RICE UNIVERSITY

A Philosophical Exploration of the Possibility and Implications of Institutional Moral Responsibility

by

Ana Lucia Smith Iltis

A THESIS SUBMITTED IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE

Doctor of Philosophy

Approved, Thesis Committee:

H. Tristram Engelhardt, Jr., Professor, Chair Philosophy

Baruch Brody, Professor Philosophy

George Sher, Herbert Autrey Professor of Philosophy Philosophy

Gerald P. McKenny, Associate Professor Theology, University of Notre Dame

HOUSTON, TEXAS
JANUARY, 2003
January, 2003

Abstract

A Philosophical Exploration of the Possibility and Implications of Institutional Moral Responsibility

by

Ana Lucia Smith Iltis

Moral integrity has been a long-standing focus of philosophy. Attention has been on the integrity of individual persons understood as the state in which persons’ actions are well-focused and guided by persons’ moral commitments. Although other interpretations of integrity have been offered, the etymology of ‘integrity’ suggests that coherence is a critical element. Here I argue that certain types of institutions can have moral integrity. It is important to recognize this dimension of social reality in order to give a complete account of institutions and their moral obligations. Without an appreciation of moral integrity we cannot recognize an agent’s actions as having a purpose and we cannot understand it as having particular moral obligations. Moral integrity is a distinctly moral, not legal, property. Institutional moral responsibilities cannot be reduced to their legal obligations. I make four central claims in this study. First, I argue how the concept of integrity should be understood. Second, I make the ontological claim that institutions have an identity that cannot be fully reduced to their constituent individuals without loss of meaning such that the properties institutions bear are not reducible fully to the those individuals. I also recognize that institutions depend on their constituent individuals for their ontological status. Third, I show that one predicate institutions can bear is moral responsibility, which is distinct from legal responsibility. Fourth, I show that because of their unique ontology, institutions can come to possess and lose their moral integrity in a
way distinct from how individuals do so. Institutional integrity is a social phenomenon that cannot be understood independently of the individuals associated with institutions but it also cannot be understood exclusively in terms of the integrity of the individuals associated with them.

Many of the traditional implications of understanding an agent to be morally responsible are unavailable when the agent is an institution: An institution cannot feel remorseful, for example. This study explores the extent to which we can hold that institutions are morally responsible, the senses in which moral responsibility can be attributed to institutions, what is entailed in holding institutions morally responsible, and how we can understand institutional moral responsibility.
Acknowledgments

I would like to express my gratitude to a number of individuals who generously offered their time and energy to bring this project to fruition. First, I would like to thank the members of my committee, H. Tristram Engelhardt, Jr., Baruch Brody, George Sher, and Gerald McKenny for the contributions they made to the development of this dissertation. I am indebted to Richard Grandy for his helpful comments as well. I would like to thank H. Tristram Engelhardt, Jr. for his support and friendship. He is a generous mentor and a loyal and supportive friend. Mark Cherry, Fabrice Jotterand, Maureen Kelley, Lisa Rasmussen, and Nancy Goldberg Wilks have been not only colleagues but friends. I thank them for many conversations about integrity that helped me to clarify my ideas. Lisa Rasmussen and Amy Sexton have been sources of amusement and have provided much-needed laughter. A number of individuals at Villanova University had a tremendous influence on me as an undergraduate and helped me to pursue graduate studies. I would like to thank Sarah Vaughan Brakman, Edwin Goff, James McCartney, O.S.A., and Nancy Hensler-McGinnis. I would like to thank the Institute for Humane Studies for its financial support. My parents, René and Maria Smith, and my grandparents, Pio and Blanca Sanchez, have been instrumental in supporting my education and nurturing my interest in ethics. I am forever indebted to them. My brother, James David Smith, is a model of character and integrity (as well as good humor), and I am grateful to him for his generosity of spirit. Finally, I wish to thank my husband, Steven Patrick Iltis, for his unbelievable love and support. I cannot begin to recount the many ways in which he has sustained me, nurtured me, and taught me to live and love. Steve, together with our daughter Sophia Elena, has brought great joy to my life.
Table of Contents

Chapter 1: Introduction .................................................................................................................. 1
I. Institutional Moral Discourse: An Evolving Concept ................................................................. 2
II. Integrity ..................................................................................................................................... 13
III. Overview of the Study ............................................................................................................. 25
Chapter 2: Moral Character and Moral Integrity .............................................................................. 37
I. An Introduction to Moral Character and Moral Integrity .......................................................... 37
   A. Moral Character .................................................................................................................. 38
   B. Moral Character Integrity ................................................................................................. 42
II. The Three Forms of Agent-Specific Moral Character ............................................................... 54
   A. Manifest Moral Character ................................................................................................. 55
   B. Deep Moral character ....................................................................................................... 60
   C. Stated Moral character ..................................................................................................... 63
III. Moral Character Integrity ......................................................................................................... 65
   A. Superficial Agential Integrity: Coherence between Stated and Manifest Moral Character .... 68
   B. Deep Agential Integrity: Coherence Manifest and Deep Moral Character ................. 71
   C. Self-Reflective Integrity: Coherence between Stated and Deep Moral Character........... 72
   D. Full Moral Character Integrity: Coherence between the Stated, Manifest, and
      Deep Moral Character ....................................................................................................... 74
IV. Moral Character Integrity Over Time ....................................................................................... 77
Chapter 3: Moral Character Integrity and Institutions ..................................................................... 81
I. Institutional Ethics Literature ...................................................................................................... 82
   A. An Explicit Focus on Institutional Moral Character: Literature Concerning
      Religious Institutions .......................................................................................................... 82
   B. Explicit attention to moral character: Literature concerning secular institutions ......... 101
      (1) Direct Appreciation .................................................................................................. 102
      (2) Indirect appreciation ............................................................................................... 108
II. Institutions are more than the sum of their parts: Institutional ontology ......................... 115
   A. Denials of Ontological and Metaphysical Reality of Social Entities: Nominalism
      and Methodological Individualism ..................................................................................... 121
      (1) Nominalism ............................................................................................................. 122
      (2) Methodological Individualism .................................................................................. 123
   B. Metaphysical Reality of Institutions ............................................................................... 128
   C. Ontological Reality Views ............................................................................................... 130
      (1) Relational Reality View ......................................................................................... 131
      (2) Independent Ontological Reality View ..................................................................... 133
      (3) Dependent Ontological Reality View ........................................................................ 135
         (a) Historical Support for the view that institutions can have ontological reality
             that is or may be dependent on individuals ................................................................. 138
         (b) Contemporary literature ....................................................................................... 144
III. Conclusion ............................................................................................................................. 158
Chapter 4: Moral Character Integrity and Health Care Institutions ............................................. 160
I. Health Care Institutions May Have Dependent Ontological Reality ..................................... 160
A. Diversity of Composition at a Given Time ........................................... 162
B. Diversity of Composition Over Time .................................................. 163
C. Institutions Develop Over Time ......................................................... 165
D. Institutions Can Be Agents .................................................................. 167
   (1) Negative Argument for the Possibility of Institutional Agency: Argument by
       Elimination .................................................................................. 171
       (a) Is it the case that all acts attributed to institutions are fully reducible to
            particular individuals and thus institutional actions really are only acts of
            individuals? ........................................................................... 172
       (b) Are acts of institutions not at all attributable to individuals? .......... 174
       (c) Are acts of an institution acts of both the institution and the individuals (or
            some of the individuals) associated with it such that both institutions and
            individuals are agents? ......................................................... 178
   (2) Positive Argument for the Possibility of Institutional Agency .......... 180
II. Institutions as Morally Responsible Agents ........................................... 195
III. Institutions Can Have Own Stated, Manifest, and Deep Moral Characters .... 197
    A. Institutions Can Have Their Own Stated Moral Characters ................. 198
       (1) “Top-Down” Irreducibility .................................................. 199
       (2) The Impossibility of “Bottom-Up” Constitution ......................... 203
    B. Institutions Can Have Their Own Manifest Moral Character .......... 206
       (1) “Top-Down” Irreducibility .................................................. 207
       (2) The Impossibility of “Bottom-Up” Constitution ......................... 210
    C. Institutions Can Have Their Own Deep Moral Character ................. 215
       (1) “Top-Down” Irreducibility .................................................. 216
       (2) The Impossibility of “Bottom-Up” Constitution ......................... 218
IV. Four Measures Of Moral Character Integrity For Institutions ............. 220
    A. Superficial Agential Integrity .................................................... 221
    B. Deep Agential Integrity ............................................................. 223
    C. Self-reflective Integrity ............................................................... 224
    D. Full Moral Character Integrity ..................................................... 225
V. Institutional Moral Character Integrity Over Time ................................ 227
VI. Conclusion ...................................................................................... 230

Chapter 5: Institutional moral character integrity: Its importance and susceptibility to challenge ................................................................. 232
I. The Importance Of Understanding Institutional Moral Character Integrity .... 233
II. Challenges And Threats To Institutional Moral Character Integrity ......... 244
    A. External Challenges and Threats .............................................. 246
    B. Internal Challenges ................................................................. 249
III. Exploring The Implications Of Threats To Institutional Moral Character Integrity ................................................................. 269
    A. Integrity is Not a Binary Characteristic ...................................... 270
       (1) When does discord between the stated or manifest moral character and deep
            moral character actually degrade moral character integrity? .......... 270
       (a) The moral commitments of the institution ............................... 275
(b) The extent to which less than a certain level of integrity will result in a perpetual low level of integrity, give scandal, and undermine the functioning spirit of the institution ................................................................. 277
(c) The extent to which compromises in integrity actually are intended to and do serve a good the institution takes to be morally appropriate and perhaps ultimately contribute to the maintenance of the institution’s moral character integrity .............................................................................................. 278
(d) The area of moral character in which the degradation occurs ............... 280
(e) Predictive value of integrity ..................................................................... 283

(2) When does degraded integrity go so far as to destroy an institution’s deep moral character beyond recognition? .................................................. 284

B. Not all institutions may possess moral character integrity ..................... 288

IV. Conclusion ........................................................................................................ 295

Chapter 6: Implications for Individuals, Institutions, and Society .................. 296

I. Examples Of Institutions With Different Moral Characters And Different Ranges Of Integrity ................................................................. 296

A. An Institution with Very Limited Moral Commitments ......................... 297
B. Institution with Middle Level Moral Commitments ................................. 299
C. Institution with Weak Religious Commitments ...................................... 300
D. Institution with Thick Religious Commitments ...................................... 302

II. Implications ....................................................................................................... 304

A. Individuals ....................................................................................................... 304

1. Individual moral responsibility in general ................................................. 304
2. Individuals associated with a particular institution ................................. 305
3. Individuals living in society not associated with a particular institution .... 309

B. Institutions ....................................................................................................... 310

C. Society ............................................................................................................... 313

III. Conclusion ...................................................................................................... 315

References ............................................................................................................ 321

Figure 1: Moral Character and Moral Integrity ............................................. 23

Table 1: Understandings of Social Reality and Social Institutions ............. 120
Chapter 1: Introduction

This project examines the moral responsibility of health care institutions as distinct from their legal obligations. In particular, it explores how we might understand institutional moral responsibility. Discussions of responsibility generally focus on legal responsibility, in which case the relevant agents are individual persons. This study examines an area of responsibility not addressed by either of these two foci, namely institutional or organizational moral responsibility.

The moral life of organizations is presupposed by both the legal system and the field of organizational ethics. In so far as the law has any relationship to ethics, we recognize that the law must reach to the spheres of moral concern that exist before, and independently of, the law. Discussions of organizational or corporate responsibility in the legal context, a topic that will be further discussed below, often presuppose that organizations sustain a moral life. These claims of organizational moral responsibility do not derive from the law; they are presupposed by the law. Moreover, the entire field of organizational ethics presupposes that organizations sustain a moral life within which claims of duty and obligation have a character different from that experienced by individual human moral agents. This difference derives from the circumstance that corporate acts sustain corporate obligations and make possible the corporate realization of acts that have integrity. This sphere of concern, it will be argued, cannot be reduced to that compassed by the rights, obligations, and duties created at law for corporations. Rather these concerns in organizational ethics constitute the background out of which particular legal concerns and solutions arise.
This study examines the moral life organizations sustain and the concept of organizational moral responsibility. This moral responsibility includes a possibility of institutional integrity. An analysis of integrity reveals the centrality of moral character integrity, which takes into account an agent’s moral commitments. The definition and analysis of this genre of integrity and the principal focus of this study.

Organizational responsibility is addressed through the special lens of moral character integrity in order to take into consideration the particular moral commitments of institutions and organizations. Such commitments define as well the integrity and character of the individual moral agents. There is a range of goods open to humans for their realization. No one person can take on this entire range, much less realize it appropriately. In the end, each of us confronts our moral obligations in terms of our particular talents, status, and commitments. So too with organizations, with the special addendum that they rise out of the corporate commitment and collaboration of numerous moral agents who must decide how to focus the energies of the institution or organization while thoughtfully considering the moral commitments that this involves. Not all organizations can have or can be expected to have the same moral commitments. Thus to understand the moral responsibilities they bear, we must examine the nature of the obligations they have, and how these are, to a significant extent, grounded in their moral commitments.

I. Institutional Moral Discourse: An Evolving Concept

The moral discourse appropriate to institutions and the implications of institutional ethics (i.e., whether it makes sense and whether it is appropriate to evaluate the behavior of
institutions as moral agents, and what institutional ethics and institutional moral responsibility could mean) are matters of consequence for (at least) three reasons. First, in the media and in courtrooms appeals to a rhetoric of institutional moral responsibility are common elements in efforts to cast moral culpability on institutions for a variety of states of affairs. This rhetoric can be quite powerful. The image of the big bad institutional wolf who is not only legally responsible for certain harms, but whose actions are also morally reprehensible can bring large sums of money to plaintiffs and attorneys and can make for good exposé journalism. Consider how Dow Corning, 3M and other manufacturers of silicone breast implants were held to have acted in morally inappropriate ways, in part recasting avenues for recovery. In the early 1990s, thousands of lawsuits were filed against these companies by women alleging that their breast implants were the source of numerous maladies and that the. Plaintiffs all over the United States have since been awarded millions of dollars in lawsuits alleging that they had been harmed by silicone breast implants even though the preponderance of the scientific evidence suggests that the symptoms the women were experiencing were not caused by their breast implants. In some cases, jurors admitted that they were not convinced that the women involved were suffering because of the silicone implants. They nevertheless sympathized with the plaintiffs, determined that the companies must have acted in a morally wrong fashion at some point in the process, and awarded plaintiffs money
In that views of moral responsibility influence legal decisions, the legal system presupposes the possibility of corporate moral responsibility.

Second, there are a variety of institutions, such as hospitals and "environmentally friendly" investment companies, emphasizing issues of organizational ethics as well as moral integrity and character. The extent to which concerns over institutional ethics are a serious focus for a given institution varies. For some, there is a general concern with the term ‘organizational (or institutional) ethics’ but there is no unifying vision at the foundation of such institutions. They are not only concerned with issues such as honesty and deception in billing, for example, but they are not concerned with any readily identifiable particular moral commitments associated with particular moral views. Their focus is on very widely held assumptions or norms of right and appropriate conduct.

There are, however, institutions that claim to have (sometimes robust) special moral

---

1 There is significant dispute with regard to what is and ought to be the relationship between the law and morality. In some cases, such as murder, the law seems to track morality. However, in other cases, such as abortion, the law seems to diverge from morality in that a significant portion of the population apparently would hold abortion to be morally wrong even when it is legally permitted. There is a long history of debate regarding these issues. A very simplified introduction to some of the key ideas and figures follows. Legal positivists hold that the legitimacy of the law is derived from the fact that the law is the law; for positivists, there is no necessary connection between the law and morality. Among the most well-known legal positivists are John Austin and H.L.A. Hart. Natural law theorists, on the other hand, hold that the legitimacy of the law derives from the source of the law, namely moral law. Thus for natural law theorists there is a necessary connection between the law and morality. The natural law tradition has been sustained by Aristotle, Augustine, and Aquinas, among others (Burgess-Jackson, 1998, p. 161). Recently, Lon Fuller has developed the idea that there is an ‘internal morality’ of law and that if a legal system does not have that internal morality it is not a system of laws (Bix, 1996, p. 232; Fuller, 1958 and 1969). A number of theories regarding the relationship between law and morality have emerged that attempt to find some middle ground between the positivists and natural law theorists. One such view is that developed by Jurgen Habermas, who argues that the law and morality are not totally separate but that we ought not assimilate completely or conflate the law and morality (1996 and 1999). Ronald Dworkin’s work also seems to mediate between the two extreme positions. Speaking directly about the American legal system, he says that there is some connection between law and morality, but it is not an absolute or necessary one (1978, 1985, 1986, 1990, 1993, and 1996). See Burgess-Jackson (1998) for an attempt to resolve the differences between these views, many of which appear to be radically opposed to each other. See also Thompson (1964), Brudney (1993), and Nicholson (1974).
commitments. For example, a cosmetics company (e.g., The Body Shop) might claim that it is committed to providing cosmetics without animal testing. For such a company to purchase from other companies products that have been tested on animals would be morally problematic. Some institutions go so far as to claim to have a moral character that they want others to respect and whose behavior is regularly evaluated, internally and/or externally, in terms of the obligations they bear because of their identities. Such institutions sometimes have individuals or committees charged with ensuring that institutional actions are consistent with their moral character or missions. For instance, institutional moral identity has played a significant role in the life of some religious institutions, such as Roman Catholic educational and health care institutions. Generally it has been assumed that it makes sense to think that an institution can have a moral character without analyzing whether, how, or why it makes sense to refer to the institution’s moral identity. Within particular moral communities, religious or otherwise, it is recognized that institutions are an extension of the life of those communities, and as such, institutions can have moral character that should guide policies as well as institutional decisions. From outside those communities, it is not immediately obvious that the concept of special institutional morality is coherent, and it is not clear what purchase the claims of such institutions can and should have on individuals outside such communities. Is it appropriate or legitimate for institutions to demand or request moral respect? Ought an institution be permitted to define the scope of its activities based on its moral identity? To what extent does an institution deserve respect as a moral entity?
What forms can and should that respect take? What does it mean to respect an institution as a moral entity?

Third, and most importantly for this project, academic disciplines, especially business ethics and, increasingly, bioethics, address the moral responsibilities of institutions and institutional ethics. Business ethics involves the moral analysis of business practices and is concerned with the kinds of moral responsibilities businesses bear as well as the moral responsibilities of individuals in the business world. The development of business ethics has been stimulated in part by the growing recognition that “[b]usiness organizations are . . . taking on larger, more complicated roles in society . . . [and are] enter[ing] new arenas, such as health care and education, where tough choices and tradeoffs among multiple goods (Berlin, 1969; Nagel, 1979) are commonplace . . .” (Phillips and Margolis, 1999, p. 620). Paul Hofmann, in comparing the business community to the health care community, notes that the business community has a long history of addressing ethical issues that arise in the business setting. He notes that “The development of ethics manuals, ethics audits, policies governing conflicts of interest, and even the designation of individuals responsible for compliance with the corporation’s ethical standards have had a longer history in the general business community than in the health care sector” (1996, p. 45). Alongside these obligations and concerns over the morality of activities in the business world, there is extensive business ethics literature on the issue of whether particular kinds of institutions (e.g., corporations)
can be moral agents and can themselves be held morally responsible. At the heart of business ethics then, is a general concern with institutions and ethics.

The literature on institutional ethics lacks a central element. In all the debates on whether or not particular kinds of institutions are can be moral agents and are can be held morally responsible, there is no sustained examination of what it means to say that an institution is morally responsible. Understanding what it is to hold an institution legally responsible is simple: courts can stipulate that an institution bears responsibility in a particular case and can hold the institution accountable by fining it, ordering it to pay damages, or in some other way directing and sanctioning its activities. If the institution is incorporated, the law stipulates that a corporation’s responsibility is not redistributable to the individuals constituting it. There are clear, concrete ways of holding institutions legally accountable. The November 1998 tobacco settlement between 46 states, the District of Columbia, and 5 U.S. territories and large tobacco companies including Phillip Morris, R.J. Reynolds, Brown and Williamson, Lorillard, and Liggett and Myers serves as an example in which all these measures were employed by the courts. But does legal responsibility exhaust concern with institutional responsibility? Indeed, does it even make sense to hold that an institution is morally responsible, and what would it add beyond the already established practices of legal responsibility? I argue that the concept of institutional integrity is a vehicle for understanding the claims of institutional moral responsibility at issue.

---

2 For a concise summary of literature concerning the possibility of corporate moral agency, see Moore (1999).
In contrast to the institutional focus of business ethics, bioethics as it has
developed during the last three to four decades focuses predominantly on the moral
responsibilities of individuals and on the development of policies and laws to govern
their behavior, although this has been changing in recent years. For example, the
development of informed consent standards, the recognition of the importance of patient
confidentiality, and concerns over withholding and withdrawing care ultimately all are
concerns over activities in which individuals engage. Even when the issues addressed in
bioethics are about the practice of medicine in general and health policy, e.g., concerns
over health maintenance organizations (HMOs) and the allocation of resources (money,
organs, and time), often the concern has been with the responsibilities of individual
participants in the practice of health care, e.g., physicians, nurses, and patients, with
regard to a particular kind of situation or use of technology. The focus usually is on what
is morally right or wrong and what ought to be done in a particular case; what the
character of the moral responsibility patients and physicians bear is; whether a particular
practice or use of technology is morally licit; how one ought to go about making a
decision in a specific case; and how researchers ought to conduct themselves in their
capacity as both scientists and physicians.

The framework that shaped bioethics over the last three decades, namely the focus
on individual moral agents and moral subjects in the context of particular cases and uses
of technology, is incomplete because it ignores a major dimension of bioethical concerns.
Bioethics must address the traditional concerns of business ethics within the ethics of
health care delivery in order to appreciate the context in which contemporary health care
occurs. Today insurance companies and other health care institutions rather than individual patients and health care providers dictate much of how medicine operates, in effect making decisions about who gets care and what kind of care they get. Thus we need to take seriously the moral commitments of the institutions that run health care. This shift in the control of health care has largely taken place over the past two and a half decades. The increasing institutionalization of medicine has developed gradually and its impact is extensive. Yet interestingly, as Stanley Reiser and others have pointed out, medical ethics and bioethics have developed with a heavy or nearly exclusive focus on individuals (Reiser, 1990, p. 121). Ezekiel Emanuel argues that managed care makes it clear that “[m]edical ethics must stop being case oriented and become institutionally oriented” because institutional structures provide the context for health care ethics (Emanuel, 1995, p. 335). Institutions have become central players in medical moral issues, making them an appropriate and important focus of moral analysis:

Managed care has fundamentally changed the nature of medical ethical issues. They no longer arise in the context of individual patients and physicians. Instead they arise in the context of complex institutions that establish an organizational framework in which these ethical issues arise. To address medical ethical issues, we must change our focus from articulating principles and rules that apply to individual cases to devising institutional structures that can ensure ethical behavior (Emanuel, 1995, p. 338).

Recognizing the changed and changing face of health care, Kevin Wm. Wildes, S.J. also argues that bioethicists must shift their focus from individual patients and health care providers to institutions and the web of relationships and obligations involved in health care. A bioethics that looks only at individuals and ignores institutions will be inadequate (Wildes, 1997, p. 413).
Despite the now widespread recognition of the importance of ethics and institutions, the underlying issues remain unexamined or at least under-examined.

Addressing the example of academic health care institutions, Edmund Pellegrino offers a concise summary of many of the questions concerning institutional ethics that require further examination:

The moral philosophy of institutions is a subject still in its early stages of development. What does it mean to say that an academic health center is a moral agent? Can a collectivity be a moral agent? How is responsibility distributed in a collectivity? Is there some final authority who can be blamed or praised for the results? What about the ethics of cooperation? When does one become an accomplice in unethical behavior? How close can one come to morally dubious actions and still be innocent of wrongdoing? What are the criteria for justifiable moral disobedience? (Pellegrino, 1990, p. 176).

In recent years, in discussions of health care law and policy and organizational ethics, the focus of business ethics, namely institutions, has slowly joined the general concerns of bioethics, namely ethical questions regarding. Discussions regarding the moral obligations of hospitals, insurance companies, and the state with regard to health care delivery are common. In part, this may be a result of the Joint Commission on the Accreditation of Health Care Organization’s (JCAHO) emphasis on the business aspects of health care in general and on organizational ethics in particular. One of the standards health care institutions are required to meet for JCAHO is: “RI.4 The hospital operates according to a code of ethical behavior. This code addresses ethics practices regarding marketing, admission, transfer, discharge and billing, and resolution of conflicts associated with patient billing” (JCAHO, 1997, Hospital Accreditation Standards). There has been a growing emphasis on the relationship between bioethics and hospital policy. All of this points to institutions as an emerging focal point of bioethics literature. This
growing body of literature on institutional ethics is fundamentally incomplete because there has been no sustained analysis of how the concepts fit together. It is unclear whether institutions can have a moral character, and, if so, where it originates.

Furthermore, the implications for institutions themselves, the individuals associated with them, and public policy and law of recognizing the moral character institutions are underdetermined. What does it mean to talk about institutions in terms of morality – what, if anything, does it mean to say an institution acted immorally or unethically, not simply in breach of legal obligations? Moreover, it is necessary to understand what the importance of institutions acting morally might be. This raises the issue of what morals/guidelines may be used to evaluate them. The relationship between the individual moral agents associated with an institution and the institutional moral agent itself must also be examined.

This study, in part, responds to Pellegrino’s challenging questions and to the need raised by Emanuel, Reiser, Wildes, and others, to take seriously issues of institutional morality. As the language of institutional ethics becomes prominent in bioethics and there is an expanded body of literature on organizational ethics and institutional morality, we must think about what it means to talk about institutions as moral agents – as bearers of moral responsibility – and as entities with a moral character. To talk about institutional moral responsibility is to go beyond the traditional understanding of institutions as merely legally accountable. This study is an examination of the moral life-world of institutions, which stands independent of their legal character and legal responsibility.
As stated earlier, there is a long tradition of treating corporations as persons before the law. Corporations are held accountable for their activities. Legal accountability, however, is only one sense of responsibility. Moral responsibility involves moral blameworthiness and praiseworthiness, not merely the ability to be held legally accountable. Not all agents that we hold legally accountable are moral agents, agents whom we also hold as blameworthy and praiseworthy. Typically we treat only a certain set of human individual persons as morally responsible (blameworthy or praiseworthy). An incompetent adult who kills another person cannot be accountable for the crime, but can be sued for damages. We do however, treat institutions as accountable; for example, they are fined. There is precedent in the legal system for holding corporations criminally liable as well, e.g., the Ford Motor Company was the first corporation to face criminal prosecution for homicide in the United States. Charges were brought against Ford in 1978 because of a crash in which three girls died in a Ford Pinto that exploded when it was rear-ended. The Pinto, it was alleged, was prone to explosion and Ford failed to warn consumers of the known dangers because Ford engineers determined that it would be more cost-effective for the company to do nothing (Goodpaster, 1983, p. 1). British law also allows corporations to be charged with “corporate manslaughter.” A conviction of “corporate manslaughter” may send the corporation’s directors to jail and may result in a fine to the company (‘Corporate Manslaughter,’ 1998, p. 11). The issue of institutional moral blameworthiness nevertheless is debated. I argue for a particular sense in which we can understand institutions as morally responsible agents, namely in terms of the concept of moral
integrity. It is in terms of the concept of institutional moral integrity, so I will argue, that
the foundations lie to the major issues concerning institutional ethics and moral
responsibility. Issues of institutional moral responsibility ultimately are issues of
institutional integrity. In particular, it is in the claim that institutions can have a
particular type of moral character integrity that we find the vehicle for understanding
institutions as morally responsible. Institutions cannot be understood as morally
blameworthy in many ways natural persons can be understood as morally responsible.
However, we can severely impugn their integrity; institutions are subject to experiencing
integrity and the consequences of a lack of integrity. This integrity is not fully reducible
to the individuals associated with an institution but belongs to the institution itself. The
possibility of experiencing integrity makes institutions more than merely accountable;
integrity provides a context for understanding institutions as morally responsible.
Institutional moral responsibility is independent of their legal status as corporations and
the ways in which they may be held legally responsible. Because institutional moral
responsibility must be understood through the lens of moral character integrity and
because moral character integrity is grounded in an agent’s particular moral
commitments, those institutions that lack a coherent moral view may not be moral agents
even though they remain legal agents.

II. Integrity
Broadly speaking, integrity reflects a relationship between an agent’s actions and one of
several elements of an agent’s moral commitments. One general category of integrity,
which is not the focus of this work, is functional integrity. Functional integrity involves
the coherence of the parts of a system, for example, in that it measures the extent to which an individual or institutional agent functions as a whole to achieve moral goals and to discharge moral obligations. In the case of an individual, to have functional integrity will involve having the bodily and mental states necessary to act in the world in a coherent fashion. As described in much greater detail in chapter three, institutional agents typically depend on multiple individuals acting together for their agency. Without such coherence, cooperation or functional integrity, institutional agents might not even emerge or be recognizable as agents. That is, some institutions might not be recognizable as institutions or institutional agents if they lack functional integrity because only when the appropriate structures and systems are in place and integrated does the institution itself emerge. Functional integrity is essential to their institutional being or existence. Functional integrity does not involve any consideration of moral commitments; it is an evaluation of agential functionality. Some agents may have only the potential to possess functional integrity, though not yet moral integrity. This is discussed further in chapter three.

Three principal understandings of moral integrity measures are at stake. First, integrity is understood as consistency or coherence between one’s actions and one’s own commitments (Williams, 1973; Brody, 1988), particularly in the face of adversity (Putnam, 1996), or consistency between an agent’s actions and her true self (authenticity) (C. Taylor, 1991, pp. 36-29; Kekes, 1983; Martin, 1991; VanHooft, 1995; and Fuss, 1964). Second, integrity is understood as consistency between one’s actions and what is morally good or right (what one’s commitments ought to be; Korsgaard, 1991, p. 18;
Prust, 1996). Gabriele Taylor (1985) attempts to reconcile the understanding of integrity as coherence between an agent’s actions and her commitments with integrity as coherence between an agents actions and the good (pp. 108-141). Third, integrity is understood as consistency among one’s actions over time (Flanagan, 1991, p. 81). Integrity as consistency of one’s actions over time is interesting in two ways. First, insofar as consistency of actions over time reveals something about an agent’s commitments, integrity even as mere consistency might be a useful construct. Second, it is important to consider the extent to which an agent’s actions consistency cohere with her own commitments over time. Nevertheless, because attention is on agents and their values, integrity as mere consistency is insufficient. One must in addition attend to both agents and their commitments as well as their actions.

‘Universalist moral integrity’ is integrity understood as a measure of the relationship between an agent’s actions and a universally available moral standard external to the agent. Universalist moral integrity is a moral evaluation of an individual or institution according to universal (or objective, common, or external) moral standards. How such a standard might be defined and chosen is a separate issue. Universalist moral integrity is an evaluation of the coherence between an individual or an institution’s actions and the general standard of morality. This will involve an evaluation of an agent as morally good or bad, virtuous or vicious, according to independently identified universal standards of morality. A general example is the virtue ethics tradition requirement that integrity involve having good moral character and consistently doing the good. That is, one must be committed to the good and one’s actions must be consistent
with those commitments. A contemporary example of such a view is held by Richard Prust. Prust observes that the current prevailing position with regard to integrity is that “there is nothing intrinsic about a commitment making someone a person of integrity which requires it to be moral” and that “while the structural and the moral meanings of ‘integrity’ may be conjoined in standard usage, they do not entail one another” (1996, p. 147). He argues against this conception of integrity. He claims that integrity not only measures how an agent’s actions and commitments relate but whether her actions are moral (1996, p. 147). This kind of integrity involves acting in ways that are morally good. Its focus is what one’s commitments ought to be.

A modified version of this understanding of integrity is offered by Mark Halfon (1989). Halfon defines integrity as maintaining “a consistent commitment to do what is best – especially under conditions of adversity” (1989, p. 8). He claims that although integrity is widely recognized as being related to one’s commitments, those commitments must be further characterized. Halfon argues that integrity cannot merely consist of having commitments and being true to those commitments without regard for the object of those commitments (1989, p. 29), although there are many who think of integrity as having and being true to commitments without regard for the substance of those commitments (e.g., C. Taylor, 1981, pp. 143 and 151; Broad, 1940, pp. 115-130) (1989, pp. 29-30). The solution Halfon offers is not to require that persons of integrity “pursue a morally justifiable course of action” (p. 31). Rather, persons of integrity must commit themselves to pursuing the right and the true, and they must commit themselves to investigating their convictions and understanding what is right and true (pp. 34-36). To
attribute integrity to a person, the person must show a "willingness to maintain [her] commitments in the face of adversity," where adversity is understood as a challenge that is posed externally (p. 40) and is unexpected (p. 41). His qualifications regarding the nature of adversity are to rule out internal sources of adversity, such as personal weakness or laziness, and to rule out adversity that agents know they will face with a given choice, such as choosing to be a firefighter. Halfon examines the relationship between integrity and consistency and concludes that integrity requires consistency but not constancy. That is,

persons of integrity are consistently but not constantly committed to principles or ideals, since those principles or ideals will not ordinarily be deemed invariable and may, consequently, be subject to revision or reevaluation. It may nevertheless make sense to say persons of integrity are constantly committed to one and only one commitment, namely, the commitment to do what is best – all things considered. This may be the one commitment that is thought to be invariable by persons of integrity, and it will not, consequently, be subject to revision or reassessment (Halfon, 1989, p. 174).

Moreover, there are different kinds of consistency required for integrity depending on the kind of commitments under consideration (pp. 48-52). This definition of integrity seems to be a type of universalist integrity; it involves universal requirements about the agent’s commitments. Even though Halfon does not identify precisely the objects of an individual’s commitments, his conception of integrity involves an evaluation of the nature and object of an agent’s commitments for certain virtues, i.e., commitment to determining and pursuing what is best (what is right and good). Halfon maintains that to attribute integrity to an agent requires the evaluator to consider the objects of an agent’s pursuits and commitments. He offers a set of requirements about what must characterize
an agent’s commitments if she is to have integrity. In this sense his conception of integrity is an example of universalist moral integrity.

Universalist moral integrity will not be the prime focus of this study. In a secular, pluralistic society such as ours though there may be general agreement regarding a universal standard of morality, such as not killing the innocent for sport, there are numerous competing moral views, narratives, and accounts. As MacIntyre observed in *After Virtue* (1984, pp. 51ff), society as a whole does not sustain a universal substantive understanding of morality and of moral character. Our contemporary age is marked by the transition, in theory and in practice, from the social self embedded in traditional modes of thought to the autonomous self (the individual) (pp. 60-61) choosing and acting outside of a particular moral community. The multiplicity of autonomous selves do not sustain or affirm a single substantive standard of virtue. MacIntyre argues that we possess “the fragments of a conceptual scheme . . . We possess indeed simulacra of morality, we continue to use many of the key expressions. But we have – very largely, if not entirely – lost our comprehension, both theoretical and practical, of morality” (p. 2).

The most striking feature of contemporary moral debates is “that they apparently can find no terminus. There seems to be no rational way of securing moral agreement in our culture” (p. 6). The ongoing debate concerning the morality or immorality of abortion is a clear example of this lack of agreement or spectrum of views. There are significant disputes as to when if ever abortion is morally permissible and when if ever abortion ought to be permissible by law. Even if there is much more agreement in many areas than
this account suggests, a successful account of moral integrity and moral responsibility, must attend as well to the implications of particular moral commitments.

MacIntyre does argue in *Three Rival Versions of Moral Enquiry* (1990) that there is a universal and right morality, and one might think that this change of philosophical heart nullifies his observations in *After Virtue*. However, he recognizes that it is the case that in our secular pluralistic society not all persons accept or converge on the same substantive understanding of morality. MacIntyre considers three late 19th century expressions or conceptions of morality. He examines the style of moral enquiry in the tradition of the 9th edition of the *Encyclopaedia Brittanica* (which focuses on the place of Enlightenment rationality in morality), Nietzschean moral enquiry as depicted in *Zur Genealogie der Moral*, and Thomistic morality as defined in Pope Leo XIII’s encyclical *Aeterni Patris*. MacIntyre’s examination leads him to the Thomistic-Aristotelian tradition as definitive. This conception of morality is, so he contends, the right morality, and anyone who examines the different versions of moral enquiry carefully should recognize this. By 1990, then, MacIntyre does claim that there is general access to one universal morality, the Thomistic-Aristotelian tradition, which will be universally accepted if we all examine carefully and openly the alternative moral theories. Nevertheless, MacIntyre recognizes that the morality he affirms is not universally accepted in a society such as ours. Moral pluralism remains de facto definitive of the context in which characterizations of integrity must be and are made within our society.

The second broad category of moral integrity is integrity as consistency between an agent’s commitments and her true self. The dimension of integrity developed in this
work in terms of ‘moral character integrity’ is part of this family of understandings of integrity.

Moral character is typically understood as a singular concept. We consider an agent’s character as if the term ‘character’ had only one meaning. However, an examination of the various uses of the term ‘moral character’ in both moral philosophy and other areas suggests that there is more than one use of the term ‘moral character’. Moral character can refer to an overall assessment of an agent grounded in widely accepted moral standards or it may refer to a specific agent’s particular moral commitments. The latter is the sense of moral character explored in this dissertation. There are three principal ways in which the term moral character is used in the agent-specific sense, and thus there are three main concepts that together constitute the notion of moral character: stated, manifest, and deep moral characters. An analysis of these terms is offered in chapter two. Character integrity, therefore, is an evaluation of (im)moral coherence between an agent’s stated moral character, manifest moral character, and deep moral character. It is an evaluation of an agent using a standard internal to the agent. Clearly, in order to have full moral character integrity, an agent must possess all three aspects of moral character.

The stated character of an agent is what she says (or would say) she values. In the case of an institution, the stated moral character is what that institution articulates as its publicly specified commitments, values, ideals, etc. These are often found in an institutional mission statement, code of ethics, or similar document. The stated character of an institution may also be embodied in informal or implicit rules operative in an
institution. An institution's implicit and explicit claims regarding its moral commitments and values constitute its stated character. Second is the manifest moral character of an agent, which is the character of an agent as others can observe and experience it. Manifest moral character is the character an individual or institution demonstrates through its actions and choices. Manifest moral character gives a basis for grounding reliable expectations about an agent's behavior. Of course, to attribute manifest moral character to institutions presupposes that institutions can act – that institutions can be agents – a claim that is supported in chapter three. Another way to understand manifest moral character is as an institutional ethos, how an institution functions and "feels". Third is the deep moral character of an agent, the institution's ethic. This is the defining moral being of an individual or an institution. These are the fundamental commitments that define an agent's character, leading to statements regarding commitments and guiding actions. I argue that an agent's deep moral character is the source of (most of) its moral obligations.

To address issues of institutional moral character presupposes that institutions are the kinds of beings that can have their own moral character, one that is not fully reducible to the individuals constituting it. This claim is defended in chapter three. Various degrees or levels of coherence are possible among the different aspects of moral character identified above. The measure of the relationship between the three kinds of moral character results in four distinct and in some cases separable kinds of moral character integrity. In chapter two I examine this relationship, and in chapter three I argue that institutions can have the three kinds of moral character and four types of moral character
integrity. Fidelity in word and deed to one's deep moral character in the course of one's life is an expression of the virtue of character integrity in its fullness. Full character integrity requires coherence between all three aspects of moral character: it requires that deep moral character be the source of the stated character of an agent and be reflected in the agent's actions (its manifest moral character). In addition to full character integrity, there are three other dimensions of character integrity. First, coherence between the manifest and stated moral characters results in 'superficial agential integrity'. Second, coherence between the manifest and deep moral characters gives 'deep agential integrity'. Third, coherence between the stated and deep moral characters is described by 'self-reflective integrity'. In this dissertation I distinguish among the three aspects of moral character agents may have and show the possible combinations between them that produce the four kinds of character integrity. Figure 1 (on the next page) displays the relationship between moral character and moral character integrity addressed here.\(^3\) It should be observed that there may be greater or lesser degrees of overlap or coherence among the various aspects of agent-specific moral character. This raises the possibility that integrity is not a binary condition, one that an agent either possesses or fails to possess, but rather that integrity is a matter of degrees. This is addressed in chapter four.

In addition to measuring moral character integrity at a time, moral character

\[^3\text{It came to my attention after developing this model that in Indian philosophy the concept of integrity is understood in a somewhat similar way. In a discussion of the differences between Eastern and Western conceptions of what makes a leader a good leader, Naturajan distinguishes between the Western focus on efficiency and meeting goals on the one hand and the Eastern focus on integrity, which he defines as "harmony of thought, word, and deed" (Naturajan, 1998, p. 1). Naturajan describes the trustworthy person as one in whom word, thought and deed overlap and he describes integrity as the intersection of word, thought, and deed.}\]
integrity may be measured over time. Essentially this involves evaluating whether an institution maintains its moral character integrity, as defined above, over time sufficiently so as to avoid any degradation severe enough to change its identity – its deep moral character. If an agent’s moral character integrity is not preserved well over time, there may come a point at which it is no longer possible or appropriate to attribute to it the same deep moral character it once had because the agent has abandoned its fundamental moral commitments. Such an agent may have adopted new commitments and in this sense replaced its deep moral character with new commitments, or she may have a lack or an absence of commitments. Thus the fifth type of moral character integrity considered in this work is an evaluation of the coherence of an agent’s deep moral character with
itself over time: does an institution maintain its deep moral character at time t, time t+x and time t+x+1 etc.?

Moral integrity in the sense discussed here is a second-order or meta-level moral concern; it involves moral evaluation of entities against the background of their own particular moral characters, commitments, values, and obligations. As will become clear, moral character integrity depends greatly on how an agent is defined and what its deep moral character is. The focus of this study is not developing a moral account of what an institution’s deep moral character ought to be or how an institution ought to be defined. Rather, the focus is on evaluating the actions of institutions. Character integrity measures how well an institution’s deep moral character is reflected in its stated and manifest moral characters. That is, character integrity reflects the extent to which an agent acts as she ought to given her particular moral character, commitments, values, and obligations.

The primary focus of this project is on character integrity and in particular on the different kinds of moral character integrity identified above for several reasons. First, the assumptions implicit or explicit in much of the institutional ethics literature make discussions of institutional moral character and institutional moral responsibilities important. Precisely because such assumptions are made, it is important to examine them and evaluate what they can mean. Second, in a secular, morally pluralistic society, it is especially appropriate to consider the deep moral character of institutions as this is related to particular moral commitments. This exploration offers an important insight in societies marked by institutions guided by a pluralism of particular commitments. As Engelhardt (1990; 1996) and MacIntyre (1981; 1984) have argued, there is no single
overarching set of substantive values that hold together the plurality of moral points if
view in a secular, morally pluralistic society. In particular, Engelhardt has argued that
there is no single conception of what it is for all health care institutions to maintain their
integrity (1990, p. 37). Third, some discussions of integrity introduce the importance of
an agent’s own commitments and values. These include Brody (1988), Taylor (1981),
Winch (1972), and Broad (1941). The concern here is to examine what it is for particular
institutions to maintain their moral character integrity.

III. Overview of the Study

Following this introductory chapter, chapter two situates the concepts of moral character
and moral integrity in the western moral philosophical literature. These concepts have
been carefully examined as they relate to individual morality. The goal of the latter part
of this work is to explore these in the context of institutions. These three aspects of moral
character are explored in chapter two, where it is argued that although the distinction
between stated, manifest, and deep moral characters is not made in the literature, the
three different uses of the term ‘moral character’ are not only implicit but evident.

Chapter two addresses examples of each of the aspects of moral character and develops a
discussion of how to measure the coherence between the various dimensions of moral
character that result in four different kinds of character integrity. In addition, the issue of
moral character integrity over time is explored with examples of agents who maintain
their deep moral character over time and agents who do not.

In chapter three the primary focus shifts to institutions. The chapter begins with a
review of recent literature to show that the idea that institutions can have a moral
character and integrity of their own often is implicitly if not explicitly assumed in discussions of institutional ethics. However, even when it is explicit, the idea has not been carefully examined. There is extensive literature concerning institutional ethics and corporate morality, but it often neglects the foundational issue of moral integrity and the concept of moral character underlying integrity. The literature concerning religious institutions, especially Roman Catholic institutions, is often most explicit about issues of integrity. However, institutional integrity is not limited to religious institutions. It is the context in which all literature concerning institutional morality has meaning. The idea underlying discussions of institutional morality and institutional ethics is that institutions can have moral characters, can be moral agents, can bear moral responsibilities, and can have moral integrity. Whether implicit or explicit, the concept of institutional moral integrity and its grounds have been insufficiently analyzed.

The argument that institutions can have each of the three kinds of moral character such that none of them is fully reducible to the individuals constituting them will be presented in the second part of chapter three and is further developed in chapter four. I argue that it is possible for institutions themselves to have a particular stated moral character, manifest moral character, and deep moral character. To secure this claim, it must be appropriate to speak of institutions as entities with their own identity or character. Thus the second part of chapter three focuses on showing that the identity of institutions is not fully reducible to the individuals associated with them. I examine three different ways of understanding social entities: one according to which social entities are reducible fully to individuals, one according to which social entities have their own
metaphysical reality, and one according to which social entities have ontological reality. The first view consists of methodological individualist positions. Methodological individualism is the idea that “all laws of the ‘whole’ (or more complex situations) can be deduced from a combination of the laws of the simpler or simplest situation(s) and either some composition laws or laws of coexistence (depending on whether or not there is descriptive emergence” (Addis, 1995, p. 492). The term was introduced into the social sciences by Friedrich Hayek, who used the term to describe the relationship between individuals and social phenomena: “the concepts and views held by individuals . . . form the elements from which we must build up . . . the more complex phenomena” (1944, p. 38). Karl Popper also upheld methodological individualism as the “unassailable doctrine that we must try to understand all collective phenomena as due to the actions, interactions, aims, hopes, and thoughts of individual men, and as due to traditions created and preserved by individual men” (1945, pp. 157-158). With methodological individualism I will also consider those views that suggest that although we speak of institutions as if they were separate entities they really are nothing more than groups of individuals. The second view considered recognizes social entities as having a metaphysical reality. I reject these first two possibilities and focus on the ontological reality of institutions. I examine various ways we might recognize social entities as having ontological reality and argue that institutions may have an ontological reality that is not fully reducible to the individuals associated with them though it is dependent upon them. Because this is sufficient to vindicate discussions of institutions as something
other than mere discussions of the individuals associated with those institutions, once I support this view, I turn to exploring the moral character of institutions.

