions. There is a strong emphasis on 'the rules,' particularly financial accountability. Examples of conditions include provision of audited accounts, a requirement that foreign governments use Canadian consultants (a form of tied aid), insistence that gender equality be promoted, or an agreement that the environment be protected. Conditions give donors, like Canada, confidence that nations who receive our aid dollars have procedures in place to minimize corruption and unethical behaviour, and that the money will be used toward a valued end. It also gives the public in developing nations a sense that their own leaders can be held accountable to those rules.

Are these conditions ethical?

Conditionality has been challenged *prima facie*. Some have argued that any condition denies the authority of governments in poor nations to set their own agendas. As well, a subtle message may be sent to recipient governments – we feel you are not trustworthy. This is damaging to North-South relations and can perpetuate colonial era antagonisms.

Are conditions then always unethical? No, in our view. Some conditions, like a demand for financial accountability, support rather than limit ethical action. Corruption is a reality that cannot be conveniently ignored to support an ideological view of development.

There have been problems with conditionality, notably tied aid. The UK group ActionAid estimated that 60% of all foreign aid is 'phantom aid' – aid money that never makes it to the developing country.

Gender equality and environmental protection are often external conditions. Whose notion of good do they relate to? Are these views widely held in partner countries? Is it ethical for Canada to impose these values? In our paper, *An Ethical Perspective on Conditionality in Development Assistance*, Marsha Hanen and I developed a framework with structured questions, such as:

- ◆ Does the condition cause harm? To whom?
- ◆ Does the condition relate to some notion of good? the public good? Is this notion shared?
- ◆ Whom does the condition benefit? Whom does it disadvantage? How are the most vulnerable affected?

Testing the Framework —

Chad-Cameroon Petroleum Development Pipeline

In 2005 the World Bank insisted that Chad, a Central African nation, devote 100% of revenues from an oil pipeline to reducing poverty. This was an explicit condition of the loan for pipeline construction. Chad initially agreed, then changed the legislation a few months later to designate 70% of revenues for poverty reduction and 30% for border security with Sudan/Darfur region and other government priorities. The World Bank cut all monies to Chad for all activities for several months. The parties finally agreed to a 70% target in April 2006. Was the condition ethical?

Using the framework we found that the condition itself – supporting poverty reduction – was ethical, as were the results sought. The processes used to apply the condition were coercive and, on balance, unethical.

Ethical leadership demands that we consider the impacts of our actions, and treat others with dignity and respect. This framework is a tool to support further engagement and exploration of the way in which we take Canadian values into the world community.

Heather MacIntosh

Event Announcements

To register or for info, contact Elaine Wojtkiw at e-mail: info@chumirethicsfoundation.ca or by phone at 244-6666.

SEPTEMBER

Dialogues on Democracy: “MLAs and Constituents: How can we work better together?”

This non-partisan, free public event will give MLAs and Calgary voters a chance to meet. Light supper served.

Wednesday, September 27th, 5:30 — 8:00 pm, 1202 Centre St S., 2nd floor, CALGARY

OCTOBER



Dr. Betty Flagler

Elizabeth Flagler Memorial Lecture

“Poverty Amidst Affluence: Food Insecurity in Canada”

A lecture by
Dr. Lynn McIntyre
Community Health Sciences,
Medicine, University of Calgary

This lecture by Dr. McIntyre, former Dean of Medicine at Dalhousie University in Halifax, will mark the inauguration of a new Foundation project on ethical leadership on poverty amidst affluence.

**Monday, October 16th (World Food Day)
7:30 — 9:00 pm
Dining Centre, University of Calgary
CALGARY**



Dr. Lynn McIntyre

Privacy and the New Technologies: “Issues with Radio Frequency Identification Devices”

Presented in association with
Privacy and Security Lab,
Computer Science,
Dalhousie University

With Profs. Ian Kerr, Jacquelyn
Burkell, and Valerie Steeves

**Monday, October 23rd, evening,
Dalhousie University, HALIFAX**

For details, please contact
Dr. John McHugh at
<mchugh@cs.dal.ca>

NOVEMBER

“The Media and the Charter”

A one-day conference organised by the Centre for Constitutional Studies, Law, University of Alberta

Friday, November 3rd, Lister Hall, University of Alberta, EDMONTON

For further information contact <ccs@law.ualberta.ca> or call (780) 492-5681

Race and the Media in South Africa

With Melissa Levin, 2005-06 Sheldon Chumir Foundation Media Fellow

Wednesday, November 15th, 5:00 — 7:00 pm, 1202 Centre St S., 2nd floor, CALGARY

Sheldon Chumir Foundation for Ethics in Leadership

Kahanoff Centre, Suite 970, 1202 Centre Street S. Calgary, AB T2G 5A5

tel: (403) 244-6666 fax: (403) 244-5596 www.chumirethicsfoundation.ca info@chumirethicsfoundation.ca