In chapter four, the argument that institutions can have moral character integrity is pursued further and attention is focused on the possibility of health care institutions having moral character integrity. The first part of chapter four analyzes how institutions can have their own stated, manifest, and deep moral characters. This discussion of moral character is distinct from discussions of an institution’s legal identity. An institution’s moral character and legal identity do not necessarily track each other. For example, many academic and health care institutions no longer have the strong religious affiliations they once possessed. Nevertheless, they remain the same institutions before the law; an institution can maintain its legal identity without maintaining a moral identity over time. This has been the case with the Y.M.C.A. In David Copp’s discussion of collective agents and the potential for radical changes in organizational goals, he notes that the Y.M.C.A. “changed its goal from that of giving Christian guidance to young men, to giving men opportunities for healthy recreation” (1984, p. 259). Despite these major change in terms of its commitments and mission, the Y.M.C.A. continued to be recognized by the law as the same organization. One implication of the difference between legal and moral identity is that an institution’s legal obligations may not change while its moral obligations may change.

The second part of chapter four explores the possibility of attributing moral responsibility to institutions. The third section of chapter 4 focuses on how, in combination, the relationship between the three aspects kinds of moral character result in
four different kinds of moral character integrity for institutions. To the extent that an institution’s stated and manifest moral characters cohere with its deep moral character, it maintains its full character moral integrity. Insofar as different aspects of an institution’s moral character are eroded, its integrity is degraded. It is important to note here that not all moral obligations necessarily define fully or “make or break” the identity or character of an institution. This is addressed further in chapter five.

As already noted, the four kinds or dimensions of character integrity are superficial agential integrity, deep agential integrity, self-reflective integrity, and full moral character integrity. There are at least three reasons the moral character integrity of institutions should be understood and examined, and these are the focus of the first section of chapter five. First, an examination of institutional character integrity can be undertaken despite the lack of substantive consensus on the content of morality (at least in certain areas) in our society. We can consider the moral character integrity of an agent even when we disagree about whether its actions are virtuous or vicious. Appeals to moral character integrity allow us to have a richer understanding of moral obligation in the absence of a universal set of moral obligations. We can justifiably assert stronger normative claims regarding the obligations of certain agents because of their specific commitments, their specific moral character, including obligations we cannot attribute justifiably to all in a morally pluralistic society.⁴ There are two principle kinds of moral

---

⁴ It might be objected here that if an agent has bad moral character, then it can justifiably act badly and we should call those obligations derived from its bad moral character moral obligations. This would be problematic because it would, among other things, make the term ‘moral obligation’ vacuous. For this reason, among others, I insist that the moral character relevant here must fall within a certain range, conforming to certain side-constraints which frame universal morality in so far as it exists.
obligations that attributable to institutions in a pluralistic society such as ours, and character integrity is the key to evaluating the more extensive set of these obligations. There are some very general obligations that can be attributed to all institutions in virtue of being institutions. The concern here will not be to explore these obligations, but rather to offer reasons to believe that there are some and that this set is limited.

There also is a second set of moral obligations which institutions may have. These are the moral obligations that come from the institution’s deep moral character. The deep moral character of an institution compasses the fundamental moral commitments that give an institution its moral character. These obligations are justifiably normative for particular institutions insofar as their moral character falls within certain broad side constraints. After all, the mafia may be said to have a moral character, albeit a bad one, which would support a range of obligations it would see itself as having and which we might see as morally bad. The particular moral commitments that will be examined here as definitive of the moral character of institutions will be set within the constraints of generally accepted morality. Within those constraints, obligations will be specific to a given institution or class of institutions because, in a secular pluralistic society, they can only be ascribed justifiably to institutions with a particular deep moral

---

5 To identify and defend a precise set of side constraints would require extensive argument and analysis at this point. The relevant side constraints would have to include at least those identified by H. T. Engelhardt, Jr.’s principle of permission (1996) which prohibits the use of unconsented to force and requires that agents give their permission before one interferes with them as they peaceably pursue their ends in a society where those may not be generally known. For example, an agent must not forcibly require another agent to undergo electroconvulsive therapy (ECT). In health care, the stakes often are quite high both in terms of an agent’s physical life and personal values. Therefore, it may be the case that some of the broad side constraints to which health care institutions’ deep moral characters must conform include disclosure. That is, institutions must be explicit about their commitments and priorities. For example, an institution that seeks to save money by reusing medical devices intended as single use items would have to disclose this information to prospective patients and employees.
character. This focus on a liberal, secular, pluralistic society is essential because this describes much of contemporary Western society. Moreover, it is a broadly held view that a liberal, secular, pluralistic society should maintain moral neutrality with regard to those moral viewpoints which fall within certain general side-constraints. Because of this generality it eschews the kinds of practices necessary to develop and maintain a particular moral character. Without social resources for defining and maintaining a moral character, institutions need their own resources to drive their activities. The concept of moral character integrity allows us to make claims regarding the obligations of particular agents without having to attribute those obligations to all. Thus moral character integrity allows us to attribute stronger moral obligations (more content-full moral obligations) to certain agents, obligations which we could not justifiably attribute to all in a society such as ours. Thus moral character integrity gives us a richer understanding of moral obligation.

A second reason full moral character integrity is important is that it allows us to evaluate how well an agent has satisfied the moral obligations it bears, particularly those obligations derived from its deep moral character. Full character integrity offers a perspective in terms of which to evaluate whether and how well the institution has acted as it ought given the second kind of institutional moral obligations described above, namely those obligations grounded in the institution’s specific moral commitments. If

---

6 The view that a society such as ours – a liberal, secular, pluralistic society – ought to remain morally neutral is not universally held. For example, perfectionists such as Thomas Hurka, argue that there is an ideal human life, one that is “intrinsically desirable” (1993, p. 1) and that this life ought to be promoted. George Sher in particular argues that the state ought not to remain neutral. Rather, the state should play a role in bringing people to live the good life (1997). What it is important to recognize here is that the view that our society should remain neutral is widely held and there is much evidence to support this.
we understand that an agent has moral obligations, typically we are interested in evaluating the extent to which it satisfies those obligations. Moral character integrity allows us to evaluate the extent to which an agent has satisfied those moral obligations it bears that are grounded in its moral character.

A third reason character integrity is important is that it reflects a type of coherence which is valuable both in itself and as instrumental to personal fulfillment. Our general disdain for hypocrisy provides obvious evidence that we value internal moral coherence. The hypocrite is one who lacks moral coherence, for example, one who speaks out against racism and then refuses to hire non-white employees. Internal coherence also seems to possess instrumental value; it is necessary for personal fulfillment. Thus institutional moral character integrity may be important for institutions to develop as they should. Furthermore, it may be critical to the character integrity of (some) individuals that there be institutions who maintain their character integrity. That is, for certain individuals to maintain their personal moral character integrity, it may be important that there be institutions with particular moral commitments. Otherwise, individuals may be complicit in activities contrary to their moral characters, and such complicity may degrade their personal moral character integrity. Full character integrity describes deep moral coherence, and this is important because a lack of coherence diffuses the possibilities of further development and fulfillment for both individuals and institutions.

It is a widely held view that although character itself is important, good character is even more important and integrity requires the latter. The exploration of this relation,
however, is not the project pursued here. What I am interested in for the purposes of this dissertation is the idea that an agent’s deep character is the source of obligations it must meet to maintain its character integrity. An appreciation of integrity of the sort I discuss is cardinal, so I will argue, to understanding institutional moral responsibility. The importance of the relationship between an agent and her commitments has been explored in the literature. I argue here that this is also the case for institutions. There is an important genre of integrity that we can consider independent of having good moral character. This kind of integrity is not an absolute value or good. Sometimes it might be morally good that an institution violate its deep moral character, as when an institution’s deep moral character requires morally bad actions. Nevertheless, character integrity remains a valuable moral concern; it allows us a richer sense of moral obligation than we would possess if limited to the set of moral obligations we can justifiably establish universally. We can evaluate the extent to which agents who hold particular moral commitments that are not universally affirmed satisfy their moral obligations.

I have differentiated between two kinds of integrity. The importance of the second kind of integrity, moral character integrity, lies not in its ability to distinguish between morally good and bad agents but in its powerful role in determining the obligations particular agents have in the absence of universally recognized moral imperatives. When agents consider courses of action, character integrity mediates the process of identifying what a particular agent is obligated to do according to that agent’s particular moral commitments. This process is particularly pertinent in the case of institutions.
As entities with their own stated, manifest, and deep moral characters, there is the opportunity for accord and discord among the three aspects of an institution’s moral characters. This dissonance and harmony is best described by the concept of an agent’s moral character integrity. The focus is on the accord and discord among the three aspects of moral character; it is not an evaluation of an agent’s deep moral characters per se, i.e., the arguments here do not concern the issue of what kind of deep moral character it would be good for an individual or an institution to have and what kinds of agents have good moral characters. Rather, the focus is on an agent’s deep moral characters as a source of obligations and on integrity as a construct for understanding the obligations particular institutions bear. The concern is with a kind of moral categorial structure.

Chapter five also addresses, in the second section, some of the threats to institutional moral integrity and includes some case analysis. A particular focus of this work will be the special challenges to integrity and moral commitments that arise for institutions and organizations given the moral pluralism of the world that we confront. This moral pluralism should not be seen as an embrace of moral relativism, but a recognition of at least two states of affairs: (1) that there is a plurality of human moral goods, not all of which can be pursued, much less realized, by one individual or institution and (2) there is considerable disagreement as to the exact character of the obligations and rights that should govern and direct the lives of institutions and organizations. This is particularly the case in the field of health care, and it involves issues ranging from artificial reproductive technologies to the care of the dying, physician-assisted suicide, and euthanasia. An additional area where there is a range of
possible understandings of the commitments of a health care organization or institution involves the issue of profit and contribution of gratis care for the indigent. The organizational integrity of a hospital which openly acts as a for-profit institution will, so I will argue, have a different character from one that was established through donations and endowment to provide charity care. The third section of chapter five includes further analysis of the claim that integrity is not a binary characteristic but rather one that admits of degrees. Further consideration is also given to the claim that not all institutions may be able to enjoy moral character integrity; only institutions that have a deep moral character and fundamental moral commitments can have such integrity.

A final interesting question remains which is the focus of chapter six: What implications does the examination of institutional moral integrity have for institutions, for society, and for the individuals associated with institutions? In examining the implications of this analysis, I first provide examples of institutions with different deep moral characters and different ranges of integrity. Then, I consider some of the implications of this analysis for individuals, institutions, and society. I argue that the reasons I identify for recognizing institutional moral integrity as important warrant granting them the social and political space necessary for them to maintain their integrity as agents and as entities with a moral character. I also consider what kinds of restrictions might appropriately placed on institutions in their pursuit of moral integrity in a secular pluralistic society such as ours.

In summary, this project is an examination of these concepts of moral character and moral integrity, an analysis of their role in moral discourse concerning institutions,
and an exploration of their implications. It establishes a particular understanding of moral responsibility grounded in moral integrity and moral character. This type of moral responsibility is independent of the law. The law is neither a necessary nor a sufficient condition for examining and attributing moral responsibility. The study shows that institutions can be bearers of this type of moral responsibility. This argument first involves demonstrating that institutions have an ontological status - a life-world- that cannot be reduced fully to the individuals associated with them. Next I show that health care institutions in particular can have the aspects of moral character required for moral integrity and that their moral characters are not reducible fully to the individuals associated with them. The remainder of the study considers issues related to institutional moral responsibility, including the value of institutional moral integrity, threats to institutional moral integrity, and the implications of this analysis for individuals, institutions, and society. To examine the moral duties and obligations of health care organizations/institutions through the lens of moral character integrity is to nest the concern for moral responsibility within broader concerns regarding the ways in which an agent comes to have moral responsibilities (they are grounded in the agent’s deep moral character), understands and appreciates its moral responsibilities (the extent to which an agent reflects on its identity and its deep moral character), and the consistency with which the agent articulates and acts on/fulfills its moral commitments.
Chapter 2: Moral Character and Moral Integrity

I. An Introduction to Moral Character and Moral Integrity

The concepts of moral character and moral integrity are deeply rooted in the history of Western thought. It is in the virtue ethics tradition that we find the most careful attention to these issues. The concept of integrity important for this work focuses on the connection between an agent’s fundamental moral commitments, projects, values goals, ideals (her deep moral character), her articulated moral commitments (her stated character), and what she does (her manifest moral character). The concern here is whether a particular action or involvement in an activity or arrangement is morally appropriate for a given agent. To explore the moral responsibilities agents have that are grounded in their moral characters and to recognize that different moral obligations derive from different fundamental moral commitments is not to embrace moral relativism. Rather it is to recognize the circumstance of moral pluralism and the fact that there are more goods than any one agent can reasonably pursue. This section introduces the concepts of moral character and moral integrity in order to expose some of the features important for the discussion of institutions in chapters three and four. I offer an analysis of the use of the term ‘moral character’ in the literature, I distinguish the three aspects of moral character and show how the measure of the relationship among the three forms of moral character result in the four forms of moral character integrity with which I am concerned.
A. Moral Character

The importance of an agent having a moral character is rooted in the virtue ethics tradition’s recognition that it matters what kind of person one is. The traditional virtue ethics approach addresses what kind of person one ought to be, what makes a person good. This is not my focus. Implicit in the question of what kind of a person one ought to be is an assumption that there is a moral character associated with individuals, that moral character is important, and that not all characters are morally good. My concern is with the moral character of institutions, and in this sense the concern with character integrity is connected to these concerns in the virtue ethics tradition. But my concern in this work is not to identify those institutions whose moral character is good and those whose moral character is bad. I do hold that institutions can have good and bad characters and that this is an important area of concern, but to explore this issue is a separate project. The concern here is to show that institutions can have a moral character not fully reducible to the individuals constituting them and that they can act against that character and thus lack integrity. This project is not an attempt to evaluate institutions and ask what the character of each one ought to have. That project cannot be undertaken until it is shown that institutions are agents who have their own moral characters. I am concerned with reasoning at the meta-level of a particular institution’s moral framework, not the normative level of what an institution’s moral framework ought to be. The virtue ethics tradition recognizes the importance of the moral character of individuals, and part of what I do in this work is argue that it is also an important concern for institutions. However, as I have already said, my focus here is not on the evaluation of an institution’s moral
character as morally good or bad according to a general standard of morality. Instead, my focus is on understanding institutions as entities who possess their own moral characters and considering the implications of this.

Broadly speaking, moral character is “a group of relatively stable traits connected with practical choice and action. The traits – such as, for example, courage, moderation, and justice – are usually taken to involve a complex interweaving of beliefs, motivational desires, and emotional responses” (Nussbaum, 1992, p. 131) or “the relatively stable hierarchy of one’s desires” (Norvin Richards, 1986, p. 147). Or, character can be understood as “that in us which patterns our actions in a relatively fixed way. It is made up of dispositions or ‘habits’ which can be changed, but which, while they last, cause us to tend toward certain goals or to act in certain ways” (Nickgorski and Ellrod, 1986, p. 142). For Aristotle the connection between character and action is clear. Character describes the sort of person one is, and Aristotle remarks multiple times in the *Nicomachean Ethics* that certain actions are not appropriate to certain sorts of persons. For example, he says that it is improper for generous persons to have difficulty giving (*NE* 1120a30-31). Not all character is virtuous; only the states of character that are rightly formed are virtuous. The concept of ‘character’ refers to a description of the kind of agent one is.

Careful analysis of the concept of moral character reveals that there are two different meanings associated with the term, general (agent-independent) and particular (agent-specific) moral character. Agent-independent (general) moral character refers to an overall assessment of an agent as good or bad in terms of the moral norms the assessor
takes to be universal. An example of a general moral norm might be the expectation we typically have that people not lie. In the case of health care institutions, this might refer to something like the idea that we expect institutions to bill patients, insurers, and the government honestly. I am not interested in general moral character here. Rather, my focus is on the moral character of particular agents. Agent-specific moral character involves reflection on a particular agent’s moral commitments. An agent’s particular moral character gives a different standard of evaluation such that, for example, her actions may be considered bad from the perspective of her particular moral commitments but morally acceptable from the perspective of general moral norms. For example, there is no widely held proscription against consuming caffeine. However, for a Mormon, this may be seen as morally bad because it is a violation of the health code to which he is committed. There are three forms of moral character that reflect the three levels or dimensions at which there is agent-specific moral character: stated, manifest, and deep moral character. Much of the remainder of this work focuses on these three forms of moral character. The distinction among these three different aspects of moral character is not explicit in the literature, but I show below that there is support for differentiating them.

The first is the stated moral character of an agent. This might concern what a person says she is committed to, e.g., a particular religion or animal rights. For an institution, stated moral character might be in the form of a mission statement or a statement of purpose or goals. Stated moral character is to be distinguished from manifest
moral character because what an agent says (or would say) she is committed to or purports to be committed to may be different from what she does.

The second form is manifest moral character, which describes what an agent’s actions, decisions, and behaviors indicate she is committed to. For example, an individual might say she is committed to protecting animals from any suffering and to not killing animals for any reason, which suggests that she values animal rights. However, if she wears leather, owns a car with leather seats, and takes medications which have been tested on animals, then her stated and manifest moral characters are in discord. A not-for-profit hospital might dedicate a portion of its care beyond the amount required by law to maintain its not-for-profit status to charity care. This indicates the hospital values caring for the poor.

Finally, an agent’s deep moral character is the fundamental commitments that define her and that ought to drive her activities. For example, an individual might be a Christian, a humanitarian, or an environmentalist. The commitment to living a Christian life, to addressing human suffering, or to promoting protection of the environment might be fundamental to her being. For an institution, the fundamental commitment might be to religious principles, to profit, or to providing a secular humanist education. The common element among these diverse principles is that each is a (possible) critical aspect of the agent’s identity that defines her being and shapes her life.

In the examples offered above I assumed not only the widely accepted claim that individuals may have their own moral characters but that institutions can be moral agents and have their own moral characters, i.e., that the stated, manifest, and deep moral
characters of an institution cannot be reduced fully to the individuals associated with institutions. I defend these claims in chapter three, but for now I ask the reader to accept the assumptions for the sake of argument. The relationship between the three different kinds of moral character is measured by the concept of moral character integrity. The extent to which there is agreement or coherence among the different aspects of moral character reflects the extent to which an institution has moral character integrity. These relationships are the focus of the next section.

B. Moral Character Integrity
Two categories of moral integrity were distinguished in chapter 1, universalist moral integrity and moral character integrity. Moral character integrity measures the coherence between an agent’s (1) stated and manifest moral characters, (2) stated and deep moral characters, (3) manifest and deep moral characters, and (4) stated, manifest, and deep moral characters. There are four different kinds of character moral integrity that represent or reflect each of these relationships. (See Figure 1 in Chapter 1.)

The concept of integrity as described here is loosely connected to the traditional concerns of virtue ethics. As Julia Annas argues, virtue ethics embodies an appreciation for the importance of thinking about individuals and their lives as wholes (1993, p. 4) and involves looking at the ways in which an agent’s ends and priorities fit together in the notion of the final end (p. 11). Character integrity concerns the way in which various aspects of moral character, all of which are important to an agent with regard to moral decision-making, fit together: (1) its stated moral character, that is, what the agent claims to be her values, commitments, goals, projects, etc.; (2) its manifest moral character, that
is, what the agent’s actions indicate what it is committed to; and (3) its deep moral character, that is, what the agent’s fundamental moral commitments are. The concept of character integrity captures these three elements. Again, my concern is not with universalist moral integrity, i.e., the broad evaluation of an agent’s actions to determine whether those actions are morally good or right according to an agent-independent moral standard. Indeed my focus is on coherence with the moral standard held by the agent. This involves an “internal” (or particular, or narrow) evaluation that looks for coherence and appropriateness given an entity’s moral framework. It is important to recall that not all deep moral characters are morally good and thus for there to be coherence between the agent’s deep moral character and her actions is not necessarily a morally good state of affairs.

An understanding of the distinction between universalist moral integrity and character moral integrity is critical to understanding this project. Universalist moral integrity, as I have already suggested, is a measure of how well an agent’s actions cohere with a universal standard of morality. Much of the literature on moral integrity assumes that the only (important or relevant) kind of moral integrity is universal moral integrity, though this term is not used. Halfon’s *Integrity: A Philosophical Investigation* (1989) and Prust’s discussion (1996) are examples. In Halfon, Prust and others the focus on integrity as a measure of coherence between an agent’s actions and a pre-selected standard of morality or of value is evident. To have integrity requires moral goodness of some sort. The focus is not on the agent and her actions alone, but on the agent and her actions in relation to this external “moral yardstick.”
Elsewhere in the literature there is a recognition of the importance of coherence between an agent’s actions and his personal commitments, not all of which have to be strictly moral commitments and values. The term ‘character integrity’ as I use it here is not mentioned in the literature, but there is an appreciation for the integrity that is the result of coherence between an agent’s actions and personal commitments independent of the moral quality of those commitments. The argument that an individual can bear particular moral obligations and therefore ought to act and not act in particular ways because of her commitments and values has been well developed by Baruch Brody. The general appreciation that integrity is a relationship between an individual’s values and her actions is evident in Bernard Williams (1973), Gabriele Taylor (1981), Peter Winch (1972), and Michael Pritchard (1972). Also, when Pritchard examines concerns with human dignity in philosophical discourse, primarily in literature concerning justice, by comparing “typical attitudes and feelings that express our concern for justice and dignity” (1972, p. 281), he identifies the concern “to maintain various forms of integrity” as an aspect of a sense of dignity (p. 281). The type of integrity most relevant to concerns of human dignity, Pritchard claims, is moral integrity, which “requires that one maintain a somewhat unified moral stance” (p. 302). Thus for Pritchard moral integrity involves internal coherence. In Winch’s discussion of moral integrity, he focuses on the connection between an agent and his actions as grounded in what the agent values or “attach[es] importance to” (1972, p. 191). One’s commitments, or what one “attach[es] importance to”, he argues, is foundational in the sense that philosophy can go no further or deeper: “philosophy can no more show a man what he ought to attach importance to
than geometry can show a man where he should stand” (1972, p. 191). Taylor describes integrity as keeping one’s self intact by being “true to [one’s] commitments” (1981, p. 144), and he offers an analysis of what it means to be true to one’s commitments in such a way that one’s self remains intact. Essentially he argues that the person of integrity cannot be hypocritical (one who pretends to others to have a certain commitment that he does not have) (p. 144-145), shallowly sincere (one who says he is committed to a project but fails to take action in the actual discharge of the commitment) (p. 145), weak-willed (p. 146) or self-deceived (pp. 146-147). Certainly, others have also described integrity as a relationship between an agent’s actions and commitments.

In his critique of utilitarianism, Williams observes that one’s values and commitments play a special role in determining what one ought to do and that this role is unaccounted for by utilitarianism. An agent’s projects and pursuits play an important role in shaping his life and his conception of happiness, and thus in how he carries out a utilitarian calculation. The pursuit of happiness is not a pure pursuit, i.e., we do not pursue happiness per se but rather we pursue things which are instruments of happiness (1973, pp. 112-113). If a person has a set of commitments the fulfillment of which makes one happy, “then pursuing the projects will make the person for whom they are worthwhile, happy” (p. 113). Williams argues that the utilitarian has to recognize this and that the “aim of maximizing happiness does not imply that what everyone is doing is just pursuing happiness. On the contrary, people have to be pursuing other things” (p. 113). What those other things may be depends, in part, on the projects and commitments
agents identify as their own. These commitments are integral to an agent’s moral identity. Together with the obligations an agent has in virtue of being a person (i.e., the moral obligations which may be attributed appropriately to all in a secular pluralistic society), these commitments constitute what I term one’s moral identity or character. An entity’s deep moral character, I argue later, is the source of any particular moral obligations she bears beyond those general obligations that can be ascribed universally to all moral agents. Part of Williams’ objection to utilitarianism, then, is that this connection between one’s moral identity and what it is for one to pursue happiness is lost. Utilitarianism would force the alienation of individuals from their commitments and moral identities (p. 116) because utilitarianism cannot account for the importance of the connection between an individual’s actions and her projects (pp. 97-99, 100).

Williams illustrates his notion of integrity and the problems of utilitarianism with the case of Jim (pp. 98-99). Jim is in a small town in South America and encounters a group of armed, uniformed men who tell him that they are preparing to kill a group of Indians they have assembled. Their captain, Pedro, offers Jim the opportunity to spare most of the group by killing one of the Indians himself. The utilitarian calculation would require that Jim kill the one to spare the rest. But this – to say that Jim ought to kill – is problematic, according to Williams. Utilitarianism obscures the connection between individuals and their actions because it calls on us to disconnect ourselves from our feelings about what we do; utilitarianism requires us to treat those feelings “as happening

---

7 It would be interesting to consider the extent to which the reasons for which an agent lacks integrity are or are not relevant.
outside one’s moral self” (p. 104). This forces one “to lose a sense of one’s moral identity; to lose, in the most literal sense, one’s integrity” (p. 104). We find in Williams an appreciation of the connection between one’s projects, pursuits, commitments, etc. and happiness. This connection is not just a causal or empirical connection. It is normative: fidelity to one’s projects or commitments is the virtue of integrity. As one chooses projects, commitments, etc. one builds a moral identity that helps define what one ought to do. An individual’s identity is normative for him. To separate the two is to destroy or degrade one’s integrity as a moral agent. To have integrity as a moral agent is to have and respect one’s normative moral identity, to be faithful to one’s projects and commitments.

Baruch Brody (1988) observes an important feature of Jim’s example and makes a further point regarding integrity that Williams fails to make: integrity is more than simply individuals avoiding violations of widely held understandings of right and wrong (Brody, 1988, p. 36). Although the language of individual identity, moral commitment, and integrity is evident in Williams’ critique of utilitarianism, what Williams identifies as an individual’s commitments, e.g., Jim’s commitment not to kill, do not seem particular to Jim. This commitment not to kill is one many hold. Williams’ examples suggest that what he means by integrity has to do with coherence between an individual’s actions and widely held moral beliefs/views, even though he makes his arguments using the language of the individual and her values. In other words, although Williams refers to individual pursuits in defining what he means by integrity and in arguing for its importance, his
examples involve values and commitments we can plausibly assume many/most individuals hold.

The important connection between one’s projects, values, and commitments, what one ought to do, and the concept of integrity as identified by Williams is one Brody elaborates on extensively in *Life and Death Decision Making* (1988). Brody distinguishes his view of integrity from Williams’ by demonstrating that an individual’s own personal values, values that may or may not be held by anyone else, also are central to integrity. Integrity essentially is an issue of coherence: the idea is that an individual’s personal values, commitments, ideals, etc. form an integral part of her identity and they constitute a basis or foundation which can be used to determine other obligations she has and the (in)appropriateness of a person’s choices for her. Fidelity to one’s values in the course of one’s life is an expression of the virtue of (character) integrity. According to Brody, having values, not all of which necessarily are moral values (1988, p. 36), gives direction as to what we ought to do and how we ought to live: “People frame for themselves conceptions of the goals they wish to pursue, the things they care more about and the things they care less about, and so on. These conceptions form people’s personal values,” and “These values play a prominent role in the appeal to the virtue of integrity with which [he is] concerned” (p. 36). Brody offers the example of

a patient who has always placed a high value on being mentally alert, in control of a situation, and capable of making decisions for himself. Such a patient, when confronting the considerable pain of a terminal illness, might find the types of pain relief offered to many patients inappropriate precisely because they would produce a sedated state. Other patients, whose values are very different, might feel otherwise. Decisions which are appropriate when made by one patient might

---

be inappropriate when made by another precisely because they are not consonant with the values of the second patient and because they would therefore challenge his or her integrity (1988, pp. 36-37).

What begins to emerge here is a spectrum of varieties of integrity. First is what I call universalist moral integrity, which refers to coherence between a universal moral standard and a person’s actions. Other types of integrity recognize that an individual’s particular commitments, projects, values etc. (her moral character) obligate that individual but, in a secular, morally pluralistic society, they cannot be said justifiably to obligate all individuals.⁹ This moves us away from discussions of universally accepted moral standards. Next is Williams’ understanding of integrity which he says reflects coherence between an individual’s values and her actions. However, as Brody points out, Williams’ example of personal commitments and values all involve commitments many/most persons hold rather than values or pursuits that are particular to specific agents. It is not at all difficult to recognize that the values Williams identifies are held as important by many and so it is not difficult to imagine that the kind of integrity he is addressing is valuable to many. I distinguish Williams’ account from universalist moral integrity for three reasons. First, Williams uses the language of the individual and thinks there is something important for Jim in not wanting to kill. Second, even though not killing is a very widely held value, it certainly is not universal. In the case of Jim, not only would killing the one be justified but it would be required by any utilitarian analysis. Third is the idea that integrity measures coherence between an individual’s values and commitments, some or all of which may not even be moral values, and her actions. Part

---

⁹ See Engelhardt (1996) for a discussion of this point.
of what Brody highlights is that individuals’ values do not have to be widely held – in fact, they do not have to be held by anyone else – to remain important for the agent. An individual’s values do not need to be recognized as valuable by others for those values to be important for that individual and for that individual’s integrity to remain important.

A devout Jehovah’s Witness, for example, has a set of commitments prohibiting her from receiving blood transfusions, and for someone who professes to be a Jehovah’s Witness to accept a blood transfusion would violate both her deep and superficial agential integrity (because her manifest moral character would not be in harmony with her stated and deep moral characters). An interesting issue concerns the point at which the tension between an individual’s actions and her deep and/or stated moral character are so great that she no longer has the same deep moral character. Some violations may result in the degradation of one’s integrity while others may be so gross as to change what we can identify as a person’s deep moral commitments. Matters can become complex because the entity’s legal identity may remain the same even though its moral character has changed radically. Merely because one converts from one religion to another, for example, one’s legal identity does not change. As already noted, the Y.M.C.A. used to be an organization that aimed at “giving Christian guidance to young men, to giving men opportunities for healthy recreation” (Copp, 1984, p. 259). Today, its mission is “to put Christian principles into practice through its programs that build healthy spirit, mind, and body for all” (Y.M.C.A. Mission Statement, 2001). No longer is it exclusively for men, and individuals of all religions are represented in the Y.M.C.A. Despite the change in its focus, it remained the same legal entity. One of the questions that arises in the case of an
individual’s religious identity is “At what point is it no longer appropriate to say that the individual's deep moral character is to be a member of a particular religion?” For example, at what point is a Jehovah’s Witness no longer a Jehovah’s Witness? To have a blood transfusion would not in itself necessarily change her identity as a Jehovah’s Witness. Alternative accounts are available, such as the possibility that she accepted blood in a moment of fear. She might also be seen as someone who had violated clear religious laws of Jehovah, not making her “not a Jehovah’s Witness” but rather a bad Jehovah’s Witness. She certainly might be seen as unfaithful, but, from her perspective and that of many Jehovah’s Witnesses, only by actually renouncing her moral beliefs could she change her deep moral character (her commitments etc.). Others, however, may no longer see her as a Jehovah’s Witness. Issues of what it is simply to degrade one’s moral integrity versus to violate it to the point at which one is longer the same are addressed in chapter four.

One person’s commitments to her religion may in no way obligate all individuals to refuse blood. In a secular, culturally and religiously diverse society such as ours, a particular individual’s commitments, projects, values, ideals, etc. cannot be ascribed justifiably to all individuals. Rather, an individual’s deep moral character obligates her in particular ways. The distinction introduced earlier between agent-independent (general) moral character and agent-specific (particular) moral character is important

---

10 Jehovah’s Witnesses believe that “those who respect life as a gift from the Creator do not try to sustain life by taking in blood” (‘Blood – Vital for life’, 2000, p. 6). Their reading of the Bible identifies multiple references to the prohibition of taking in blood, and they believe that this prohibition refers not only to animal sacrifice or to dietary laws but to any transfer or taking in of blood. These passages include Genesis 9:3-6; Leviticus 17: 10, 11, 13-14; Deuteronomy 23:12, 13; Ezekiel 33: 25; Acts 15: 22-29.
here. While the Jehovah’s Witness might hold that we all ought to refuse blood, this obligation has not been fortified in general moral terms. Nevertheless, if being a devout Jehovah’s Witness is (part of) one’s deep moral character, then it is justifiable to say that one is committed to refusing blood transfusions and that one ought to refuse blood.

Fidelity to one’s deep moral character would require the refusal of blood, and acceptance of blood would be a violation of one’s integrity. Therefore, an individual’s deep moral character – the projects, ideals, values etc. she commits herself to in the course of her life – gives her any particular moral obligations she has beyond that set of moral obligations which can be ascribed justifiably to all persons in a secular, pluralistic society, e.g., beyond the obligation to respect the rights of forbearance of others and to uphold agreements, as Engelhardt argues (1996). Fidelity in word and deed to those particular commitments, pursuits, obligations, and values results in her having full moral character integrity, and violations result in the degradation of her character integrity.

The recognition that individuals, even those whose goals are not universally or even widely recognized, may have particular aims that give them reason to act also emerges in Thomas Nagel’s attempt to reconcile claims others make on us and the claims our own interests make on us (1986). He examines the objective reasons that might be relevant to ethics. These include “basic pleasures and pains” of life (pp. 164-165) and perhaps other “basic human goods” (p. 165), and they are agent-neutral in the sense that they are independent of particular agents. Nagel then considers examples of other types of “objective reasons.” He draws a distinction between neutral reasons, those reasons that determine “what should happen,” and relative reasons, the reasons that involved in
determining “what people should or may do” (p. 165). Relative reasons, Nagel suggests, can be broken down into three main types. These are reasons of autonomy, deontological reasons, and reasons of special obligations (p. 165). Reasons of autonomy originate in our “desires, projects, commitments, and personal ties” and give us “reasons to act in the pursuit of ends that are [one’s] own” (p. 165). These reasons, if they exist, “limit what we are obliged to do in the service of impersonal values” (p. 165). Deontological reasons originate in “the claims of other persons not to be maltreated in certain ways” (p. 165). These reasons, if they exist, “limit what we are permitted to do in the service of either impersonal or autonomous [reasons]” (p. 165). Finally, reasons of special obligation originate in our close relationships. They are the obligations we have to those with whom we share particular relationships, such as family members (p. 165). Thus Nagel identifies a series of agent-relative ethical reasons, reasons of autonomy, that are grounded in our own ends and projects and that give us reason to act in particular ways.

Section I clarified the notion of integrity addressed here and situated this understanding of integrity in the context of the ways the term has been understood in the moral philosophy literature. In particular, the distinction between universalist moral integrity and moral character integrity was introduced and it was shown that these two forms of integrity are recognized in the literature, even though there is no explicit discussion of the difference between them. The focus now is on an analysis of moral character in greater depth.

In the next section I support the claim that all three aspects of moral character distinguished here are used in the literature. In chapter 3 I explore the role of moral
character in the institutional ethics literature. There I show that in much of this literature there is at least an implicit if not an explicit assumption that institutions can have their own moral character and that institutions can bear moral obligations and be moral agents. I also argue in chapter 3 that institutions can have the three aspects of moral character distinguished here below and I demonstrate how the coherence between the various types of moral character yields four types of moral character integrity for institutions.

II. The Three Forms of Agent-Specific Moral Character

This section shows that there are three broad categories within which the the way the term ‘moral character’ can be understood. The most common use refers to what an agent does, and this is the ‘manifest moral character’. Second, the term ‘moral character’ reflects what an agent says (or would say) she values; this is the ‘stated moral character’. Third is ‘deep moral character’, which describes the fundamental commitments and values that define an agent. Although it is possible that all three will cohere such that an agent’s actions will reflect both what she says she values and her deep moral commitments, this will not always be the case. There may be discrepancies among the three aspects of moral character; therefore, it is important to understand the three uses of the term. First, there is the possibility that what an agent does at times will not reflect her true beliefs and intentions or what she says she values. It is well-recognized that what an agent does indicates (at least) something about her moral character, but it may not be a complete or accurate exposition of her deep values. Second, what an agent says she values (her stated moral character) and what an agent does (what her actions suggests she values and takes to be right and good) may, at least at times, be distinct from an agent’s
true beliefs or intentions, her deep moral character. Finally, what she says she values and what she does may not always match. Thus the term ‘moral character’ might be used to refer to what an agent claims to value, what an agent’s actions suggest she values, or to an agent’s true values or beliefs. One reason there might be a lack of harmony between the different aspects of moral character is that an individual may from time to time experience weakness of the will (akrasia). Moreover, circumstances may sometimes disrupt or pervert an act or choice such that an agent’s actions fail to reflect her intent. Fear may also prevent an agent from acting on her true beliefs or from saying what she believes. There is also the possibility that social customs or an interest in acting in a “politically correct” fashion may prevent an agent from acting on or stating her commitments. Legal restraints may also play a role in creating a difference between a persons commitments and her actions. Thus in the interest of clarity, the distinction among the three aspects of moral character is important.\footnote{The idea that one’s expectations might fail to reflect one’s deep moral character – one’s true values, beliefs, and so on, is not new. Aristotle discussed actions as appropriate or inappropriate for particular characters. He recognized that some actions not appropriate to certain characters nevertheless are performed for a variety of reasons, including the case of the person for whom understanding is not the master (NE 1168b34-35) and the person whose nature is diseased (NE 1148b32).}

I turn now to a discussion of the three types of moral character.

A. Manifest Moral Character
The most common use of the term ‘moral character’ refers to what a person does or has been known to do. Often the primary concern is whether or not a person is a law-abiding citizen (or is not known to be a law-breaking citizen). The Board of Regents of New York, for example, requires that any individual who is certified to teach in New York and
who “has been convicted of a crime, or has committed an act which raises a reasonable question as to the individual’s moral character” be referred for further investigation and/or evaluation (‘Determination of good moral character: Revised version’, 1993). Other state licensing agencies, such as a state Bar Association or Medical Licensing Board, also often have moral character requirements that include (often vague) language about honesty, decency, and trustworthiness. Applicants to the State Bar of California, for example, must submit evidence to establish their “current good moral character.” The Bar has a list of rules for admission that includes the Bar’s understanding of moral character: “In making its determination whether an applicant presently possesses the good moral character necessary for admission to practice law in California, the Committee considers evidence of candor and honesty, respect for the law and the rights of others, fiscal responsibility, and records of fidelity and trustworthiness in other professions for which he or she is licensed” (State Bar of California, 2001). Some educators are promoting programs in schools to provide moral education and foster character development among children. The Character Education Partnership (CEP), for example, “is a non-partisan coalition of organizations and individuals dedicated to developing moral character and civic virtue in our nation’s youth as one means of creating a more compassionate and responsible society” (CEP, 2000). The organization includes teacher, school administrators, counselors and psychologists, and parents who “hold that core ethical values such as respect, responsibility, and honesty can both be a matter of consensus and a model for our youth” (CEP, 2000). These contemporary uses
of the term ‘moral character’ all focus ultimately on how individuals act and on how they relate to others.

The early Greeks and Greek law in their understanding of character seem to have focused on action rather than on a state of being. Persons of good character, for example, were defined as those who performed particular sorts of good actions. Martha Nussbaum notes, for example, that Socrates’ interlocutors usually pointed to certain actions when asked to define good character and that in early Greek law the focus almost always was on the evaluation of actions independent of the reasons for those actions (1992, p. 131). Aristotle argued against the understanding of character as merely what an agent does. He defined excellence of character as “a settled state (hexis) concerned with choice, situated in a mean relative to us, this being determined by reasoning, the reasoning that a person of practical wisdom would use to determine it” (NE 1106b36-1107a2). Nevertheless, he noted that the “virtues [are] concerned with actions and feelings, . . .” (NE 1104b13-16) and that it is through habituation that the virtues are acquired (NE 1103a18-26).

Although Aristotle moves beyond the earlier Greek conception of character merely as activity, he does maintain that there is a close connection between character and an agent’s activities and much of what he offers in terms of a discussion of character involves actions and choices.

For Aristotle certain actions are appropriate to certain kinds of persons and not others. Thus for him there is a close connection between action and character. First, character develops from habituation (NE 1104b10-11) in such a way that an agent’s actions are all connected. It is not possible in the Aristotelian tradition to evaluate an
action independently of the agent’s other actions. As Julia Annas notes in *The Morality of Happiness* (1993), the ancients saw each action as having a past in that “it resulted from a pattern of reasoning that had developed in the agent as a result of past decisions, and from a pattern of response that had developed in the agent as a result of living with past decisions” (1993, p. 52). Furthermore, each “action has a future: as a result of doing it the agent’s disposition will have been reinforced or weakened” (p. 52). This understanding of morality suggests that “[e]verything we do reflects the way we have acted and affects the way we will act” (1993, p. 52).

In Aristotle, then, there is a connection between actions and states of being that cannot be separated. It is as if for Aristotle we cannot speak of one without the other. Annas’ examination of Aristotle points to this deep connection and yet also shows that in Aristotle there is a recognition of the difference between the two: “Aristotelian virtues are not simply dispositions to do the morally right thing. They are settled dispositions of character . . .” (1993, p. 368; emphasis added). Fully virtuous persons are able to discern what they morally ought to do and they are disposed to do what is morally right (Annas, p. 368). For Aristotle character is not merely a state of being and it does not concern merely actions, choices, and dispositions. Character is both a state of being and a motivational state having to do with what one does; character is deeply connected to one’s activities. Thus virtue is a settled disposition of character to do the right thing. For Aristotle, character develops from what a person does and then is a measure against which further actions can be evaluated as appropriate or inappropriate for that person.
The character sketches of Theophrastus, a student of Aristotle’s, also provide evidence of the conception of moral character as being related to what one does. Theophrastus presents thirty sketches of the kinds of human beings there are based on how they act and what they do. Character identifications are based on what a person does, and the character identifications are used as a basis to predict behavior (1970, p. 3). This idea that moral character is what an agent does in the world and how an agent acts is what I call ‘manifest moral character’. In each case, Theophrastus describes a man of a particular character by describing the way he would act under various circumstances. For example, he says that “when the insincere man meets a personal enemy, he is willing to make social conversation instead of showing his dislike (1. 2-3, p. 7). Theophrastus describes the suspicious man as “the kind who sends one servant to do the marketing and then another to check on what everything cost” (18. 2-3, p. 77).

Recent attempts to redefine virtue ethics as having to do only with actions and not with character traits (in the sense Aristotle used ‘character’) mark a more significant use of character in the sense of manifest moral character. Philippa Foot (1983) and Judith Jarvis Thomson (1996, 1997, 1999) both have offered such theories. These virtue ethics revisionists suggest that to talk about character as something other than what a person does fails to make sense. Character traits must be statements or assessments of what a person does. They argue that actions, not character as Aristotle understood it, should be the focus of virtue ethics. Thomson seems to argue that virtue ethics itself ought not to be about character traits in the sense of commitments and values but rather should focus on actions and what an agent does, which appears to be what I call manifest moral character.
According to Thomson, ‘good’ is always in some way connected to action; it is not a property in itself. She argues, against G. E. Moore, that “there is no such property as goodness” (1997, p. 298). Rather, there are first and second order “ways of being good.” The first order ways include “being good for, being good at, being good to, and the like” (1997, p. 298). The second order ways of being good Thomson connects to virtues. These include “being just, generous, courageous, kind, and so on” (1997, p. 298). If this view is correct, to describe a person as having “good character” is to say something about what she does.

Contemporary moral philosophical discourse concerning moral character also usually treats character as an issue concerning action and choice. In the *Encyclopedia of Ethics*, character is defined as “a group of relatively stable traits connected with practical choice and action. These traits . . . are usually taken to involve a complex inter-weaving of beliefs, motivational desires, and emotional responses” (Nussbaum, 1992, p. 131). The focus next is on a discussion of settled states of being, what I call deep moral character. The idea that moral character might not be merely what an agent does is evident in both Aristotle and Plato. Although Aristotle failed to address the settled states of being separately from the actions, he did recognize the difference between them.

**B. Deep Moral character**

‘Moral character’ can refer to an agent’s fundamental commitments, to her deep beliefs and values. There are instances in the literature when this definition of moral character is not offered but this is what is meant by the term.
Deep moral character may be understood in part as the state of being Aristotle refers to (*hexis*) in the *Nichomachean Ethics* – the “state that decides” (NE 1107b37). Although Aristotle does not consider this state itself independently of its role in choice and action, he does offer some insights that allow us to distinguish the state of character from the actions performed. For example, Aristotle does not say that character is what one chooses but rather that it is the *state* that chooses. Moreover, he describes character as a state that must be cultivated so that it is prepared for virtue: “Arguments and teaching surely do not influence everyone, but the soul of the student needs to have been prepared by habits for enjoying and hating finely, like ground that is to nourish seed” (NE 1179b24-27). For those with a particular character, certain actions are appropriate and others are not (e.g., NE 1120a30-32). This state must be well-developed to avoid pursuit of inappropriate actions, i.e., to decide well rather than to choose poorly. As Aristotle recognized, there may be choices that, when made by persons of a particular character, are inappropriate.

The idea that our deep moral character, our true commitments and values, may not be evident from our daily activities emerges in Plato’s discussion of the Ring of Gyges. The target of Glaucon’s challenge in the discussion of the Ring of Gyges is Socrates’ claim that one ought always to be just and that it is always in one’s self-interest to be just. Glaucon protests that there are times when it is not in our self interest to do what is just, i.e., when we can do wrong with impunity as the Ring of Gyges enabled the shepherd to do. The just man will do what is just even when he can do wrong with impunity, according to Socrates. Glaucon claims that the unjust man will do what is right
in those circumstances in which doing wrong would be contrary to his self interest. However, when given the opportunity to do wrong with impunity, the unjust man will do wrong. It is when we can act wrongly without being identified and punished that our true commitments and values emerge. Thus by observing a person’s daily activities we cannot determine whether he is committed to justice or whether he is acting according to the rules of justice only to avoid punishment (See Republic, Book II 359d+.)

To focus on what our commitments, values, beliefs, and so on are, rather than what we claim they are or what they appear to be, is to focus on deep moral character. When Brody, Williams, Halfon, Taylor, and Winch consider the importance of one’s projects, pursuits, values, beliefs and so on in maintaining one’s integrity, they claim that one’s deep commitments matter. Though Brody is clear that the commitments do not necessarily have to be moral commitments, they may be. The fundamental commitments that define an agent and her choices constitute an agent’s deep moral character. There may be, for instance, cases in which a person’s religious faith defines her deep moral commitments, e.g., the Jehovah’s Witness who vehemently opposes a blood transfusion because to accept blood would be to act against the very core of who she is. However, deep moral character is not necessarily religious. Someone may be committed to protecting the environment such that his decisions are always constrained by or made in the light of his desire to protect the environment. Deep moral character is the set of fundamental values, and commitments, that are at the core of who one is.
C. Stated Moral character

‘Moral character’ also can refer to what an agent says she values or would say she valued. *Stated* and *manifest* moral character are distinguished because, even though to make a claim about one’s values is an act in itself, it is a different sort of act from the ones to which manifest moral character refers. One reason stated moral character is important is that it may be all that is available to us when we first encounter an agent. Another reason for attending to stated moral character as well is that we tend to care about what agents claim to value and how they describe themselves. Although this type of moral character is not often the focus of moral philosophical analysis (perhaps in part because philosophical pursuits are conceived as efforts to reach true or right understanding), it is an important phenomenon of the moral life in terms of which we can examine moral character. Politicians serve as a clear example of the value we sometimes attribute to an individual’s claims about her values. The assertions candidates make regarding their beliefs can play an important role in the way others assess them. In the case of institutions, analysis of stated moral character will be especially important because many institutions have “public relations machines” dedicated to sustaining and making known the institution’s image.

Generally we are weary of claims that are unsupported by actions. Nevertheless, that should not make us hesitate to consider an agent’s stated moral character, especially in discussions of integrity. In addition to the fact that all that may be available to us is what an agent says about herself and the fact that generally we place value on people’s statements and claims, we must also consider stated moral character because there might
be a gap between an agent’s intentions, desires and commitments on the one hand and her actual ability to do something, on the other hand. We may be deeply committed to achieving X, and we may acknowledge that X is important, but if it is impossible for us to achieve X, then our actions may not reflect our commitments even though our words do.12

‘Moral character’ is rarely, if ever, used in the moral philosophical literature to refer merely to what an agent claims to value and thus, in a strict sense, ‘stated moral character’ is not a common use of the term ‘moral character’ in moral philosophy. Nevertheless, it is an understanding of moral character that should not be ignored.

This section explored the three main ways in which the concept of agent-specific moral character can be understood and the three levels at which moral character can be examined. The examples and literature drawn on in this section focus on individuals and the three aspects as clearly relevant to individuals. In the next section I turn to a

---

12 One issue that arises here concerns the value of holding a commitment we know to be impossible to fulfill. To say that we are committed to something and that we care deeply about it if we know that we cannot or will not be called upon to pursue it may not constitute holding a deep moral commitment. The concern with having commitments one believes one will never be called upon to fulfill is part of a broader set of issues involving the intentions of persons with integrity. The issues are explored in detail by Mark Halfon in Integrity: A Philosophical Inquiry (1989). Halfon identifies a distinction between making a commitment and being committed in his analysis of integrity (see pp. 16ff). Halfon focuses on intentions of agents: one who makes a commitment or “pledge without intending to keep it, ... cannot be said [to be] committed to some objective in the sense that they have not imposed any restrictions on their behavior” (p. 17) even though “it may make sense to say they have made a commitment since others may require them to fulfill the demands imposed by their pledge even if they have no intention of doing so” (p. 17). Halfon claims that integrity requires not only that one make commitments but that one be committed to an objective (p. 17). He also considers the ability of the person who makes a pledge “to fulfill the requirements expressed in the pledge” (p. 19) as relevant to integrity. Halfon uses Taylor’s (1981) idea of the “shallowly sincere person” to explain the problem with making a commitment one knows one cannot fulfill. Thus Halfon says that “in order for a person to be committed to some objective [which is required for integrity], the person must believe he or she has the ability or prospects of developing the ability to fulfill the requirements expressed in the pledge” (p. 19). Moreover, Halfon argues that integrity requires that persons be willing to keep commitments “in the face of adversity” (p. 39).
discussion of the way the coherence between the three different types of moral character can be measured by the concept of integrity. In the next chapter I will consider the appropriateness of using these understandings of moral character to address institutions.

III. Moral Character Integrity

Given the three ways in which moral character is understood, the three levels at which agents have moral character (i.e., stated, manifest, and deep), and the possible agreement and disagreement between the three forms of moral character, this section addresses the issue of measuring or assessing the coherence among the three forms of moral character. In chapter one I offered a structure for understanding these relationships (see Figure 1) and I offered in the first three sections of this chapter examples of the ways in which discrepancies among the three forms of moral character can arise, including weakness of will, legal constraints, and fear. In this section I offer a more detailed explanation of the four forms of moral character integrity that serve as ways to measure the coherence among the three forms of moral character. Understood as a measure of coherence among the three forms of moral character an individual has, full moral character integrity involves an evaluation of the relationship among all three aspects of moral character. However, it is also important to understand the other ways in which we might measure moral integrity, and these involve the relationship between the stated and manifest moral characters, the manifest and deep moral characters, and the stated and deep moral characters. In all likelihood, no agent or few agents will always have perfect coherence among their stated, manifest, and deep moral characters. Thus these evaluations of character integrity have a temporal dimension; to say an agent has full character integrity
is not to say an agent *always* has this kind of integrity. Rather it reflects or measures the relationship between the three forms of moral character at a time or over a particular time or with regard to a given situation. Thus these three forms of partial moral character integrity and the one form of full moral character integrity as described here all reflect measures of integrity at a time or with regard to a particular situation. They evaluate the coherence among the agent’s stated, manifest, and deep moral characters at a time. The issue of character integrity over time is explored later in this chapter. Essentially for an agent to maintain her character integrity over time she must maintain her moral character integrity such that her deep moral character does not change. Agents who routinely fail to live up to their fundamental commitments eventually cannot be said to have the same deep moral characters they once had. At a certain point it becomes unreasonable to say the agent holds a fundamental commitment to X when his actions or his value-claims routinely suggest that he is not committed to X. The issue of character integrity over time will be explored in the next section. The discussion in this chapter focuses on individuals and in chapter three I extend the discussion of moral character and integrity to institutions.

The reader may ask why we should examine all four types of moral character integrity if we know three of the four to be incomplete. There are three principal reasons for pursuing the analysis of all four types of moral character integrity despite the fact that the ultimate focus here is full character integrity. First is the interest we have in understanding to the greatest extent possible what we mean by ‘integrity’. The conceptual framework I develop here clarifies and enhances our understanding of
integrity. Without understanding the distinctions I make, discussions of integrity are less accurate and impoverished. So, the first reason to examine more carefully the different aspects of integrity is an interest in understanding more rather than less.

Second is that this more detailed understanding of integrity can help us to better understand failures of integrity. Absent these distinctions, we may not understand why an individual or institution appears to lack integrity. Hypocrisy, for example, may be used to describe a lack of full moral character integrity, but without an understanding of the different aspects of integrity it is not possible clearly to understand the nature of a particular instance of hypocrisy. For example, an agent may be a hypocrite because he fails to act according to his deep moral commitments or he may be a hypocrite for articulating as his beliefs values that he does not hold.

Third, there may be occasions when we are interested only in a certain form or aspect of integrity. Some situations may not call for an examination of full character integrity, and sometimes partial character integrity is all that is required morally. An example here might be someone who during World War II helped Jews to hide and escape during the Holocaust. At a deep level this person knew that the Nazi regime was evil and that she had a moral duty to help Jews escape torture and death. So her efforts to hide the Jews are ways in which her actions manifested her deep moral character. However, for her own safety and for that of those she was trying to help, she might not have stated that these were her beliefs. It might be objected that her silence made her complicit with the Third Reich. But a strong argument could be made that (1) she was not actually complicit or (2) her complicity was morally justified and in the end the morally
best choice given the circumstances. Thus we can imagine circumstances in which it is permissible for her to lack full moral character integrity. We are interested not so much in what she said but in what she did, and it seems reasonable to be concerned with her actions more than with her statements in this case. This is the case, in part, because the stakes are so high and the potential consequences so extreme. By speaking openly about her true beliefs, it is almost certain that it would have become impossible for her to act in any way to save any of the persecuted. Of course, we can imagine many cases in which the stakes are not a matter of life and death and in which it is hypocritical or not morally acceptable for a person to fail to be open and honest about her commitments.

Throughout this discussion it is important to recall that moral character integrity is not an absolute or objective value. Moral character integrity measures the coherence between the three forms of agent-specific moral character, none of which is of absolute moral worth. There may, in fact, be situations in which a lack of moral character integrity is morally good and ones in which it is morally neutral whether an agent to have moral character integrity.

A. Superficial Agential Integrity: Coherence between Stated and Manifest Moral Character

When the moral character suggested by an individual’s actions and choices, her manifest moral character, coheres with her claims regarding her moral commitments and values, her stated moral character, the individual possesses superficial agential integrity. The integrity is superficial in the sense that it tells us only that her claims about what she values are reflected in her actions; this relationship offers no understanding of what she is committed to at a deep or fundamental level. The integrity that reflects coherence
between stated and manifest moral characters is agential because it involves her actions and choices, what she does. To identify an individual as one who has superficial agential integrity is not to claim that she necessarily lacks all other forms of integrity. To determine whether she has other forms of integrity requires an examination of her deep moral character and the relevant relationships.

An example of someone with superficial agential integrity is the case of a person who says she is committed to workers’ rights in a community. She becomes involved in labor efforts to demand better working conditions, wages and so on and (at least initially) actually helps the labor movement. Her claims are backed by her actions and so she has superficial agential integrity. It is important to realize that in this situation the agent might have only superficial agential integrity or she may actually have character integrity. Suppose that the person is not actually trying to help the workers. She appears to work on their behalf only to subvert their efforts; her true commitments are to business owners. In that case, she has superficial agential integrity and she lacks full character integrity because her stated and manifest moral characters are not in line with her deep moral character. Her actions may actually be hurting the workers, but if they appear to help them, then her manifest and stated moral character cohere because manifest moral character is the character exhibited by an agent’s actions. It is important to realize that she may actually help the labor movement initially. Moreover, she may come to lack superficial agential integrity at some point if her actions begin to hurt the movement and others take note of it. If on the other hand she actually is committed to the labor movement, then she there will also be coherence between her stated and deep moral
characters and between her manifest and deep moral characters. The adage “practice
what you preach” reflects a long-standing appreciation for this type of integrity. It should
be noted that there may be cases in which it is morally good that an agent lack superficial
agential integrity. For example, it may be better that a racist speak openly about his
prejudices but not act on his stated beliefs (out of fear, for example) than that he not only
speak openly but actively discriminate against or even physically hurt members of a
particular race. My claim here is not that it is morally good that he holds and states those
beliefs but that a consequentialist analysis suggests that it is better that he only hold and
state those beliefs rather than that he hold, state, and act on them. (It would nevertheless
still be a failure of integrity.)

This type of character integrity, of course, tells us nothing about whether an agent
satisfies the obligations derived from his deep moral character which, as I argued earlier,
is justifiably normative for the agent (as long as his fundamental moral commitments fall
within certain side-constraints). Coherence between stated and manifest moral characters
will result naturally when the stated and manifest moral characters each cohere and stem
from with the agent’s deep moral character. Moreover, deep moral character is the moral
foundation for both the stated and manifest moral characters. Therefore, the stated and
manifest moral characters should conform to the deep moral character, not vice versa.
The coherence we seek in full character integrity is not merely coherence but it is an
ordered coherence.
B. Deep Agential Integrity: Coherence Manifest and Deep Moral Character

Deep agential integrity is a measure of the coherence between the character suggested by what an agent does (manifest moral character) and what an agent values or is committed to fundamentally. The coherence that is the subject of evaluation is also an ordered coherence: an agent has deep agential integrity when her manifest moral character conforms to or reflects her deep moral character. Again, to attribute to an agent deep agential integrity is not to judge on the basis of the relationship between her stated moral character and/or her deep and manifest moral characters. Return to the example of the woman who helped Jews to hide and escape during the Holocaust. She did not state her true beliefs. In public she might have said little or even said that she agreed with the Nazis’ actions in order to protect herself, her family, and ultimately those she was trying to help. In that case, here manifest moral character was consistent with her deep moral character, but her stated moral character was in discord with both her manifest and deep moral characters. Those with deep agential integrity have coherence between their deep and manifest moral character, and they may or may not have coherence between their stated and deep moral characters and between stated and manifest moral characters. Of course, it is possible that one’s deep moral commitments require that one never deny them, even when faced with death. For example, even when faced with a death, a Christian must not deny her faith.

Individuals who act on their principles are often admired or respected, even by those who may disagree with them, as long as their principles fall within certain broad moral side-constraints. In such cases, an agent has deep agential integrity and the agent
may be considered morally good or neutral by those who do not share the agent’s moral character. Of course, some may consider any moral character outside their own to be vicious. Certainly, as is the case with superficial agential integrity, it may be morally good at times that an agent lacks deep agential integrity. The example of the racist or member of the mafia is useful here as well. Such individuals have moral commitments that lie outside the broad side-constraints that demarcate the range of agent-specific moral characters that are justifiably normative for agents. There may also be circumstances in which it is morally good but not required that an agent have this kind of integrity. Furthermore, there may be acts that are supererogatory, i.e., they are morally good but not required. For example, if Aunt Sally is ill and in need of a place to live, it might be morally good for one of her twelve nephews to invite her to live with him, but it may not be morally required for him to do so.

C. Self-Reflective Integrity: Coherence between Stated and Deep Moral Character
The coherence between an individual’s stated moral character and her deep moral commitments is measured by self-reflective identity integrity. The focus here is an individual’s identification and articulation of her deep values, beliefs, commitments, and so on. As before, the coherence between stated and deep moral character must be an ordered coherence: stated moral character must reflect and cohere with the deep moral character because the deep moral character is a source of moral obligation for the agent. To have self-reflective integrity, the stated moral character must reflect the deep moral character. An example of self-reflective identity integrity is the person who speaks openly about her religious convictions or lack thereof. Conversely, someone who denies
or even seems to deny her religious convictions, or claims to hold beliefs she does not have, is an example of an individual who lacks self-reflective identity integrity. Again, the measure of the coherence between stated and deep moral characters is silent with regard to the relationship between those two forms of moral character and the agent’s manifest moral character. There may be instances in which it is good, on consequentialist grounds, that an agent lack this type of integrity. Return to the racist who speaks openly about his deep hate for members of a particular race but does not act violently toward them.\textsuperscript{13} Suppose he not only does not act on his ideas, but he does not even speak openly about them. Although this may be problematic in the sense that if he does not talk, no one can actively attempt to change his mind, perhaps his silence at least prevents violence. There may also be cases of individuals who face circumstances in which they must choose whether they will be able to have self-reflective integrity or deep agential integrity but they cannot have both. Consider again the case of the individual who was opposed to the Nazi regime and hid Jews during the Holocaust. Under certain circumstances, the result of that individual speaking openly of her deep moral commitments would certainly have resulted in her arrest such that she would not have been able to successfully hide those being persecuted. That is, her activities would have been restricted such that her actions (her manifest moral character) would not have reflected her deep moral commitments. She would have lacked deep agential integrity. Thus for her to have deep agential integrity she would not have been able to articulate

\textsuperscript{13} I am not denying the potential for violence from words. Wherever the threshold is beyond which words are no longer mere speech acts but are actions, my account will treat them as actions. At that point the focus turns to manifest moral character.
openly her deep moral commitments; she would have had to sacrifice her self-reflective integrity in order to have the possibility of preserving her deep agential integrity. This is a situation in which the lack of self-reflective integrity might be unfortunate by not immoral; it was morally good on the whole.

D. Full Moral Character Integrity: Coherence between the Stated, Manifest, and Deep Moral Character

Full moral character is the measure of coherence among all three aspects of moral character. An individual with full moral character integrity is one whose manifest and stated moral characters reflect his deep moral character. There are multiple reasons for which individuals may lack this kind of integrity, and the examples offered in the discussion of various forms of partial moral character integrity demonstrate some of the circumstances under which individuals may lack full moral character integrity, e.g., situations in which there is discord between (at least) any two aspects of an individual’s moral character. If an agent holds fundamental moral commitments that are (sometimes) incompatible, she may also have difficulty maintaining her full moral character integrity. Consider the physician-researcher who, on the one hand, has a commitment to the interests and needs of his individual patients and at the same time is committed to the advancement of the science of medicine. One of the ethical issues that often arises in the context of research medicine is where the line is between being a treating physician and being a researcher who conducts research on subjects. There are times when the physician’s commitments to his patients conflict with his commitments to scientific research.
Just as we consider certain acts to be supererogatory, it may be morally good but not required to have this kind of integrity. For example martyrs are individuals who have died because they refused to deny their faith and betray their commitments. They are in this sense considered heroes. Clearly many understand their choice to die is morally required because they understand that it is morally impermissible to deny one’s Christian faith or one’s duty to one’s country, for example. Nevertheless, others hold the view that one is not required always to state fully what one believes, particularly if one’s life is at stake. This example is offered only to show that there may be instances in which to have moral character integrity is supererogatory.

Full moral character integrity is not an absolute moral good because one may hold morally bad commitments and, if one articulates and acts on them, one will still have moral character integrity. A mafia hitman, for example, may be deeply committed to his “family” and he may hold that loyalty is of the utmost importance. Furthermore, he may hold that certain killings and other forms of illegal activity that most consider immoral, e.g., murder, are justifiable under a variety of circumstances. Moreover he may be openly committed to these values and to the “family’s” projects. Finally, suppose he readily acts to pursue those projects and thus regularly commits murder. This is a man with full moral character integrity in the strict sense, though his integrity may be better described as immoral character integrity than moral character integrity. This is a case in which it would be morally better if he lacked full moral character integrity because his moral character does not conform to the necessary and appropriate side-constraints.
Consider another example of an individual with moral commitments we may find abhorrent but whom we can nevertheless regard as having full moral character integrity. It is possible that some will even find that integrity admirable despite the fact that we recognize that it would be best if he lacked full moral character integrity. In the *Forgotten Soldier* (2000; 1967/1971), Guy Sajer, a French Alsatian volunteer in the German army, recounts his years as a World War II foot soldier. Despite our recognition of his commitments as morally evil ones, we can understand him as an individual with moral character integrity: he was loyal to the German army to the very end and fought for his country all over Europe. Upon reflection, he himself seems aware of the difference between possessing the virtues of loyalty and integrity, on the one hand, and good moral commitments on the other. He remarks: “People who hated me would pursue me with vindictiveness, seeing in my past only cupidity and culpable error. Others might someday understand that men can love virtues on both sides of a conflict, and that pain is international” (p. 465). Regardless of what their particular moral commitments are, individuals can be loyal and committed individuals; they can possess moral character integrity regardless of the nature of their particular moral commitments.

Because of the nature of moral character integrity, the order of importance or priority of the four forms of moral character integrity is not absolute. Given that moral character integrity is not an absolute moral value, it is not possible to say that it is always more important for an agent to have self-reflective integrity rather than deep agential integrity, for example. We can say that insofar as character integrity has an acceptable moral focus, it is important that agents maintain their moral character integrity. But, as
already discussed, there will be cases in which it is morally good that agents lack this type of integrity.

IV. Moral Character Integrity Over Time

The four forms of moral character integrity addressed above essentially refer to integrity at a given time or with regard to a particular issue or situation, and it is likely that no or few agents always will have full moral character integrity. One might also consider moral character integrity over time. This is not a ‘snapshot’ evaluation of integrity, i.e., it is not an evaluation of whether an agent’s moral character integrity is preserved at a particular time or in a specific situation. It is an evaluation of consistency and coherence over time. Moral character integrity ultimately can be explored in terms of whether an agent maintains her deep moral character over time because a lack of moral character integrity over time may result in a change in deep moral character. The forms of moral character integrity identified above all affect and may even determine whether moral character integrity is or can be maintained over time and whether the deep moral character itself remains the same over time. A specific failure of moral character integrity at a given time may or may not be part of a pattern of a particular agent lacking moral character integrity. If it is part of such a pattern, then the agent’s deep moral character itself may be at risk; there may come a point at which repeated failures of moral character integrity make it the case that the agent no longer has the same deep moral character. Thus at time $t+x$ the same fundamental moral commitments we once attributed to an agent and that once defined the agent’s deep moral character can no longer be attributed appropriately to the agent. We can no longer say the agent holds those fundamental commitments. In that
case, her deep moral character changes such that at time \( t \), her deep moral character is not
the same as her deep moral character at time \( t+x \). This kind of change in moral character
over time is also a form of lacking moral character integrity – it is a lack of integrity of
the deep moral character over time.

There may be no clear understanding of the moment at which a pattern of lapses
in moral character integrity over time results in a change in deep moral character. What
is certain is that to have moral character integrity over time and to maintain one’s deep
moral character over time requires that one maintain one’s deep moral character at
particular moments and with regard to specific issues. Thus moral character integrity at
particular times and with regard to specific issues is a necessary but not a sufficient
condition for moral character integrity over time, and a discussion of moral character
integrity over time depends upon one’s analysis of moral character integrity at a given
time or with regard to particular issues.

The ranking in terms of importance of moral character integrity at a time or with
regard to a particular issue versus moral character integrity over time might be
questioned. In a sense it is not possible to do this because moral character integrity over
time depends upon moral character integrity at specific times and with regard to specific
issues. It would not be possible to have moral character integrity over time if one
routinely had lapses of moral character integrity. Thus it would not make sense to
suggest that moral character integrity over time is more important than moral character
integrity at a time if what one means is that one should focus more attention on moral
character integrity over time to the detriment of moral character integrity at a given time.
To do so might result in a repeated loss of moral character integrity that would in the end make it impossible to have moral character integrity over time. There is, however, a sense in which we might treat lapses of moral character integrity as more than what they are. To lose one’s deep moral character seems more serious than temporarily to lack moral character integrity. This is not to deny that some specific lapses in moral character integrity may in fact be quite serious.

One of the consequences of examining moral character integrity at a time and over time as opposed to examining issues of general, agent-independent moral character and universalist moral character integrity is that our evaluations will be context-dependent. Those who have more demanding deep moral characters will have to meet a different standard in order to maintain their moral character integrity both at a time and over time. Similarly, those who suffer from very weak wills may have a more difficult time maintaining their moral character integrity.

This chapter explored the concept of personal integrity and demonstrated the way in which integrity involves the relationship between an agent and her commitments, values, beliefs, pursuits, projects and so on. I demonstrated the three ways in which ‘moral character’ is understood: the term can refer to an agent’s claims about her commitments (stated moral character), the moral character suggested by or reflected in an agent’s actions (manifest moral character), and an agents deep moral commitments and fundamental values (deep moral character). Moral character integrity, then, is a measure of the coherence between the three forms of moral character. Moral character integrity stands in contrast to universalist integrity, which describes the relationship between an
agent’s moral character and a universal, external, agent-independent standard of morality. In addition, we are concerned with whether an institution maintains its integrity over time essentially because a lack of moral character integrity over time may result in the alteration or abandonment of its deep moral character. Thus the issue of moral character integrity over time ultimately is an issue of identity: does an institution, for example, maintain the same deep moral character over time?

The issue I turn to now is whether the use of the term ‘moral character’ is appropriate for institutions and whether the three different aspects of the term also apply to institutions: can/do institutions have their own moral character? In particular, does the elucidation of the three aspects of moral character described in this section apply to institutions: can institutions have their own stated, manifest, and deep moral character? The next two chapters explore these issues. Before considering the issue of whether institutions of the sort I am discussing (can) have their own stated, manifest, and deep moral characters, I must show that references to ‘institutions’ do not amount merely to discussions of the individuals constituting those institutions. That is, I must show that institutions are not merely the sum of their parts; institutions are not fully reducible to the identity of individuals constituting them. Thus the first section of the next chapter addresses issues of institutional ontology.
Chapter 3: Moral Character Integrity and Institutions

In the previous chapter, three understandings of moral character were distinguished and the measure of coherence between the various forms of moral character was described using the concept of moral character integrity. Whereas the discussion in chapter two focused on individuals, this chapter focuses on institutions. It is clear that our moral philosophical tradition treats the moral character of individuals, but it is not immediately obvious that there is similar concern with institutional moral character. Nevertheless, that institutions can have a moral character and can bear moral responsibilities is presupposed by the law and by the field of organizational ethics. At the same time, institutional moral responsibility is distinct from and cannot be reduced to the law. In the first section of this chapter I show that discussions of institutional ethics and institutional moral responsibility often involve concerns with the moral character of institutions such that issues of moral character include institutions and are not limited to individuals. Much of the remainder of the chapter justifies attributions of moral character and moral responsibility to institutions. To show that institutions and not merely the individuals associated with them can have a moral character, it is necessary to show that the identity of institutions is not merely the sum of the identities of the individuals constituting it such that concerns of institutional moral character cannot be reduced fully to discussions of the moral characters of the individuals associated with them. This is the focus of the second section. In the next chapter I examine health care institutions in detail and consider further aspects of institutional moral character integrity.
I. Institutional Ethics Literature

Moral character, which is important in discussions of the moral integrity of individuals, is almost always at least an implicit if not an explicit consideration in discussions concerning institutional ethics. At least one of the following two assumptions typically is evident but unexamined in discussions of institutional ethics: (1) institutions can have a moral character that they ought to preserve and continue to live out. (Note that to say this is to say that they have the potential for possessing character integrity.) And (2) institutions can have moral obligations they ought to satisfy and be morally responsible for their actions, i.e., they can be moral agents. That institutions sustain a moral life within which duties, obligations, and responsibilities are not reducible fully to the individuals associated with organizations is presupposed by the field of organizational ethics. The distinction I introduced among three aspects of moral character is absent in the literature, but there is reason to recognize the distinction as pertinent to institutions as well. To demonstrate this, I first review some of the literature on institutional ethics in which some form of the concept of moral character is explicitly addressed. Then I consider literature on institutional ethics in which the concern with moral character is only implicit.

A. An Explicit Focus on Institutional Moral Character: Literature Concerning Religious Institutions

Literature concerning religious health care institutions often involves an explicit consideration of the moral character of the institution as well as a moral evaluation of the institution’s actions and activities. Most health care institutions associated with particular
religious traditions have, at least at some point, struggled with questions of how to maintain their integrity, of what their (deep) moral character obligates them to do, and of what their deep moral character prohibits them from doing. Roman Catholic health care institutions are an example of institutions that have a specific moral character; they have a particular set of values, commitments, ideals, etc. that obligate them in specific ways. For example, many Roman Catholic hospitals have questioned whether a particular arrangement, policy, procedure, or practice would allow them to maintain their moral integrity and/or whether they were obligated to act in a particular way by their deep moral character, i.e., by being Roman Catholic institutions. There is extensive literature concerning what it is for an institution to be and to remain a Roman Catholic institution and what Roman Catholic institutions ought to do and not do in providing health care. Much of this literature on health care institutions has developed as these institutions needed to frame particular policies concerning specific medical procedures, e.g., abortion, birth control, and reproductive technologies, as well as with regard to broader organizational issues such as labor relations and care for the poor. Many of these crises reach a peak when institutional mergers are considered or planned. Despite the various concerns raised by particular situations, most of the literature on this issue revolves around the same theme: what it is to be a Catholic health care institution and what being a Catholic health care institution means an institution ought and ought not to do.

The three principle assumptions behind this literature and the extensive focus on mission and identity in Roman Catholic institutions are that (1) Roman Catholic institutions have a distinct deep moral character that ought to be preserved and
maintained in word (stated moral character, e.g., mission statements) and deed (manifest moral character, i.e., what they do and do not do), (2) the deep moral character of an institution belongs to the institution and is not reducible to the individuals constituting it (certainly it is usually not the case that all the employees, administrators, and patients are Catholic, and thus the institutions themselves have moral values, commitments and moral obligations stemming from their Roman Catholic identity), and (3) the institutions are responsible for fulfilling those obligations and for not violating their obligations and thus the assumption is that institutions themselves are moral agents.

During the past three to four decades, Roman Catholic health care institutions have faced increasing internal and external conflicts between their traditional moral commitments and legal and secular commitments that have generated a wealth of literature on institutional ethics. In an era dominated by individualism and secular moral pluralism, in an era of managed care and financial difficulty for health care institutions, and in an era in which the courts have become the battleground for moral conflicts, Catholic health care institutions face external threats to their character as well as internal challenges to the satisfaction of their moral obligations. For example, institutional mergers often bring the potential for a Catholic hospital to be associated with non-Catholic health care institutions, and this situation raises questions about what the character of the new institution will (and should) be and what its moral identity and thus its self-imposed moral obligations will be. The case of Roman Catholic health care institutions, with their particular moral commitments, recommends itself to this study. Furthermore, in the highly litigious culture of the United States, the courts have often
favored individual patient’s rights and choices over institutional codes of morality. The 1986 case of Beverly Requena serves as an example. The patient, Beverly Requena, had been hospitalized repeatedly in St. Clare’s/Riverside Medical Center, a Roman Catholic hospital that was the result of a merger between St. Clare’s Hospital and Riverside Hospital. Her illness (amyotrophic lateral sclerosis – ALS) reached a stage at which she requested that artificial nutrition and hydration be withheld, realizing that she would die of starvation and dehydration. The hospital claimed that its moral commitments and religious heritage were in conflict with this request and did not want to withhold nutrition and hydration. Although another hospital was willing to accept the patient and even though she could be transported safely and she could continue to have the same treating physician care for her, she refused to be transferred to a different hospital because she was otherwise pleased with her care at the Catholic hospital, was comfortable there, and wanted to die there. The court determined that St. Clare’s was obligated to grant Requena’s request to withhold care because she was not given prior notice of the fact that the hospital’s moral commitments were in conflict with requests to terminate life-sustaining interventions involving basic nutrition and hydration. Moreover, the court stated that it would be “coercive” of the hospital to force her to choose between leaving the institution and receiving food and water. The hospital was forced to have its staff withhold and withdraw care and allow Requena to die in the institution (In the matter of Beverly Requena, Superior Court of New Jersey – Chancery Division, Morris County, P-326-86E, September 24, 1986; In the Matter of Beverly Requena, Superior Court of New Jersey – Appellate Division, A-442-86T5, October 6, 1986).
Two main issues in Roman Catholic moral philosophy are relevant to situations such as Requena’s. One involves the distinction between ordinary (obligatory) and extraordinary (non-obligatory) forms of treatment. The second involves the distinction between the intent to cause death and merely the foresight that death will/is likely to occur.

In Roman Catholic moral theology the distinction between ‘ordinary’ and ‘extraordinary’ means is central in determining whether or not it is morally appropriate to withhold or withdraw life-sustaining treatment, and St. Clare’s opposed the withholding of nutrition and hydration from Ms. Requena (primarily) because it viewed the provision of food and water as morally obligatory. The distinction dates back to the discussion of St. Basil the Great (329-379) in Rule 55 of The Long Rules (1962, p. 330-335) and was further developed during the 16th century by Francisco de Vitoria. Vitoria considered the circumstances under which one is obligated to eat in order to prolong one’s life and concluded that persons are obligated morally to eat (or to feed the sick) when they can do so “with a certain hope of life.” However, if eating is gravely burdensome such that it is “torture,” one is not committing a mortal sin by not eating (Relection IX; de Temperentia” Reflecciones Teologicas, 1587, in O’Rourke, 1988). In his discussion of Vitoria’s distinction, contemporary Catholic moral theologian Kevin O’Rourke notes that “Vitoria does not say a person in good health may starve himself because he is tired of

---

14 Life is, as Daniel Cronin (1958) observes, a gift and a responsibility (1958, p. 13). For a discussion of “the extent to which man has the duty of conserving his corporeal life here in this world” (p. 13), see Cronin (1958). For Cronin’s interpretation of Vitoria, see (1958, pp. 48-51). Cronin also examines writings of other key figures in the history of discussions concerning the distinction between ordinary and extraordinary means. See Cronin on Dominic Soto (1958, pp. 51-54), Francis Suarez (pp. 55-57), Marin Bonacina (p. 57) and Paul Laymann (pp. 57-58).
living. Nor does he allow much leeway if the means (food) are effective ("a certain hope of life") and do not involve a grave burden. But he suggests that if a person is so sick and depressed that eating may become a grave burden, that person does not sin by not eating. Clearly, Vitoria recognizes psychic as well as physiological illness, and his notion of grave burden involves more than physical pain” (1998, p. 2).

The distinction Vitoria discussed in the 16th century has become a critical component of Catholic moral theological reflection on medical treatment and moral obligation. Pope Pius XII wrote (1957) on the distinction and further cemented the Church’s understanding of the difference between ordinary and extraordinary means and their role in moral obligations to receive (and provide) medical treatment. He wrote:

... normally one is held to use only ordinary means – according to circumstances of persons, places, times, and culture – that is to say, means that do not involve any grave burden for oneself or another. A more strict obligation would be too burdensome for most men and would render the attainment of the higher, more important good too difficult. Life, health, all temporal activities are in fact subordinated to spiritual ends” (Pius XII, 1957/1999, p. 423).

A key element in distinguishing between ordinary and extraordinary means is the proportion of the expected benefits and burdens of an intervention. In Evangelium Vitae, Pope John Paul II wrote:

... euthanasia must be distinguished from the decision to forgo so-called ‘aggressive medical treatment,’ in other words, medical procedures which no longer correspond to the real situation of the patient either because they are by now disproportionate to any expected results or because they impose an excessive burden on the patient and his family. In such situations, when death is clearly imminent and inevitable, one can in conscience refuse forms of treatment that would only secure a precarious and burdensome prolongation of life, so long as the normal obligation to care for oneself and to allow oneself to be cared for, but this duty must take account of concrete circumstances. It needs to be determined whether the means of treatment available are objectively proportionate to the prospects for improvident. To forgo extraordinary or disproportionate means is
not the equivalent of suicide or euthanasia; it rather expresses acceptance of the human condition in the face of death . . .” (1995, section 65).

This raises two issues relevant to the Requena case concerning the ordinary/extraordinary distinction. One is the general issue of whether nutrition and hydration ever can be appropriately considered extraordinary means or at least whether the standard for the burden they must meet to be deemed extraordinary is so high that they almost never can be considered extraordinary. The second issue is whether in the case of Requena in particular artificial nutrition and hydration could be considered extraordinary. Would providing Requena with artificial nutrition and hydration constitute an ordinary and thus obligatory measure or an extraordinary and thus non-obligatory measure? The issue of whether artificial nutrition and hydration ever can be extraordinary and thus non-obligatory is one on which there was and continues to be disagreement within the Roman Catholic Church, including among theologians in good standing with the Church.

In ‘Questions of Ethics Regarding the Fatally Ill and Dying’ (1981/1999), the Vatican interjected into the conversation further comments on which interventions are and are not obligatory. The statement says that “there remains the strict obligation to apply under all circumstances those therapeutic measures which are called ‘minimal,’ that is, those which are normally and customarily used for the maintenance of life (alimentation, blood transfusions, injections, etc.). To interrupt these minimal measures would, in practice, be equivalent to wishing to put an end to the patient’s life. . .” (Pontifical Council Cor Unum, 1981/1999, p. 433). This statement seems to suggest that nutrition and hydration are always to be considered an ordinary measure.
Later documents from the Vatican give greater emphasis to issues of burden, but they still indicate that “the presumption should be in favor or providing medically assisted nutrition and hydration to all patients who need them” (John Paul II, 1998/1999, p. 214).

There is disagreement among Catholic Bishops with regard to the status of artificial nutrition and hydration. Some take it to be an ordinary means always and others hold that it is sometimes ordinary and sometimes extraordinary. The National Conference of Catholic Bishops, the body of bishops from the United States, has a Committee for Pro-Life Activities who, in 1992, issued a statement on nutrition and hydration. The statement suggests that artificial nutrition and hydration are not always morally required, that is, they are not always ordinary and thus obligatory means (National Conference of Catholic Bishops Committee for Pro-Life Activities, 1992/1999, pp. 215-219). Sixteen of the eighteen Catholic Bishops from Texas issued a statement in 1990 on artificial nutrition and hydration. They hold that artificial nutrition and hydration are not always ordinary means such that it is not always obligatory to provide or receive them. The Bishops of Pennsylvania, on the other hand, issued a statement indicating that it is always obligatory to provide and receive nutrition and hydration (1992, p. 548). The *Ethical and Religious Directives for Catholic Health Care Institutions* (ERDs) (1995; 2001) is a document published by the Catholic Health Association U.S.A. that enumerates some of the obligations of Catholic health care institutions. In a commentary on this document Jean DeBlois, C.S.J and Kevin O’Rourke, O.P. (1995) note that because of the disagreement in the Church hierarchy concerning artificial nutrition and hydration, this
topic was treated separately from other forms of life support in the Directives (1995, p. 4). Directive 56 indicates that “A person has a moral obligation to use ordinary or proportionate means of preserving his or her life. Proportionate means are those that in the judgment of the patient offer a reasonable hope of benefit and do not entail an excessive burden nor impose excessive expense on the family.” Directive 57 reads that “A person may forgo extraordinary or disproportionate means of preserving life. Disproportionate means are those that in the patient’s judgment do not offer a reasonable hope of benefit or entail an excessive burden, or impose excessive expense on the family or the community.” Even though it seems that judgments regarding the provision of artificial nutrition and hydration could be made based on these two Directives, Directive 58 addresses that issue specifically: “there should be a presumption in favor of providing nutrition and hydration to all patients, including patients who require medically assisted nutrition and hydration, as long as this is of sufficient benefit to outweigh the burdens involved to the patient.” It is clear, then, that there is not a single understanding of whether artificial nutrition and hydration are always ordinary means and there was no such unified understanding at the time of Requena’s case. In the Requena case, it was the position of St. Clare’s that artificial nutrition and hydration were morally required – they were considered ordinary means.

The second main issue relevant to Roman Catholic moral philosophy in the Requena case is the distinction between intention and foresight. Critical to determining whether it would be morally acceptable to withhold care in Requena’s case is the issue of intention: by refusing nutrition and hydration was Requena trying to cause her death or
was her death by starvation foreseen but not intended. Two questions are relevant here: (1) was she actually trying to die and (2) did she even have a choice in this case or are food and water always required? Here it must be added that the Roman catholic moral theological account of double effect presupposes that it is inherently wrong to affirm certain intentions and that certain actions are evil in themselves.

The Superior Court judge indicated his certainty that Mrs. Requena was not trying to cause her death: “Mrs. Requena has always used her natural ability to swallow to its fullest extent. However, she has decided that when her natural ability to swallow has gone, she does not wish to be fed artificially. This decision does not involve any positive act to terminate life” (In the matter of Beverly Requena, Superior Court of New Jersey – Chancery Division, Morris County, P-326-86E, September 24, 1986).

An interesting issue that arises here is the extent to which the law may require an individual or institution to think through and articulate its moral commitments in advance. Of course it seems desirable that an agent consider her commitments and know her values. After all, integrity requires reflection. At the same time, we must recognize that it is possible that an agent may not be able to reflect sufficiently and articulate adequately her moral commitments without the benefit of experience. Thus we may ask to what extent the law may punish an agent for failing to reflect sufficiently by forcing her to violate what she determines are her fundamental commitments.

In his analysis of the Requena case, Stephen Wear (1991) highlights the importance of the notion of integrity in general and of an institution’s moral character (atmosphere) and of institutional moral obligations in particular. He analyzes the court’s
ruling that required St. Clare’s to comply with Requena’s request to withhold nutrition and hydration because she did not have prior warning that the institution’s moral commitments would forbid doing so. He delineates four reasons to reject the prior warning proviso the court indicated would have allowed the hospital to deny Requena’s request and forced her to receive nutrition and hydration or to be transferred: (1) The court merely stipulated that the burden of disclosure was on the institution, but such a claim requires argument (p. 227). (2) The court showed bias because it failed to recognize that the competing moral claims (the hospital’s desire not to violate its "moral views" and the patient’s desire to die in one particular institution) are not equivalent moral claims. Wear suggests that the hospital’s claim is stronger, especially since "all of the patient’s rights and wishes save one [i.e., the desire to die in that particular hospital] can be met elsewhere, and the price she will pay is not that her rights are violated, but that she will not be entitled to the care of the objecting institution . . ." (p. 227). (3) Persons, in this case the staff who were morally offended at the prospect of having to starve the patient to death, should not have to argue to have their moral views respected. Wear claims that because “simply having such views must be sufficient for equal status, lest such status come to turn instead on articulateness, not respect for persons” (p. 227). (4) Prior warning provisos are likely to be ineffective: “o we really think that any patient, at the point of admission . . . is really going to turn around and go elsewhere once they run into the ‘Sorry, but we will not starve you to death here’ disclaimer in the admission brochure’?” (pp. 227-228).
These four objections are compelling, Wear claims, but they might not convince certain skeptics who suspect that there are overriding reasons to force the hospital to comply with the patient's wishes, such as the relative powerlessness of the patient compared to the hospital and the overwhelming burdens the patient faced. It should be noted that in both the original case and on appeal, the Court included psychological harm to the patient among the burdens she should not have to bear. It is in responding to those possible skeptics who give more weight to the patient's rights and desires that Wear introduces the importance of institutional integrity. He suggests that a reasonable approach in a case such as this one would involve assigning units of value and disvalue to the different interests, values, rights, and desires that are at stake. Wear asks, “what disvalue can be attached to the ‘assault’ on the integrity of the institution?” (pp. 228-229). Here Wear also suggests that part of the reason Requena received such good care and experienced so much compassion at the Catholic hospital and thus wanted to die there, was that the hospital's basic moral commitments fostered such a caring and compassionate environment. In order for that institution to excel in providing caring and compassionate patient care, its deep moral commitments must be respected (p. 229). Only in that way can such an institution continue to manifest the moral character that had so satisfied Requena as a patient.

Finally, Wear argues that part of what makes the prior warning proviso wrong is that it denies that a hospital has a “role and responsibility in shaping and sustaining its ‘moral atmosphere’” and that to do so “is contrary to the facts, not a view that we would otherwise accept from it, nor want to embrace” (Wear, 1991, p. 230). The court's ruling
seems to deny that the institution per se has any right to refuse to participate in the starvation of the patient, though individual health care providers might retain the right to refuse to participate. (Note that some of the nurses and physicians involved in this case were obligated to violate their moral commitments in order to abide by the court ruling.) To deny the institution moral standing is both wrong and unrealistic (p. 229). We generally should not deny that moral agents are moral agents and bear moral responsibilities or that beings with a moral character have a moral character they should maintain or preserve. Therefore, in his analysis, Wear explicitly enlists the concepts of the institution’s moral character in his discussion of atmosphere and ambiance as well as institutional commitments and the concept of institutional moral responsibility.

The external crises facing Roman Catholic institutions have been compounded by internal challenges to their moral characters. There are fewer and fewer traditional leaders for Roman Catholic health care institutions (i.e., religious priests, brothers, and sisters), and there are fewer religious congregations to sponsor Roman Catholic health care institutions. Without these traditional figures, it has become increasingly difficult to distinguish Catholic health care institutions from other health care institutions. The concerns over fewer traditional sponsors and leaders have spawned a variety of suggestions about how to ensure that Catholic institutions remain true to their identity as Catholic institutions in the future. For example, in an essay on institutional sponsorship, Mary Kathryn Grant and Patricia Vandenberg, C.S.C. (1996) express concern over the loss of traditional institutional sponsors, i.e., the religious who have traditionally “animate[d] the organization and assure[d] its fidelity and organizational integrity” (p. 4).
They suggest that what is required is a return to the history of Roman Catholic health care institutions to understand how they ought to act and to find answers for the difficult questions of today so as to preserve the integrity of these institutions: “what is needed . . . is a clearly articulated vision for Catholic healthcare in the face of massive changes and a well defined plan of action to secure its future presence and participation” (p. 5). In order to generate a new set of sponsors for Roman Catholic institutions in the face of the less of traditional sponsors, Grant and Vandenberg suggest the need for an articulation of “a theology of sponsorship.” Essentially, what they are saying is that there needs to be a more explicit understanding of what it is to be a Catholic health care institution, what is required of such institutions, and why it is important for there to be faithful Roman Catholic health care institutions.

What is clear from their essay is an awareness of the changes and challenges in health care along with a concern about the continuity of a particular kind of health care, namely health care delivered according to or in the context of specific missions and goals. The worry here is (at least) twofold. First is the concern over finding sponsors who will be willing and able to work to continue the ministry of Catholic health care in the future and maintain the character of these institutions, and second is a concern with Roman Catholic institutions actually carrying out their mission in the face of new challenges. It is clear that for Grant and Vandenberg, Catholic health care institutions have a rich and deeply rooted moral character that gives them a non-negotiable set of obligations. The challenge is to preserve the moral character and to make the institution’s identity-based obligations explicit, help others to understand them, and train
and encourage others to run institutions that satisfy those obligations thus making this a heuristic example for this study.

The importance of Roman Catholic institutions' moral character and integrity has been the explicit focus of meetings, workshops, and symposia at all levels of the Roman Catholic Church, from particular health care institutions to the Vatican. One meeting, the World Symposium of the International Association of Catholic Health-Care Institutions held in July of 1999, resulted in a special issue of *Dolentium Hominum: Church and Health in the World* (1999, 43(3)). Some of the papers focused specifically on identifying the "indispensable elements" of a Catholic hospital (Lozano and Assunta, for example) and others looked at who and what should be the primary focus of Catholic health care institutions (such as De Almeida). Taken together, the papers reflect the idea that there are unique elements to Catholic health care institutions, that their character and identity as Roman Catholic institutions should be maintained, that there will be challenges to this character, and that it is important for there to be Catholic health care institution. It is clear that these authors take seriously the idea that an institution can have its own deep moral commitments, that as an agent an institution manifests a moral character, and that the character of Roman Catholic health care institutions is important. They are concerned with what it is for an institution to have a particular moral character and how it is to be preserved as well as with what moral obligations an institution has and how it is to satisfy them.\(^\text{15}\)

\(^{15}\)These issues are explored in a recent issue of *Christian Bioethics. See Christian Bioethics*, 2001, volume 7, number 1, edited by William Stempsey, S.J.
Concerns with institutional moral character and obligations are not limited to Roman Catholic health care institutions. There are other religious health care institutions concerned with issues of how they ought to provide health care given deep moral commitments. For example, Loma Linda University Medical Center is a Seventh-day Adventist university medical center in southern California. The Seventh-day Adventist Church issued an official statement in 1988, ‘Operating Principles for Health-Care Institutions,’ enumerating principles regarding issues such as the appropriate environment in which health care ought to be provided. Some of the principles are ones that most health care institutions would identify with, regardless of religious identity. For example, the first part of the third principles admittedly is religious, but the latter portion (italicized below) is shared by most health care institutions:

In harmony with Christ’s reaffirmation of the dignity of man and of His demonstration of love, which forgives and cares regardless of the past and maintains the right for individual choice in the future, Seventh-day Adventist health-care institutions give high priority to personal dignity and human relationships. This includes appropriate diagnosis and treatment by competent personnel; a safe, caring environment conducive to the healing of mind, body, and spirit; and education in healthful habits of living. It also includes supportive care of the patient and family through the dying process (1988, p. 1; emphasis added).

Other principles, however, reflect values unique to the Seventh-day Adventist tradition (or at least values that are not widely held). For example, the second principle calls for health care institutions to maintain “the sacredness of the Sabbath by promoting a Sabbath atmosphere for staff and patients, avoiding routine business, elective diagnostic services, and elective therapies on Sabbath” (p. 1). Moreover, Seventh-day Adventist health care institutions should promote “an ovo-lactovegetarian diet free of stimulants
and alcohol and an environment free of tobacco smoke” (p. 1, second principle). The cafeterias at LLMC do not serve meat or meat products, caffeinated beverages, or alcohol. Although employees in individual nursing stations and offices may have personal coffee pots, for instance, the environment promotes adherence to Seventh-day Adventist dietary restrictions (Carr, 2001). Duane Covrig has studied the history of Loma Linda University and LLMC as well as the organization’s current practices. He suggests that the institution has adopted new terminology to describe its focus in response to the changing world around it. For example, the institution at one time described its focus as “gospel medical missionary evangelism” and later as “applied Christianity” and now as “whole-person” care (2001, p. 20, manuscript in press). Although the institution continues to be grounded in Seventh-day Adventist values and spirituality and although patient care and medical education still are infused with the core values, Covrig warns that in an effort to survive and to “legitimate the organization’s founding identity to even broader . . . groups, the organization places its own distinctiveness at jeopardy” (2001, p. 22, manuscript in press).

In recent years there have been an increasing number of health care institutions that have a religious history but who no longer embody their religious identities and who are no longer explicitly religious health care institutions with deep moral commitments of a religious nature. Among such institutions are many Roman Catholic institutions that have merged with non-Catholic institutions or that have in some way grown apart from their religious tradition. Long Island Jewish Medical Center (LIJMC) is an example of an institution that was founded as a Jewish hospital but that no longer is a Jewish health care
institution in any significant sense, despite its name. According to LIJM C’s assistant executive director, Josh Yedvab, there is an attempt to maintain a connection to the institution’s Jewish history but there is no longer a commitment or attempt to characterize the institution as Jewish. Its heritage is valued as a matter of history, but the institution does not serve today as a Jewish hospital. For example, what was originally the hospital’s synagogue is now an inter-faith chapel/meditation room that can be converted to accommodate any religious practice or service, including the daily prayer times of Muslims (Yedvab, 2001). The issue of changing institutional identity over time is addressed further at the end of this chapter and in chapter four. There may be cases in which an institution’s deep moral commitments in a sense require that its identity change to whatever degree necessary (perhaps within certain bounds) in order to continue to fulfill the spirit of the institution’s commitments. Some identity changes may be licit while others may be illicit. That is, some commitments may be context-dependent while others are not and thus some changes may be licit and may actually preserve the institution’s integrity while others degrade it.

Outside the context of religious health care institutions, other religious institutions share a concern with their commitments and the relationship between their values and place in the world. Issues of institutional integrity often are a focus in religious educational institutions. Brigham Young University (BYU), a Mormon university in Provo, Utah, has spent extensive energy during the past decade evaluating how it may maintain its integrity as a Mormon educational institution (Edwards, 2001). Particularly because of the potential conflict between the value attached to academic freedom in
higher education and Mormon values, the university issued a statement on academic freedom and developed a procedure for addressing conflicts in the context of the institution. The document focuses not only on the contemporary understanding of academic freedom as the freedom of individuals to pursue and explore ideas but on the freedom and right of institutions to maintain their explicitly religious identities (Brigham Young University, 2000, p. 3). This is essential to BYU because of the value it places on its identity: "Brigham Young University . . . affirms that its relationship to The Church of Jesus Christ of Latter-day Saints is essential to its unique institutional identity" (p. 3). Thus BYU recognizes itself as having a particular deep moral character, a set of fundamental moral commitments that ought to drive its statements, policies, actions and decisions. Moreover, the institution holds that precisely because of the importance of academic freedom, it has the right to maintain this identity.

Among Roman Catholic colleges and universities, issues of what it is to be a Catholic institution have always been of concern. It seems, however, that at one time it was not as difficult for an institution to be explicitly Roman Catholic. With the increasing secularization of the student body and faculty, as well as other challenges to an explicitly Roman Catholic identity, such institutions now face more questions than answers with regard to the senses in which they maintain a particular moral character. Ex Corde Ecclesiae (1990) explores the Pope’s views concerning Catholic universities. It suggests multiple responsibilities such institutions have as well as responsibilities borne by individuals associated with Catholic universities. Ex Corde Ecclesiae makes clear that Catholic universities have a particular moral character that entails numerous moral
responsibilities and that such institutions are obligated to maintain their Roman Catholic identity and to act on particular fundamental moral commitments. Many Roman Catholic universities now have individuals and committees charged with exploring issues of institutional integrity.

This section illustrated some of the ways in which literature concerning religious health care often explicitly addresses issues of institutional moral character and moral responsibility. Religious health care institutions often reflect on what it is to be a religious health care institution with particular deep moral commitments and how they ought to provide health care given those values. They are concerned with understanding and identifying their fundamental commitments and their actions reflect an institutional character, and thus they strive to translate their deep moral commitments into actions.

B. Explicit attention to moral character: Literature concerning secular institutions

It is not only in the literature concerning religious institutions that there is an appreciation for the idea that institutions can have a moral character; can have values, commitments, and ideals.; can bear moral obligations and responsibilities; can be moral agents; and can have an integrity of their own. Discussions of institutional moral character, agency, and integrity are also found in literature concerning secular institutions. Often it is presupposed in the literature on institutional/organizational ethics concerning secular institutions that institutions can have a moral character, can bear moral responsibilities, can be moral agents, and can have their own integrity. There is also, however, secular literature that explicitly denies that institutions (or certain kinds of institutions) can have moral character and moral obligations, but careful analysis of this literature reveals that
the authors actually assume that (some) institutions can have a moral character and moral obligations. This section, therefore, is composed of two sub-sections. The first includes a discussion of literature on secular institutions that explicitly considers these concepts as appropriate to institutions. The second sub-section is a discussion of literature that implicitly addresses but fails to appreciate directly the idea that institutions can have moral character, moral obligations, be moral agents, and/or have their own integrity. In such literature there is an attempt to deny that institutions can have a moral character and moral obligations, but the arguments actually assume what they set out to disprove.

(1) Direct Appreciation
Literature concerning secular healthcare institutions as well as other types of institutions, such as environmentally-friendly investment groups, and some of the activities of such institutions reflect a concern with institutional moral responsibility. Much of the focus of secular health care institutions on organizational ethics issues may be due to the fact that health care institutions in the United States must meet the requirements of the Joint Commission for the Accreditation of Health Care Organizations (JCAHO), which since 1995 include an organizational ethics component. Paul Schyve traces the recent developments that relate to the 1995 JCAHO inclusion of the organizational ethics requirement (1996). Although Schyve mentions historical figures such as Hippocrates and Florence Nightingale, his focus is the latter half of the 20th century. It was in the 1971 Accreditation Manual for hospitals that the JCAHO first mentioned the health care environment. Thus it was during the latter part of the 20th century that the agents and parties treated as the focus of health care ethics expanded from patient and physician to
include organizations (1996, p. 14). The 1997 JCAHO requirement for organizational ethics reads: “R1.4: The hospital operates according to a code of ethical behavior. This code addresses ethical practices regarding marketing, admission, transfer, discharge and billing, and resolution of conflicts associated with patient billing.” The very basis of the JCAHO’s requirement that hospitals act according to a code of ethical behavior seems to be that hospital’s face ethical challenges, have obligations, and are agents (i.e., hospitals act). That is, rather than say all individuals in health care delivery must act according to a code of ethics, the JCAHO specifically identifies hospitals as agents who have certain obligations according to which they ought to act. Thus the body that regulates health care delivery at the institutional level in the United States explicitly includes ethical evaluation of institutions as relevant to whether or not they may be accredited health care institutions. Nevertheless, the requirements are vague. What counts as a code of ethical behavior? Certainly many of us may be able to agree on certain concepts that clearly are “ethical” or “unethical,” but much is left to the imagination. To address issues is not to address them in a particular way. Few explicit moral obligations are assigned to health care institutions by the JCAHO. Such minimalism may in fact be the appropriate approach in a secular pluralistic society such as ours in which widespread agreement on deep moral issues is not available. Despite the minimal content of the JCAHO requirements, the attention that the JCAHO gives to the idea that health care institutions are moral agents that bear (at least a certain degree of) moral obligations demonstrates that concerns with institutional moral responsibility are not limited to religious institutions.
Clinicians have recognized for centuries that they are morally obligated in multiple ways because of their knowledge and position. Recently, however, they have begun to recognize that changes in health care technology and delivery mechanisms may give them new obligations and that the institutions in and through which they deliver health care also bear moral responsibilities. (These changes may also make it more difficult to determine the character and content of their obligations.) For example, the American College of Physicians’ *Ethics Manual* was revised between 1992 and 1998 to include a number of new sections addressing previously unaddressed topics, such as genetic engineering and managed care. In a paper in the *Annals of Internal Medicine*, the members of the committee that produced the 1998 revised manual explained the revisions. In their discussion of the new “Changing Practice Environment” section they explicitly identify health care institutions as bearers of moral responsibilities: “Although this section of the *Manual* will focus specifically on the obligations of physicians in this changing context, it is essential to note that others, such as insurers and health care institutions, bear responsibility for ensuring that the fundamental ethical commitment between physicians and patients is not undermined” (1998, p. 586).

An example of explicit attention to the concepts of institutional moral character and moral agency in contemporary literature concerning secular health care institutions is a volume edited by Ruth Bulger and Stanley Reiser, *Integrity in Health Care Institutions* (1990). The contributors all share a version of the assumption that institutions can have a moral character and are bearers of moral obligations who are morally responsible for their activities (Roger Bulger, 1990, p. 3; Pellegrino, 1990, p. 168). Even though they are
sometimes acknowledged, the assumptions repeatedly are unexamined, which is part of
why the work of this study is critical. For example, Daniel Steinr asserts that universities
have a special place in society because of their values and activities (1990, p. 53). Steinr
goes on to reflect on the moral identity of institutions and offer reasons for why it is
important that institutions be aware of the central elements of their moral identity (p. 55).
In his essay, James Haughton focuses on the idea that institutions have their own cultures
(1990, p. 141), which can be understood as characters.\textsuperscript{16} In an essay toward the end of the
book in which he responds to and reflects on the set of papers presented, Edmund
Pellegrino notes that the two main concerns at the heart of the essays in the volume are
that (1) the academic health center is subject to various kinds of challenges and threats
today and (2) the activities of academic health centers now often contradict each other or
the obligations of academic health centers (Pellegrino, 1990, p. 169 and 177).

This collection of essays is based on the assumption that institutions of a
particular sort, academic health centers, have moral obligations, have commitments to
uphold, and that the institutions themselves are in a position to uphold them.

Outside the context of health care there is also the recognition that secular
institutions may have shared values that should guide the organization's operations, i.e.,
that institutions have moral commitments and/or obligations. The Governor's Office of
New York, for example, offers a training program in organizational ethics. The "training

\textsuperscript{16} It is not immediately clear to what extent Haughton recognizes the serious moral differences evident
among health care institutions that have different moral characters. That is, Haughton might hold there is
one general moral character or culture appropriate to all health care institutions (as opposed to other types
of institutions). Nevertheless, the idea that health care institutions can have a culture is important for my
claims.
program presents a process to define the shared values of an organization and provides the tools to resolve tough values-based dilemmas faced by leaders of organizations. Participants learn practical techniques for negotiating shared values; gain language and experience for analysis of ethical issues; and develop strategies for addressing difficult choices” (New York State Governor’s Office of Employee Relations, 2000). What is evident here is the idea that an institution can have moral commitments and that situations in which those commitments are under-defined or are not recognized must be remedied.

Much of the development of organizational ethics has been attributed to the compliance movement of the early 1980s motivated by concerns over weapons procurement in the defense industry (Giblin and Meaney, 1998). In the early 1980s, according to Giblin and Meaney’s analysis,

18 defense contractors drew up six guiding principles that became known as the Defense Industry Initiative on Business Ethics and Conduct. The principles required each of the contractors to adopt a code of ethics; institute ethics training; create a mechanism whereby employees could report instances of possible misconduct; monitor compliance of federal procurement laws, voluntarily disclosing any violations; attend best-practice forums; be accountable to the public (Giblin and Meaney, 1998, p. 1).

By 1991 the United States Sentencing Commission was urging all companies to implement ethics/compliance programs (Giblin and Meaney, 1998, p. 1). The distinction between ethics and law/policy is lost somewhat in the notion of ethics/compliance programs, and this distinction is one those involved in organizational ethics programs in health care often struggle to find. That is, organizational ethics can seem like nothing more than compliance with regulations. Nevertheless, it is clear that both within and
outside the health care industry, many share the assumption that institutions can be agents and can bear moral obligations and commitments.

In a study of organizational practice reported in the *Journal of Business Ethics*, Janie M. Harden Fritz, Ronald C. Arnett, and Michele Conkel (1999) examined the factors most influential in determining the extent to which employees acted in accordance with institutions’ ethical norms. A premise of their study is that organizations do in fact have ethical identities and standards. One of their conclusions is that what I call the stated moral character of an institution is important: statements of institutional moral commitment such as mission statements are “essential in today’s business because individuals need a clear articulation of group and corporate principles” (1999, p. 290). These statements provide the “ethical background” that is to guide institutional actions (p. 290). Implicit in this idea that the stated moral character directs actions is a recognition that stated moral character (ethical codes, for example), should reflect institution’s commitments because ultimately the institution’s moral commitments are what should drive actions. Fritz et al. also found that one of the central factors in determining the extent to which employees comply with institutions’ moral commitments is affected by what they see as the institution’s commitments in the actions of the organization, which is what I refer to as manifest moral character. The manifest moral character of an organization affects the way other employees understand the institution’s commitments and the extent to which they act in accordance with those commitments. This seems to be a recognition of institutions as having particular moral character which are justifiably normative for them and in which an institution’s actions and claims ought
to be grounded. Implicit in this is the idea that the manifest moral character ought to cohere with the institution’s actual commitments in part so that employees are more likely to continue to act in accord with those commitments because their study suggests that integrity breeds integrity.

(2) Indirect appreciation
The previous sub-section included a discussion of literature concerning secular institutions that explicitly invoke at some level the idea that institutions can have moral commitments, identities, or characters. Here I explore literature concerning secular institutions in which the goal is to deny the claim that such institutions have moral commitments but careful analysis of which reveals that the authors assume that (at least some) institutions can have moral commitments. Although the focus here is not specifically health care institutions, the claims are relevant to health care institutions. The literature I refer to here addresses corporations in general, but the claims could be mapped onto health care institutions, many of which are corporations. In what initially seems to be a rejection of the idea that there is a moral discourse appropriate to a particular kind of institution, corporations, Milton Friedman and Theodore Levitt show that they take seriously the importance of institutional moral character and moral obligations. Though they seem to deny that institutions can have moral character and moral obligations, the concerns Friedman and Levitt offer as reasons to deny that institutions have moral obligations actually suggest a deep recognition of the importance of institutional moral character. Friedman and Levitt explicitly object to any attributions of moral or social responsibilities to corporations. The essence of their objections is that
we ought not attribute to corporations moral or social responsibilities because it is not legitimate to attribute to such institutions the responsibility of being or acting in ways widely recognized as “good,” “socially responsible,” or “charitable.” Friedman objects to suggestions that corporate officials have “social responsibilities” beyond working to satisfy the interests of the stockholder. Note that this in itself is to say that institutions have obligations and commitments. Presumably, for Friedman, corporations should not donate money or time to charitable organizations (as they often do in the United States to organizations such as the United Way or Habitat for Humanity). He argues that the only social responsibility of business is “to [engage] in open and free competition, without deception or fraud” (1979(1962), p. 136), i.e., businesses should work to maximize profits while obeying all laws and rules of the game. Not only should corporations not have social responsibilities ascribed to them, but, he argues, it is wrong for corporate officials to take on social responsibilities on behalf of a corporation because to do so is to undermine the foundations of a free society in which individuals make choices concerning their property. The use of corporate funds to support charitable activities is wrong because “[t]he corporation is an instrument of the stockholders who own it.” If the corporation makes a contribution, it prevents the individual stockholder from himself deciding how he should dispose of his funds” (p. 137). Levitt agrees. He claims that “[t]he function of business is to produce sustained high-level profits” (Levitt, 1979(1958), p. 138) and that “Welfare and society are not the corporation’s business. Its business is making money, not sweet music . . .” (p. 13).
Arguments of the sort offered by Friedman and Levitt might be understood as denials of the possibility of certain institutions (corporations) having moral obligations and being moral agents, but that is not so. The arguments are much narrower: they merely support the idea that certain kinds of businesses, i.e., corporations that profess to be purely profit-maximizing corporations, should not take on “social responsibilities,” such as making charitable contributions. Presumably Friedman and Levitt would allow an exception if somehow those contributions actually helped to increase profits. For example, there are mutual funds that promise to invest only in “environmentally-friendly” corporations or in “animal-friendly” businesses, even if they may risk lower returns on investments by doing so. In doing so, they penetrate a special market niche.

The arguments Friedman and Levitt, however, offer do not preclude a corporation from having a moral character that includes something other than just maximizing profits. There might be side-constraints to restrict how such institutions make money, and such institutions might have moral obligations other than just maximizing profits. In making claims about what corporations should and should not do, Friedman and Levitt make normative claims about what is and is not appropriate business practice: they ascribe obligations to corporations. These obligations may represent conditions necessary for a corporation to have functional integrity, that is, it may be necessary for the parts of a corporation to work together coherently to maximize profits and minimize losses in order for a corporation truly to be a corporation because corporations are, by definition, institutions that are “to engage in open and free competition, without deception or fraud.” If such obligations are understood as contractual obligations, not moral ones, then what
Friedman and Levitt show is that some institutions are not the kinds of entities that can have moral character integrity. Certain corporations may have only the potential for functional integrity, an idea introduced in chapter one. The obligation to maximize profits, however, may be a moral obligation because it is based on the relationship between the corporation and the stockholders. It could be that Friedman and Levitt’s claims imply that there is an agreement (understood as a promise or a contract perhaps) between the stockholders and the corporation and the corporation has an obligation to keep that promise and uphold the agreement. Nevertheless, even if the obligation to maximize profits is not a moral one, Friedman and Levitt’s claims indicate that corporations are the kinds of agents that can have obligations and they would have to recognize the possibility that corporations could have additional obligations if they disclosed those obligations to their shareholders.

This rejection of suggestions that businesses should act “morally” (by being charitable, for example) might be interpreted as an objection to attributing moral responsibilities to institutions. However, to say an institution has moral responsibilities is not to attribute or ascribe a particular content to the institution’s responsibilities. The content will depend on the institution’s moral character, and to recognize that an institution can have such a moral character says nothing about what the quality of that character is and what obligations it entails. For example, to say a particular hospital has a moral character is not to say it should necessarily dedicate 10% of its care to indigent patient care. Not until we know what the hospital’s obligations are can we say anything specific about them, and not until we know the hospital’s deep moral character can we
say much about what its obligations are. The term ‘moral responsibility’ is a broad term that compasses any moral framework that might shape and obligate an institution – to recognize an institution as having moral responsibilities is not to attribute a particular content to those responsibilities or to ascribe certain obligations to the institution. Rather, it is to say that an institution has a background character to which its policies and the individuals associated with it are subordinate. To object to the possibility that institutions bear moral responsibilities by claiming that some institutions should not act in particular ways that might be considered “moral” is to read too much content into the claim that institutions can have a moral character. It may be the case that the kinds of institutions Friedman is addressing are morally thin institutions, i.e., they have thin moral obligations such that their moral obligations are simply to respect the rights of forbearance of others and to uphold agreements they have made, or that they are amoral ones, i.e., institutions that cannot have moral obligations. In Friedman’s case, he argues that they do have some positive obligations, namely to make money for the shareholders. His argument is simply that to say that institutions of the particular kinds he addresses are obligated to society in general is wrong. They say nothing about the limits of what obligations institutions may bear in general. So, arguments of the sort Friedman and Levitt offer against attributing to corporations moral or social responsibilities actually support the claim that institutions can have values, ideals, goals, etc. to which they are committed and by which they are obligated. It is just that the obligations of certain corporations are limited to respecting the forbearance rights of others, upholding agreements, and making money for shareholders. It is plausible that some institutions simply cannot have moral character
integrity and cannot be subject to such evaluation. What is not appropriate is to conclude
from that that institutions cannot have obligations at all or that institutions cannot have
moral obligations. At most, Friedman and Levitt show that corporations have positive
obligations to maximize profits and some of them have no other obligations.

There are others who seem to reject or be unaware of the possibility of an
institution itself having moral commitments and whose comments do not reflect even an
implicit appreciation of institutional moral commitments. Michael Schwartz claims that

Business organisations have no business prescribing morality to their employees .
. . nor to society. They can, however, strive to create an environment in the
workplace where employees can be comfortable in choosing to do what they
believe is the right things to do; that is, they can seek not to encroach upon a
humanistic' ethic. This invariably will be a far more arduous task then creating
an ethical code, but it is this which is required if we truly seek ethical business
organisations (2000, p. 182).

What Schwartz misses is that some institutions themselves do have moral
commitments and are obligated to fulfill those commitments. For example, in 1982
Johnson and Johnson took seriously the line in its mission statement that says that its
“first responsibility” is to those who use their products and services. The CEO decided to
take Tylenol capsules off the market altogether after poisoned capsules were found, even
though the company took a significant financial loss by doing so. The CEO understood
Johnson and Johnson’s moral responsibility to the consumer to be more important than its
duty to make a profit (Smith and Tedlow, 1989).17 The individuals associated with the
institution must, in their roles within the institution, act according to the institution’s
commitments; individuals may take on certain obligations within the context of their
institutional roles, as Drucker observed (1946/1972, pp. 36-37). Schwartz’s assessment of the relationship between institutions and their employees fails to account for the possibility of institutions being moral agents with moral commitments. This is something others have recognized and argued that individuals do in fact have to act according to certain standards as part of an institution. See, for example, Baptist Health (1999).

Despite the many examples of literature in which there is a direct or at least an implicit appreciation of institutional moral commitments, in some cases concerns with organizational ethics may be associated strictly with a desire to maintain a particular image or to meet particular legal and regulatory requirements. For example, John Abbott Worthley (1999) considers organizational ethics and health care in such a way that organizational ethics appears to be nothing more than complying with the JCAHO’s requirements, with the Federal Sentencing Guidelines, and with other rules and regulations. In *Organizational Ethics in the Compliance Context* (1999) Worthley develops his own conception of organizational ethics. He suggests that the three facets of organizational ethics are “dogma, development, and dilemma” (1999, p. 16). Dogma “concerns laws, regulations, standards, principles, and rules” (p. 16). Development “concerns matters for which dogma does not yet exist but about which rules, standards, and so forth, are developing” (p. 17). Dilemma “concerns matters for which dogma [i.e., rules, regulations, standards, laws and etc.] exists but in which different dogmas conflict” (p. 17). This vision of organizational ethics suggests a lack of appreciation for the

---

17 Patricia Werhane uses this example to support her claim that many or most businesses do not operate purely on Milton Friedman’s model of rational choice theory economics. The issue is considered further in chapter five.
possibility of a health care institution having moral commitments that drive the institution’s obligations.

Given the broad use of the concept of moral character in discussions of institutions, it is necessary to determine whether it is appropriate or possible to attribute moral character to institutions or whether attempts to do so result only in a discussion of the moral character of the individuals associated with an institution. The issue is whether or not an institution’s character is reducible fully to the individuals who constitute it. I argue in the next section that institutions are not fully reducible to the individuals associated with them. In the following chapter I show that institutions can have the three forms of moral character introduced earlier (stated, manifest, and deep).

II. Institutions are more than the sum of their parts: Institutional ontology

For the reasons identified in chapters one and two, the concept of moral character is complex, and individuals, have three different forms of moral character (stated, manifest, and deep). In the first section of this chapter I demonstrated that there is attention in the literature to the concept of institutional moral character and moral responsibility. The issue I turn to now is whether the term ‘moral character’ can be applied appropriately to institutions. I argue that (certain) institutions (and not just the individuals associated with or constituting them) can have a stated, manifest, and deep moral character that is not reducible fully to the individuals constituting them. Before I turn to the particular arguments that institutions themselves can have a stated, manifest, and deep moral character, I address the issue of whether or not references to institutions amount merely
to discussions of the individuals associated with them. If institutions are merely the sum of their parts and if properties attributed to institutions are reducible fully to their parts, then to consider the possibility of institutions having a moral character merely is to consider whether it is appropriate to attribute moral character to the individuals who constitute the institution, which would not be a philosophically interesting project. Thus before I pursue the argument that institutions can have the three forms of moral character, I argue that institutions are not fully reducible to the individuals constituting them such that to consider issues of institutional moral character is not merely to consider issues of the moral character of individuals. In this section I show that there is a long history of recognizing (certain) social entities as distinct from or not reducible fully to their parts. My discussion neither exhausts nor completely resolves the issue; rather I introduce the central themes in the debate and support my position. The goal here is to show that the identity of the whole, the institution, cannot be reduced fully to the parts, the individuals constituting the whole.

This exploration of the relationship between a social entity and the individuals associated with it is supported by Quine’s (1969) claims regarding how ontological questions ought to be framed and explored (Seabright and Kurke, 1997, p. 94). Quine argues that ontology involves relationships; to explore ontological status of an entity is to explore its identity relative to (an) other entity or entities. Ontology is relative. Given Quine’s view, it is appropriate and necessary to explore the relationships between the institution and the individuals associated with it to understand the ontological status of the institution because ontology or ontological status is relative.
To address institutions as entities with their own moral characters is to attribute to institutions identities of their own, ones that are not reducible fully to the individuals constituting them. This is controversial, though some take it for granted that institutions are distinct moral agents whose agency an moral responsibility are not reducible to individuals. Institutions are a kind of social entity, and the issue of whether or not a social entity has an identity of its own is debated. There are three distinct ways in which discussions of group identity might be understood: denials of both the ontological and metaphysical reality of groups (nominalist and methodological individualist views), a recognition of groups as having an ontological reality not reducible fully to the individuals constituting them, and a recognition of groups as having a metaphysical reality not reducible fully to the individuals constituting them. According to the nominalist view, when we talk about groups and ascribe an identity to a group or institution we do so only because it is a useful way to talk about them but not because the group actually has its own identity, status, or being. For example, if we identify a group as Roman Catholic or talk about the existence of the state, we merely use terms that attribute a being to the groups because it facilitates discussion but not because it is accurate to say that the group has its own identity as Roman Catholic or that the state is an entity. Only the individuals who constitute a group have an identity or character. Methodological individualism is the view that a whole can be understood fully in terms

18 See, for example, Goodpaster and Matthews: “corporations that monitor their employment practices and the effects of their production processes and products on the environment and human health shoe the same kind of rationality and respect that morally responsible individuals do. Thus attributing actions, strategies, decisions, and moral responsibilities to corporations as entities distinguishable from those who hold offices in them poses no problem” (1982, p. 135).
of its parts such that the character of an institution is nothing more than the sum of the
characters of the individuals constituting it; what we take to be an institution’s character
is reducible fully to the individuals associated with it. According to views that recognize
the ontological reality of groups, we talk about groups as having an identity because there
is no other way to talk about them. The discourse concerning groups simply can be
conducted in no other way because there is a level at which we understand institutions as
existing ontologically and acting that cannot be understand if we attempt to discuss
institutions and their actions only in terms of the individuals associated with them. That
is, there is a dimension of reality that cannot be reduced to individual predicates without
loss of meaning. That level of reality becomes unintelligible if we attempt to reduce our
understanding and discussion of institutions to individuals. Finally, according to the
metaphysical view of group identity, groups actually are separate metaphysical entities.

I consider each of these types of views below and suggest that a particular type of
ontological view is correct: (some) institutions have an ontological reality not reducible
fully to but dependent upon the individuals associated with them. Therefore, to consider
the possibility of institutional moral character is not merely to consider the possibility of
individuals having a moral character. The first two sections below address the extreme
positions, i.e., the views that completely deny an identity to institutions (nominalism and
methodological individualism) and the view that grants full metaphysical reality to
institutions. My attention to the metaphysical views will be brief because my goal is to
explore the possibility of institutions having their own ontological reality, not their own
metaphysical reality. I am not interested in showing that institutions are metaphysical
beings because it is not necessary to do so in order to show that properties such as moral character can be attributed to institutions per se and to show that institutions can be agents. To show that institutions can have moral character integrity it is only necessary to show that they have ontological reality. Ontological status is sufficient for the possession of moral character and moral character integrity. This discussion should not be confused with an examination of whether a particular institution or type of institution has legal standing.

The third section below (C) will be a discussion of the various positions that recognize institutions as having a degree of ontological reality that cannot be reduced fully to the individuals constituting them. Within the third section, three different positions concerning the ontological reality of institutions are discussed. According to one view, which I call the ‘relational reality view’, institutions themselves are not granted ontological status, but the relationships between the individuals who constitute the institution have ontological status. Institutional identity cannot be fully reduced to the individuals constituting them, but it can be reduced to the individuals plus the relationships between the individuals. The second ontological view considered will be the view that institutions have independent ontological reality, there is a sphere of reality occupied by institutions independently of the individuals associated with them. A third category of ontological views is that institutions have dependent ontological reality, i.e., they have an ontological reality that cannot be reduced full to the individuals constituting them but that depends individuals. It must be noted that some of the literature in which an argument is made to support the idea that institutions can have an ontological reality
of their own includes the stronger claim that institutions are metaphysical entities
themselves. The use of such literature here to support the ontological reality of
institutions should not be taken as an indication of support for the view that institutions
have their own metaphysical reality. My interest here is to show that institutions have
dependent ontological reality such that to talk about institutions is not merely to talk
about individuals associated with them without relying on unfounded assumptions about
the metaphysics and ontology of institutions.

There are multiple variations within each of the broad categories described here,
and I have not exhausted the possible approaches to the issue of whether social entities
have any reality not reducible fully to their parts (see Table 1). This discussion is not
intended to address all the possible positions concerning the ontological and metaphysical

<table>
<thead>
<tr>
<th>View</th>
<th>Principal Claim/Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nominalism</td>
<td>Social reality is reducible fully to individual parts</td>
</tr>
<tr>
<td>Methodological individualism</td>
<td>Social reality can be explained fully in terms of individual parts</td>
</tr>
<tr>
<td>Metaphysical Realism</td>
<td>Social institutions and groups have metaphysical reality</td>
</tr>
<tr>
<td>Ontological Realism: Relational Reality</td>
<td>Social institutions do not have ontological reality, but the relationships among the individuals associated with them and the individuals themselves do have ontological reality</td>
</tr>
<tr>
<td>Ontological Realism: Independent Ontological Reality</td>
<td>Social institutions have ontological reality independently of the individuals associated with them</td>
</tr>
<tr>
<td>Ontological Realism: Dependent Ontological Reality</td>
<td>Social institutions have ontological reality, but the reality is dependent on the individuals associated with it</td>
</tr>
</tbody>
</table>

Table 1: Understandings of Social Reality and Social Institutions
reality (or lack thereof) of institutions. I identify some of the principal ways social entities can be understood and show why I support the view that institutions have dependent ontological reality.

A. Denials of Ontological and Metaphysical Reality of Social Entities: Nominalism and Methodological Individualism

Two of the main theories that deny institutions metaphysical and ontological reality are nominalism and methodological individualism. Nominalism is the view that “only particulars exist; therefore, either properties do not exist or they are reducible to collections of particulars” (Bealer, 1995, p. 657). According to this understanding of institutions (or other social entities), we refer to institutions as entities or units but they do not exist independently of our understanding and awareness of them. We ascribe an identity and various properties to institutions, but institutions are reducible fully to the individuals associated with them and no properties can be attributed appropriately to institutions themselves. Institutions are mere “place holders” in our discussions.

Methodological individualism is an understanding of how social entities and the actions of social entities can be explained but not specifically of whether institutions exist in any sense. It arises in a number of different fields, including the social sciences, philosophy of science, political philosophy, and legal theory. According to the methodological individualist view, “all group properties are definable in terms of individual behaviors” (Seabright and Kurke, 1997, p. 93). Unlike nominalists, methodological individualists are not committed to denying altogether that groups, institutions, or social entities (“wholes”) exist in any ontological sense. Methodological individualists could recognize that institutions have ontological reality while maintaining that the actions and properties
we attribute to institutions are reducible fully to or understandable completely in terms of individuals. Methodological individualists may, though they are not bound to, recognize that social entities have ontological reality; what they are committed to is the claim that all properties and actions attributed to social entities can be defined in terms of individuals. Nominalists, on the other hand, are committed to saying that there is no social reality that cannot be reduced to individuals. I give a brief introduction to each view and show why I reject both nominalism and methodological individualism as ways of understanding institutions.

(1) Nominalism
Robert Nozick suggests in Anarchy, State, and Utopia that the properties of a whole can be understood by observing the properties of its parts. In the context of discussing how one might test John Rawls’ principles of justice, Nozick reveals that his conception of society includes the idea that the whole society is reducible to its parts, i.e., that society is reducible to the members of society. He says, for example, “Since we may have only weak confidence in our intuitions and judgments about the justice of the whole structure of society, we may attempt to aid our judgment by focusing on microsituations that we do have a firm grasp of” (1974, p. 204). If we can understand the microsituations that constitute the whole, we can understand the whole. This approach to understanding wholes, such as societies, coupled with Nozick’s claim that “principles that fail for microsituations” cannot hold universally (p. 203), implies that Nozick holds that larger systems or macrosituations such as states and societies, are reducible to smaller systems or microsituations, such as individuals.
Some legal theorists have also upheld the view that institutions are reducible fully to their parts. Lon Fuller (1967) argues that legal structures such as corporations are the products of our imaginations, products the legal community creates and accepts for the sake of convenience. References to such institutions are useful, but they bear no reality of their own – they are fictions.19

Nominalists hold that we refer to social entities as wholes only because it is useful to do so but that social entities do not have any reality of their own. Social entities are reducible fully to their parts.

(2) Methodological Individualism
In the social sciences as well as in the philosophy of science, the term ‘methodological individualism’ has been used to describe three different types of views concerning the relationship between social entities, complex situations, or theories and individuals, simpler situations, or theories. First, methodological individualism is a view concerning theory reducibility: theories concerning social phenomena can be reduced fully to individualist theories. Second, methodological individualists may hold that explanations of social phenomena can be explained fully in terms of individuals; individual behaviors fully explain group properties (Broadbeck, 1968). Third, methodological individualism may be an ontological view that social entities or complex situations are reducible fully to individuals or simple situations. Friedrich Hayek used the term to describe the relationship between individuals and social phenomena: “the concepts and views held by individuals... form the elements from which we must build up... the more complex

19 For Fuller’s discussion of the various motives there are for creating and using legal fictions, see his chapter 2, ‘Motives of the legal fiction,’ (1967, p. 49-92).
phenomena” (1944, p. 38). Karl Popper also upheld methodological individualism as the “unassailable doctrine that we must try to understand all collective phenomena as due to the actions, interactions, aims, hopes, and thoughts of individual men, and as due to traditions created and preserved by individual men” (1945, pp. 157-158). Finally, J.W.N. Watkins argued that social phenomena “should be explained by being deduced from (a) principles governing the behavior of participating individuals and (b) descriptions of their situations” (Watkins, 1973, p. 88). Moreover, he claimed that not “until we have deduced an account of them from statements about the dispositions, beliefs, resources and interrelations of individuals” do we have a full explanation of social events (1968, pp. 270-271; cited in May, 1987, p. 14). Speaking directly to the issue of groups and other social entities, Watkins holds that

the ultimate constituents of the social world are individual people . . . Every complex situation, institution, or event is the result of a particular configuration of individuals, their dispositions, situations, beliefs, and physical resources and environment. . . . we shall not have arrived at rock-bottom explanations of such large-scale phenomena until we have deduced an account of them from statements about the dispositions, beliefs, resources, and inter-relations of individuals. (The individuals may remain anonymous and only typical dispositions, etc. may be attributed to them)” (Watkins, 1968, p. 270-271; cited in May, 1987, p. 14).  

---

20 Leon Goldstein offers an analysis of the way Watkins and others treat methodological individualism. Goldstein argues that Watkins’ understanding is not only explanatory but also an ontological thesis. “Watkins has subsumed two positions . . . The non-methodological-ontological version of the principle of methodological individualism is that doctrine which denies the existence of certain alleged entities. The other . . . is the one which claims that all explanation in social sciences must, in the end, be reduced to individual dispositions” (Goldstein,1958, p.3 ). In this sense Watkins’ theory makes stronger claims than other methodological individualist views; his claims are, in this sense, as strong and far-reaching as the claims of nominalists.

21 There is no single claim that captures all methodological individuals positions. Harold Kincaid, in his analysis of the debate over MI, identifies seven variations of methodological individualism (1986, p. 493).

(1) social theories are reducible to individualist theories;

(2) any explanation of social phenomena must refer solely to individuals, their relations, dispositions, etc.;

(3) any fully adequate explanation of social phenomena must refer solely to individuals, their relations, dispositions, etc.:
Those who hold that wholes are nothing more than the sum of their parts suggest that social groups and institutions can be understood fully in terms of the individuals constituting them and that such groups bear no reality of their own. Social groups and institutions have no ontological or metaphysical reality; such reality belongs only to individuals. These views are inadequate; they fail to explain fully our understanding of groups and group behavior. In particular, Richard DeGeorge, whose work will be considered further below, argues that methodological individualism provides an inadequate explanation of groups and group behavior. DeGeorge rejects methodological individualism because such views “cannot make sense of such things as natural human languages and cultures. Such things are not ‘the result of the activity of any given individual’” (DeGeorge, 1983, p. 3). Moreover, Larry May argues that methodological individualism aims to explore wholes in terms of their parts unsuccessfully. Although

(4) individualist theory suffices to fully explain social phenomena;
(5) individualist theory suffices to partially explain social phenomena;
(6) some references to individuals is a necessary condition for any explanation of social phenomena;
(7) some reference to individuals is a necessary condition for any full explanation of social phenomena (Kincaid, 1986, p. 493).

Among these are two different types of methodological individualism. The first, reflected by thesis (1), is a theory reductionist version of methodological individualism. The others are explanatory reduction versions of methodological individualism, which is (part of) what Watkins holds. Furthermore, Kincaid argues against certain forms of the explanatory reduction version of methodological individualism (theses 2, 3, 4, and 6) by suggesting that even granting “the supervenience of the social upon the individual does not entail that social events can be fully explained individualistically” (1986, p. 507). Thesis (5) is an open question, one which Kincaid says he can neither prove nor disprove. Finally, thesis (7) he suggests is the most plausible and interesting version of methodological individualism, one which does not deny the claim that some social entities are reducible fully to individuals. This last version of methodological individualism merely says that explanations cannot be complete if they rely exclusively on social entities.

Methodological individualism understood this way does not fail in the way these 1,2,3,4, and 6 fail. Understood this way it does not seem to be methodological individualism at all; it is an altogether separate thesis of what kinds of explanation may or may not be completed but it is not methodological individualism in that it does not require or uphold the idea that all social phenomena can and must be understood fully in terms of individuals. For further discussion of this debate see Tuomela (1990) and Kincaid (1990).

22 For further discussion of DeGeorge, see May, 1987, pp. 25-27.
methodological individualists often hold the view that we speak of groups as groups for convenience though the term ‘group’ corresponds to nothing beyond individuals who constitute the group and thus the ‘group’ concept is a fiction, May suggests that methodological individualism also relies (sometimes) on other fictions or created entities that do not correspond to an actual being with its own identity. In particular, May rejects Watkins’ use of ‘anonymous individuals’ to explain group behavior. Watkins suggests that social phenomena can be explained and understood fully only in terms of the “statements about the dispositions, beliefs, resources, and inter-relations of individuals,” but Watkins also suggests that these individuals may be ‘anonymous’ individuals to whom we ascribe only “typical dispositions, etc.” (Watkins, 1968, pp. 270-271; cited in May, 1987, p. 14). According to May, then, methodological individualism typically rejects discussions of groups and institutions as discussions of fictions reducible fully to the individuals constituting them and replaces such discussions with other fictions whose identity cannot be reduced to actual individuals, namely anonymous individuals. Methodological individualists posit a different sort of fictional entity and thus fail to show that the wholes are reducible fully to their parts.

The work of John Searle also provides significant reason to reject methodological individualism. In The Construction of Social Reality (1995), Searle explores the ontology of social reality, of taken-for-granted social institutions such as money, property, marriage, and governments (p. 1). Much of his thesis depends on the understanding of collective intentionality he offers. He suggest that humans “not only engage in cooperative behavior, but . . . . they share intentional states such as beliefs, desires, and
intentions” (p. 23). Such “we intentionality” cannot and should not be reduced to individual intentionality: “Collective intentionality is a biologically primitive phenomenon that cannot be reduced to or eliminated in favor of something else” (p. 24). However, such reduction is precisely what methodological individualism entails, he argues. Searle suggests that such reductionism has been favored because of the fallacious belief that either all intentions must be reducible to individual intentions or we must accept some implausible “super mind floating over individual minds,” such as a collective consciousness (p. 25). This dichotomy, Searle says, reflects a failure to appreciate the possibility that even though it is “the case that all my mental life is inside my brain, and all your mental life is inside your brain, and so on for everybody else,” this does not imply “that all my mental life must be expressed in the form of a singular noun phrase referring to me” (pp. 25-26). What Searle argues, in essence, is that there is collective intentionality, i.e., that it is appropriate to say “we intend” and that “we intend” is different in important ways from “I intend,” even though all the intending is done inside individual minds. “We intentions” construct social reality; they make it possible for there to be social facts and for us to recognize social facts. Methodological individualism does not and cannot accept such “we intentions” and thus cannot account for social reality.

Similarly, Margaret Gilbert (1989) analyzes social phenomena such as group beliefs, group actions, and group identity and argues that social concepts such as these are grounded in what she calls ‘plural subjects’. She argues that social groups we identify or recognize as subjects are a unique type of entity, namely plural subjects. The identity,
actions, and beliefs of plural subjects must be acknowledged. Her analysis demonstrates the inappropriate nature of assumptions regarding social phenomena that reduce such phenomena to individuals and fail to acknowledge the existence of plural subjects.

The most important and powerful reasons to reject both nominalism and methodological individualism may be the positive arguments that show that institutions themselves and (some of) the properties we attribute to them cannot be reduced fully to individuals and cannot be understood completely in terms of individuals. These arguments suggest that there is a level of reality that cannot be understood in terms of individual predicates and that to try to reduce discussions of institutions to individuals would render the understanding of institutions meaningless. Thus I reject the idea that nominalists and most methodological individualists support that no social entities exist that cannot be reduced fully to their parts. As I said above, my interest primarily is with the ontology of institutions, and methodological individualism fails to show that institutions cannot have an ontology that is reducible fully to the individuals associated with them. Methodological individualism may also fail as a theory of explanation of social phenomena and the reducibility of theories, but I will not pursue that claim here. My reasons for rejecting these views will be developed in the discussion of the ontological reality of institutions (See section C below).

B. Metaphysical Reality of Institutions
Contrary to nominalism, which denies social entities any ontological and metaphysical reality, and contrary to methodological individualism, which usually denies ontological reality to institutions and social groups, is an understanding of social entities as having
not only ontological but metaphysical reality. This view is not widely represented in the literature, but I include it here to fill out the conceptual map depicting the ways in which social entities can be understood.

David Hillel-Ruben's position is an example of this type of view. Although he does not make a strong positive argument for the metaphysical existence of social entities and instead focuses on rejecting the claim that "there are no irreducible social entities" (1985, p. 9), his argument suggests that he takes social entities to have metaphysical reality. First, he argues against four major claims regarding social entities. He holds that "metaphysical individualism concerning social objects is false; social objects are not wholes whose parts are human individuals; social properties are not reducible to mental properties; methodological individualism, as a view about explanation in the social sciences, is false" (Hillel-Ruben, 1985, p. ix). Hillel-Ruben holds that there are irreducible social entities. Second, he offers his discussion as an explicitly metaphysical one (p. 2). Together these claims suggest that he supports the idea that social entities have metaphysical reality, even though he does not deny "that there is some close relation between social entities and human individuals" (p. 45).

The principal argument against such views is that they are implausible. I will not pursue further a critique of these views because I have no need either to defend or reject the view that institutions have metaphysical reality. I am interested only in showing that institutions do have a (certain type of) ontological reality. That much is necessary in order to show that discussions of institutions are not merely discussions of individuals associated with them. It is not necessary, however, to show that institutions are
metaphysical entities in order to pursue my claims regarding institutional moral character, moral responsibility, and moral integrity. Therefore, I proceed to the argument that institutions have ontological reality. Moreover, if it turns out to be the case that institutions do have metaphysical reality – a reality that transcends their ontological reality – my claim that institutions can have moral character and moral character integrity still hold.

C. Ontological Reality Views
In the previous two sections I rejected those views that deny altogether the reality of social entities (nominalism and most forms of methodological individualism) and I showed that while I reject the view that institutions have their own metaphysical reality, it is not necessary to pursue that claim for my project. I consider in this section the more plausible set of positions, namely views that take seriously the ontological reality of groups and recognize that that institutions have a certain degree of ontological reality that is not reducible to the individuals associated with them. These views have the advantage that they can explain social phenomena and group behavior, which nominalism and methodological individualism fail to do, while avoiding the unsupported assumptions relied on by those who propose that social entities have their own metaphysical reality. As already noted, there are three main ways the ontological reality of a social entity is understood. At one extreme is what I call the ‘relational reality view’, according to which entities such as groups themselves do not have ontological reality but the relationships between the members of a group do have ontological reality. At the other extreme of the ontological positions is the view that groups have an independent
ontological reality. Finally, the most plausible view, I argue, is that groups have dependent ontological reality: the ontological reality of groups cannot be reduced fully to the individuals associated with them but it does depend on there being individuals associated with them. I consider each of these separately below.

(1) Relational Reality View
A position that continues to deny the ontological reality to institutions but which does not reduce fully the identity of institutions to their individual constituents is a position I call the ‘relational reality theory’. According to this view, the identity of social groups such as institutions can be reduced to the conjunction of the individuals who make them up and to the relationships among those individuals. This view is a rejection of radical individualism without an affirmation of a social entity itself as having metaphysical or even ontological reality. This view brings us closer to a correct understanding of groups, but it is not accurate.

Larry May’s view is precisely this: “individual persons and relationships have reality, but not social groups themselves” (1987, p. 24). In formulating his view, May says that the “relationships’ among individuals do have a reality, a distinct ontological status which is different from the individuals who are so related. However, the reality of these relations is not sufficient to ensure that the groups, which are composed of individuals in relationships, have reality independently of the individuals who compose these groups” (May, 1987, p. 23). “Social relationships have a reality in that they structure or unify a group of individual human persons so that these persons can act and have interests in different ways than they could on their own. In this sense, social
relationships have a reality which is distinct from individual human persons since the relationships are not themselves reducible to psychological, or other, features of human persons” (p. 23). May proceeds to analyze cases of group action, intention, and responsibility in different types of groups and under different circumstances. He concludes on the basis of his analysis that “there is not, in addition, a separate reality for social groups. Individual persons and relationships have reality but not social groups themselves” (p. 24). I reject May’s view in part because he successfully defends the idea that groups do not have separate or independent ontological reality but he fails to appreciate the distinction between dependence and reducibility. He need not hold that groups have no reality at all simply because their reality depends on the relationship between the individuals themselves. Thus, although May claims that he is denying any ontological reality to groups, what he really denies is that groups have independent ontological reality. He does not show that it is only the relationships that have ontological reality rather than the groups themselves.

May does capture the importance of the relationship among individuals, but he fails to account for the ways in which we recognize regularly particular types of groups or institutions as agents who have a reality of some sort. Nevertheless, his analysis of group agency points to an important issue that cannot be ignored in examining group agency: individuals play a critical role in actions we attribute to groups. I argue later that what this role of individuals suggests and reflects is that the ontological reality of groups and institutions may depend on individuals. May’s claims do not show that their identity is reducible fully to individuals; nevertheless, he does compel us to include in our
account of institutional agency the role individuals play in giving institutions any ontological reality they might have.

(2) Independent Ontological Reality View
A second type of view that involves consideration of a group’s ontological reality is the view that groups have their own ontological reality that is not reducible fully to the individuals constituting them. Although not concerned with institutions per se, in his discussion of social facts in *The Rules of Sociological Methods*, Emile Durkheim suggests that social phenomena have an ontological reality that stands independently of individuals, and his claims are instructive here. He distinguishes thoughts “we find in every individual consciousness” (1895 (1973), p. 6) from “truly social phenomena,” i.e., those social manners of acting and thinking [that] acquire, by reason of their repetition, a certain rigidity, which on its own crystallizes them . . . and isolates them from particular events which reflect them from particular events which reflect them. They thus acquire a body; a tangible form, and constitute a reality in their own right, quite distinct from the individual facts which produce it (p. 7).

Social phenomena, moreover, “can exist even without being actually applied” (p. 7). May (1987) interprets Durkheim to mean that social phenomena “exist even when they are not currently instantiated by individual persons” (1987, pp. 19-20). If this interpretation is correct, then what Durkheim suggests here is that the genesis of social phenomena depends on individuals in the sense that social facts are born of repetition by individuals, but that once they exist, social phenomena can exist without being applied by individuals.
This account has the advantage of recognizing as social entities those groups or institutions we treat as entities. However, the view that institutions can have independent ontological reality must be rejected. First, they are implausible. It is difficult to imagine what it would be to say an institution had ontological reality if there were no individuals associated with the institution or instantiating the institution. If the entire board of directors, all administrators, and staff of a hospital simultaneously resign and vacate their positions within the institution, and all patients leave the institution, it would be very difficult to assert appropriately at that moment that the hospital exists in any meaningful sense. It would be especially difficult to say that the hospital in any way acts at that moment. It would lack agents to make and execute decisions. Moreover, these views fail to appreciate the critical observation May and others make that individuals and the relationships among them are critical to the existence of social entities. The lack of attention to the role individuals play in making it possible for us to recognize institutions or groups as entities results in a gross misunderstanding of what social facts are and can be.

In the next section I explore a position that not only recognizes social entities as having an identity that is not reducible fully to individuals but also demonstrates an appreciation of the role individuals play in making it possible for institutions to have reality. This makes it possible to argue later that institutions can have a moral character that is not fully reducible to the individuals constituting it, though it may be somewhat dependent on them.
(3) Dependent Ontological Reality View
A broad range of accounts or understandings of institutions can be categorized under the ‘dependent ontological reality’ view. First I distinguish between four types of dependence. Then, I argue that institutions have an ontological reality that is not reducible fully to the individuals constituting them, though it is a reality that is dependent in multiple ways on the individuals associated with the institution. This section has two sub-sections, one focusing on historical literature that supports the dependent ontological reality view and the other focusing on contemporary literature that supports this view.

Much of what I take to be literature upholding the depending ontological reality view may seem initially to support the view that groups have independent ontological reality because the dependency is only implicit in the discussions. My analysis makes explicit the relationship between individuals and social entities and the implications it has for group identity.

There are (at least) four types of dependence relevant to this discussion. I distinguish the four forms of dependence and suggest that none of them constitutes full reducibility or equivalence such that even if institutions depend on individuals for their ontological reality, their identity is not necessarily reducible fully to such individuals.

The purpose of this section is to show that institutions can have an ontological reality that is dependent on but not reducible fully to the individuals associated with them.

The first type of dependence is causal dependence whereby the actions of individuals create or cause the institution to exist. To say that X caused Y is not equivalent to the claim that Y is reducible fully to X and it does not entail that Y is
reducible fully to X. I offer an example of a way in which an institution can be causally dependent on individuals in my discussion of Hobbes below.

The second type of dependence is material dependence by which we assert that institutions depend on individuals to instantiate them and give them material reality. Without individuals to instantiate the institution, an institution would have no material reality. To say that A is materially dependent on B is not to say that B can be reduced fully to A. The employees of a school, for example, are essential to the school’s existence in that without any staff to instantiate the school it would be difficult to claim that the school exists. The employees (and students) instantiate the institution and make it a school. At the same time, the employees (and students) are not equivalent to the school; there is something about the identity of the school that cannot be reduced fully to the individuals. We do not think that the school is nothing but the individuals associated with it even though to say anything about the school and its activities there must be individuals to instantiate it.

Third is phenomenological dependence whereby we recognize that to experience the social reality we call an institution presupposes the individuals associated with the institution. The social experience depends but is not reducible fully to the individuals. An example of this type of dependence appears below in the discussion of Alfred Schutz (1973), who appreciated the constitution of social realities with particular finite provinces of meaning.

Finally, the fourth type of dependence is categorial reality. Hegel understood there to be levels of categorial reality where the higher categorial levels nevertheless
depend on the lower levels (see Engelhardt, 1973, pp. 102-104n18) or a moment of their reality. That is, Q, which is the higher truth of P, nevertheless situates P as a moment of Q so that Q presupposes P. To talk about categorial reality is to talk about they ways in which various levels of reality are intelligible. In the case of individuals and institutions, we can say that certain individual actions are understandable only in terms of an institution’s actions, e.g., the actions of the members of the board of directors of a corporation cannot be understood fully and completely as actions of individuals; they can only be understood fully and completely in the context of the institution. Therefore, the institution is the higher truth of individuals in this case. This shows that institutions must have ontological reality because there is a whole that must be understood in order to make sense of individual actions and we cannot reduce our understanding of that whole to its parts. Institutions are in or have a higher categorical level than individuals and the higher level depends on the lower level; without the lower level, the higher level would not be possible. For institutions to be the higher truth of individual actions is to say that institutions are at a higher categorical level than individuals, and the higher level depends on the lower one’s existence. Q is categorially dependent on P when P is the higher truth of Q. For P to be the higher truth of Q is to say that the actions of Q can only be understood completely as also actions of P. Actions of members of the board of directors (when they act as members of the board), for instance, can only be understood fully and completely as also actions of the board. They cannot be understood fully and completely as individual acts. In the two sub-sections below I consider historical and contemporary
discussions of individuals that suggest that institutions have dependent ontological reality. In the discussion, examples of different forms of dependence will be discussed.

(a) Historical Support for the view that institutions can have ontological reality that is or may be dependent on individuals

Some of the earliest work concerning the issue of the relationship between a whole and its parts addresses the status of the state. I introduce this literature here to point to the fact that there is widespread and long-standing support for the idea that certain types of groups or institutions are not reducible fully to the individuals associated with them. According to organic theories of the state, the state itself is a person and it is not merely the sum of the individuals associated with it, and the moral language and concerns associated with it cannot be reduced to individuals. Even though it might not make sense to talk about a state if there were absolutely no individual human persons constituting it and thus there is a sense in which the state is materially dependent on individuals, according to organic theories of the state, the state is a separate entity, an ‘artificial person’ to use Hobbes’ term.

There are different types of claims about why it is appropriate to talk about the state as a separate entity with its own being, but implicit in all of them is the idea that the state’s identity depends on there being individuals who constitute it even though its identity is not fully reducible to those individuals. Plato’s organic theory of the state indicates that the state is a whole made up of parts, that only when all the parts are functioning properly can the whole be whole, and that the whole cannot be reduced to its parts. Plato ascribes a personality to the state as a whole, a personality which is not equivalent to the personality of its parts. For example, in the Republic he attributes to the
state properties usually identified with or attributed to individual persons, such as happiness, interest, justice (Republic II 368e). The city, therefore, has its own character. However, it is clear that this character, although not reducible fully to the parts, depends upon the parts: if the city is unhealthy it is because (some of) the parts are not functioning properly and the city is healthy when the parts function properly. Thus in Plato’s organic theory of the state, the state is a person – a whole – whose identity depends on but is not reducible fully to its constituent parts:

The importance of the state having a being of its own, its own ontological reality, is even more clear in Rousseau. For Rousseau, only by being part of the whole can individuals realize their rights. The whole is greater than the sum of the individuals associated with it, and there is a qualitative difference between sum of individuals as individuals and the totality created by individuals who together compose the general will or the society. He says, “Each of us places in common his person and all his power under the supreme direction of the general will; and as one body we all receive each member as an indivisible part of the whole” (Rousseau, 1968, p. 15; emphasis added; see page 16 for definitions of the parts and whole). Rousseau notes that the whole is different from its parts: “each individual may, as a man, have a private will, and dissimilar or contrary to the general will which he has as a citizen. His own private interest may dictate to him very differently from the common interest” (p. 18). The individual as individual is qualitatively different from the individual as part of the whole; and the individual as part of the whole is not reducible to the individual as individual because of the qualitative differences between the parts and the whole. Furthermore, there is a qualitative
difference between the will of individuals and the will of the whole such that the latter cannot be reduced to the former: “In perfect legislation, the private or individual will should be null, the will of the body of the government very subordinate, and consequently the general or sovereign will always predominant over all and solely directing all the rest” (p. 56). The sovereign cannot be broken down to its constituent parts. Criticizing the idea that the general will is reducible to its parts, Rousseau says,

sometimes our theorists confuse all the parts and sometimes they separate them. They make the sovereign a creature of fantasy, a patchwork of separate pieces, rather as if they were to construct a man of several bodies – one with eyes, one with legs, and the other with feet and nothing else . . . This is more or less the trick that our political theorists perform – after dismembering the social body with a sleight of hand worthy of the fairground, they put the pieces together again anyhow . . . we should find that whenever we thought that sovereignty was divided, we had been mistaken . . .” (Rousseau, 1968, pp. 70-71).

For Rousseau, then, the individual members of society together constitute the society and the general will. The general will may be very different from the wills of individuals, even though it is constituted by those individual wills. The general will cannot be reduced fully to the individuals. Nevertheless, the general will is causally dependent on those individuals because it is constituted or created by them. Thus the state has an ontological reality different from and not reducible fully to the individuals associated with it, but this reality depends on those individuals.

Hobbes developed a theory of natural and artificial persons in _Leviathan_ (1985/1651). 23 The account offers an understanding of how collective actions, actions performed by individuals but attributed to groups or institutions (e.g., when a company

---

23 For a careful discussion of Hobbes' theory, see Copp (1980).
lays off employees, a particular individual must communicate the decisions, but the laying off is attributed to company decisions), and what David Copp calls ‘secondary actions’, actions performed by an individual or group of individuals but attributed to another agent are possible (Copp, 1980; Ladd, 1970; Pitkin, 1967). There are simple cases of secondary actions in which an agent authorizes another agent to act on his behalf and then the action is attributed to the first agent (e.g., when John gives Jane power of attorney to sign closing papers for a house, the activity of buying the house is attributed to John even though Jane is actually signing the papers). In his discussion of Hobbes, Copp offers the example of Cicero: when it is asserted that Cicero carried out executions, what is meant is that those who were authorized by Cicero actually performed the executions but they are attributed to Cicero because they were done under his authority (Copp, 1980, p. 580). Using Hobbesian terminology (Hobbes, *Leviathan*, p. 218), Cicero is the author and the others are his representatives. Hobbes contrasts a natural person, a person whose words and actions “are considered as his own” (p. 217), and an artificial person, a person whose words or actions “are considered as representing the words and actions of an other” (p. 217). The Leviathan (commonwealth or state) is an artificial person (p. 81), as are hospitals and churches (p. 219). Natural persons can be both representatives and authors. However, as Hobbes points out in *De Homine*, not all artificial persons, such as churches and hospitals, can be authors even though they can be persons (*De Homine*, chapter 4, p. 85).

Hobbes accounts for the development of the artificial person Leviathan as the reasoned development from the state of nature (war) to peace in chapter 14, and in this
account the identity of the sovereign is causally dependent on individuals for its ontological reality. It is also clear in his discussion that the sovereign is not fully reducible to the individuals who created or constitute it. In the state of nature, each person governs himself and thus all are in a state of war. In this state, each person takes himself to have a right to everything: “The right of nature, which writers commonly call Jus Naturale, is the liberty each man hath, to use his own power, as he will himselfe, for the preservation of his own nature; that is to say, of his own life; and consequently, of doing any thing which in his own judgement, and reason, hee shall conceive to be the aptest means thereunto” (Leviathan, chapter 14, p. 189). Furthermore, “because the condition of man is a condition of warre of every one against every one; in which case every one is governed by his own reason; and there is nothing he can make use of, that may not be a help unto him, in preserving his life another his enemyes; it followeth, that in such a condition, every man has a right to every thing; even to on another’s body” (Leviathan, ch. 14, pp. 189-190). The rational response to this is to seek peace: “it is a precept, or generall rule of reason, that every man, ought to endeavour peace, as farre as he has hope of obtaining it; and when he cannot obtain it, that he may seek, and use, all helps, and advantages of warre” (Leviathan, chapter 14, p. 190). Moreover,

That a man be willing when others are so too, as farre-forth, as for peace, and defence of himselfe he shall think it necessary, to lay down this right to all things; and be contented with so much liberty against other men, as he would allow other men against himselfe” (Leviathan, ch. 14, p. 190).

Right is layd aside, either by simply renouncing it, or by transferring it to another. By simply renouncing; when he cares not to whom the benefit thereof redoundeth. By transferring; when he intendeth the benefit thereof to som certain person or persons (Leviathan, chapter 14, p. 191).
The only way to erect such a Common Power as may be able to defend them from the invasion of forraigners, and the injuries of one another, and thereby to secure them in such sort, as that by their owne industrie, and by the fruites of the Earth, they may nourish themselves and live contentedly; is, to conferre all their power and strength upon one man, or upon one assembly of men, that may reduce all their wills, by plurality of voices, unto one will: which is as much as to say, to appoint one man, or assembly of men, to beare their person; and every one to owne, and acknowledge himselfe to be author of whatsoever he that soeareareth their person, shall act, or cause to be acted, in those things which concerne the common peace, and safetie; and therein to submit their wills, every one to his will, and their judgements, to his judgment (Leviathan, chapter 17, p. 227).

In the process Hobbes describes, rights are transferred, not simply relinquished, by individual agents (natural persons) to the artificial person. In this sense the artificial person (the state) is causally dependent on individual agents because it is the act of transferring the rights that creates (causes) the artificial person. Without natural persons transferring such rights to the sovereign, there would not be sovereign and thus the sovereign depends on natural persons. At the same time, the sovereign is not reducible fully to those individuals.

The point here is that Hobbes recognized the state and other inanimate entities such as hospitals as bearers of an identity that is dependent on natural persons for its existence and for the execution of its duties but which is not merely the sum of those natural persons and it is not reducible fully to the individuals.

Plato, Rousseau, and Hobbes show different senses in which the whole — the state — has a reality that cannot be reduced fully to the individuals associated with them even though it depends on them. Their understanding of the state and claims regarding the status of the state support the ontological reality of institutions, or at least of a certain kind of institution.
(b) Contemporary literature

Further support for the idea that social entities have an ontological reality that is not reducible fully to the individuals constituting them but that depends on individuals comes from contemporary literature on the state and from recent discussions concerning group and corporate moral responsibility. Recent literature concerning the responsibilities of the state continues the tradition of recognizing the state as an agent whose identity, roles, and responsibilities are not reducible fully to the individuals constituting it. Discussions of the moral responsibilities of corporations have also contributed to the view that the identity of institutions cannot be reduced fully to the individuals associated with them or to the legal stipulation that they are persons before the law.

Anthony Quinton (1976) offers a particularly ecumenical view concerning the ontology of what he calls ‘social objects’, namely “group[s] or institution[s] which contain or involve a number of individual human beings, such as a people, a nation, a class, a community, an association, a society…” (1976, p. 1). Quinton identifies his view as a modified ontological individualist position because he, like most ontological individualists, holds that “all statements about social objects are statements about individuals, their interests, attitudes, decisions, and actions” (p. 11). Given this, Quinton appears to think that social objects have no ontological reality – they are reducible fully to the individuals associated with them. However, he distinguishes himself from traditional ontological individualists, and what he says to differentiate his view suggests that he holds that social objects do have ontological reality even though they depend on the individuals who constitute them for that reality, making his position a dependent ontological reality view rather than an ontological individualist one. He says that
ontological individualism typically “is taken to imply that social objects are not concrete things but abstractions, convenient devices of abbreviation for thinking about social actions and relations of individual human beings . . .” (p. 10). Contrary to this view, Quinton holds that “the reducibility of social objects to people does not have such an implication since it is of a different kind” (p. 10), and he describes the relationship between the individuals who are associated with a social object and the social object itself as “the relation of a whole to its parts, of a wood, for example, to its trees. A wood is nothing but the trees that compose it, suitably arranged, but it is as real and concrete a thing as any of them is” (p. 11; emphasis added). The final sentence in this quote suggests that social objects have reality but that the reality is dependent upon the individuals or parts associated with it.24

Richard DeGeorge and David Copp both offer theories of how the relationships among individuals associated with a group give groups a reality of their own, and both views can be taken to support the dependent ontological reality of groups. Although DeGeorge, like May and Copp, focuses on the relationships between those associated with a group, their views depart from May’s relational reality view in that DeGeorge and Copp argue that the relationship gives reality to the institution while May recognizes only the ontological reality of the relationships and not of the groups themselves. DeGeorge argues that only individuals may have a will such that it is inappropriate to suggest that groups are entities that exist independent of individuals (1983). Nevertheless, he does

24 I am not the first to suggest that Quinton’s claim to be an ontological individualist, even a modified one, is far from accurate. David Hillel-Ruben, for example, goes so far as to call Quinton a metaphysical holist: “Quinton believes that there are human individuals and that there are irreducible social objects, and this seems as clear a statement of metaphysical holism as one could wish for” (1985, pp. 4-5).
propose that groups (universals) have a reality. For DeGeorge, the reality of institutions lies in the ways in which they are embodied in the world, e.g., through documents, laws, and customs associated with a given institution. Social groups have reality because of the relationship among the individuals who constitute them. DeGeorge’s arguments suggest that at least formal organizations and groups have a reality. In ‘Social Reality and Social Relations’ (1983), DeGeorge argues that both individuals and social entities (such as collectives, organizations, corporations, and societies) are real and each depends on the other to a certain degree for its reality. With regard to collectives, he says that its “reality... is determined not only by the reality of the members who make it up either at one time or over time, but also by the relations... that make it up and that relate the individuals to it” (1983, p. 9). This seems to be a recognition of material dependence because institutions depend on individuals to embody them and thus without individual predicates to embody the institution, an institution would have no ontological reality.

Furthermore, collectives depend on individuals to act in the world:

Only entities that have bodies can produce physical changes in the world. Corporations, nations, societies may own land, factories, machines, and so on, but they do not have physical bodies comparable to the physical bodies of the individual human beings who make them up or act for them. Yet collectives... often make the actions of the individuals the kinds of actions they are and not just bodily movements. Without the relations of the collective, the actions of the individuals would not be actions, for their conscious intentions make sense only because of the organization and its reality (1983, p. 13).

Copp (1984) also proposes a dependent ontological reality of formal organizations, e.g., “corporations, trade unions, government agencies, educational and health care institutions, military organizations...” (Copp, 1984, p. 257), though in Copp’s theory the dependence is heavier than in some other views. According to Copp, a
group is “a complex of its stages” (p. 253), meaning that at various stages in an organization’s history different individuals may constitute it and it is the sum of those stages that makes the group. He calls this type of identity structure a ‘mereological sum’: an organization is a sum of the stages of individuals constituting it linked by the roles they play in the organization and the rules governing the organization over time. He defines mereological sums as follows: “The mereological sum of a set of entities is that entity which overlaps with every part of every entity in the set and with nothing else” (p. 252). Mereological sums do have an identity: they are “no less concrete than are the entities in the set[s] which [they] sum” (p. 252). According to Copp, therefore, the individuals who constitute an organization over time are critical to the organization’s identity as it is the sum of all those stages of parts that is the organization. This suggests a material dependence of institutions on individuals, but it also suggests an ontological reality because there is some level of reality that we understand as the group which we cannot understand fully in terms of individual parts. Copp recognizes that the sum is not reducible fully to those individuals. The group is the sum of the stages of persons, and the stages are a continuum over time rather than discrete sets of particular individuals. Discussions of groups are not reducible to the individuals who constitute the stages that together are the organization. The dependence of the organization’s reality on the individuals associated with it over time is clear here: without individuals to constitute an organization at a given point in time, there would be no overlap. The empty stage at which there was no one to constitute the group might rupture the continuum; it is not clear whether Copp thinks that an organization could survive an empty stage, but his
view suggests that this a strong possibility. If he does hold the view that an institution could survive a period in which there were no individuals instantiated it, then he is subject to the challenge that it is implausible. Consider again the example of the hospital whose board of directors, administrators, and employees all vacate their positions simultaneously.

Copp is even more clear about the dependence of groups on the individuals associated with them in his discussion of the role of the will or intent of individuals associated with a group in determining whether the group can appropriately be said to have an intent. This discussion is in the context of his analysis of Hobbes’ view of artificial persons. Copp offers as an example the “actions of a commonwealth” which are performed by the sovereign on the authority of the subjects (1984, p. 596), i.e., they are commissioned acts, or by the assembly (p. 599) as determined by an institutional decision procedure (p. 600). For Copp, there are two ways a group may have intent. First, there may be an “institutional decision procedure” that serves to unify the individuals who constitute the group such that the results of the institutional decision procedure are by definition choices of the group (1980, p. 596). Absent an institutional decision procedure, a group is merely an aggregate. In that case, Copp requires that the individuals agree unanimously with a choice in order to attribute the decision to the group as such (p. 604). It is clear that both mechanisms by which a choice can be attributed to a group depend on there being individuals to constitute the group. Institutional decision procedures typically involve individuals as such procedures are structures that organize individuals, and unanimous choice clearly requires individuals. Thus in both scenarios
actions and intentions may be attributed appropriately to the groups as such, but in both cases the reality of the group depends on the individuals who constitute it. Examinations of institutional decision procedures also reflect issues of categorial dependence. If we look at the actions of the individuals involved in a group, we cannot understand them fully and completely. Such actions make sense only in the context of the institution or group.

Evan Fales examines social institutions with the intention of developing a non-reductionist account that is not blind to the ontology of social institutions: “What is required in order to make a non-reductionist position plausible is an account of the ontological relationship between persons and culturally emergent entities and persons, which can accommodate both the evident fact that these entities are the products of an evolutionary history beginning in the interactions of physical bodies, and the fact that the existence at any time of cultural entities is dependent upon the concurrent existence of physical entities of certain sorts” (Fales, 1977, p. 144). He recognizes that social institutions depend on individuals for their genesis (p. 143), which suggests a causal dependence. Individual acts are necessary to create the institution. Radical reductionists fail because they do not to distinguish between the genesis of an institution and its ontology (p. 142 and 143). It is the case, according to Fales, that social institutions depend on individuals for their origin and development, but they cannot be reduced fully to the sum of those individuals: “Societies, with the traditions they perpetuate, are . . . more powerful than individual men – and, in a sense, more powerful than their population at any time taken collectively” (p. 149).
The idea that the state is an agent that bears moral obligations and is an agent with the ability to discharge those obligations has resurfaced in recent discussions regarding reparations to African Americans for slavery and institutionalized discrimination. In those discussions in which it is claimed that the state has an obligation to compensate a certain group or set of groups for slavery, it is presumed that there are individuals who must help the state make payments. The state’s ability to discharge its responsibilities depends on there being individuals associated with it even though the obligations remain the obligations of the state, i.e., the state is an agent with obligations and depends on those who constitute it to execute its obligations, but the obligations are not redistributed to the individuals and the state’s identity as an agent is not dissolved or reduced to the individuals. I introduce this discussion here only as an example of contemporary literature in which it is claimed that the United States is an agent with moral and financial obligations. Certainly much more could be said and the example raises numerous interesting issues about the ontology and responsibility of various groups. The following should be understood only as an example of individuals who have attribute responsibility to the state and the way in which the state is understood as depending upon individuals to discharge its responsibilities.

In 1969, James Forman introduced the idea that various social institutions, such as churches, owed money to African Americans (see Bittker, 1973). A recent book by Randall Robinson, *The Debt: What America Owes to Blacks* (1999), has once again brought the issue to the public forum. The arguments for reparations are buttressed by the fact that there is precedent for the state acting to repay those who have been wronged: in
1988 the U.S. Congress authorized the U.S. government to pay $20,000 to each Japanese American who had been held prisoner during World War II or to the individual’s spouse or children (Fullinwider, 2000, p. 2; Civil Liberties Act of 1988). The debate often centers on whether or not those who would be required to pay for the reparations to African-Americans now, living white Americans, are responsible for making those payments. On one side of the argument there is the claim that no one currently living owned slaves and often none of their ancestors owned slaves. The response to this claim is that regardless of their slave-owning status, white Americans have benefited from the color of their skin and from discrimination against African Americans. That is, the focus of the debate often is personal liability/responsibility and personal gain. In an analysis of the recent literature on the issue of reparations, Robert Fullinwider argues that the focus on the personal is misplaced. The focus ought to be on the responsibility of the group agent, namely the state. He distinguishes three types of liability, personal, corporate, and civic liability, and then proceeds to argue that the U.S. government should pay African Americans reparations. We must understand society corporately, Fullinwider suggests, such that we do not redistribute society’s status as a “wrongdoer” to individual citizens. Social wrongdoing does not mean that every individual citizen is personally blameworthy for the given act (2000, p. 4). He says that although white Americans may not be personally liable for slavery and past discrimination, they do bear civic liabilities. That is, as citizens they have a duty to the government to bear its debts. The U.S. government itself does, Fullinwider argues, owe money to African Americans; the government has incurred a debt. And, as citizens with civic liability for our government’s debts,
individual Caucasian Americans must pay reparations (pp. 3-4). The institution of
government has a moral obligation to African Americans; that is, the government is an
institution that not only bears obligations but is an agent who can execute those
responsibilities, though it depends on there being individuals associated with it to execute
its responsibilities.

The idea that underlies discussions of the state, or other institutions, paying
reparations to African-Americans is that the state has an identity of its own; it is a
responsibility-bearing agent whose responsibilities cannot be reassigned. That is, it is not
possible to break down the identity of the state such that all properties associated with the
state, e.g., responsibility to pay African Americans, can be reduced or reassigned to the
individuals who constitute the state. Nevertheless, the state depends on their being
individuals associated with it in order to discharge its responsibilities such that if there
were no individuals associated with it, it would be meaningless to attribute
responsibilities to the state. Fullinwider describes this relationship between the state’s
debts to African Americans and American citizens in the following way: the state owes
reparations to African Americans and individual citizens have a duty to the state to help it
execute its responsibilities. Thus the responsibility individual Americans have with
regard to reparations is tied to their responsibilities to the states as citizens of the state. It
is the state itself that has a responsibility to African Americans, not individual Americans
(p. 4). Underlying this argument is a recognition of the state as a moral agent whose

---

25 An interesting possibility here is that all citizens of the United States, including non-Caucasians, would be liable for paying reparations out of their civic duty to the state to help pay its debts.
identity and obligations are not reducible fully to the individuals associated with it.

Another source of support for the thesis that institutions can have an ontological reality not reducible fully to the individuals constituting them comes from literature discussing the possibility of corporations having a moral identity and being moral agents. There is a body of literature that has built up during the past three decades concerning corporations. Here too there is the suggestion that corporations are more than the sum of their parts and that they have an ontological reality. Of course, legally that is the case; by definition a corporation’s legal identity is not reducible fully to the individuals associated with it. Corporations have long been recognized as legal persons, and before the law, corporations are persons separate and distinct from the individuals associated with them. The legal status of corporations as independent agents with their own irreducible being does not resolve the question of whether a corporation or any other legally recognized institution is a moral entity and can have its own moral character. Often entities considered legal persons are understood as persons in non-legal contexts as well, and this is what is of interest here. In his study of the possibility of corporate moral agency, Michael Smith notes that “legally constituted persons are often treated as individuals even in contexts independent of law” (1979, p. 7). For example, Smith quotes Milton Friedman’s statement that “The life of an association does not depend upon state recognition. The legal statute which bestows legal personality merely has declaratory significance, in so far as it declares the general conditions of a juristic personality to be applicable to a particular association. But it does not create the association, either socially or legally” (Friedman, 1967, pp. 236-237; quoted in Smith, 1979, p. 7). The
focus of the literature introduced here is the moral identity and responsibility of corporations. The past three decades have witnessed extensive discussion on the ontological and metaphysical status of corporations as moral entities with their own identity. Thus I introduce this as an example of the view that social entities have independent ontological reality. It is not their ontological status as non-reducible legal agents that is relevant here. Much of the literature suggesting that corporations are moral agents recognizes for corporations an ontological reality that is dependent on but not reducible fully to the individuals constituting them. In this section I introduce the view that they have dependent reality as an example of the view that social entities may have independent ontological reality.

In the previous section I introduced literature on this issue that seems to suggest that (certain kinds of) groups can have independent ontological reality. Here I offer examples to support the view that ontological reality of corporations may be dependent on individuals but not reducible fully to them. In what he calls a study of the contrast between “the great certainties in economic thought in the [19th] century [and] the great uncertainty with which problems are faced in our time” (1977, p. 7), *The Age of Uncertainty*, Kenneth Galbraith suggests that corporations have their own personality and that while this personality is in some sense dependent on the individuals who constitute the corporation, it is not reducible to them and it is not derived from their legal identity: “From [the] interpersonal exercise of power, the interaction and resulting purpose of participants, comes the personality of the corporation” (1977, p. 261). This bears a strong resemblance to the claim that the state’s character is materially and causally dependent on
but not reducible fully to its citizens. Galbraith is saying that the character of a
corporation is dependent on but not fully reducible to the individuals constituting it.
Whether this character is or can be a moral character is an open question.

In response to some of the arguments offered for recognizing corporations as
moral agents and moral persons (e.g., Peter French's argument), Patricia Werhane argues
that only individuals can be moral persons, not corporations, but that corporations still are
a kind of moral agent. For Werhane, although corporations are not moral persons, they
are secondary moral agents whose identity cannot be reduced fully to the individuals
constituting them. She is concerned that identifying corporations as moral persons might
somehow let individuals "off the moral hook." In her unwillingness to call corporations
moral persons, Werhane offers an argument for recognizing that they are entities whose
identity cannot be reduced fully to the individuals constituting them but nevertheless
depends on them. Corporations are collections of individuals into policies and practices
that cannot be traced back directly to individuals. Moral responsibility/liability is
ascribed both to corporations and individuals; not all actions can be redistributed to
individuals, she argues, and both individuals and corporations bear moral responsibilities:
"Corporate moral agency is derived from individual moral agency, but it is neither
identical nor reducible to it" (Werhane, 1989, pp. 821-822). This again reflects categorial
dependence: the actions of individuals within institutions are understandable only when
considered as also actions of the corporation.

Even Peter French, an ardent supporter of the claim that corporations are not only
legal but metaphysical and moral persons, implies that to have such status corporations
depend on their being individuals associated with them. Individuals must constitute the structures that give corporations reality, and because of this corporations are materially dependent entities. French argues that “corporations should be treated as full-fledged moral persons and hence that they can have whatever privileges, rights, and duties as are, in the normal course of affairs, accorded to moral persons” (1979c/1977, p. 176).

Intentions and responsibilities can be attributed to corporations when they have a Corporate Internal Decision (CID) structure: “The CID structure is the personnel organization for the exercise of the corporation’s power with respect to its ventures, and as such its primary function is to draw experience from various lines of the corporation into a decision-making and ratification process” (1979c/1977, p.177). From this description, the dependence on individuals is evident; the CID structure grants moral personhood to corporations, and without individuals to fill in the structure, the structure would fail. It seems that, according to French’s view, without such a structure corporations would not have a status as moral persons. Thus his view seems to support the idea that corporations have dependent ontological reality.26,27

David Ozar’s analysis of group choice, action, and responsibility suggests that under certain conditions it is appropriate to attribute choices and responsibility for those choices to groups without denying the role individuals play: “we consider certain actions performed by individual persons to be the actions of a particular group, considered as a single entity, when certain social rules exist which designate such actions to be the

26 For a helpful discussion of these views, see May, 1987, chapter 1.
actions of that group” (1982, p. 25). In part, Ozar’s understanding of group agents is plausible because he recognizes that individual agents continue to be involved and because he does not go so far as to say that groups that are agents are also moral persons. This idea of constitutive rules was developed by Peter French and Michael Smith. According to Smith, “some sorts of performances by groups where these groups are constituted according to certain kinds of rules” are irreducible (Smith, 1979, p. 26). These rules also establish irreducible characteristics of such groups that yield the conclusion that groups can be single agents (p. 26). Moreover, rule-constituted groups can appropriately be said to have goals (pp. 56-60), make decisions (pp. 61-71), act voluntarily (p. 99), and have obligations and rights (p. 100). Given all of this, Smith claims, rule-constituted groups can be moral agents (p. 100) in a way not reducible fully to the individuals associated with them.

Despite the disagreements among those who recognize institutions such as corporations as having a certain degree of moral agency and as agents bearing responsibilities, there is general agreement among many of them that institutions have an ontological reality as entities that have moral agency and moral responsibilities but that they depend on the individuals associated with them for this reality. This aspect of an institution also cannot be reduced fully to its legal character or to the laws that give an institution such as a corporation life and identity before the law.

Support for the view that social institutions have an ontological reality that is not reducible fully to the individuals associated with them is found in Alfred Schutz’s (1973) *The Structures of the Life-World*. In this phenomenological analysis of social experience,
Schutz argues that the coherence and wholeness of the life-world, of social reality, cannot be reduced to the individual but among other things presupposes social roles. What Schutz describes is the experience of social reality as one that cannot be reduced to individual experience and reality. Social experience has an integrity that cannot be reduced to non-social experience. Schutz shows how the social experience becomes constituted force and how the social world becomes constituted force. This experience is phenomenologically dependent on individuals and individual experience, but it is not equivalent or reducible to the individual.

III. Conclusion

This chapter defended an account of institutional moral responsibility understood as moral character integrity. In the first part I demonstrated that attention has been paid to institutions' moral character, though certainly not to the degree that the moral character of individuals has been the subject of study. Nevertheless, institutional moral character is a relevant philosophical consideration and focus of discussion, and precisely because of this lack of clear analysis, this project must be pursued. Despite the evidence that the moral character of institutions is a relevant concern, the objection could be raised that institutions do not have an identity or character of their own, that discussions of institutions amount to nothing more than discussions of the individuals associated with them and that institutions are not themselves agents. Thus in the second section I showed that it is plausible that institutions are not merely the sum of their parts. I demonstrated the principal ways in which institutional identity can be understood and offered historical and contemporary support for the claim that institutions have an ontological reality that is
not reducible fully to the identities of those individuals associated with them though it may depend on them in various ways. These examples support the idea that social entities such as health care institutions can be identified as entities separate from and not reducible fully to the individuals constituting them, even if they have no reality independent of individuals. This understanding of social entities supports the claim that health care institutions can have an ontological reality of their own, even if it is dependent on individuals. As entities with ontological reality, it is plausible to consider health care institutions as having their own character, one that is not identical or reducible fully to the character of the individuals constituting them. In the next chapter I consider four critical aspects of the life of health care institutions that provide further support for the claim that they can have an ontological reality not fully reducible to the individuals constituting them. Again, this analysis is pursued in order to show that it is appropriate to consider the character of institutions and to recognize that said character is not merely the moral character of the individuals associated with it. In section II of chapter four, I show that part of the ontological reality includes their moral character and I demonstrate that (some) institutions can have their own stated, manifest, and deep moral character.
Chapter 4: Moral Character Integrity and Health Care Institutions

In the previous chapter I showed that there is strong support for the idea that social entities such as states and corporations, can have dependent ontological reality – they can have an ontological reality that is not reducible fully to the individuals associated with them though it is dependent on them. Health care institutions are a type of social entity, and the discussion above provides support for recognizing health care institutions as having an ontological reality of their own. The final section of the previous chapter focused on technical issues regarding social facts and included a discussion of different types of social facts, including theories, states, and corporations. In this chapter I identify aspects of the life of health care institutions that indicate that their identities are not reducible fully to the individuals associated with them. The second section of this chapter explores issues of moral responsibility and considers the possibility of attributing moral responsibility to institutions. In the third section I demonstrate that institutions can have the three forms of moral character identified earlier, and in the fourth section I show how the relationship between these three forms of moral character results in institutional moral character integrity. In the fifth section I consider the issue of institutional moral character integrity over time.

1. Health Care Institutions May Have Dependent Ontological Reality

This section is a qualitative consideration of the life of health care institutions. Here I identify four aspects of the life of health care institutions that support the claim that they
are the type of social fact that has dependent ontological reality. This supports the claim I make in the next section that some health care institutions can have a moral character that cannot be reduced fully to the moral character of those individuals associated with them. The four aspects examined here are (1) the unity of an institution at a given time despite the potentially diverse composition of that institution: institutions can have diverse individuals associated with them at any given time yet can still be recognized as one entity. (When there are major divisions in an institution such that it is not recognized as a unified whole, then it may not be possible to understand them in this way.) (2) The unity or continuity of an institution over time despite the diverse membership of the institution over time: individuals who constitute institutions over time can change as individuals or individuals can leave institutions all together and others may join the institution yet these changes over time do not necessarily mean that an institution’s identity changes. (There may be cases in which someone or some group of individuals represents enough of a dominating force that their departure would cause the institution to undergo a change in identity.) (3) It is possible for institutions to develop over time yet still be recognized as the same institution: institutions may develop over time in a way that their character cannot be reduced to particular individuals or to the contributions of specific persons. (This may not occur in every institution; sometimes we will be able to identify changes and connect them to particular individuals. Nevertheless, that this is possible says something about institutional identity.) (4) Health care institutions can be agents to whom actions are attributed: certain actions can be attributed appropriately to the institution and cannot be attributed unambiguously to individual members of the
institutions. The goal here is to show that to talk about health care institutions is not merely to talk about the individuals associated with them. Once I show that health care institutions can be agents, it becomes important to examine whether and how we might understand them to be morally responsible. I argue later that this must be done in terms of moral character integrity.

A. Diversity of Composition at a Given Time
At any moment in time, an institution may be composed of a diverse group of individuals who hold different moral points of view, have different values and goals, and have different reasons for being associated with the institution. Moreover, it is plausible that these variations in composition are widely known; individuals with different moral points of view and values may say that they hold such different views and they may openly recognize that they personally hold a set of values that differ from those attributed to the institution. We do not automatically assume that the institution is incoherent because of this diversity. As long as the institution has (formal or informal) guidelines according to which institutional decisions are made and individuals understand their roles and obligations in the context of the institution, we can recognize the institution as having coherent goals and so on. But if there were no individuals associated with an institution, it might not make sense to talk about an institution or at most there would be little or nothing to say about an institution’s life and activities. An institution without individuals associated with it would not be able to conduct activities, assert claims and so on because it would have no one to make, execute, or communicate its choices, which suggests that institutions depend on individuals in multiple ways. For example, it is not the case that
everyone who works for or is part of a Roman Catholic hospital is or has to be Roman Catholic. Nevertheless, it is possible to recognize the institution as a Roman Catholic one with particular values and goals that are not necessarily shared by all those associated with it. Such an institution can have a coherent identity. If an institution’s identity were reducible fully to the individuals associated with it, then an institution with diverse membership necessarily would be incoherent. For example, it would be implausible to suggest that the identity of St. Joseph’s Hospital, a Roman Catholic hospital in Houston, Texas, is reducible fully to the individuals associated with it, for many of those associated with it are not Catholic. Someone might suggest that its character is reducible to certain key figures in the institution. That, too, would be strange because those key figures and their actions would make sense only when understood in the context of the institution. If we reduced or tried to reduce fully our understanding of the institution to individuals, we would not understand the actions of those individuals. This again is the issue of categorical dependence. It seems inappropriate to say that the institution’s identity is reducible fully to the identity of the individuals associated with it. However, it also would be inappropriate to say that an institution’s identity is completely independent of those individuals because, for example, institutions cannot execute their responsibilities without individuals. Thus institutional identity of health care institutions cannot be reduced fully to the individuals associated with it but it is dependent on them.

B. Diversity of Composition Over Time
Over time, the composition of most institutions changes at all levels, including senior management and board of directors/trustees. The changes may result in some differences
in the organization of institutions and so on, but the goals of the institution and the principles according to which it operates can remain consistent. That is, despite changes in individuals who constitute the institution, the institution can have a consistent identity over time. Copp observes this: "aggregates can persist through time despite changing their membership. When the membership of an aggregate changes, the aggregate before the change is identical to the aggregate after the change even though the sum of members before the change is distinct from the sum of members after the change" (1984, p. 256). Despite the institution’s ability to remain the same institution, there are three senses in which it is clear that there is a degree of dependence on individuals. First, institutions continue to depend materially on individuals over time to instantiate them. Without individuals to create and/or sustain an institutional atmosphere, there would be no character associated with the institution. Second, some radical change in composition might result in a change so great that the institution no longer could be understood as the same. This is especially true in the case of individuals who effect major changes in institutional pursuits or who change drastically the atmosphere of an institution such that others do not experience it as the same institution. That is, individuals sometimes do have the power to change an institution’s identity, and because of this it is clear that institutions depend on individuals. Third, if the point came at which there was no one associated with it, we would not be able to talk about an institution’s identity or character in same sense because it would not make sense/be possible to consider an institution’s commitments, choices and so on coherently.
C. Institutions Develop Over Time
Multiple factors related to the development of an institution over time point to the idea that an institution’s character cannot be reduced necessarily to one single individual or any identifiable set of individuals even though it depends on individuals. Health care institutions usually develop and grow as the result of the effort of different individuals or groups, not a single person, so often it is not possible to reduce their identity to a single individual. Even if a single individual or group can be identified as the visionary(ies) who founded an institution it is unlikely that over time the all aspects of institutions can be traced to that single individual or group. Thus often it is not possible to reduce the identity of an institution to a single individual or a single founding group. Even when an institution is the product of one person’s vision, the institution will depend on a number of others to grow and to continue to exist after the initial individual dies. Moreover, an institution’s life generally is meant to extend beyond that of the individual(s) who founded it, and its character develops and can be sustained for some time after the original founders are no longer directly involved in the institution. It is the case for most institutions that the individuals who define the mission of an institution can disappear and various individuals associated with it can change, but if the institution’s character is deeply rooted then the institution will continue to be what it is and will live out its character such that the institution’s character is preserved. As others become part of an institution and contribute to its development, it becomes increasingly difficult to trace back aspects of institutions to particular individuals. Even an institution created by a single person out of his own vision is not merely a replica of that individual. As a person
gives life to an institution, the institution is necessarily distinct from the person. An institution is created as an entity separate from its creators and by its very nature cannot have a character identical with that of any one individual or set of individuals. Institutions are different kinds of beings from individuals and neither institutions nor individuals can be fully reduced to nor fully subsumed by the other.

As Reiser notes, an institution’s history and traditions set it apart: “the traditions of an organization set it apart from the individual’s who work in and direct it. The accumulation of traditions as ways of doing things constructs the identity of the organization” (1994, p. 32). Thus, the development of an institution over time is its history, and it constitutes a central aspect of its character. The history, in a sense, comes with the institution, not the individuals. The traditions that develop over time belong to our come to be associated with the institution as well, not with the individuals. Moreover, some traditions are so heavily ingrained in an institution that they seem almost unstoppable. It can be difficult if not impossible to end or alter certain traditions without radically altering the character of an institution.

When we consider institutional development over time, we face the question of how much development is too much. What is the “breaking point” in institutional change that leads us to conclude that an institution is no longer the same institution? This issue is explored further in the discussion of moral character integrity over time. The changes noted earlier in the Y.M.C.A. and in religious hospitals such as Long Island Jewish Medical Center are examples of institutions about which we might ask this question.
This discussion does not exclude the possibility that there may be institution’s whose moral character is traceable to distinct individuals. It is meant to show that there are institutions in which that is not the case.

D. Institutions Can Be Agents
A fourth reason to recognize health care institutions as having dependent but not fully reducible ontological status is that they can be agents but their agency is dependent upon the individuals associated with them: certain actions can be attributed appropriately to such institutions.\textsuperscript{28} Acts of institutions are executed by individuals associated with them, but we cannot understand those acts fully and completely unless we understand them as also actions of the institution. Without individuals, institutions would not be able to execute those actions, but we cannot understand the actions merely as actions of individuals.

Although health care institutions depend on individuals to execute their choices and actions, the acts of such institutions are not simply acts of individuals and cannot be understood merely as acts of individuals. There are three factors to recognize here. First, there are some types of actions that are unintelligible if we attribute them solely to individuals. For example, only a health care institution can develop a mission statement that is meant to transcend the lives of individual patients and employees associated with it, even though the institution depends on a network of individuals to make that happen.

\textsuperscript{28} Issues of responsibility for those actions that can be attributed appropriately to institutions is interesting issue that I will address later. I will argue that institutions can be responsible and that moral responsibility of institutions must be understood in terms of institutional moral character integrity. However, attributions of institutional moral responsibility do not absolve individuals of all moral responsibility. This issue of the relationship between individuals and institutions will be addressed in chapter 5.
Although individuals can have ideals they hope others will adopt and carry on after their deaths, only an institution can have the goal of continuing to be involved in that mission the time.

Second, it is important to realize that not all the actions of the individuals associated with an institution necessarily are acts of the institution. We cannot simply equate the actions of individuals with institutional actions. Consider the case of a urologist in a Roman Catholic hospital in which it is prohibited on particular moral grounds to perform vasectomies. The physician nevertheless performs these procedures, does not chart them as sterilizations, and miscodes them so that no one involved in hospital billing or even anyone else in his office knows what he is doing. These actions are acts of a particular individual and cannot be attributed appropriately to the hospital. The institution may be morally culpable if it does not have a system in place to ensure that the actions of its employees are morally acceptable and in accord with institutional policies or if the urologist’s actions become known and the institution does nothing to stop him. That is, the institution could be blamed for moral negligence. Barring these circumstances, however, it would be inappropriate to treat the urologist’s actions as actions of the institution. It is not plausible to say that simply because he is an employee

---

29 The Roman Catholic Church holds that “Direct sterilization – that is, the sterilization which aims either as a means or as an end in itself, to render childbearing impossible – is a grave violation of the moral law, and therefore is unlawful” (Pope Pius XII, 1951, pp. 161-162 in O’Rourke and Boyle, 1999, p. 397). The Congregation for the Doctrine of the Faith affirmed in 1975 that sterilizations must not be performed in Catholic hospitals: “Any sterilization whose sole, immediate effect, of itself, that is, of its own nature and condition, is to render the generative faculty incapable of procreation is to be regarded as direct sterilization . . . It is absolutely forbidden” (Congregation for the Doctrine of the Faith, 1975, p. 454 in O’Rourke and Boyle, 1999, p. 398).
of the institution and performs these procedures within the confines of the hospital that
the institution performed the actions and is morally responsible for them.\textsuperscript{30}

Third and most basic to making this claim simply is to show that institutions can be
agents. As agents who depend on individuals to execute their actions and choices but
whose agency cannot be reduced fully to the individuals constituting them and who act
on their behalf, health care institutions have dependent ontological reality. Some might
be skeptical about the claim that institutions can be agents. I offer below both a negative
argument (an argument by elimination) and a positive argument to support the claim that
certain kinds of institutions can be agents.

There is a sense in which it seems obvious that health care institutions are agents
who interact in the world in morally relevant ways. On careful examination, however, it
might appear that we refer to institutions as agents for convenience but that institutions
themselves actually are not agents and do not bear any moral responsibility. We might
think that the actions typically attributed to the institution merely are actions of the
managers, administrators, executives, or other individuals associated with the institution.
I argue here that some actions described as institutional actions can be attributed
appropriately to the institution itself and cannot be reduced fully to the individuals
associated with such that (some) institutions themselves can be agents, even though
institutions depend on individuals for the execution of actions. Later I argue that
institutions bear moral responsibility for those actions and that the way in which we can

\textsuperscript{30}This is different from considering how the legal system might treat issues of employer accountability for
actions performed by employees in their role as employees or during working hours. For example, if a bus
driver working for the city transportation authority hits a pedestrian, the city may be sued.
understand institutional moral responsibility is through the concept of moral character integrity. To show the latter claim I first show in section IV of this chapter that health care institutions can have a stated, manifest, and deep moral character such that some institutions can be moral agents. This does not necessarily eliminate individual moral responsibility; to say an institution can be morally responsible is not necessarily to say individuals associated with the institution have no moral responsibility for anything they do in their role as employees or agents of an institution, let alone in their personal lives. By making the claim that institutions can bear moral responsibility I am not attempting to provide, and believe that in fact I am not providing, a “moral shield” for individuals. I am arguing that institutions can be morally responsible, not that no one else can be morally responsible.31

There are two broad categories of arguments to support the idea that institutions can be moral agents. First, I show by process of elimination that it does not make sense to say that all actions typically attributed to institutions are reducible fully to the actions of individuals associated with the institutions. Second, I provide the essential elements for a positive argument that institutions can be agents. In particular, I include claims taken from the business ethics literature of the past 30 years in which there is an ongoing

31 The concern that attributing moral responsibility to institutions might shield individual moral agents from bearing moral responsibility or might in some way allow individual agents to act in a moral responsibility-free vacuum has been addressed by a variety of authors, including Patricia Werhane. In addressing this concern, Werhane makes clear that she is worried about both individuals and corporations being “let off the ‘moral hook’” (1989, p. 822). She expands the notion of moral responsibility and interprets it in such a way that both corporations and individuals are morally responsible. Werhane recognizes that French also makes this claim of dual responsibility (Werhane, 1989, p. 822). For a discussion of treating moral responsibility as a pie to be divided, see Lenk and Maring (1991). They argue against the pie model of moral responsibility and suggest that attributions of moral responsibility are not diluted as they are extended to more individuals.
debate about whether corporations can be moral agents, and not just legal agents. In sum, I argue that both by process of elimination and on account of what it is to be a moral agent, some institutions are moral agents: there are actions that can be attributed appropriately to institutions and the moral responsibility for those actions belongs to the institutions in question. This claim requires further argument. If an action can be said appropriately to belong to an institution, prima facie it makes sense to say that the responsibility for that action belongs to the institution. Consequently, in this section I seek to show only that institutions can be agents. Later I argue that it can be appropriate to assign moral responsibility to institutions for their actions, and such actions and the institutions morally responsible for them can be appropriate subjects of moral evaluation. This is grounded in my claim that institutional moral responsibility, i.e., the moral blameworthiness and praiseworthiness of institutions, can be understood (at least partially) in terms of moral character integrity and that institutions can have the relevant forms of moral character.

(1) Negative Argument for the Possibility of Institutional Agency: Argument by Elimination
One argument for the claim that institutions per se can be agents and their agency is not reducible fully to the individuals associated with them is an argument by elimination. There are three main possibilities regarding the reducibility of actions we call institutional actions and that we attribute to institutions: (a) they are fully reducible to individuals, (b) they are not at all reducible to individuals (they are attributable exclusively to institutions), (c) they are partially reducible to individuals (they are attributable to both institutions and individuals). I show here that the first two
possibilities are wrong and, by process of elimination, conclude that acts of institutions are in one sense acts of institutions and in another sense they are the acts of (some of) the individuals associated with them.

(a) Is it the case that all acts attributed to institutions are fully reducible to particular individuals and thus institutional actions really are only acts of individuals? Are acts of institutions merely acts of individuals such that only individuals are the proper subjects of moral evaluation? Ultimately we are exploring the issue of whether when we say “St. Jeremiah Hospital did X” we are saying merely “Particular individuals associated with the hospital did X” or whether there is an entity, namely the institution, that supervenes on those choices and that is relevant to formal moral analysis. It seems inappropriate to claim that all institutional acts can be reduced fully to individuals, which is the claim to which nominalists and methodological individualists are committed. First, usually actions of institutions are the result of multiple individuals cooperating, and often those who actually carry out a decision do not make it (though they make the choice to do what they are told, and I say more about this later). Even for the case of the decision itself, those who make the decisions often are working under the broader umbrella of institutional commitments or an institutional ethos. This is not to say that the individuals involved are not willful and responsible moral agents; however, often they are not acting merely as individuals. Moreover, the individuals who act on behalf of institutions often would not have the power (or ability etc.) or even the motivation or inclination to act in particular ways were it not for the institution. Perhaps as independent moral agents those individuals could not act in particular ways, but because of the institution they can or are required to act in certain ways. In particular, in their role as members of an institution
they may act in ways that they could or would not necessarily act if they were independent of the institution. For example, actions taken to create or sustain an institutional ethos would not be intelligible outside the context of the institution. In this sense, then, institutional actions may not make sense if we try to understand them solely as actions of individuals.

A second factor important to the discussion of whether institutions can be understood as agents or all actions of institutions merely are actions of individuals is that certain actions of individuals would not be intelligible merely as acts of individuals. We must understand them as acts of an institution in order for them to make sense. This does not necessarily mean individuals are not agents and are not morally responsible; what it means is that institutions cannot be taken out of the account of agency. The most obvious example here is the members of the board of trustees of an institution. If the members of the Board of Directors of Rice University vote during a meeting to approve plans for a new library, their actions have meaning. However, if the same individuals gathered outside the context of a board meeting, such a vote would be meaningless and unintelligible.

Once we identify an agent to whom some actions can be attributed, we face the further issue of what level or kind of responsibility can be attributed justifiably to the agent, e.g., mere accountability versus moral blame and praise. As already noted, I argue that because they can have a moral character and experience moral character integrity, there is a sense in which we can understand institutions as morally responsible. The issue of how we understand the moral responsibility of individuals who act in their roles within
institutions is an additional concern. I do not explore this latter issue further here. However, there is extensive literature concerning the moral responsibility of individuals acting in their role in an institution or organization rather than merely as individuals. In particular, see Abbarno (1993), Bowie (1982), Andre (1991), Werhane (1998).

(b) Are acts of institutions not at all attributable to individuals?
Are they acts only of institutions such that individuals are in no way subject to moral evaluation with regard to institutional acts? It would be strange to say individuals acting on behalf of an institution and carrying out its decisions are not themselves identifiable agents and moreover that they are in no morally relevant way responsible for their participation in institutional actions. To say that acts of institutions are in no way acts of individuals would be to deny the identity of individuals as persons (as moral agents), and it would be false to say that a particular individual is not an agent because she acted as part of a group. Individuals do not “disappear” in a group; however, there may be a need to consider not only individuals but institutions as agents. Individuals still seem to act and to be responsible for their participation and cooperation in group activities. Even when they do something at the direction of someone in authority over them, individual agents still can be identified. Moreover, it seems important to be able to hold individuals accountable and blame/praiseworthy for their participation in the activities of a group.

There has been extensive discussion about whether and to what extent individuals are responsible (morally blameworthy) for all the actions and attitudes of a group of which they are a part. H.D. Lewis (1948) argues that moral responsibility for acts that are attributable to a group can in no way be attribute to the individual members of the group. He goes so far as to say that collective and group responsibility is “barbarous” (p.
3) and “primitive” (p. 15): “no one can be responsible . . . for the conduct of another. Responsibility belongs essentially to the individual” (p. 3). Lewis tries to argue both that individuals are not morally responsible for the acts of groups of which they are members and that it is primitive to consider a group to be a morally responsible unit. He makes a number of errors in his well-known 1948 paper, and I consider some of the most poignant ones below in order to reject his particular claims as well as the general claim that individuals bear no moral responsibility for the actions of institutions of which they are a part. These criticisms should be understood in the context of what Lewis was responding to and the position he was trying to present. Lewis wrote shortly after World War II to try to defend individual Germans against the charge that in virtue of being German they were morally responsible or accountable for the atrocities of the Holocaust. First, Lewis claims that only individuals can be morally responsible and that collectives are not morally responsible units. However, he essentially says that a collective is morally responsible. He suggests that we might be tempted to attribute moral depravity or wickedness to individuals in a society in which there are “grave and persistent social ills, such as poverty, waste, unemployment, and war” (p. 14). Lewis recognizes that individuals in such a society can engage in various activities to change the circumstances, but he claims that “ultimate success will depend on a great many factors wholly outside his control . . . [a]nd therefore we need to be careful not to form exaggerated conceptions of human depravity by looking, not to what could reasonably be expected of the individual, but to society as a corporate entity directly accountable for social and economic ills” (p. 14). In particular, he argues against Samuel Gomperz’s claim that
society is morally responsible for the theft of a loaf of bread by a poor woman who is
trying to feed her children. Lewis holds that Gomperz’s attribution of moral
responsibility to the “social structure” or to “society in general” is wrong because “these
are both abstractions” which cannot bear moral responsibility (p. 13). Essentially Lewis
suggests that moral responsibility for social conditions belongs to society itself and that
moral responsibility for such conditions should not be attributed to individuals in that
society: actions of society belong to society and individual members of society are not
subject to moral evaluation for those actions. This is contrary to the claim that
“[r]esponsibility belongs essentially to the individual” (p. 3). Even though he says
repeatedly that only individuals are morally responsible, his examples and cases suggest
otherwise.

Second, Lewis argues that individuals cannot be morally responsible for actions
of groups of which they are a part. Perhaps Lewis’ most well-known example of the
impermissibility of attributing to individuals moral responsibility for group actions is his
example of German war guilt. We can attribute guilt for German activities to individual,
average German citizens only to the extent that we determine what reasonably could have
been expected of such individuals, such ascriptions of moral responsibility may not be
based on what Germany as a nation did (pp. 14-15). His example of these and other
types of cases leads Lewis to the conclusion that collective responsibility is “barbarous”
and he asserts that the individual “is the sole bearer of guilt and merit” (p. 15). If we
consider carefully Lewis’ analysis of these and other cases, we notice that his examples
do not support a total negation of the claim that individuals are at some level subject to moral evaluation for the actions of institutions or groups of which they are members.

A number of challenges to Lewis’ position have been offered. Peter French (1994) examines Lewis’ claims and argues against Lewis that (at least) certain types of groups, namely corporations, are morally responsible agents and that to recognize this is not necessarily to say that the individuals within the corporations are not morally responsible for their actions. One of French’s principal criticisms of Lewis is that he fails to attend to the rules of logic. When faced with the question of whether an institution or group is morally responsible, Lewis assumes that there are only two possible solutions: (1) only individuals bear moral responsibility or (2) only the group bears moral responsibility. French points out that there is an additional possibility: (3) both the individual and the group are morally responsible. Lewis only recognizes the first two; he fails to observe that in “non-exclusive disjunctions both disjuncts may be true or right” (1984, p. 112). Once we recognize the possibility of a non-exclusive disjunction, the issue is resolved: “Both the corporation and some person or persons associated with it (in some cases) may be held accountable for the same event” (p. 113). This position is further explored and supported below in section c.

Larry May (1992) also argues against Lewis. May does not believe that membership in a group to which moral responsibility can be ascribed releases individuals from moral responsibility. Specifically, he says that individuals are responsible for the attitudes etc. of groups of which they are a part, even if they are only partially in control
of the attitude. Groups can be assigned moral responsibility collectively (1992, p. 85), but so can individuals who are members of the group.

The view that only an institution has agency and consequently moral responsibility and that no moral responsibility can be attributed to individuals associated with an institution or groups is a dangerous one. To deny individual agency and thus moral responsibility for actions performed in the context of institutional activities seems to provide a moral shield or scapegoat for individuals. As discussed in note 28 above, this problem has been raised and addressed extensively by Patricia Werhane (1989) and Lenk and Maring (1991). Given this discussion, it seems to be desirable to explore the ways in which we might understand both individuals and institutions to be morally responsible.

For the reasons and arguments introduced here, we cannot necessarily assume that because an action can be attributed appropriately to an institution and because an institution can bear moral responsibility for it, that individuals bear no moral responsibility for such actions.

(c) Are acts of an institution acts of both the institution and the individuals (or some of the individuals) associated with it such that both institutions and individuals are agents?
In the previous section I rejected the possibility that actions identified as institutional actions are only the actions of individuals or are only attributable to institutions, and I introduced the claims of French and May who hold that this is the appropriate understanding of group action and moral responsibility. The idea here is that under certain conditions institutions can be understood as agents; some actions can be attributed appropriately to institutions and yet the agency of individuals associated with institutions cannot be denied. This is a way to recognize the fact that institutions cannot act without
individuals to execute actions, but individuals are not acting in isolation or simply as individuals when they act on behalf of an institution. If actions typically attributed to institutions cannot be attributed solely to institutional agents or solely to individuals, by process of elimination it seems they can be attributed to both. There may be factors that might mitigate the extent or the degree to which an individual is morally responsible for actions of institutions with which he is associated. The point remains that the agency of the individual cannot be negated completely such that it is inappropriate to say that actions we regard as institutional actions are solely institutional acts. Ultimately these are issues of complicity and moral cooperation which will not be addressed here. The Roman Catholic moral philosophical tradition has a rich history of thought regarding these issues. See especially Jone (1957, section 147). I will not address this further here. My goal is to identify all the agents involved, which I argue includes institutions and does not exclude individuals associated with institutions. Thus to identify an act as an institutional act does not necessarily exonerate the individuals associated with the institution, particularly those involved in making decisions concerning the action and/or executing the action.\footnote{An interesting area of discussion concerning the moral responsibility of an organized group or institution and the individuals associated with that institution and who carry out actions on the institutions' behalf concerns the moral responsibility of soldiers for their war-time activities. See, for example, Coady (1980).}

Negative arguments typically do not provide the resolution to issues we would like. Thus I offer below positive support for this claim of dual agency. The next section shows that not all institutional actions can be redistributed fully or solely to individuals.
Under certain circumstances, both institutions and (some of) the individuals associated with them are agents. It is important to note that this is not a view that necessarily allows individuals to abdicate moral responsibility; it does not necessarily let individuals “off the moral hook,” a concern expressed by Werhane (1989). In fact, much of the remainder of this dissertation explores how institutional moral responsibility can be understand and what this means for individuals. The idea that institutions can be understood as agents whose agency depends on but is not reducible fully to individuals associated with it provides further support for understanding institutions as having dependent ontological reality. Thus this next set of arguments brings to a close the set of issues raised earlier regarding the ontological status of institutions and introduces the next area of examination, namely how we might understand institutional moral responsibility.

(2) Positive Argument for the Possibility of Institutional Agency
The possible agency of different types of groups, including random collectives and mobs, corporations, aggregates, and teams has been examined and arguments have been offered for and against the possibility of each type of group being a moral agent. In this section I introduce some of the arguments offered to support the agency of groups that share important similarities with health care institutions, such as corporations. I argue that institutions can be agents in a way relevant to morality – that is, in a way that cannot be reduced strictly to their legal identity or standing. (Recall that when the focus is on corporations, the concern is moral agency of corporations regardless of their legal agency.) Following this discussion, I turn to issues of institutional moral responsibility. This examination is not exhaustive of the literature; it is an introduction meant to
establish the plausibility of the claim that health care institutions can be understood as agents whose agency is not reducible fully to the individuals associated with them, which is part of the more general claim that health care institutions can have an ontological reality not reducible fully to the individuals constituting them.

The issue of what types of groups, if any, accurately can be considered agents has been explored recently by a number of individuals, including Michael Smith, David Ozar, and Larry May. Smith differentiates rule-constituted groups from mere aggregates and analyzes the conditions under which we may appropriately attribute actions and choices to a group. When groups are “simply aggregates of persons . . . the propositions that we use to describe the actions of groups can be replaced by sets of propositions about the actions of individual persons in the group” (Smith, 1979, p. 2). In the case of groups that are merely aggregates, the group itself cannot be described appropriately as an agent whose agency is not reducible fully to the individuals constituting it. However, when “groups are constituted according to certain kinds of rules” (p. 26) it may not be possible to reduce fully the actions of the group to the individuals associated with the group. That is, certain types of groups can, under certain circumstances, appropriately be considered agents.\(^{33}\)

In his analysis of group choice, David Ozar also distinguishes between groups that can be examined as groups and those that merely are collectives (1982). He agrees with the explanations offered by Smith (1979) and French (1979) that we can attribute actions to groups that are constituted by certain types of rules. He goes so far as to argue

\(^{33}\) See Smith (1979) for a careful analysis of group agency.
that when certain types of social rules constitute and govern a group, it can even be
appropriate to say that a group has control of a physical object (1984). Ozar holds that:

the fact that, when a person who accepts a social rule governing actions in control
of a certain physical object performs or fails to perform- an action that is
governed by the rule, a complete description of that action must include a
reference to the fulfillment by the other persons accepting the rule of the
conditions on the agent’s counting nonconformity or conformity as good reasons
etc. which we have just been discussing. The individual person’s acts of control
cannot be fully described without reference not just to what the other persons
involved are doing, but to something that the whole group of those accepting the
rule does, and this not merely in the sense that each of them does it, but in the
sense that each one’s doing it is mutually conditional on its being done by all the
rest.

This is why it makes sense to speak of a group as a single entity in such situations.
For each person’s actions, properly described, take us directly to the actions of all
the rest. None of the relevant actions of the persons involved can be completely
described independently of the relevant actions of all the others.

This is the promised connection between the acceptance of an appropriate social
rule and the attribution of control of a physical object of a group as a single entity
(Ozar, 1984, p. 29).

Ozar (1982) looks at what it is for groups to make choices and for individuals
who are part of those groups to be morally responsible. For Ozar, groups can be moral
agents when those groups are constituted by socially accepted rules (1982, p. 25). His
focus is on the decision-making mechanisms of groups because such a concept, he holds,
is central to being able to identify groups as moral agents. That is, moral agency and
moral responsibility often seem to require choice, so to support his claims elsewhere
(Ozar, 1979) that groups can be moral agents, Ozar wants to show that groups can make
choices. Using the model of health care teams who must together make choices
concerning patient care, Ozar examines what it is for groups to choose. He identifies
three processes groups engage in that yield group choices. The three models are
"constitutive rules" (1982, pp. 25-26), "acceding to expertise" (pp. 27-28), and "a company of equals" (pp. 28-32). In the context of groups choices he also examines what it is for individuals in those groups to be morally responsible. If individuals play a particular role in a group, then it makes sense to identify their responsibility to the groups action with that role. So, for Ozar, even when groups make choices and are moral agents, the individuals in them continue to be morally responsible. This suggests a third option: individuals and certain kinds of groups can be moral agents, and the agency of the groups depends on but is not reducible fully to the agency of the individuals. Although he is not addressing health care institutions in particular, his discussion of group actions and choices is instructive. He shows that certain decision-making structures make it possible to identify groups as agents without ignoring the agency of individuals associated with groups. Ozar's description makes evident the issue of categorial dependence. There are actions of individuals that do not make sense unless they are understood also as being actions of a group agent.

Larry May also examines different types of groups and the conditions under which it is appropriate to consider a group to be an agent. Among the groups whose nature he examines are corporations, mobs, nation states, teams, professional associations and music ensembles (1987, p. 2). He too identifies the group's structure as the critical element in determining whether it can be an agent. The structure determines the relationship among the individuals (p. 3). Recalling from the earlier discussion of May that he holds that groups do not exist independently of the individuals associated with them, May's views on collective agency will come as no surprise. He holds that "actions
are predicable of groups, even though the groups do not exist independently of the persons who are members of the group” (p. 31) and “it is the group’s structure - how the members of the group are related to each other - that warrants the predication of action to these fictional entities” (p. 32). So, even though May does not understand groups as entities in the same way French does, he nevertheless argues that under certain circumstances and given certain rules, groups are agents and actions can be attributed appropriately to groups of different sorts, including mobs. To recognize that there is a group to whom actions can be attributed and to recognize that those actions cannot be understood fully as actions of the individuals associated with or constituting the group is to recognize that such groups occupy a sphere of reality that cannot be reduced to individual predicates; such groups have ontological reality.

One type of group that has received extensive attention in the past several decades is the corporation. Even among authors who begin by considering group action and responsibility, attention often turns quickly to corporate action and corporate moral responsibility. Thus many of the views examined here focus on corporations as moral agents, not merely as agents. Nevertheless, those who hold that corporations are moral agents clearly hold that they are agents. Again here it is important to realize that the analyses carried out on corporations to determine whether or not they are agents in any morally relevant way and whether they can bear moral responsibilities are independent of the legal status of corporations. It is widely held that the corporate personality is what matters for the purpose of moral analysis, and this personality is independent of the legal

---

34 For a brief summary of some recent literature on this issue, see Moore (1999).

French begins his analysis of corporate agency and moral responsibility with a discussion of various types of groups. Like Smith, Ozar, and May, he distinguishes groups whose identity and agency are reducible fully to individuals from those groups whose identity cannot be reduced fully to the individuals associated with them. Aggregate collectivities are “merely a collection of people” whose identity is reducible fully: “A change in an aggregate’ membership will always entail a change in the identity of the collection” (1984, p. 5). A conglomerate collectivity, on the other hand, “is an organization of individuals such that its identity is not exhausted by the conjunction of the identities of the persons in the organization” (1984, p. 13) such that “a change in the specific persons associated in a conglomerate does not entail a corresponding change in the identity of the conglomerate” (p. 13). Corporations are an example of conglomerate activities and they are the focus of much of French’s work. French argues that the Corporate Internal Decision Structure (CID Structure) of a corporation is what allows us to attribute appropriately actions, decisions, and intentions to a corporation per se (1984, chapter 3). Thus because of the way in which corporations are organized, corporate decisions are made and actions are performed in such a way that it is legitimate to attribute to corporations certain actions and decisions. As described earlier, French goes so far as to argue that corporations are not only agents but moral persons in light of their CID structures.36

35 For a detailed analysis of CID Structures, see French 1984, chapter 4.
36 An interesting discussion of French’s view and an examination of some of French’s critics is Smythe (1985).
A view that corporations are moral agents in possibly the same sense that individuals within a corporation may be moral agents is offered by Mark Seabright and Lance Kurke (1997). Although they do not explicitly agree with French’s (1979) argument that corporations are moral and metaphysical persons, insofar as they suggest that corporations and individuals are ontologically alike, Seabright and Kurke may be committed to French’s claim that corporations are moral persons in the same sense individuals are moral persons. In their analysis of the moral status of corporations, Seabright and Kurke examine the ontological status of corporations and argue that we are unable “to ontologically distinguish between” individuals and corporations because both are complex systems. They suggest that the traditional view of individual persons as simple systems is outdated and that once we recognize the inappropriateness of that assumption then we are unable to assume that individuals and corporations are clearly distinguishable (p. 99). They suggest that because “ontological parity exists between individuals and organizations” it may be the case that “moral parity also obtains” (p. 104). Thus Seabright and Kurke argue for two separate but related points: (1) corporations are not so different ontologically from individuals such that it is inappropriate to think that individuals can be moral agents while thinking that corporations cannot be moral agents and (2) if we cannot distinguish ontologically between corporations and individuals, “the moral responsibility of corporations and the moral responsibility of individual employees may be inseparable” (p. 104). As will be clear in my claim that institutions have dependent ontological reality, I am not in
complete agreement with their view of institutional ontology because I do hold that there are differences between organizations and individuals ontologically.

Patricia Werhane (1989) disagrees with French’s claim that corporations are moral persons; nevertheless, she does consider corporations agents of a particular type. Werhane holds that the structure of corporations makes it the case that corporate actions, practices, and policies are not always traceable to the individuals involved in morally relevant ways. Her concern is whether corporate actions are traceable to individuals in a morally relevant way even though they are not traceable legally because the law protects individuals by putting them behind the corporate veil. Corporations are secondary moral agents, according to Werhane. She holds that even though corporate agency is dependent on individuals, it is not reducible to it and corporations are agents of a particular type. Moreover, moral responsibility can be attributed to both corporations and individuals: “corporate moral agency is derived from individual moral agency, but it is neither identical nor reducible to it” (Werhane, 1989, p. 822). Werhane makes clear that she and French are broadening, not reassigning, the scope of moral responsibility (p. 822). Her conclusions are similar to those of Rita Manning (1984 and 1988), who also argues that corporations can be moral agents even though they are not full moral persons in the way French suggests.

Jan Edward Garrett holds that corporations are moral agents but denies what he takes to be the claims Werhane and French advance that moral responsibility for corporate actions rests in the corporation and cannot be redistributed to any of the individuals involved (Garrett, 1989, p. 536). He is concerned that being in a group or
organizational context does not relieve individuals of moral responsibility altogether. It is evident from careful readings of French and Werhane that they do not hold that attributing moral responsibility to corporations absolves individuals of all moral responsibility.

Despite widespread treatment of certain types of groups as agents, there are critics of this view. Below are two examples of individuals who argue that groups are never agents themselves and I indicate some of the shortcomings of such views. If any of the above views are correct, then it is plausible to consider certain types of groups as agents and I argue that health care institutions can be considered agents.

Manuel Velasquez argues that corporations are not agents and that attributions of moral responsibility to corporations are inappropriate. He says,

Obviously, the acts attributed to corporations are not acts that are performed by the corporation as an entity distinguishable from its members, since corporations do not act except through their members. A corporation may be considered either as a fictitious legal entity to which actions are conventionally attributed or as a real organization comprised of several members whose own actions causally bring about or constitute the corporate act. Considered as a fictitious legal entity, the corporation is related to its members as a legal ‘principle’ is related to those ‘agents’ who are empowered to act on its behalf and whose acts are conventionally attributed to the legal ‘principles’, although the ‘principle’ did not actually perform those acts. Considered as a fictitious legal entity, then, the corporation obviously does not perform any bodily acts itself and it is only by way of a convenient fiction that acts performed by others are conventionally attributed to the corporation. On the other hand, considered as a real organization, the corporation is related to its members as an organized group is related to the individuals who comprise the group. It may thus appear that when a corporate member acts the corporation may be said to have performed the act of the member, much as when a person’s bodily limb moves the person is said to have moved his limb. But this similarly is deceptive, because a group, unlike a body, is made up of autonomous individuals. The individuals who make up the organization are autonomous in the sense that each individual can choose not to carry out the direct bodily movements necessary to bring about the corporate act. And this autonomy is due to the fact that the body of each member is under the
direct control not of the corporation but of the individual member. ... Consequently, whether considered as a fictional legal entity or as a real organization, corporations do not originate acts in the matter required by attributions of moral responsibility – namely, by directly moving one's own body (Velasquez (1991/1983), p. 117-118).

Velasquez's claim essentially is a methodological individualist one – namely that corporate actions can be explained fully in terms of actions of individuals. The principal error here is that we cannot, in fact, understand all the actions of individuals who act in their role within an institution as actions of an individual. As my discussion of categorial dependence revealed, there are actions performed by individuals that cannot be understood fully and completely unless they are understood as also actions of an institution. Such actions are unintelligible outside the context of a group. There is a loss of meaning when we try to make sense of such actions as merely individual acts. Absent from Velasquez's discussion is a recognition of the possibility of a different type of agency, something like dependent moral agency.

John Ladd, who argues that it is a "category mistake" to project moral responsibility onto corporations (1970), also argues that attributing moral responsibility to corporations has "serious moral consequences" (1984). His focus is corporate moral responsibility, but in order to discuss moral responsibility he addresses issues of corporate agency. He suggests in his analysis of French and others who hold that corporations bear moral responsibilities that corporations are more like machines than agents. Ladd recognizes that certain acts are attributed regularly to corporations, i.e., we recognize corporations as "mak[ing] decisions, transfer[ing] property, mak[ing] contracts, mak[ing] plans, deliberat[ing], and hav[ing] the kinds of things that are presupposed by
activities like deliberation, namely, purposes, goals and interests” (1984, p. 12). He admits that it is undeniable that

when a corporation performs any of the acts just mentioned the acts are distinguishable and, in some sense, separable from the acts of the individuals who are its agents, e.g., managers and directors. In other words, the acts of corporations (their interests, etc.) cannot be reduced without remainder to the acts of individuals, e.g., managers . . . there is clearly a sense in which to say that XCo. did A means something different from saying that Mr. Smith, CEO of XCo., did A, although existentially the acts are identical, e.g. concluding a contract. Not only are the specific act-descriptions different, but the rationale for them are also entirely different. The ‘logic of corporate decision-making’ is different from the ‘logic’ of an individual person’s decision to act on behalf of the corporation. Their motivation might be quite different. In his capacity of manager, Mr. Smith is not acting for himself, as it were, but for XCo. and the act is ascribed to the XCo. rather than to Mr. Smith (Ladd, 1984, p. 12).

Ladd holds, however, that two different descriptions of the act do not “imply that there are two different acts and two different actors” (p. 12). Instead, he holds that “there simply are two different act-descriptions of one and the same act imputable to one and the same actor (Mr. Smith)” (p. 12). What Ladd fails to understand is that some of those actions cannot be understood fully and completely as actions of Mr. Smith. To describe them as also actions of the institution is not merely a semantic difference; doing so provides the context of the act and is the only way in which we can fully understand the act. Ladd fails to observe issues of categorial reality.

Two interesting views that lie somewhere between the views that grant that corporations are morally responsible agents and those that altogether deny that corporations are moral agents are Richard DeGeorge’s (1982) and R. S. Downie’s (1967). DeGeorge argues that institutions such as hospitals can be moral agents and can be morally responsible but he holds that they cannot assume moral responsibility. Only
those individuals who act for the institution can assume moral responsibility. This brings us to a discussion of what institutional moral responsibility can be and how we can understand institutions as morally responsible. My claim is that institutional moral character integrity is the vehicle through which we can understand institutional moral responsibility: when we say an institution is morally responsible we are making a claim about its character integrity. When we attribute moral responsibility to it, we recognize that an institution’s character integrity is at stake. This will be focus of rest of the remainder of the dissertation.

Downie holds that some collectives, namely those that are rule-constituted groups, are agents and that their actions and non-moral responsibilities are not analyzable fully in terms of the individuals associated with them (1967, p. 68). He holds this view because, although he does not use this terminology, he recognizes that collectives are at a higher categorial level of reality and the actions of the individuals acting on behalf of those collectives cannot be understood fully and completely as actions of individuals: “the actions and non-moral responsibilities of an ‘indivisible’ collective necessarily require institutional concepts for their adequate analysis; they cannot therefore be analyzed solely in terms of individual actions and responsibilities” (p. 68). Downie argues, however that the moral responsibilities of such collectives can be analyzed fully in terms of individuals, i.e., that group moral responsibility is reducible fully to the moral responsibilities of the individuals associated with them (p. 68). He holds this view regarding the reducibility of group moral responsibility for three reasons. First, “the rules which constitute the collective have been created or accepted by the decisions of
individuals, who therefore bear moral responsibility for their decisions” (p. 68). Second, “whether or not the actions of a given collective tend to produce praiseworthy or blameworthy actions some individual person freely decided to become a member of that collective” (p. 68). Third, “a person can bring various moral qualities of his own to his actions as a member of the collective” (p. 68). Although much more would have to be said about what Downie means by individuals “freely decid[ing] to become a member of that collective,” the account of institutional moral responsibility I offer does not deny any of this. My view is compatible with the view that individuals are morally responsible even when moral responsibility is attributed to institutions. Downie fails to recognize that even though some of the moral responsibility for institutional actions can be analyzed in terms of individuals, there is a sense of moral responsibility – moral character integrity – that cannot be reduced fully to the individuals associated with the institution.

If it is possible to recognize institutions as agents, even as agents who are dependent on individuals to execute their actions, then in it reasonable to recognize institutions as having an ontological reality that is dependent on but not reducible to the individuals associated with them. In the previous section I showed that both in historical literature and contemporary literature we find support for the claim that institutions can have ontological reality that is dependent on but not reducible fully to the individuals associated with it. I showed that there are four senses (material, causal, categorial, and phenomenological) in which institutions may depend on individuals for their ontological reality and I demonstrated that none of these forms of dependence constitutes full equivalence or reducibility. In this section I considered the life of institutions to provide
further support for this understanding of institutions. The four aspects of institutional life that support the view that institutions have dependent ontological reality are as follows. (1) Despite the fact that individuals constituting them can have diverse individual moral characters, the institution can have its own unified moral character. (2) Over time, the individuals constituting the institution may undergo profound personal changes and there will also be personnel changes within an institution, but the institution’s character can remain stable over time. (3) Even those institutions that are the result of a single individual’s vision, usually are meant to extend beyond that individual, and usually they grow and develop as the result of multiple individuals or groups such that they cannot be reduced to a single person or group because it is the interaction of the various individuals and groups that gives life to the institution. They take on a life not reducible to the individuals and the institution’s history becomes its own. Even though they are dependent on others for their identity, their identity becomes their own and cannot be reduced fully to those individuals. (4) Institutions are agents whose agency cannot be reduced fully to individuals though it depends on individuals; institutions are dependent moral agents. This view represents a full appreciation for the critical role individuals play in institutions by recognizing the dependence of institutions on individuals and by not necessarily releasing individuals of moral responsibility for actions performed in the context of the institution. It explains our intuition that individuals are not released from being identified as agents simply because they are part of a group or are acting on behalf of a group or institution. Once it is evident that institutions are not merely the sum of the individuals associated with them and that they have an ontological reality that is not
reducible fully to individual predicates, it is clear that discussions of institutional actions and institutional moral responsibility need not be merely discussions of the individuals associated with them. To examine the moral character of an institution, for example, is not merely to consider the moral character of the individuals associated with it.

In this analysis I argued that institutions can be agents. Once agency is established, it becomes important to examine issues of moral responsibility. Even where it is agreed that institutions can be agents, the extent to which they may or may not be moral agents and bear moral responsibility remains controversial. It is not clear how we may understand institutions to be morally responsible. Agency itself does not entail moral responsibility. Different claims and arguments have been offered regarding the possibility of holding institutions morally responsible. Some hold that institutions are morally responsible and others deny altogether that institutions can be morally responsible. DeGeorge and Downie hold views that lie somewhere in between these two poles. In the next section I explore how we might understand institutions as morally responsible. It is important to remember that I recognize both institutions and individuals as agents and thus even when I claim that institutions bear moral responsibility I continue to recognize individuals as moral agents and bearers of moral responsibility. Institutions are not moral persons in the same way as individual adult human beings might be understood. In attributing moral responsibility to individuals and corporations; I am not attempting to let individuals “off the moral hook.” In Werhane’s words, “Corporate moral agency is derived from individual moral agency, but it is neither identical nor reducible to it” (Werhane, 1989, p. 822).
II. Institutions as Morally Responsible Agents

To hold an agent morally responsible is to say that the agent is morally blameworthy and praiseworthy. There are agents who clearly are non-moral agents, such as infants, and agents who clearly are moral agents, such as competent adult persons. There is a set of agents, however, of whom we are not sure what to say. For example, we treat teenagers as morally responsible agents in some senses, e.g., we hold them accountable for criminal activities, we permit them to drive, and they often are charged with the care of younger children, but not others, e.g., they are generally not permitted to make medical decisions for themselves independently of their parents or legal guardians.\(^37\) Institutions also occupy this category of agents whose classification as morally responsible is uncertain. Moreover even if we can agree that they are morally responsible, we are not sure of what it means to say than an institution is morally responsible. Institutions are not the same as animals or babies to whom we might attribute the “doing” of X without attributing of them the moral responsibility (blame or praise) for the “doing” of X. I argue here that there is a plausible way to understand institutions as morally responsible; the concept of moral character integrity allows us to impute moral blame and praise to institutions. Institutions are morally responsible insofar as we recognize their moral character integrity to be at stake in a given decision or action. Because of the nature of moral character integrity, this means that some institutions have more moral responsibilities

\(^{37}\) One exception to this is the case of pregnant teenagers who, in many states, are permitted to make most medical decisions regarding their pregnancies without the involvement of a parent or legal guardian. They nevertheless often require the consent of a parent or legal guardian for treatment not related to their pregnancies.
than others.

As demonstrated in my discussion of the possibility of institutional agency in the previous section, the possibility of attributing moral responsibility to institutions is a subject of great debate. Nevertheless, there is sufficient evidence to warrant a discussion of the ways in which we might understand institutions as morally responsible agents. There are a number of reasons for which moral character integrity can help us understand institutional moral responsibility. First, we do not have a thick set of moral obligations what we may attribute justifiably to all agents in a secular, morally pluralistic society. Therefore, there is interest in finding other ways to attribute moral responsibility to at least some agents. It seems valuable that at least some agents have greater moral responsibilities and we seem to think that some in fact do have more moral responsibilities than others. Essentially, we need to be able to understand and address moral responsibilities that are not borne by all. Second, some institutions have a moral character that requires particular actions and so on. We must be able to understand and assess those moral obligations. To do this, we need to understand what an institution is committed to and we must be able to measure the extent to which the institution satisfies its obligations. Moral character integrity provides this mechanism.

I argue that moral character integrity describes the sense in which institutions are morally responsible. The discussion up to this point brings me to a point at which I can make this argument. First, I have shown what moral character integrity is and introduced three aspects of moral character involved in character integrity. Second, I have shown the ontological reality of institutions cannot be reduced fully to individuals associated
with them such that it is appropriate to consider the character or identity of an institution. This makes it appropriate to talk about institutional moral character as something not necessarily equivalent to the moral character of the individuals associated with it. I have also shown ways in which institutions can be agents, which makes it appropriate to ask in what senses we can say they are responsible for their actions. For moral character integrity to be an appropriate way to understand institutional moral responsibility, institutions must have moral character. Thus in the next section I show that the concept of moral character integrity is applicable to institutions by showing that institutions and not merely the individuals associated with institutions can have their own stated, manifest, and deep moral characters. Once I demonstrate that, I proceed to an analysis of institutional moral character integrity. Thus it is only by understanding the moral character integrity for institutions that we can appreciate what it means to say they are morally responsible. The value on institutional character is explored in the next chapter.

My focus now turns to how we may understand institutional moral responsibility. The answer lies in institutional moral character integrity.

III. Institutions Can Have Own Stated, Manifest, and Deep Moral Characters

Earlier in this chapter I demonstrated that it is appropriate to recognize institutions as having ontological reality that is not reducible fully to the individuals associated with them, even though this reality is dependent on them. In this section I explore one aspect of institutions in particular, namely their moral character, and show that the institutions can have all three forms of moral character distinguished in chapter one – stated,
manifest, and deep – and that these are not reducible fully to the moral characters of the individuals associated with them. This analysis is a pre-requisite for understanding the possibility of institutions having moral character integrity. The idea that an institution can have a core identity that defines the institution, sets limits on and goals for its activities, and obligates it in various ways has been widely recognized for some time, particularly in discussions concerning corporations. Referring to the moral identity of a corporation, Drucker claims that “Because the corporation is an institution it must have a basic policy. For it must subordinate individual ambitions and decisions to the needs of the corporation’s welfare and survival. That means that it must have a set of principles and a rule of conduct which limit and direct individual actions and behavior . . .” (Drucker, 1946/1972, pp. 36-37). Goodpaster also recognizes the concept of corporate character identity and refers to it as the “understood but unwritten set of values on principles that make of the ‘culture’ of a corporation” (1983, p. 12). The idea both Drucker and Goodpaster express is that a corporation can have an identity that can be attributed to it rather than to specific individuals associated with it and that this identity is not necessarily traceable to specific individuals.

A. Institutions Can Have Their Own Stated Moral Characters
The stated moral character of an institution is its purported values, goals, aims, and commitments. There are two ways of analyzing the relationship between the stated moral character of an institution and the stated moral character of individuals associated with it that both suggest that an institution can have a moral character that is not reducible fully to the individuals constituting it. First, we can think of the “top-down irreducibility” of
institutional stated moral character. By this I mean that the stated moral character attributed to an institution cannot be reduced fully to the individuals associated with the institution. The issue is whether it is possible to move from the whole to the parts such that all the values attributed to an institution can be attributed appropriately to the individuals associated with it. Can the values an institution claims as its own necessarily be attributed to the individuals associated with it? Can we assume that because an institution says it is committed to X, the individuals associated with it also will claim they themselves as being committed to X? Second, we think of the impossibility of “bottom-up” constitution. That is, the values held by individuals associated with an institution cannot necessarily be attributed to the institution as well. We cannot merely sum the parts to identify the fullness of the whole. Below I offer examples that show that (1) simply because an institution has or claims to have a certain set of values or goals those values cannot necessarily be attributed to the individuals associated with it; those individuals would not necessarily claim all the institution’s values or goals as their own (“top-down” irreducibility) and (2) simply because an individual values something and that individual is part of an institution, it is not necessarily the case that the institution also holds those values; it is inappropriate to say that an institution’s values are the sum of all the values of individuals associated with it (the impossibility of “bottom-up” constitution).

(1) “Top-Down” Irreducibility
The central claim here is that it is not possible to move directly from an understanding of the stated moral character of the whole to that of the parts such that the stated moral
character of an institution is not reducible fully to the individuals associated with it. What we take to be the stated moral character of an institution cannot necessarily be understood as the stated moral characters of the individuals associated with it for three main reasons. The first two involve aspects of the life on an institution identified in the previous section that suggest that the stated moral character of an institution cannot be reduced fully to the individuals constituting it. The third reason is that there are some stated moral characters that cannot be attributed coherently to or claimed by an individual.

First, an institution may have a coherent or unified set of value claims despite the possible diversity at a given time among the individuals associated with it in terms of what they themselves value. For example, at Loma Linda University and Medical Center (LLUMC) in southern California, an institution which claims to be a Seventh-day Adventist hospital, it is hardly the case that all the patients or even all the employees are Seventh-day Adventists. Among the employees there may be Christians of other denominations, Jews, Buddhists, Moslems, atheists, and so on. Furthermore, such individuals are not required to lie and say that they are Seventh-day Adventists. They are required to act in accordance with the hospital’s policies, but they need not assert as their own the stated moral character of institutions. Moreover, simply because they are associated with LLUMC, we do not and should not assume that they are all Seventh-day Adventists or that they hold such values.\(^{38}\)

---

\(^{38}\) By associating with a particular type of institution, individuals may be in a position in which they must be hypocritical in order to maintain the institution’s integrity or in which they are forced to compromise their personal integrity in other ways. This issue is addressed in chapter five, though the integrity of individuals is not my focus.
This suggests that the stated moral character of LLUMC, as that of any institution composed of diverse individuals, is not reducible fully to the individuals associated with it. It would not make sense to say that the stated moral character of LLUMC—its professed mission—can be attributed to all the individuals constituting it. As long as those individuals act as they ought to act in their role as employees, there is no need for them to assert that they too are Seventh-day Adventists for Loma Linda's stated moral character to remain as it is. Some individuals may even strongly disagree with some of Loma Linda's commitments. Such persons may determine, after considering all the relevant factors, that they should remain loyal employees. Nevertheless, they may in their roles at Loma Linda act on or in accordance with principles they themselves may not espouse. What is important here is that it is not possible to say that all individuals associated with Loma Linda necessarily have the same stated moral character as the institutions. Likewise, it would be wrong to say that because St. Joseph's Hospitals is a Roman Catholic hospital all the individuals associated with it are Roman Catholic. It is not appropriate to attribute the stated moral character of an institution to the individuals associated with it because the institution can have diverse individuals associated with it, individuals who do not hold the same stated moral character.

Second, over time an institution may maintain a consistent, coherent stated moral character even though the individuals associated with it may undergo profound personal changes and there may even be different individuals associated with the institution. For example, a nurse at St. Joseph's Hospital might be a Presbyterian who marries a woman is a Jehovah's Witness. The nurse might convert and become a Jehovah's Witness and
continue to work at the hospital. There is no reason to think that either his original status as a Presbyterian or his conversion, which reflects the fact that his stated moral character did not remain the same over time, make inconsistent the institution’s stated moral character over time. It is not possible to attribute the institution’s consistency to the nurse or others like him; his stated moral character changed over time. Thus again it is not appropriate to attribute an institution’s stated moral character, which may be consistent, to the many individuals associated with it over time because they do not necessarily hold the same stated moral character at any given time nor over time.

Third, there may be stated moral characters that can be “expressed” by institutions and attributed to institutions that could not be held by or attributed to individuals appropriately. For example, as Peter French (1984) points out, there are certain predicates that can only be attributed to groups and institutions. We may assert that a group disbanded, for instance, but it would be incoherent to assert that an individual had disbanded (1984, p. 5). Some stated moral characters are assertable only by institutions. For example, only an institution can claim that its goal is to have a unified group of individuals working together to provide health care to a community. That is, only an institution or group can coherently seek to be made up of individuals united in an idea and holding positions defined by an organization working toward one goal. It would not make sense for an individual to claim that as her personal moral commitment, though certainly she could seek to be part of such a group.
(2) The Impossibility of “Bottom-Up” Constitution
Just as it is not possible to reduce the stated moral character of an institution to the individuals associated with it in that we cannot simply attribute an institution’s stated moral character to individuals, it is not possible to identify the institution’s stated moral character simply by summing or collecting the stated moral characters of the individuals associated with an institution. The stated moral character of an institution is not merely an amalgamation of the stated moral characters of the individuals associated with it. The possibility of an institution having a coherent or consistent stated moral character despite the diversity of the individuals associated with it at any given time and over time suggests that the stated moral character of an institution is not merely the sum of the stated moral characters of the individuals associated with it at any given time and over time. An institution may consistently have a particular stated moral character and have individuals associated with it who do not assert that they too hold those same values. Having a diverse group of individuals associated with an institution does not necessarily mean that the institution cannot have a unified statement of values. This suggests that the institution’s stated moral character is not equal to the sum of the stated moral characters of individuals. The stated moral characters of the individuals constituting an institution do not necessarily together make up a stated moral character of the institution. The “raw material” of individual moral characters does not allow us to know the stated moral character of the institutions they are associated with. If that were the case, a number of institutions would have wildly incoherent stated moral characters.
Again using the example of Loma Linda, we can see that it would not make sense to say that its value claims and its Seventh-day Adventist character is a result of the sum of the characters of the individuals associated with it. It is true that in order to articulate its character the institution depends on individuals, but it would not make sense to say that the sum of the stated moral characters of the individuals associated with it, including those who are Catholic, Baptist, Jewish and so on, results in LLUMC’s Seventh-day Adventist stated moral character. If the stated moral character of an institution were the sum of the stated moral characters the individuals constituting it, sometimes we would be required us to attribute to institutions radically incoherent stated moral characters. It would be to say, in some cases, that an institution simultaneously claims to be a Christian, Jewish and atheist institution and that it holds values and principles that are contradictory.\(^{39}\)

Further support for the claim that an institution can have its own stated moral character that is not merely a sum of the stated moral characters of individuals constituting it is that institutions can have consistent stated moral characters despite the diverse composition of institutions over time. If the stated moral character of an institution were reducible fully to the individuals constituting it –if it were the sum of the stated moral characters), with each change in staff, the institution’s stated moral character would change. That is, every time someone resigned or a new person was hired, the

---

\(^{39}\) It is possible that such institutions do have incoherent stated moral characters. One possibility is that there might need to be at least a certain number of individuals with a particular stated moral character associated with an institution for that institution to be able to have that same stated moral character. Regardless of this interesting point, it is not possible simply to sum the state moral characters of the individuals associated with an institution and call that (potentially incoherent) set the stated moral character of an institution.
institution's stated moral character could change. For example, if a Jewish nursing home, which professes to be committed to certain Jewish values, hires an openly Christian nurse, the institution does not necessarily suddenly have a new set of stated moral commitments and values. The point is one French notes (1979c/1977, p. 182) in his discussion of corporations. He suggests that the (relative) consistency of institution's goals over time stands in contrast to the potential for the personal goals of the individuals associated with it to change and to be radically different. The stated moral character of the institution can remain the same even though the individuals associated with it may have very different reasons for being part of the institution and their personal stated moral characters may change over time.

Not only is it possible for institutions to maintain a consistent stated moral character over time despite changes in its constituents, persons associated with an institution can undergo profound personal changes without necessarily affecting institution's stated moral character. If an institution's stated moral character were the sum of the stated moral characters of the individuals associated with it, then with every religious conversion or personal change, individuals might undergo the institution's stated moral character would change.

Finally, there may be stated moral characters that could only belong to institutions and could not be the sum of the stated moral characters of individuals. This is grounded in French's claim (1984, p. 5) that there may be predicates that simply cannot be asserted of individuals. As shown above, there may be stated moral characters that could not be articulated and claimed by individuals. If that is the case, then we cannot identify the
stated moral character of an institution simply by understanding the stated moral
characters of the individuals associated with it because the stated moral character of the
institution could be one that individuals could not claim for themselves. That is,
institutional character describes a mode for the being of a group that can be expressed in
an esprit-de-corps.

B. Institutions Can Have Their Own Manifest Moral Character
The manifest moral character of an institution is the character suggested by those actions
that can be described appropriately as actions of an institution. The concept of an
institution having a manifest moral character has been captured in the business world
with the idea of a corporate personality (Drucker 1946/1972). For example, Wally Olins
points out that changes in which individuals constitute a corporation over time can be
nearly irrelevant because of the stability or consistency offered by the corporation’s own
character. He observes that

Cultivated corporate identity becomes the substitute for the personality of the
entrepreneur. . . Many mature organizations manage to develop an ethos, a way of
doing business, that is so characteristic and so much a part of them that they seem
to pursue it relentlessly . . . regardless of who runs the company . . . the corporate
identity expresses itself in their every action (Olins, 1978, p. 82; emphasis added).

In health care institutions, concerns over manifest moral character are common. Issues of
how they ought to conduct their activities arise in both secular and religious institutions
as was discussed earlier in this chapter. (See the discussion in section I.)

As was possible in the analysis of institutional stated moral character, there are
two principal ways to examine the relationship between the manifest moral character of
individuals associated with institution and that of the institution itself. First is “top-down”
irreducibility; the manifest moral character of an institution cannot be reduced fully to the manifest moral characters of individuals associated with the institution. Simply because a particular manifest moral character can be attributed appropriately to an institution does not mean it necessarily can be attributed appropriately to (all) the individuals associated with the institution.\(^{40}\) Second is the impossibility of “bottom-up” constitution: the manifest moral character of the individuals associated with an institution cannot necessarily be attributed to an institution. It is not appropriate simply to sum the manifest moral characters of the individuals associated with the institution.

**1) “Top-Down” Irreducibility**

Three aspects of institutional life make it evident that we cannot simply reduce the manifest moral character of an institution to the individuals associated with it. First, it is not necessarily appropriate to attribute some institutional acts (and thus they moral character they suggest) to the individuals associated with an institution at a given time. Lewis (1948) made this point with regard to group membership. He responded to those, such as Karl Jaspers (1947), who claimed that individual Germans were responsible for the Holocaust by arguing that the moral character attributed to a group because of its actions or because of a particular state of affairs never can be attributed to individuals. Despite the difficulties with Lewis’ paper discussed earlier, he does introduce an important idea, namely that the manifest moral character of a group cannot necessarily be attributed appropriately to all the individuals associated with it. Similarly, I argue that we cannot attribute all acts of the institution and the moral character suggested by those acts

\(^{40}\) Although it may not be reduced to certain individuals, the manifest moral character of an institution may tell us something about the individuals associated with it.
to all the individuals associated with the institution. For example, if an institution opts to insist that profit is more important than providing charity care and refuses ever to provide any free or reduced price health care beyond what the law requires of it, we may rightly assert that the institution’s actions suggest that it lacks a commitment to charity.

However, it will not necessary be appropriate to assert that all the individuals associated with the institution are also uncharitable. On an individual level, they may demonstrate charity toward patients, for example, by paying for their (the patient’s) transportation home or by donating significant portions of their income to a health care charity. It may be the case that a physician could demonstrate charity by providing care and not charging for it. Such acts of charity are, to say the least, controversial because some institutions treat such actions as a form of theft from the institution because the physician is denying the institution legitimate income by not billing for services rendered. There are multiple government regulations concerning this issue.

Second, an institution may have individuals associated with it who have diverse manifest moral characters even though the institution can have a consistent manifest moral character. For example, not all employees of Catholic hospitals must be Catholic or act as if they were Roman Catholic, though they will be obligated to conform to certain guidelines. The individuals need not have the manifest moral character of a Roman Catholic for the institution to have a consistent manifest moral character as a Roman Catholic institution as long as the individuals act according to institutional guidelines in their roles in the institution. For example, it is quite plausible that many of the employees of a Roman Catholic institutions use contraception, something that clearly
would mark their manifest moral character as not-Roman Catholic. If the institution’s manifest moral character were reducible fully to the individuals associated with it, then we would be required to say that all employees of a Roman Catholic hospital had a Roman Catholic manifest moral character, which would be inaccurate in the case of most Roman Catholic hospitals today. We cannot assume by knowing that an individual works in a Roman Catholic hospital that she is or acts as if she were Roman Catholic. We may assume that she acts in particular ways in her capacity at the institution, but that is not the same as to assume that she acts as if she were Roman Catholic and thus has a Roman Catholic manifest moral character. To have the manifest moral character of an employee of a Roman Catholic hospital is not equivalent to having a Roman Catholic manifest moral character.

Third, there may be some manifest moral characters that cannot be attributed appropriately to individuals so it would not make sense to redistribute the manifest moral character of the institution to the individuals. For example, an institution or group can have a strong group spirit and be committed to having all those associated with it participate and collaborate in that spirit. Certainly individuals can be committed to a group and its ideas, but only a group itself actually can be seen as exhibiting a cohesive spirit of individuals working together in a defined structure toward a common goal. It would not make sense to attribute that character itself to an individual even though an individual can be seen as being committed to a group and its goals. Only a group can actually exhibit a coherent group spirit.
(2) The Impossibility of “Bottom-Up” Constitution

The manifest moral character of an institution is not the sum of the manifest moral characters of the individuals associated with institution. First, institutions can have a consistent manifest moral character even if not all the individuals associated with it at a time personally have a consistent manifest moral character, even if at times the actions of particular individuals are inconsistent with the general ethos of an institution. This is not to say that it is always possible for an institution to have a consistent manifest moral character if the individuals associated with it do not act in a particular way. My claim is that this sometimes may be the case and thus it is not possible merely to sum the manifest moral characters of the individuals associated with an institution and attribute it to the institution. For example, LLUMC may, as an institution, manifest its Seventh-day Adventist commitments even though not all the individuals associated with it do so. Certainly the institution depends on a significant network of staff cooperating to act according to Seventh-day Adventist principles for the institution to have this manifest moral character. Nevertheless, it is not necessary for all the patients and staff to act as if they were Seventh-day Adventist in order for the institution to have a Seventh-day Adventist moral character. For example, merely because it is a violation of Seventh-day Adventist principles to consume caffeine, if someone has a coffee pot in his office and drinks coffee every morning, we would likely not deny that the institution still is a Seventh-day Adventist institution. We would recognize the consumption of coffee by the individual as an act of the individual that clearly marked him as someone who is not a Seventh-day Adventist but not as an act that marked the institution as one that is not a
Seventh-day Adventist. This seems to be the case because although to not consume caffeine may be a moral commitment for Seventh-day Adventists, it does not appear to be a core moral commitment. If in fact it turns out that it is a core value that the institution simply has chosen to treat as less-than-central to its identity, then it would seem that even the single individual drinking coffee in his office at the hospital poses a problem for the institution’s moral character integrity. In that case, this situation would be analogous to the case of an obstetrician performing abortions in a Catholic hospital. It would be a violation of such a hospital’s moral character integrity even if the physician sees himself as acting independently and merely as an individual. There may not be a clear line between those commitments that are foundational and ought to be treated as absolutes and those from which it is permissible to have dissent. Nevertheless, this example should help establish an appreciation of the difference. Some activities on the part of individuals associated with the institution will be incompatible with recognizing the institution as having a particular manifest moral character because we recognize the institution as having an obligation to reprimand and perhaps terminate individuals who explicitly act contrary to the institution’s values, particularly an institution’s deep moral commitments, in their capacity as employees. Even then, it may in certain cases be possible to distinguish between the activities of an individual and the institution’s manifest moral character. Recall the urologist secretly performing vasectomies in a Roman Catholic hospital. His activities clearly suggest a not-Roman Catholic moral character, yet we may be able to recognize his activities as distinct from those of the institution, even though performed in the context of the institution, because of the secrecy
involved. At the same time, we may hold that the institution is obligated to maintain order and be sure that its employees are acting appropriately.

Although generally the manifest moral character of the individuals associated with an institution does not necessarily define the manifest moral character of the institution as shown above, the possibility of a moral coup or takeover must be considered. If an individual with sufficient power in an institution, or if a sufficient number of individuals associated with an institution, do not share the institution’s deep moral commitments and they choose to not act in their institutional capacities as if they did, then the institution’s manifest moral character may be affected. Even if the individuals under consideration do not intentionally fail to act as if they shared the institution’s commitments but they nevertheless fail to act in ways consistent with the institution’s deep moral character, they may nevertheless affect the institution’s manifest moral character. However, in those cases in which such failures are accidental, the language of a “moral coup” or a “moral takeover” is not as appropriate because such languages implies intent. There are certain circumstances in which it must be acknowledged that there is some “bottom-up” constitution whereby an institution’s manifest moral character is defined (or redefined) by the individuals associated with it.

Another interesting question is whether all (or most) of the administrators of an institution must have a particular manifest moral character in order for the institution to have such a character. Do these individuals in some sense constitute or define the manifest moral character of the institution? This issue is addressed in further detail in chapter five. At this point, I will suggest that the manifest moral character of an
administrator is important. These are individuals (1) who typically have significant control over institutional practices, (2) who serve as models of behavior within the institution and (3) whose actions often are taken as representative of institutional beliefs and standards. For these reasons, and others discussed in chapter five, the manifest moral character of administrators may have a greater role in determining the institution’s manifest moral character than the manifest moral characters of other individuals associated with the institution.

The interesting issue of a “breaking point” arises in three senses here as suggested by the examples/scenarios offered above. There may be a point at which the actions of individuals associated with an institution (either employees or administrators) are so pervasive that one must recognize their manifest moral character as also being that of the institution. If an individual’s manifest moral character is overtly contrary to the institution’s deep moral commitments and the institution is not seen as responding to the individual’s actions in a way that would guarantee that the institution’s manifest moral character cohere with its deep moral character, then the institution might be seen as complicit with the individual’s actions and thus the individual’s manifest moral character might in some sense be recognized as that of the institution as well. Or, if there are so many individuals associated with a particular institution acting in a particular way, then we might recognize the individuals’ manifest moral character as also that of the institution. Finally, there may be certain types of actions that are so definitive of an entity’s manifest moral character that when individuals associated with an institution engage in those activities in their capacities as employees, the manifest moral character
associated with that action may be attributed to the institution. Barring these three sets of circumstances, generally we do not take an institution’s manifest moral character to be equivalent to that of the individual’s associated with it.

If an institution’s manifest moral character were the sum of the manifest moral characters of the individuals at a given time, institutions would have incoherent manifest moral characters because the individuals associated with them do not all have the same manifest moral character. Institutions can have a coherent manifest moral character but individuals do not necessarily have same moral character and they do not necessarily have to have same manifest moral character for institution’s manifest moral character to be coherent and consistent. This claim must be understood in the context of those extreme situations in which the manifest moral characters of individuals associated with an institution do in fact shape the institution’s manifest moral character to the point at which the institution’s manifest moral character is affected over time.

Second, an institution can exhibit a consistent manifest moral character over time despite the diversity of manifest moral character individuals associated with the institution over time. It is not possible to sum the manifest moral characters of the individuals associated with it. Even though different individuals may be acting on behalf of an institution and executing an institution’s actions at a given time and over time, the institution can have a consistent moral character.

Third, some manifest moral characters cannot be attributed appropriately to individuals. If an institution has such a moral character, it is not possible simply to observe the collection of individuals manifest moral characters and identify the
institution’s manifest moral character. A number of individuals committed as individuals to a particular end does not generate a group spirit. Such a sense of coherent spiritedness emerges only when there is a recognizable group that can be recognized as being committed to such ends.

C. Institutions Can Have Their Own Deep Moral Character
In this section I show that an institution can have a moral identity, a set of fundamental moral commitments, such that it is appropriate to say that St. Joseph’s Hospital is a Roman Catholic hospital. It is understood, for example, that Roman Catholic physicians ought not perform or refer for abortions. The issue here is whether St. Joseph’s Hospital can have a deep moral character that would obligate the hospital not to allow abortions or referrals for abortions to be available there and that would give the hospital a positive obligation to act in particular ways. I show here that institutions can have a deep moral character, a set of fundamental commitments that defines the institution and that ought to be the driving force behind institutional actions and decisions. The deep moral character that can be attributed appropriately to an institution is not necessarily reducible fully to the individuals associated with it. This is evident because an institution’s deep moral character cannot necessarily be attributed appropriately to the individuals associated with it (top-down irreducibility) and the deep moral characters of the individuals associated with it cannot merely be summed to determine an institution’s deep moral character (the impossibility of bottom-up constitution).

The deep moral character of institutions can have two main sources. An institution with moral character integrity might represent a particular moral community,
its deep moral character might reflect a specific religion, for example. Often this is the case because it is a set of core values, such as religious beliefs, that brings individuals together to form an institution. However, it is also possible that an institution, as it evolves, will come to have a particular ethic – a deep moral character – that does not reflect a specific religious tradition but rather that developed or was created for the institution.

(1) “Top-Down” Irreducibility
One sense in which the deep moral character of an institution is not reducible fully to the moral characters of the individuals associated with an institution is that it is not appropriate simply to attribute the deep moral character of an institution to (all) the individuals associated with it. For example, simply because it may be appropriate to say that St. Joseph’s hospital is a Roman Catholic health care institution, it is not appropriate to say that all individuals associated with it are Roman Catholic. The individuals may be required to act in certain ways when they act on behalf of the institution or when they act in a particular institutional role, but it is not the case that they are all necessarily Roman Catholic. So the identity of the whole cannot simply be attributed to the parts. The deep moral character belongs to the institution and is not reducible fully to the individuals because the individuals associated with an institution at a given time and over time may have different deep moral characters even when the institution’s deep moral character is consistent. Moreover, the fundamental moral commitments of the individuals associated with an institution can change over time.
Second, if an institution’s deep moral character were reducible fully to the individuals associated with it and if the institution’s deep moral character were consistent over time, we would not be able to recognize the fact that some of the individuals associated with the institution might undergo radical changes in their fundamental moral commitments, e.g., a religious conversion, while associated with an institution. Loma Linda University Medical Center (LLUMC), for example, has had a consistent deep moral character over time; it has been a Seventh-day Adventist institution since its inception. Some of the individuals associated with it at any given time, however, may undergo personal changes in their deep moral characters, such as religious conversions. If LLUMC’s deep moral character were reducible fully to the individuals associated with it, it would not be possible to recognize those personal changes in deep moral character while recognizing the institution as having had a consistent deep moral character. We would be committed to saying that the individuals associated with the institution at any time are Seventh-day Adventists and that as long as they are associated with the institution they remain Seventh-day Adventists.

Finally, an institution may have a deep moral character that could not appropriately be attributed to individuals such that it would be inappropriate to attribute the institution’s deep moral character to the individuals associated with it. For example, an institution could be fundamentally committed to respecting life in all ways, including having associated with it over time individuals also committed to life who work together to provide the institution with the opportunity to be maximally respectful of life. An individual can be committed to respecting life and even be associated with an institution
in which there are other similarly committed individuals. However, only an institution can be committed to being an agent that despite the death or departure of various individuals is committed to respecting life and always has individuals associated with it who are so committed.

(2) The Impossibility of "Bottom-Up" Constitution
A second reason for which we can understand an institution's deep moral character as belonging to the institution is that it is not equivalent to the sum of the deep moral characters of the individuals associated with it. This is evident for two reasons. Individuals associated with an institution at a time may have varied and sometimes incompatible deep moral characters. It is not appropriate or sometimes even possible to take the conjunction of the deep moral characters of the individuals and identify a consistent deep moral character. The sum of sometimes radically different deep moral characters probably would yield an incoherent, at best, deep moral character for the institution. The institution, nevertheless, may have a consistent deep moral character, and thus the institution's deep moral character cannot be the sum of the deep moral characters of the individuals associated with it.

For example, it is not necessarily the case that all individuals associated with a Roman Catholic institution are or have to be Roman Catholic for the institution to have the character of a Roman Catholic institution. This suggests that an institution's deep character is not merely the sum of each individual's deep moral character. It would not

\[41\] An interesting issue to consider is whether there is a "critical number" of individuals who must be Roman Catholic in order for institutions to be Roman Catholic? Does institutional identity depend on Roman Catholics within it to be Roman Catholic?
make sense to say that a Roman Catholic hospital’s character was constituted by the deep moral characters of the individuals associated with it, e.g., would not make sense to say its identity as Roman Catholic depended on its Baptist employees’ identity as Baptists. Employees’ take on obligations as employees of institutions, so what matters for the institution’s character is not that all the employees themselves have a particular kind of moral character, e.g., Roman Catholic or Baptist, but rather that they all agree to work so as to preserve and promote the institution’s deep moral character. The individuals do not necessarily have to be a homogenous group for the institution to display/have a particular deep moral character – the character belongs to the institution and is not fully reducible to or dependent on those individuals constituting it.

Second, over time there may be different individuals associated with an institution, individuals who do not all have the same moral character and even individuals whose deep moral character may change during the time they are associated with an institution. Despite this, institutions may maintain a consistent and coherent deep moral character over time. If the deep moral character of an institution were a conglomeration of the deep moral characters of the individuals associated with it over time, this consistency over time would not be possible.

In this section I suggested that an appropriate way to understand institutional moral responsibility is institutional moral character integrity, an understanding of integrity explored earlier in this dissertation, by showing that some institutions can have all three forms of moral character measured by moral character integrity. The stated, manifest, and deep moral characters of certain institutions are not reducible fully to the
individuals associated with them. In the next section I reflect on how the coherence between these three aspects of institutional moral character can be measured in terms of institutional moral character integrity.

IV. Four Measures Of Moral Character Integrity For Institutions

The arguments in the previous chapter and in this chapter have shown that (1) it is appropriate to treat institutions as entities with their own dependent ontological reality such that discussions of institutions are not merely discussions of individuals associated with institutions, (2) it is plausible that institutions are agents such that it is appropriate or even necessary to explore in what ways, if any, we can understand them to be morally responsible, (3) one way institutional moral responsibility can be understood is in terms of moral character integrity, and (4) institutions may have their own stated, manifest, and deep moral characters which are not necessarily reducible fully to the deep moral characters of the individuals associated with them. I explained what moral character integrity is in chapters one and two and demonstrated in the previous section that (some) health care institutions may have all three forms of moral character. In this section I examine in more detail how we understand the moral character integrity of institutions, and what the relationship is between institutional character integrity and institutional moral responsibility. I proceed by describing each of the three forms of partial moral character integrity as well as full moral character integrity as they apply to the case of institutions. Included in this discussion is an explanation of how ascriptions of moral
responsibility can be understood, at least in part, in terms of each of these types of integrity.

A. Superficial Agential Integrity
One way we might understand institutional moral responsibility is to take an institution’s claims about its commitments, values, etc. as normative for that institution and thus as giving to the institution moral responsibilities. When an institution’s acts do not cohere with its value-claims, we understand it as not having satisfied a certain type of moral obligation or responsibility it has. When an institution’s stated moral character and its manifest moral character cohere, an institution has superficial agential integrity.

The institution that has superficial agential integrity is, for example, one that claims to be committed to providing health care to those who cannot afford it, i.e., charity care, and actually provides charity care. However, if the institution provides free or reduced-cost health care only to the extent required by law to maintain its tax status, we may question whether what it calls charity care genuinely is charity care in any morally relevant sense. We may nevertheless be forced to conclude that the institution technically has superficial agential integrity because what it calls charity care is, by definition, charity care, even if it does not seem appropriate to call it that. What becomes clear in this case is that superficial integrity tells us nothing about whether an institution lives up to its fundamental moral commitments. First, superficial agential integrity may involve technical coherence between an institution’s stated moral character and its manifest moral character but the coherence may not be robust or morally meaningful. Second, superficial agential integrity is a measure only of the relationship between the stated and
manifest moral characters and is silent on the institution’s deep moral character. Superficial agential integrity does not include an evaluation of the relationship between deep moral character, on the one hand, and stated and manifest moral characters on the other. We would not be hard-pressed to find examples of institutional mission statements that say that the patient is the top priority of the institution only to find that finances are more important than patient needs and that money drives or at least influences many clinical decisions. There are, however, other reasons for which institutional superficial agential integrity might be absent. Consider Stanley Reiser’s (1994) discussion of what he calls ‘ethical bifurcation’ for another example of how institutions might lack superficial agential integrity. He says:

the fundamental problem health care organizations face is the problem of ethical bifurcation. In that part of the health care organization which deals with the relationship of clinicians to patients and subjects of research, there is an articulated and constantly reviewed concern about rights and responsibilities. In the part that deals with the relationship between and among staff and students, and the relationship of the institution with like institutions and society, there is no similarly developed and constantly examined set of ethical values on which to base exchange and action (1994, p. 29).

It is not difficult to imagine the case of institutions that lack superficial agential integrity because this essentially amounts to institutional hypocrisy. In the context of a general discussion of “institutional dissonance,” i.e., “contradictions between what institutions teach and what they do” (1994, p. 28), Reiser shows that not only by not “practicing what they preach” may institutions lack this form of integrity, but by attending to ethical issues and moral responsibilities in only certain aspects of their lives, health care institutions demonstrate a lack of consistency between what they claim to value and how they act. To express and demonstrate concern with certain types of ethical issues and not others
suggests that institutions that claim to have an appreciation of their moral responsibilities do not actually act in ways appropriate to an institution that has such a level of appreciation. In these cases, what an institution claims as its concern with ethical issues and what it demonstrates in practice cohere, so it seems that they have superficial agential integrity. But what they say suggests that they should also claim to value and act on certain other values, and they do not. For example, if an institution articulates a concern with ethical issues involving respect for persons, it seems that they should also be concerned not only with the respect shown to patients but to employees as well.

It is important to note that there may be times when we think it is morally good for an institution to have this kind of integrity and others, such as when an institution articulates as its principal commitments we deem morally bad, when we find it morally bad for an institution to have this kind of integrity.

B. Deep Agential Integrity
If we take the fundamental moral commitments (the deep moral character) of an institution as normative for that institution, we hold that institution morally responsible for acting as its deep moral character requires. It is, therefore, important to evaluate the extent to which an institution’s manifest moral character coheres with its deep moral character, that is, the extent to which its actions reflect its fundamental moral commitments. When an institution’s actions cohere with its deep moral character, an institution has deep agential integrity.

Consider the institution that holds a fundamental commitment to respect the dignity of human life. If its activities and policies include a ban on abortions, abortion
referrals, and euthanasia and the institution consistently demonstrates respectful care for the sick, the elderly, the dying, premature infants and so on, then this institution may very well have deep agential integrity. On the other hand, if the institution facilitates the provision of abortions by referring patients to area clinics and physicians who will provide abortions, then it lacks deep agential integrity because its actions fail to cohere with its fundamental commitments, its deep moral character.

There may be times when we think it is morally good for an institution to have this kind of integrity and others when we find it morally objectionable for an institution to have this kind of integrity. If an institution is fundamentally committed to improving human life by killing those children who are or appear to be of sub-optimal intelligence and thus preventing them from reproducing, we would hold that it was morally best for the institution to lack deep agential integrity.

C. Self-reflective Integrity
When an institution’s stated moral character, what it claims to value, reflects its fundamental moral commitments, its deep moral character, an institution has self-reflective integrity. One of the most obvious ways an institution might have this kind of integrity is by developing a mission statement that reflects its commitments and by making the statement accessible to all associated with the institution. This is something many health care institutions have tried to do.

It is important to realize that this kind of integrity tells us nothing about what the institution actually does; thus having a strong mission statement does not allow us to determine whether the institution has full moral character integrity. If an institution has
particular moral commitments but does not articulate those values, it lacks self-reflective integrity. It is not immediately clear how serious this is. After all, there certainly are many types of institutions with whose moral commitments we are not particularly concerned, and there are many cases in which we might not be particularly concerned with the specific commitments of a health care institution. For example, unless an individual has a concern with issues of moral cooperation with what he takes to be an immoral or evil institution, he might not worry about an institution’s policies regarding abortion and euthanasia if he simply is having his eyes examined at that institution.

The institution that intentionally lacks self-reflective integrity presents an interesting case. Imagine an institution that has fundamental moral commitments that it attempts to hide so as to avoid losing patients who disagree with those values. The charge of hypocrisy would seem appropriate here.

Once again, there may be times when we think it is morally good for an institution to have this kind of integrity and others when we find it morally bad for an institution to have this kind of integrity.

D. Full Moral Character Integrity
Even without a universal standard of moral evaluation, we can determine whether an institution has full moral character integrity, i.e., whether an institution’s actions and value claims cohere not only with each other but with the institution’s deep moral character. Insofar as we accept an institution’s deep moral character as normative for that institution and insofar as we think an institution’s claims about its values obligate that institution (i.e., we recognize institutions as morally responsible for making and adhering
to its value claims), institutional moral character integrity helps us to understand and evaluate ascriptions of moral responsibility to institutions. Moreover, when we recognize an institution as having particular moral obligations deriving from those fundamental commitments, we can impugn its moral character integrity regardless of whether or not we share the institution’s values.

We regard an institution as having full moral character integrity when its actions and value-claims cohere with its deep moral character. Thus the institution that has at its core a commitment to care for the poor, has a mission statement expressing that priority is given to charity care, and actually offers charity care (i.e., free or reduced-cost care beyond that which is required by law) has full moral character integrity. Because full moral character integrity requires that the stated and manifest moral characters cohere with the deep moral character, any lack in partial moral character integrity as discussed above results in a lack of full moral character integrity. Thus the institution that does not have superficial agential integrity, for example, fails to have full moral character integrity. Again, there may be times when we think it is morally good for an institution to have this kind of integrity and others when we find it morally bad for an institution to have this kind of integrity.

There is a further sense in which we must consider issues of institutional moral character integrity, namely the integrity of an institution over time. This is the focus of the next section.
V. Institutional Moral Character Integrity Over Time

Absent from the discussion of institutional moral character integrity up to this point has been any mention of time or integrity over time. Full moral character integrity is the coherence of stated and manifest moral characters with the deep moral character of an institution, but I have not yet considered whether there is a minimum or sufficient amount of time over which the stated, manifest, and deep moral characters must cohere for an institution to qualify as having moral character integrity. As discussed up to this point, moral character integrity refers to integrity at a time. However, when we identify an agent as one who has integrity, we typically imply that the agent has maintained whatever level of coherence we are measuring over time. The discussion of integrity thus far prepares us to consider and evaluate integrity over time because such a discussion presupposes an understanding of moral character integrity at a time. Without an understanding of moral character integrity at time $t$, we cannot know what it is to have integrity over time, and we cannot appreciate the possible implications of not having integrity at time $t$.

In this section I explore issues of moral character integrity over time by considering two central ways in which an agent might come to lack moral character integrity over time. The first involves a pattern of lapses of integrity and the second involves a radical and immediate rupture in the agent’s deep moral character. Ultimately, both of these involve changes in the agent’s deep moral character.

Almost all agents will have at least some lapses in integrity such that at a given time an agent may lack moral character integrity. A single lapse does not necessarily lead
us to seriously impugn the agent’s character and suggest that she no longer holds the same fundamental commitments. Of course, some lapses, such as a religious leader who sexually abuses a child, may be serious enough to result in such impugning. At a certain point in a pattern of lapses of moral character integrity, even lapses which individually are not considered serious in themselves (as isolated events), it might in fact no longer be appropriate to say that the agent has the same deep moral character she once had (or that she holds the same fundamental moral commitments she once held). This is not to suggest that we may always be able to identify a precise moment at which we can no longer attribute to an agent the same deep moral character. Nevertheless, because a pattern of lapses of moral character integrity degrades (or may degrade) an agent’s deep moral character beyond recognition, it is plausible that there is or can be such a time at which an agent’s lapses of integrity mean that we can no longer say she has the same deep moral character she once had.

One implication of this is that it may be easier for some than for others to maintain patterns of moral character integrity over time. First, some individuals may suffer from much weaker wills than others, and those with weaker wills may find it more difficult to maintain their deep moral characters over time. The extent to which one is morally responsible for being weak-willed and implications of being weak-willed are beyond the scope of this study, but it is interesting to note that those with a weaker will may find it more difficult to maintain their moral character integrity and thus their deep moral character over time. Second, some deep moral characters are much more demanding than others. Some will have to work meet more stringent requirements than
others in order to maintain their moral character integrity and thus their deep moral character over time.

Some patterns of lapses in moral character integrity over time make it the case that we become unable to attribute to an agent the same deep moral character he once had, although we are unable to determine a precise moment at which this became impossible. However, in some cases, the lack of moral character integrity over time may be the result of a sudden change in an agent’s deep moral character. Consider the case of a powerful and sudden religious conversion experience. When there is a lack of moral character integrity over time due to a sudden change in the agent’s deep moral character, it is possible to identify the moment at which the agent no longer had the same deep moral character. This has a unique feature: an agent might have pattern of maintaining his moral character integrity and thus not have a history of lapses of moral character integrity. In that sense, he would have moral character integrity over time, yet he still would not have moral character integrity over time in the sense that his deep moral character is not consistent over time. The extreme case would be someone whose only lapse in moral character integrity was the moment of conversion.

It is not always morally good to maintain moral character integrity over time. There may be times at which we might consider it morally good that an agent convert and adopt new fundamental moral commitments. The person who at one time was committed to a life of crime and violence and has committed murder, “finds God,” and adopts a new way of life that excludes crime and violence does not have integrity over time in his life,

---

42 Some conversions are result of various experiences over time rather than a sudden powerful experience.
but we would probably say that it is better that he lacks this integrity than that he maintain it by continuing to kill.

Generally we are more interested in agents maintaining their integrity over time. But because we cannot develop an understanding of what it is for an institution to have integrity over time if we do not know what it is for it to have integrity at a time, the focus has been and will continue to be moral character integrity without specifically considering issues of integrity over time.

VI. Conclusion

This chapter examined the life of health care institutions in greater detail. In the first section I showed why it is plausible that the identity of health care institutions in particular is not reducible fully to the individuals associated with them, using various aspects of the life of health care institutions to support my claim. The second section focused on institutions as morally responsible agents. In the third section I showed that health care institutions can have the three forms of moral character identified in the first chapter, stated, manifest, and deep moral character. Of course, to show that an institution can have the three forms of moral character, and manifest moral character in particular, I showed that health care institutions can be agents of a particular type. The previous chapter along with the first three sections of this chapter were necessary conditions for the possibility of examining the moral character integrity of institutions, which was the focus of the sixth section. In the fourth section I showed that health care institutions can have all four forms of moral character integrity. Finally, in the fifth section I considered institutional moral character integrity over time and showed the two principal ways in
which an agent may lack moral character integrity over time. I am now in a position to consider the extent to which moral character integrity may be valuable and the ways in which institutional integrity might be threatened, challenged, jeopardized and degraded. This will be the focus of the next chapter. An understanding of the potential challenges to institutional moral character integrity is important for understanding both how an institution can maintain its integrity at a particular time as well as how repeated lapses of moral character integrity over time can result in a loss of the institution’s deep moral character. Especially because even institutions with what we may might consider morally bad fundamental commitments can have full moral character integrity, we might ask why it is a moral philosophical project to examine moral character integrity. Is it important to understand and evaluate moral character integrity if it does not enable us to make absolute evaluations of moral virtue and vice? I consider this issue in the next chapter.
Chapter 5: Institutional moral character integrity: Its importance and susceptibility to challenge

To the extent that we understand institutional moral character integrity as an important element in appreciating the moral life and the responsibilities of institutions as well as in maintaining the integrity of individuals, we should be concerned with the preservation of such integrity. There are a number of reasons for which health care institutions might lack moral character integrity. Challenges to this integrity may come from sources both internal and external to an institution. The first section of this chapter explores the reasons for which it may be important to understand and preserve institutional moral character integrity. The second section examines threats to institutional moral character integrity, both those originating outside as well as within the institution. The discussion of potential challenges to institutional moral character integrity must be understood in light of how moral character integrity can be preserved or degraded over time. Some challenges may only threaten an institution’s character integrity at specific times while others may present more serious threats to integrity that eventually make it inappropriate or impossible to attribute to it the same fundamental moral commitments it once had. Persistent threats to an institution’s integrity, if realized, may erode the institution’s moral character such that it changes and the same moral commitments cannot be attributed to the institution any longer. This is addressed in the final part of section II of this chapter.

The third section considers two aspects of integrity introduced in chapter one that become more clear after the discussions of the first two sections of this chapter. First, once we understand better the ways in which an institution’s moral character integrity can
be challenged, it becomes evident that integrity is not a binary characteristic but rather one that is a matter of degrees. Some threats, if realized, may degrade an institution’s integrity without eliminating it altogether. Others may undermine an institution’s core identity. Institutions may have greater or lesser degrees of moral character integrity at different times. In addition, the analysis of threats to institutional moral character integrity makes clear the distinction introduced in chapter one between moral integrity in general, of which moral character integrity is a part, and functional integrity. Institutions must have some set of content-full moral commitments in order for their moral character integrity to have the potential to be threatened or challenged. Some institutions cannot have moral character integrity. Institutions lacking moral commitments can neither have nor lose their moral character integrity; such institutions may only possess the potential for functional integrity. Their moral responsibilities will be limited to that set of moral obligations we can justifiably attribute to all institutions or all agents in a secular pluralistic society.

I. The Importance Of Understanding Institutional Moral Character Integrity

Moral character integrity is not an absolute value. Nevertheless, there are six principal reasons for which it is important to have an understanding of moral character integrity.

First, in a secular pluralistic society that lacks universal agreement concerning the content of morality, moral character integrity allows us to make stronger normative claims regarding an institution’s obligations than we would otherwise be able to make because moral character integrity enables us to attribute to agents moral obligations that
originate in an agent's deep moral character. As already noted, in a secular, pluralistic society such as ours there is, in certain cases, limited agreement on matters of morality. There is a limited set of moral obligations we may attribute justifiably to all agents. Our pluralism, however, does not prevent particular agents from recognizing and identifying themselves as bearers of particular moral obligations. It may even help some agents do so. We can understand the deep moral character of a particular agent as normative for that agent. Moral character integrity allows us to evaluate the extent to which that agent has satisfied her moral obligations. Thus, moral character integrity gives us a richer understanding of moral obligation than would be available if we were limited to what, if any, universal agreement on morality is available in our society. What we would be able to say about moral obligation would be greatly limited if the only basis of moral responsibilities were the set of responsibilities agreed upon by all in a society or that we could justifiably attribute to all agents in a secular, pluralistic society. Moral character integrity allows us to attribute moral obligations to certain institutions (and other agents, I would argue) that we may not attribute to all institutions. This is desirable for a number of reasons, including the fact that health care institutions are powerful players in the health care delivery system, there is a lack of agreement on many complex medical-moral problems, and having institutions with different moral characters makes it possible for more individuals to obtain health care and practice medicine in environments that cohere with their personal values, thus enhancing individual freedom and fulfillment.

Second, no agent, whether an individual or an institution/organization, can commit itself to the pursuit of all that is good and of value in this world. In this sense,
there cannot be a single definition of moral obligation or a single set of moral responsibilities that can be justifiably attributed to all agents. Moral agents necessarily will have to make choices regarding which goods they will pursue and how they will pursue them. Agents cannot take on, pursue, and realize all possible moral goods. To adopt a particular set of moral aims is to recognize one’s limitations and those imposed by the world. That set of moral goods an agent elects to pursue, shape or define the agent’s moral character. Given an understanding of an agent’s moral character and moral commitments, it is reasonable to seek to evaluate the extent to which the agent’s moral character and moral commitments, it is reasonable to seek to evaluate the extent to which the agent realizes those goods.

Third, once we understand an agent such as a health care institution as bearing certain moral obligations, it seems desirable that we be able to evaluate the extent to which it satisfies those obligations. Moral character integrity allows us to judge the extent to which an agent satisfies those obligations she bears that derive from her deep moral character. Generally we treat moral responsibility and obligation seriously; we do not recognize agents as bearing moral responsibilities only to ignore the issue of whether or not they fulfill them. Moreover, institutions involved in health care delivery often make claims regarding their mission, commitments, values and so on. In making those claims, they attribute to themselves moral obligations we might not otherwise have been able to justifiably attribute to them in our society. For example, it may not be possible justifiably to claim that all health care institutions ought to dedicate a certain portion of their activities and income to charity care or that all health care institutions ought not to
permit abortions to be performed on their premises. However, when an institution indicates that it is so committed, or that it has a moral character requiring those commitments, then we can justifiably assert that the institution in question is morally obligated to abide by those commitments, presuming again that these obligations are not overridden by those integral to the generally accepted morality.

An interesting issue that arises here is the question of whether an agent might be mistaken about its moral commitments. There is always the possibility that an agent will lack right or true understanding of its commitments or will not appropriately interpret her deep moral character. In all likelihood, this would be described as a lack of self-reflective integrity, a situation in which the agent’s deep and stated moral characters do not cohere. It is somewhat more complicated than the simple case in which an agent intentionally misidentifies its commitments, in part because it is not clear how we might have access to an agent’s deep moral character except through her description of what it is and what it entails. Although this is an important point, I will not pursue it further here. I rely on the assumption that generally we can have a fairly accurate understanding of an agent’s deep moral character and the commitments it entails.

Once institutions assume the responsibilities associated with their particular moral characters, it is desirable that we be able to account for the responsibilities. Furthermore, this kind of moral evaluation allows us to distinguish among various institutions, and such distinctions might be important for patients and health care professionals making decisions about where to seek and provide treatment, respectively. For example, fertility specialists who want to perform in vitro fertilization (IVF) will not want to practice
medicine in a Roman Catholic hospital. Moreover, some health care institutions are concerned with their moral obligations and put a great deal of energy into satisfying those moral obligations. Roman Catholic hospitals, for example, often have a mission effectiveness committee or team. Among Roman Catholic health care institutions, there is a sense that particular failures of moral character integrity are more than unfortunate; they are sinful or morally evil.

Fourth, moral character integrity is a measure of internal coherence, which we seem both to value directly and as being instrumental to the fulfillment of agents. Our disdain for hypocrisy, as noted in chapter one, suggests we generally value moral coherence. We value integrity instrumentally because maintaining integrity is related to being fulfilled. In fact, Baruch Brody holds that integrity is an objective value: integrity is “[a] reflection of the way people should relate to their values” (1988, p. 90; italics added). He continues, “We see the formulation of values and goals as a valuable activity but one which would be undercut by a lack of integrity, and we therefore see integrity as something objectively good” (p. 90). Nevertheless, he maintains that integrity is not necessarily a supreme good; integrity is a value among others that can be overridden (p. 54, n. 62). Integrity, he says, “calls upon health care providers and health care recipients to stand firm in their values. It evaluates choices at least in part on the extent to which those choices are consonant with the personal values of both the provider and the recipient of health care” (p. 37).

The importance of a coherent relationship between an agent’s life and her ends also has been explored by Alasdair MacIntyre. In the first edition of After Virtue (1981)
he argues "that unless there is a telos which transcends the limited goods of practices by constituting the good of a whole human life, the good of a human life conceived as a unity, it will both be the case that a certain subversive arbitrariness will invade the moral life and that we shall be unable to specify the context of certain virtues adequately" (1981, p. 189). MacIntyre's exploration of integrity leads him to the thesis that "man is in his actions and practice, as well as in his fictions, essentially a story-telling animal" (p. 201). The unity of life, or the stories one tells/lives, lie in the "systematic asking" of two questions, namely "What is the good for me?" and "What is the good for man?" (p. 203). Thus "The unity of a human life is the unity of a narrative quest. Quests sometimes fail, are frustrated, abandoned or dissipated into distractions; and human lives may in all these ways also fail. But the only criteria for success or failure in a human life as a whole are the criteria of success or failure in a narrated or to-be-narrated quest" (p. 203). MacIntyre proceeds beyond issues of coherence and wholeness to talk about goodness and virtue. Nevertheless, on the issue of the importance of coherence, his analysis is helpful and instructive; MacIntyre supports the need for wholeness of the sort I address.

If we accept that the fullness of human life is realized only by acting on one's understanding of the good and if we recognize the reality of moral pluralism (i.e., there is more than one account of the good), then it is necessary that agents have the moral space necessary, within certain side-constraints, to live what they understand as good and virtuous lives (the good life). If agents are unable to pursue their accounts of the good, then they are denied the opportunity to live (what they take to be) a full life. There are individuals who may be able to achieve personal moral character integrity only when
there are institutions that reflect their values and within which they can obtain goods and services they seek. For example, it may be important for some to obtain or provide health care in an environment in which they are not rendered complicit in activities they take to be immoral. So, for an individual who holds that it is immoral to deny women access to first trimester abortions, it may be a violation of her personal integrity to practice medicine in an institution in which it is impermissible both to perform and refer patients for abortions. This may be especially true for obstetricians/gynecologists, internists, family practitioners and even pediatricians because they are most likely to engage directly with pregnant patients. Nevertheless, even individuals in specialties in which they are unlikely to counsel pregnant patients but who feel strongly that it is immoral to deny or even hinder women’s access to abortion services may determine that to practice medicine in a hospital in which physicians may not perform or refer for abortions is to be complicit in immoral practices such that to do so is to violate their personal moral character integrity. Thus, the value of coherent living and integrity for individuals may itself be one reason institutional integrity is important. The claim here is that there are certain goods associated with human flourishing that are attainable only if institutions have moral character integrity. Institutional integrity makes it possible for individuals to experience fulfillment in the sense of coherence as described by Brody and MacIntyre. All things being equal, it is best for institutions to have such integrity. This does not commit us to accepting that all institutions should always maintain their moral character integrity or that institutional integrity is always objectively morally good.
At this point, it becomes important to ask whether the circumstance described here, namely the requirement that certain institutions exist in order for particular individuals to live morally coherent and fulfilling lives, gives individuals a positive right to demand that certain institutions exist and be supported so as to ensure their continued existences or whether it merely gives individuals a forbearance right, namely the right to be left alone as they associate freely to form and support a particular institution. A detailed exploration of this issue is beyond the scope of this dissertation. Nevertheless, some brief remarks are appropriate.

One way to examine the question is to look at what it would be to grant individuals a positive right to have certain institutions exist and be supported. Once such a right were recognized, individuals would be able legitimately to make demands of other individuals and groups to create and support institutions with particular moral commitments. This itself might result in the degradation of the moral character integrity of some agents. For example, Tom, Tim, and Ted are staunch supporters of physician-assisted suicide in Oregon. If Tom, Tim and Ted have a positive right to have institutions created and funded that support their moral commitments, not only the right to themselves create and seek support for such institutions, then individuals who hold a different set of moral commitments could be obligated to help them in their quest. This might be more than merely unfortunate but unfair because it could require some individuals to violate their personal integrity. Given the possibility of extreme violations of personal moral character integrity that might result from the recognition of a positive right, it seems that individuals could only claim justifiably a right of forbearance. To do
otherwise would force others to be complicit in activities that might violate their deep moral characters and thus impinge upon their moral flourishing.

A fifth reason it is important to understand moral character integrity and evaluate institutional moral character integrity is that moral character integrity is a virtue-making or vice-making condition. To be fully virtuous or fully vicious, one must have full moral character integrity. The fully virtuous person would have moral character integrity as well as universalist moral integrity. That is, her stated and manifest moral character would reflect her deep moral character and her deep moral character (fundamental moral commitments) would be morally good. If, for example, she had good commitments but regularly failed to act on them, it is difficult to imagine that we might consider her to be fully virtuous; we would treat her as lacking (at least) one virtue-making condition, namely coherence among her commitments, what she says, and what she does. In order to be fully vicious, on the other hand, it seems that an agent would have to possess full moral character integrity and that her deep moral character (fundamental commitments) would have to be morally evil. The agent who holds morally good fundamental commitments and suffers from a weak will such that his actions often fail to cohere with or reflect his fundamental commitments is not fully vicious. We certainly might recognize such an agent as being weak-willed, but the assessment may not lead us to charge him with moral viciousness. The agent who holds evil fundamental commitments and whose actions and value-claims reflect those evil commitments would have one of the necessary conditions for being fully morally vicious. It seems appropriate to say that this condition is also sufficient for deeming him morally vicious. In a sense, to say that
someone is "rotten to the core" is to say that he is fully vicious. That charge requires that an agent hold morally bad fundamental commitments and that his stated and manifest moral characters reflect those commitments. The agent who holds morally evil fundamental commitments but is every now and then overcome by good will and acts contrary to his evil commitments is not fully vicious, though he may come close. Thus moral character integrity is a virtue-making and vice-making condition. In order to be fully virtuous one must have fully moral character integrity and one's fundamental moral commitments must be morally good. Similarly, in order to be fully vicious, an agent must have full moral character integrity and her fundamental moral commitments must be morally bad.

The two poles described in the discussion above, full-fledged virtue and full-fledged vice, leave open the possibility that there is a wide range of degrees of virtue and vice in between. What emerges is an account of virtue and vice as matters of degrees rather than as binary qualities. An agent may be somewhat vicious without being fully vicious if, for example, he has morally acceptable fundamental commitments but often fails to act on them such that his actions suggest that he is otherwise committed. This is consistent with the idea introduced in chapter one that integrity may be a matter of degrees rather than an either-or (binary) condition. The discussion of some of the factors that may challenge or threaten institutional moral character integrity below will clarify this notion further.

Sixth, the discussion of institutional moral responsibility and moral integrity complements other discussions of the moral life. The phenomenon of individuals acting
in particular institutional roles cannot be understood or explored solely in terms of individual moral responsibilities. The actions of individuals acting in institutional or organizational roles cannot be explained merely as individual acts. Likewise, the moral responsibility for those actions cannot be understood merely in terms of individual moral responsibility. Reflections on institutional moral integrity respond to the social life-world occupied by institutions in a way discussions of the moral responsibilities of individuals cannot. Any attempt to understand an institution merely in terms of individuals to understand the actions of individuals acting in social roles merely as individual acts, or to understand the moral responsibility for institutional actions solely in terms of individual moral responsibility results in an insufficient examination of the moral and social reality of institutional behavior.

None of the six reasons offered here for the importance of institutional moral character integrity elevate integrity to the status of having absolute moral or social value. It will not always be morally good for an institution to maintain its moral character integrity and it will not always be morally bad for an institution to lack full moral character integrity. Nevertheless, it is important to understand institutional moral character integrity and to be able to evaluate the extent to which an institution maintains or fails to maintain its moral character integrity. In the next section I consider some of the challenges to institutional moral character integrity.

To be sure, not all recognize the concept of institutional moral character integrity as an appropriate one. Michael Rie, for example, argues that in a secular pluralistic society such as ours, we must accept that individuals may hold varying moral views that
may lead them neither to provide nor to accept particular medical services (e.g., abortion). In not offering certain services, he holds they would be acting in a way that discriminates against the moral values of others (e.g., those who seek abortion services). Rie holds that society can accept this type or level of discrimination. However, “society does not accept discrimination on the part of public and private institutions” (Rie, 1991, p. 223). Rie argues that when an institution finds itself holding a position “we” (i.e., Rie and others who share his premises) would deem intolerant and inappropriate in our society, such an institution must withdraw from society. So, the Catholic hospital that refuses to withhold nutrition and hydration might have to stop providing health care altogether, according to Rie. Essentially, Rie recognizes that institutions may have moral commitments, but the moral commitments of individuals carry more moral weight.

Institutional integrity never should be maintained at the expense of individuals. His claim is grounded in his understanding of how American law and health care policy ought to be framed. For Rie, ours is a material-right constitutional system in which individuals have a number of rights, including the right not to be discriminated against. I show later in the dissertation that there are important reasons for maintaining moral character integrity and suggest that there are cases in which institutional integrity is critical to enabling individuals to maintain their personal integrity and to live lives of moral coherence.

II. Challenges And Threats To Institutional Moral Character Integrity

In so far as we are concerned with the preservation of institutional moral character integrity, we will be concerned with how an institution’s moral character integrity is or
can be jeopardized. In this section I explore potential and apparent threats to institutional moral character integrity. First addressed are those challenges to institutional moral character integrity external to the institution. Second are those internal to the institution.\textsuperscript{43}

The reader is reminded that I have not claimed that institutional moral character integrity is of absolute value; there may be situations in which it is morally good or neutral that an institution lack moral character integrity. For example, regarding the institution committed to improving the human race by killing all infants and children who show any signs of mental retardation and by sterilizing all such adults is one that we might wish lacked moral character integrity, we might say that it would be morally good for such an institution not to act on its fundamental commitments. Once we understand some of the principal ways in which an institution’s moral character integrity can be threatened or jeopardized, it becomes possible to explore the issue of when a threat becomes real and actually damages an institution’s integrity and when those threats become fatal to an institution’s deep moral character itself (i.e., when its integrity is so damaged or degraded that the institution’s character is beyond recognition). Within this discussion of actualized threats several issues will be addressed, including (some of) the factors that determine whether a threat to integrity is real or apparent and (some of) the factors that may influence whether an actualized threat that degrades an institution’s integrity damages the institution so seriously that the institution can no longer reasonably be considered the same institution or to have the same moral character it had before.

\textsuperscript{43}There may be threats whose nature or source is not clearly internal or external. Nevertheless, this classification of potential threats to institutional moral character integrity can provide a useful framework for the discussion of the key issues.
This analysis makes clear several aspects of integrity that have not been thoroughly addressed up to this point, including the sense in which integrity can be measured as a matter of degrees and the point at which integrity is so degraded that an institution’s moral character changes. These are the focus of the third section of this chapter.

A. External Challenges and Threats
An institution’s moral character integrity may be threatened or challenged by a number of factors external to the institution including law, policy, cultural differences and economic pressures. There are multiple ways in which legal challenges to an institution’s moral commitments may threaten its moral character integrity. Consider the case of Beverly Requena introduced in chapter three. By requiring St. Clare’s Hospital to withhold nutrition and hydration from Ms. Requena, the New Jersey courts obliged the institution to act contrary to its fundamental moral commitment never to intentionally to shorten or end human life and always to provide patients with interventions that it considers ordinary and thus morally obligatory. It is true that the hospital could have attempted forcibly to hydrate and feed the patient, but to do so would have not only violated laws concerning informed consent, assault, and battery, but one of the basic tenets of the medical profession: patient consent. By permitting the withholding of nutrition and hydration from Ms. Requena, on their premises, the hospital violated its moral character integrity. In particular, a number of nurses involved in Ms. Requena’s care were forced to violate their personal moral character integrity as well. For many of the nurses at St. Clare’s Hospital, an important reason for working at that particular institution was that it
was a Roman Catholic hospital where they felt their values and beliefs would be fully respected (Wear, 1991).

Imagine an institution that has competing obligations, such as the obligation to provide health care in a Catholic context driven by Roman Catholic moral values and an obligation to serve underserved areas. There may be pressure to provide services, such as voluntary sterilizations, that would otherwise be unavailable to residents of the area. This was the case in the rural community of Gilroy, California when Catholic Healthcare West purchased South Valley Regional Hospital and created one hospital, St. Louise Hospital. As a Catholic institution, St. Louise would not provide tubal ligations. There was criticism in the community from patients and physicians because St. Louise was the only hospital for 35 miles. Eventually, the Diocese of San Jose, California issued a statement indicating that under certain circumstances tubal ligations could be performed at the hospital (‘Sixty Minutes’, 2001). It is not clear precisely what led to this statement, but it is reasonable to suggest that external pressure ultimately led to a situation in which the hospital degraded its integrity by providing services explicitly contrary to its fundamental moral commitments.

Consider also the possible implications of the activities of organizations such as MergerWatch and the American Civil Liberties Union (ACLU). MergerWatch is an organization dedicated to “monitor[ing] the threats to reproductive health care from mergers and other health care industry transactions through which restrictive religious rules are imposed on previously secular health care providers and services are banned” (MergerWatch, 2002). They have focused much of their attention on mergers between
Catholic and non-Catholic institutions because in such mergers the Catholic facilities generally insist that the new institution have a Catholic identity and refrain from providing services Catholics find morally objectionable, such as abortions. This group does not merely discourage mergers, however. They have sought legislative support to prevent such mergers and to obligate Catholic hospitals to provide services they would not provide voluntarily (Kerry, 1999). Although the plaintiffs in the New York case of Amelia et al. v. Public Health Council et al. (No. 7062 (N.Y. Supreme Court, filed December 2, 1994)) were unsuccessful, it is an example of the threat posed to the integrity of Catholic health care institutions by such groups. This 1994 case, brought by Planned Parenthood, Family Planning Advocates and other similar groups, was an attempt to show that a Catholic health care system was acting in violation of state laws in New York by failing to provide direct referrals for abortions and contraception (Kerry, 1999). In January, 2002, the American Civil Liberties Union (ACLU), often a champion of religious freedom, issued a report encouraging lawmakers to force Catholic hospitals to provide abortions or not receive any federal funding. Given that many Catholic hospitals serve poor populations and thus receive much of their funding through Medicaid, this would be financially devastating to such institutions.

A separate but related issue involves events or circumstances that appear to be threats but actually may be calls to institutions to show their deep moral character in a new way, e.g., to respond to new needs. There may be cases in which the institution’s integrity appears to be challenged but it is not actually threatened. Instead the challenge may be, for example, for an institution to reconnect with its deep moral character and
fundamental commitments and respond to new circumstances in keeping with its core values. This is the way in which Long Island Jewish Medical Center (LIJMC), first discussed in chapter three, understands (or at least explains) the development of its moral character. At one time the institution cared for the poor immigrant Jewish population in New York, and this is the purpose for which it was established. Over time the population that initially needed its services had become financially successful, left the area, and no longer needed or used the institution. Instead of closing its doors, the institution shed its clearly Jewish character and aimed at serving new immigrant populations, most of which were either Christian or Moslem. Clearly not all will accept this as a change that allows us to continue to see the institution as having the same deep moral character over time. Nevertheless, as Josh Yedvab (2001), the institution’s Assistant Executive Director explains, the institution saw one aspect of its deep moral character, namely the commitment to providing health care to populations in need, as more important than its strictly Jewish character. Thus the shedding of its Jewish identity was part of a call to redirect its energies in order to honor its moral commitments.

B. Internal Challenges
An institution’s moral character integrity may also be threatened or challenged by a number of factors internal to the institution, including the adoption of inconsistent or incompatible goals, situations in which institutions do not know what their moral obligations and commitments are, cases in which an institution has competing obligations such that in order to satisfy one obligation the institution must sacrifice another,
accidents, and the presence of individuals who fail in their capacity as employees to act in ways that preserve an institution’s moral character integrity.

The first three types of challenges to institutional moral character integrity addressed here involve the institution’s commitments and obligations. First, institutions may hold fundamental moral commitments that have the potential to be incompatible. This is a case in which not only the institution that holds different kinds of commitments and might be faced with prioritizing them but the institution has fundamental commitments that may directly conflict with each other. Consider a teaching and research health care institution. A moral commitment may be to provide top quality patient care. This institution may also be committed to educating medical students and residents and to engaging in cutting edge research. There are many ways in which these three commitments are compatible. There are, for example, numerous aspects of a teaching hospital that may yield exceptional patient care. In a teaching hospital there are multiple health professionals treating a patient, and often those individuals have access to the latest technology and research findings. In a research hospital, patients may have access to the latest technologies and drug therapies, and for those with diseases for which there are no established therapies, a research institution may offer a last chance for improvement. Again, these aspects may maximize the quality of patient care. Still, there are senses in which it is not in patients’ best interest, for example, that medical students and interns be heavily involved in their care. This tension may reflect the fact that there are cases in which it is not possible for an institution to completely fulfill all of its commitments simultaneously. It may be the case that certain commitments are
incompatible with each other, at least in certain circumstances. For example, it may be impossible always to provide the best possible patient care, to be the best medical research institution possible, and to provide the best medical education. This does not mean that it is not possible to do all three, and even to do all three well, but it may not be possible to be the best in all three areas. Nevertheless, it may be possible to offer very good patient care and medical education and to engage in cutting-edge research. This is similar to the dilemma of the physician-researcher introduced earlier: being the best researcher may be incompatible with being the best physician to any given individual patient. For a discussion of the ethics of entering patients into research trials, particularly into a physician’s own trial, see Freedman (1987) and Gifford (2000).

Second, an institution’s moral character integrity may be threatened because it has no clear articulation or even understanding of its commitments. The lack of clarity could have its roots in the ambiguous form of its mission statement, or could be the result of a lack of reflection on what it means to have a moral character. An example of the first is an institution whose mission statement calls for respecting the dignity of the poor. Much is left to the imagination to determine the content of the term “dignity” and its implications for how the institution should operate. An example of the second is the institution that has not considered what moral commitments it has or the implications of those commitments. The institution may be operating on a set of background moral values or assumed principles, applying them on an ad hoc basis. It is not until a serious issue arises in which it is not clear how to address the matter that the institution may
recognize that its understanding of itself is insufficient. Moreover, an institution may have somehow deceived itself with regard to its moral commitments.

Third, and related to the problem of incompatible moral commitments, is the problem of competing obligations. Consider a Roman Catholic hospital and a secular hospital operating in a poor area in which there is no other health care facility is for 100 miles. The Catholic hospital understands itself as being obligated to provide care to the poor in a Catholic setting. If both hospitals are struggling financially, there may be pressure either to merge or shut down. This is a case in which the Catholic institution might experience tension between its obligation to provide care to the poor and its obligation to provide health care driven by particular moral values, particularly if the product of a merger would not be a Catholic institution. However, if the Catholic institution refuses to consider merging with the secular institution, then both institutions may be forced to cut services and they may eventually close, leaving many without access to health care. Faced with this prospect, the Catholic hospital may recognize that it cannot satisfy its obligation to provide health care to the poor in an underserved area and to be a full-fledged Catholic institution, given the circumstances of the situation. Certainly it is appropriate to expect that the hospital would explore the possible alternatives and attempt to find a way to continue to serve the area in question as a Catholic institution. Nevertheless, it is not difficult to imagine that it might become impossible for the hospital to do both. The obligation to serve a poor population and the obligation to remain true to its Catholic identity may be competing obligations, and it may not always be possible to satisfy both.
Fourth, there may be accidents of various sorts within an institution that pose a threat to its moral character integrity. For example, consider a hospital that has a policy that requires that patients be fed and hydrated regardless of their wishes because the hospital considers food and water ordinary and morally obligatory interventions essential to sustaining human life. The hospital may be obligated morally and by law to disclose this policy to all patients prior to admission. The law may deny the hospital the right to force any patient to whom the policy was not disclosed prior to admission to receive nutrition and hydration or to be transferred to another facility. Thus in the event of non-disclosure, patients who choose to discontinue nutrition and hydration are legally protected and may require the hospital in question to withhold nutrition and hydration. The hospital would be in a position of having the starvation of a patient occur on its premises. In this type of situation, it is clear that the accidental failure to disclose the hospital’s policy to a patient prior to admission, something which could easily happen in a busy setting or in an emergency situation, could put the hospital in a position in which it could be forced to violate its moral commitments. One set of issues relevant when we address such issues involves moral responsibility for unintended institutional acts, both those that could have been avoided by reasonable measures and those that could not have been prevented in this way. These are issues about the relationships (or lack thereof)

44 The intentional failure to disclose this information also would result in the degradation of the hospital’s integrity, but the lack of integrity would have a different nature or origin. That type of failure of integrity is discussed below.
between intent, knowledge, foresight, action, and moral responsibility. Although important and interesting, these issues cannot be pursued here.\footnote{There is a long history of reflection concerning these matters. These include discussions regarding the moral responsibility of professionals when accidents occur (Halibut, Kazakidis, and Vassiliou, 1998) and corporate intent and moral responsibility (Hoff, 1987). For a discussion of the relationship between intention and foresight in the context of double effect, see Uniacke (1984), McCormick (1981), Healy (1958), Bole (1991). For a discussion of the distinction between intention and foresight, see Oakley (1994). See also Elliot (1996) on intention and moral responsibility. For an account of moral responsibility that emphasizes knowledge, see Ross (1973). For an account that emphasizes foresight, see Miller (1989). For an analysis of moral responsibility and voluntariness, see Kant, who, in the \textit{Foundations of the Metaphysics of Morals}, holds that only the good will is good and thus intention is an important element in moral analysis.}

Finally, and perhaps most interesting, are those challenges related to the individuals associated with the institution. If we understand moral character integrity to be an emergent property, one that comes into existence only when certain kinds of social structures and relationships are in place, as discussed in chapter three, then we will understand that the extent to which the relevant structures are or are not in place will affect the degree to which an institution has moral character integrity. As we understand further the implications of the ontology of institutions described in chapters three and four and as we understand institutions to be dependent moral agents, we will recognize more and more that the individuals associated with an institution affect the degree to which institutions have moral character integrity. Within this discussion, we recognize that various individuals and sets of individuals have a role in increasing and decreasing the degree to which an institution has moral character integrity. One consequence of the relationship between individuals and institutional moral character integrity is that some individuals may find themselves in situations in which they must compromise their personal integrity to maintain an institution’s integrity.
Relevant here are issues of individual moral compromise. Individuals associated with an institution play a major role in an institution’s manifest and stated moral characters because institutions depend on individuals to articulate values as well as to make and execute institutional decisions. Therefore, there may be times when individuals must act in particular ways in order to maintain an institution’s integrity yet what is required of the individual is contrary to the individual’s deep moral character. In other words, there may be instances in which institutional integrity requires that individuals compromise their own personal integrity. For example, consider the possibility of an institution whose deep moral character requires that the institution offer pastoral care services and make available to patients the opportunity to pray with clergy members from patients’ religions. The institution requires nurses and physicians to discuss with patients whether they wish to use the pastoral care services. Suppose also that in this institution there is a nurse or physician who is a committed atheist. He holds not only that he should not be obligated to pray but that even to offer to patients the opportunity to be with a priest or minister violates his sensibilities because to do so is to offer patients a false sense of hope and may result in patients attributing their healing to God and not giving appropriate credit to their providers for their improvement. In order to help maintain the integrity of this institution, this individual must make pastoral care services available to patients. Although this would require a moral compromise on his part, an alternative is to not work at the institution. If he is unwilling to compromise, the institution could not maintain its own integrity and still have him as an employee.
We can imagine the same situation in reverse: if there is a strictly secular hospital that has as part of its mission that patients will be left lone with respect to religion and that no elements of faith will be introduced or discussed, then it would be incompatible with respect to the institution’s integrity for a committed religious person who believes in the importance of prayer with patients to work there unless she is willing to compromise her integrity and agree never to mention faith or prayer. Evaluating individuals, their integrity and the compromises that would lead us to impugn their character is beyond the scope of this work. A related issue, also beyond the scope of this dissertation, is the relationship between institutional and individual integrity.

The presence of individuals as employees or administrators of a health care institution who are willing (knowingly or unknowingly) or perhaps even eager to compromise some of an institution’s moral commitments may challenge or threaten an institution’s moral character integrity. The idea that institutions have an ontological reality not reducible fully to, though dependent on, the individuals associated with them is important here. The presence of employees whose actions do not help to sustain the moral character integrity of an institution or especially individuals who intentionally act contrary to the institution’s moral character may damage or undermine an institution’s integrity, but they do not always necessarily do so. Institutions depend on individuals for their manifest moral characters because institutions depend on individuals to execute their actions. Institutions also depend on individuals for their stated moral characters in that they rely on individuals to articulate institutional values. At the same time, because an institution’s identity cannot be reduced fully to the individuals associated with it, a
single individual acting contrary to an institution’s deep moral character does not necessarily degrade an institution’s integrity. One single individual acting contrary to the institution’s deep moral character does not necessarily mean the institution’s deep moral character and manifest moral character do not cohere. The impact on the institution’s integrity depends on what the individual does and the extent to which it affects the institution. Certainly we can imagine cases in which an individual could damage the institution’s integrity. However, an institution is not merely the individuals associated with it. Thus the circumstance that one individual is “out of step” does not necessarily mean that the institution’s integrity is violated. The presence of multiple individuals acting contrary to the institution’s deep moral character will increase the chances that the institution’s integrity will be degraded. Again, because the institution’s identity is not reducible fully to the individuals associated with it, the mere fact that a given number of individuals acts contrary to the institution’s deep moral character or a given number of individuals does not share the institution’s deep moral character, does not necessarily mean the institution does not and cannot have integrity. It seems compatible, for example, for Loma Linda University Medical Center to have employees and patients who are not Seventh-day Adventists and the presence of such individuals is not necessarily incompatible with the institution having integrity.

There are different classes of individuals associated with an institution, and it is likely that some categories of individuals may have a greater impact on the institution’s
moral character integrity than others. First are those who make policy and govern an institution and those who speak on its behalf. The CEO of a hospital and the members of the Board of Directors of a hospital, for example, may be essential for maintaining the institution’s moral character integrity. In some cases they are even in a position to determine what an institution’s commitments are. The CEO, members of the Board, and other top administrators often are seen as the embodiment of an institution and they are generally in the position to interpret institutional moral commitments, determine the position an institution will take on different issues, establish and enforce institutional policies and so on. If individuals in governing positions do not share or support an institution’s moral commitments, it is difficult to imagine how an institution will be able to maintain its moral character integrity. Of course, that they are personally committed to particular issues does not in itself ensure than an institution’s integrity is maintained. They will need to make decisions regarding how to preserve the institution’s integrity. That is, they will need to implement and enforce institutional practices and policies that support the integrity. In part, these decisions will concern issues such as which individuals should be hired to be part of the institution and how individuals are to be dealt with when they act contrary to the institution’s commitments. Given the magnitude of their responsibility, it seems appropriate to say that individuals in top-level administrative positions ought to share the institution’s commitments.

46 Note that this discussion is relevant only to the extent to which the institution at issue has a content-full set of moral commitments. As noted in chapter one, if an institution does not have robust fundamental moral commitments, it cannot have or lose moral character integrity. Thus because not all institutions are the kinds of entities that can have moral character integrity, this discussion is relevant only to those institutions that can have such integrity.
Although it might be ideal that all individuals with administrative responsibilities, including lower level administrators, share the institution’s moral commitments, that may not always be possible because there simply may not be enough individuals who share the institution’s commitments who are also qualified to serve in administrative capacities. It is imperative, even if they do not hold the same commitments, that this category of lower-level administrators be willing to uphold the institution’s moral character integrity. A nurse-manager, for example, is in a position to establish and maintain practices among employees that affect the institution’s manifest moral character and thus the extent to which a hospital maintains its integrity. Certainly it may be the case that the nurse-manager is most likely to establish and enforce practices that uphold the institution’s integrity is he shares the institution’s deep moral commitments. In an ideal world, institutions might always have administrators at all levels who share the institution’s fundamental moral commitments. That may not always be possible, however, and thus the top priority may be to have top-level administrators who share the institution’s commitments and to have lower level administrators who are willing to act as if they shared those commitments.

Clearly the members of the professional staff in a health care institution are in a position to act in ways that uphold or degrade the institution’s moral character integrity. In particular, they may act contrary to the institution’s moral commitments, leading to a degradation of the institution’s integrity. Ideally, then, the professional staff would share the institution’s fundamental moral commitments, though again this may not always be possible. Insofar as it is not possible to have a full professional staff that shares the
institution's commitments, it will be important to have staff members that are willing to act as if they did share those values. The case of the urologist secretly performing vasectomies in a Roman Catholic hospital (see chapter four) serves as an example of the ways in which members of the professional staff may degrade an institution's integrity. If an institution is committed to the principle that it is morally wrong to sterilize patients intentionally, then the activities of the urologist at issue would violate the institution's integrity because as an agent of the institution, the physician acts contrary to one of the institution's basic commitments. The extent to which we consider the institution morally responsible for this particular type of moral character integrity may play a role in determining the extent to which we think the institution's moral character integrity is degraded. Nevertheless, the presence of such a urologist in itself presents a challenge to the institution because he is a person clearly willing, able and perhaps eager to compromise the institution's values; he intentionally and knowingly acts contrary to the institution's moral commitments. Even if we cannot attribute moral responsibility for such a breach, we still may recognize that the institution's integrity has been degraded.

One can imagine that it may be more important that certain professionals rather than others share most if not all of the institution's moral commitments because some are more likely than others to be associated with morally sensitive tasks. Who those individuals are may depend on exactly what the institution's moral commitments are. For

---

47 This is not to say that any hospital with such commitments would deny patients medically necessary procedures, such as hysterectomies, simply because they also result in the sterilization of the patient. According to Roman Catholic moral theology, the removal of the reproductive organs is not in itself always morally illicit. The removal or destruction of those organs for the purpose of contraception is considered morally wrong, a medically necessary procedure that has as a side-effect the sterilization of the patient is not considered morally prohibited.
example, if an institution has strong moral commitments regarding reproductive health, then obstetricians/gynecologists and urologists will be in special positions with regard to upholding the institution's moral character integrity. On the other hand, if an institution has strong moral commitments regarding care for the poor and the aged, then those who make decisions about which patients should be discharged and when, including those involved in utilization review and social workers, will be specially positioned to help uphold the institution's integrity. Likewise, in an institution with particular commitments regarding care at the end of life, those who work with terminally ill and dying patients and their families occupy a unique position with regard to an institution's integrity.

We should be careful not to conclude too quickly that the moral commitments of most of the professional staff are irrelevant and that the activities of only a very limited set of individuals have any connection to the institution's commitments. There may be more widespread implications of various actions. For example, one might incorrectly assume that only the commitments of urologists, obstetricians/gynecologists and other physicians and nurse practitioners who would be involved with voluntary sterilizations, abortions, and birth control matter in a Roman Catholic hospital. The *Ethical and Religious Directives* (ERDs) (1994; 2001) make clear that there is much more to a Roman Catholic hospital than its position on issues of sexuality and reproduction. For example, how the poor are treated, how care of the terminally ill and dying is provided, and how the integration of spiritual care into the health care setting is accomplished also are important. The idea embodied in the ERDs is that there is an institutional ethos appropriate to Roman Catholic health care institutions and that without the support of the
professional staff it cannot be maintained effectively. This is not to say that every individual professional necessarily must be a practicing Roman Catholic in complete agreement with every moral commitment the institution holds. Rather, the individuals must at least be willing to uphold and support the institution’s commitments and perform their roles as required by the institution’s deep moral character. If it is a violation of a particular individual’s personal moral character integrity to do so, then he should consider very seriously whether his association with the institution is appropriate because the institution’s moral character integrity depends upon individuals such as himself. If we value institutional moral character integrity and recognize it as important in making it possible for individuals themselves to live lives of integrity and for creating a social life-world of a particular sort, then we will not allow the personal commitments of particular individuals to override or trump the institution’s commitments.

Essentially, the professional staff of a health care institution with a content-full set of moral commitments will need either to hold those commitments or, for all practical purposes, act as if they held them. The extent to which this will be easy to achieve depends on the content of the institution’s morality; it may be much more difficult to find health care professionals willing to practice medicine/nursing according to some commitments than others.  

Consider another class of individuals. Many institutions have an individual or committee whose responsibility it is to ensure that the institution’s integrity is maintained

---

48 This discussion must be understood with the following caveat: in some jurisdictions, there may be legal difficulties associated with hiring employees in what is seen as a discriminatory basis. For a discussion of discrimination and employment, see Epstein (1995).
and its mission is carried out. Those individuals also play an especially important role in this area. In some Roman Catholic health care institutions there are committees charged with considering requests to perform actions that would violate the institution’s commitments, such as abortions. The presence of such committees ultimately may increase the possibility of an institution’s moral character integrity being maintained because the individuals on the committee are charged with reviewing requests in light of the institution’s moral commitments and thus should deny requests that would denigrate the institution’s moral character integrity. However, such committees might respond in the affirmative to illicit requests. At least in certain cases, this may result in situations in which an institution’s moral commitments are violated in ways that clearly and significantly degrade its moral character integrity. This may especially be the case when there are individuals on such committees who intentionally thwart an institution’s moral commitments or who do not understand what an institution’s moral commitments are. Thus it is imperative that those individuals within an institution charged with maintaining its integrity at least be willing to act as if they shared the institution’s commitments, though ideally they would actually share these commitments.

The next obvious question involves the moral commitments of other individuals associated with an institution: who else must share the institution’s commitments or at least act as if they do? We should not be blinded by the roles of various individuals in an institution. Ultimately, anyone in a position to observe and report activities that could involve violations of institutional moral character integrity has an important role. Individuals we may not immediately recognize as ones who are in a position to impact
the institution’s integrity may actually have greater ability than we think to affect the institution’s integrity if they are given a voice within an institution. For example, a member of the janitorial staff may be privy to information that abortions are being performed secretly in a physician’s office. If appropriately trained to know that this is impermissible at a particular institution and that such actions must be reported, and if the institution has a plan for recognizing concerns raised by such individuals, that person may be able to help maintain the institution’s integrity in ways that might not be obvious immediately. Thus the conclusion surrounding the commitments of a hospital’s non-professional staff are somewhat similar to those regarding the professional staff. The ideal is to have employees who share the institution’s fundamental moral commitments. Where that is not possible, the goal is to have employees who are willing to act as if they held such values.

A final interesting category of individuals to consider is patients. It may also be the case that, at least for some institutions, they may have an even greater degree of moral character integrity if not only their administrators and staff members share their moral commitments, but their patients do as well. For example, in the case of Beverly Requena discussed earlier, had Ms. Requena shared St. Clare’s commitments regarding end-of-life care, the hospital would not have been forced to act contrary to its moral commitments. We can imagine many senses in which even if patients do not share an institution’s commitments, merely a willingness to abide by the institution’s values would suffice. Essentially, this is a matter of informed consent, and Stephen Wear’s (1991) analysis of the Requena case is instructive here. Patients need to understand what an institution’s
commitments are and they must be willing to receive care within the parameters set forth by the institution’s deep moral character. Emergency cases, particularly those in which a patient does not choose the hospital to which she is transported, may pose a special problem. In those situations patients do not have advanced notice of the institution’s commitments and lack the opportunity to agree to receive care there or to refuse. The rape victim who wishes to receive emergency treatment to prevent implantation of an ovum that might have been fertilized as the result of a rape should not go to a Catholic hospital. If she is taken to a Catholic hospital either because she fails to appreciate the implications and thus chooses to go there herself or because she is unconscious and is taken there by someone else, it is still not clear that she has a right to demand that the hospital provide the interventions she seeks. In part this will depend on how seriously we take institutional moral character integrity and how important it is that institutions maintain such integrity.

Although it is not possible here to examine every genre of persons who could be associated with an institution and determine the extent to which each must share an institution’s deep moral character, the discussion here does suggest some appropriate generalizations. As dependent moral agents, institutions will depend in great measure on the individuals associated with them to preserve their moral character integrity. Whether a particular individual associated with an institution must share the institution’s fundamental moral commitments in order for the institution’s integrity to be preserved depends in part on what the institution’s fundamental commitments are and on the person’s role in the institution. There may be cases in which we deem that, although not
ideal, the institution’s integrity may be preserved as long as the individuals in question are willing to act as if they shared the institution’s moral commitments. Individuals who have great power to establish and enforce institutional policies and those who often are recognized by others as representatives who embody the institution and fashion its policies and commitments, such as the CEO, president, vice presidents, and members of the board of directors, probably should share the institution’s fundamental commitments. Their level of decision-making authority and the witness they give to the institution typically are powerful enough to warrant such a requirement. Ideally, every individual associated with an institution would share those commitments. But, because this may not always be possible, we may recognize that some institutions will be able to maintain their integrity only as long as individuals such as lower level administrators and the professional staff are willing to act as if they were so committed. It may even be possible for an institution to maintain its integrity if certain individuals associated with it are not willing to abide by certain commitments the institution holds. Again, this will depend in part on what the institution’s moral commitments are and the role of the individuals in question. This was the conclusion of the earlier discussion of caffeine consumption at Loma Linda University Medical Center.

The individuals associated with institutions affect the degree to which institutions have moral character integrity. Often, institutions may exert some control over the individuals associated with them: institutions have hiring and firing practices and standards, they have the power to train their employees, and, in some cases, they may determine to whom they provide or sell services or at least what the conditions are under
which they provide services. Although there are legal limits to their power, institutions usually can play an at least somewhat significant role in determining who associates with them and in shaping the behavior of such individuals. One obvious limit involves the selection of patients. Health care institutions generally cannot deny care to individuals needing health care, particularly in emergency circumstances, even if those individuals disagree with the institution’s moral commitments. What is not clear is the extent to which the law does or ought to require institutions to indulge requests that would violate the institution’s integrity.

To the extent that we recognize that institutions have an obligation to maintain some degree of moral character integrity, we will ask what their obligations are with respect to (1) establishing clear rules, (2) training and enculturating employees, (3) not hiring individuals with conflicting moral commitments, and (4) firing individuals whose actions degrade the institution’s integrity. It seems obvious that institutions should clearly articulate their moral commitments as this is part of establishing and maintaining their self-reflective identity integrity. Moreover, they should describe what those commitments imply for the institution and its activities and for those associated with it. The institution bears the burden of making known its deep moral character for it seems unduly burdensome to expect individuals to be able to divine what an institution’s commitments are.

Along with this issue of providing information, institutions have a particular responsibility with regard to their employees’ understandings of institutional commitments. Should they hire, fire, and train, for example, with the aim to have
exemplar institutional integrity or just a level of integrity they deem acceptable? That depends on what we think about institutional obligations vis-à-vis integrity. This was addressed in part in the previous section and will be considered further in the next section. Should integrity trump other concerns, e.g., should an institution hire someone who shares the institution’s commitments even though he is not the most competent applicant for a position? The discussion of different kinds of individuals associated with the institution earlier suggests that some individuals may have a greater impact on an institution’s degree of integrity than others. Consequently, the institution might have a greater obligation to establish rules with regard to particular jobs as well as hire and train individuals for those positions in particular ways, and it may need to have special conditions for firing those individuals who are in positions to affect the institution’s integrity to a greater extent. Essentially, institutions have an obligation to maintain their moral character integrity to the greatest extent possible, though we recognize that a range of degrees of integrity may be acceptable, because an institution’s moral commitments are normative for it. To the extent that we recognize this obligation, and to the extent that we recognize that the individuals associated with an institution affect institutional integrity, we will see institutions as having particular obligations with regard to hiring, training, and firing employees. Again, this is not to claim that integrity is an absolute value or that all moral characters are morally good.

The discussion above does not address every possible situation that has the potential to affect negatively institutional integrity. It identifies some of the principal circumstances that might threaten institutional integrity and provokes a series of further
III. Exploring The Implications Of Threats To Institutional Moral Character Integrity

The multiplicity of challenges potentially posed to institutional moral character integrity suggests that there are instances in which the threats are realized or actualized. Although the prospect of failing to have integrity may not be perceived as important by institutions that do not have an interest in maintaining their integrity, the fact that institutional moral character integrity is vulnerable raises an important set of issues. First is the question of whether integrity is binary, such that agents either do or do not have it, or is a matter of degrees, such that institutions can have more or less integrity. I support further below the suggestion already made that institutional integrity is a matter of degrees, though it can be degraded to such an extent that an institution no longer has any moral character integrity. The exploration of this issue requires the analysis of two questions. (1) At what point does activity that is inconsistent with an institution’s moral character actually degrade its integrity? And (2) at what point is an institution’s integrity degraded to the
point that it no longer has the same moral character? The latter question refers to issues of moral character integrity over time introduced earlier (see chapter two). I argue that integrity is not a binary virtue. Certainly there is a sense in which an agent either does or does not have integrity. However, integrity is much more complex. Some situations may challenge and undermine an institution's integrity to a greater or lesser degree. In this section I also examine further the claim that only those institutions with content-full fundamental moral commitments can have (and lack) moral character. What qualifies an institution as one that can have and lack moral character integrity? What are the content-full moral commitments relevant to this discussion? These questions are the focus of the second section below.

A. Integrity is Not a Binary Characteristic

(1) When does discord between the stated or manifest moral character and deep moral character actually degrade moral character integrity?

In one sense, there is a very simple answer to the question of when an institution's integrity is degraded: anything short of full coincidence between the deep, stated, and manifest moral characters is not full moral character integrity and reflects some loss of integrity. There are clear cases in which the line has been crossed that distinguishes agents with any degree of integrity at all from those with no integrity. Consider an institution that claims to be committed to protecting the environment but has no recycling program, encourages employees to use as much paper as possible, and in other ways fails to promote behavior that is deemed respectful of the environment; the institution seems to have no integrity. There also are clear examples of institutions with exemplar integrity, those whose moral character integrity could not be called into question. Consider a
hospital that specializes in the care of patients on ventilators whose primary moral commitment is to a form of vitalism that prohibits any withdrawal of life support, even in those cases in which patients are in a persistently vegetative state. Suppose that this hospital is careful always to have multiple back-up power systems to make certain that even in emergencies patients will continue to receive support, to have its staff trained and dedicated to sustaining such patients, and to have funds available to ensure that cost or lack of insurance coverage are never factors in determining whether or not patients can remain on a ventilator. Moreover, the institution successfully implements checks and balances to ensure that no one is ever intentionally or accidentally “unplugged”. Such an institution would clearly have exemplar moral character integrity. The vast majority of institutions, however, exhibit some middle range of moral character integrity. Within the middle range, some may have an acceptable level of moral character integrity while others may not.

Three main categories emerge when we examine degrees of moral character integrity. First, an agent may have an absolute lack of moral character integrity, such as the allegedly pro-environment institution named above whose practices encourage anti-environmental behavior. Second, an agent may have exemplar moral character integrity, such as the vitalist institution committed to sustaining patients on ventilators indefinitely and to never withdrawing care. Finally is the middle range of integrity most agents exhibits. Most agents do not have the highest level of integrity imaginable, but they do have a recognizable degree of integrity. For example, St. Joseph’s hospital in Houston, Texas is a Roman Catholic hospital. Anecdotal evidence may suggest that there are
activities engaged in at the institution by various professionals that are contrary to certain Roman Catholic moral commitments. For example, there are obstetrician/gynecologists who prescribe oral contraceptives and the institution does not appear to have put an end to this practice. It is not clear whether the practice is widely known and certainly it is not officially sanctioned, but surely if the institution were interested in determining whether or not this was happening, it could do so. However, there are many other aspects of the institution’s life that clearly demonstrate its Roman Catholic moral character. First, it identifies itself as an institution dedicated to “extend[ing] the healing ministry of Jesus Christ” (Christus St. Joseph Hospital, 2002). Second, its board of directors includes five religious sisters and a priest.

Degradations of institutional integrity sometimes may be the result of compromises institutions make. Which compromises will seriously impugn an institution’s integrity? Some compromises may be legitimate or at least not serious morally even though all compromises degrade integrity to some extent. As discussed earlier using the example of Long Island Jewish Medical Center, one challenge institutions sometimes face is the question of whether they should change their commitments to reflect contemporary or changing society. Sometimes, certain types of changes may be appropriate or at least they may not be seriously damaging. However, changing their commitments significantly might result in an identity change for an

---

49 It is possible that the pill is being prescribed only to women who are not sexually active and suffer from endometriosis, in which case it might be considered licit by Roman Catholic moral theologians because it is not being used as a contraceptive. It is also possible that the prescription is being given under this guise to make the prescription appear licit. Nevertheless, if the hospital does nothing to ensure that all prescriptions for oral contraceptives are written only in circumstances it deems morally acceptable, it fails to ensure its own moral character integrity.
institution, i.e., a situation in which it no longer would be possible to recognize the institution as having the same moral character. When an institution changes to "go with the times" it will be important to determine when doing so changes its moral character beyond recognition and when it does not as well as when it should change even if it does alter its moral character. For example, as was mentioned earlier, LIJMC was built to serve a particular immigrant population that no longer exists. Can they keep the same spirit and apply it in different circumstances? What kinds of changes are acceptable and which ones are not? That is, when have they gone too far? Some challenges may even be legitimate calls to reconnect with their deep moral character. For example, there might be a religious health care institution that has become largely secular. If individuals become associated with the institution and demand changes that reintroduce religious elements, those accustomed to the secular character of the institution may think the institution is changing inappropriately or has been "taken over". What really has occurred is that the institution has been challenged to return to its (original) deep moral character. There is a sense in which once the institution's integrity has been so degraded, its moral character actually has changed. This then raises an issue of identity: the institution being called to return to its original moral commitments is not the same institution as the one that once held those values. Thus it is not accurate to claim that the particular institution is being called upon to return to its original deep moral character in the sense that it is being asked to return to the deep moral commitments that in once had when created as a legal entity. To explore such issues in depth would be beyond the scope of this work.
It is important to note here that institutions do not always have a constant deep moral character. Also, institutional moral character is not necessarily stagnant or unchanging for (at least) some institutions, Roger Bulger suggests, because their moral identity is the constantly changing product of the different groups associating with an institution such that the moral character of some institutions is always open to revision (1990, p. 15). In light of May's conception of social entities as interactions of individuals (May, 1987), this is a plausible observation concerning institutional moral character. I hold that the deep moral character of institutions is not *necessarily* constantly changing; some institutions maintain a set of fundamental moral commitments over a long period of time. If the constant change hypothesis were true, then our understanding of moral character integrity would be even more complex. What is important here is that as institutions face decisions that might call for or at least open up the possibility of compromise, they may need to consider which compromises would decrease their integrity most and what level of degraded integrity is acceptable.

It may be that some institutions in this middle range have an acceptable degree of integrity while others do not. What counts as acceptable integrity and what we deem unacceptable will depend on a number of factors, including (a) the moral commitments of the institution, (b) the extent to which less-than-exemplar integrity will give scandal and thus undermine the functioning spirit of the institution, (c) the extent to which compromises in integrity are actually intended to achieve a good the institution takes to be morally appropriate, (d) the area of moral character integrity involved in the degradation (e.g., self-reflective identity integrity, deep agential integrity, or superficial
agential integrity), and (e) what level of integrity allows us reliably to predict an institution’s behavior.

(a) The moral commitments of the institution
A number of elements related to the moral commitments an institution holds may be important in determining what level of integrity is acceptable, and I consider four of them: how thick or thin an institution’s commitments are, the number of commitments an institution has, whether or not we think an institution’s moral commitments are morally good or at least morally acceptable, and what the institution regards as its obligations to maintain its integrity. In a sense, the depth or thickness of an institution’s moral commitments is unimportant in determining the level of moral character integrity an institution must have for its level of integrity to be deemed acceptable; if moral character integrity depends upon the moral character of a particular institution, then what matters is that the institution adheres to its commitments. At the same time, if an institution has thick moral commitments, we may have higher expectations of it. Such an institution would give the impression of one that made a commitment to more than others and thus our expectations of it might be higher. Another reason we may require that an institution with thick moral commitments maintain its moral character integrity to a greater degree than one with thin moral commitments is that more may be at stake. Recall that one reason institutional moral character integrity is important in a secular pluralistic society such as ours is that it may help individuals live morally coherent lives. Individuals with thick moral commitments may depend in part on an institution with corresponding moral commitments in order to live fulfilling lives and maintain their personal moral character integrity. For example, in a strict Jewish hospital, one will not find support for
withholding or withdrawing life-sustaining interventions until it can be ascertained that the process of death has actually begun. This is because, according to Feldman (1986), traditional Jews hold that a life should not be ended before its time and that, once the process of death has begun, death should not be hindered (1986, pp. 94-95; Goldsand, Rosenberg, and Gordon, 2001). What is at stake should not be understood simply in terms of individual moral needs, that is in terms of a need for a social space sustained by institutions with particular moral commitments and lives.

Second, the number of moral commitments an institution has may be relevant to determining what level of moral character integrity is acceptable for it. There is a sense in which the number of commitments an institution has should not matter because what counts is that to which the institution has committed itself. At the same time we may be tempted to be more lenient with an institution that has many thick moral commitments because it might be harder for that institution to have and maintain a high degree of integrity in all areas. In the end, however, it may be more important that an institution with extensive moral commitments maintain its integrity because of the role such an institution may play in helping individuals with corresponding moral commitments live morally coherent lives as discussed above.

Third, the extent to which we as moral evaluators may think that an institution’s moral commitments are morally good or acceptable may also affect the degree of integrity that we think is acceptable for that institution. This reflects a different understanding of “acceptable” than was operative above. For an institution with moral commitments we deem morally acceptable, a high degree of moral character integrity is
at minimum acceptable and at best morally good. For an institution with commitments we
deehm morally inappropriate, i.e., moral commitments that fall outside the bounds of the
broad side constraints mentioned earlier, a high degree of moral character integrity will
be unacceptable. Thus the extent to which we deem an institution’s moral character
integrity as good or bad will be inversely proportional to the level of moral character
integrity we consider acceptable for that institution.

Fourth, an institution’s moral commitments themselves may tell us something
about what it regards as its obligation to maintain integrity, and this in turn may help
determine what level of integrity is acceptable for a given institution. An institution that
takes its moral commitments particularly stringently will more vigorously announce and
enforce its views. Thus, an institution whose commitments include living up to particular
values it holds is more likely to act in ways that will promote the maintenance of its
integrity.

(b) The extent to which less than a certain level of integrity will result in a perpetual
low level of integrity, give scandal, and undermine the functioning spirit of the
institution
There are at least two reasons for which the acceptable level of moral character integrity
for an institution will depend in part on the extent to which moral character integrity
below a certain level will damage the institution’s moral character or moral identity
and/or will be scandalous. First, there are certain types of institutions that, if they fail to
maintain their moral character integrity, cannot be taken seriously by individuals as
having particular moral commitments. This may result in an incapacity to maintain
institutional integrity and thus a perpetual degradation of their integrity and perhaps
ultimately a change in institutional moral character or identity. A second possibility here
is that for some institutions expectations are high enough and their moral commitments of a type that, if they fail to maintain their integrity, there will be scandal. For example, we might be much more shocked and scandalized to find out that a physician in a Roman Catholic hospital is performing abortions or euthanizing patients than to learn that a nurse at a hospital such as the Methodist Hospital in Houston, Texas (a hospital with a religious connection that allows it essentially to operate as a secular hospital) does not believe in God. The abortions in the Roman Catholic hospital would give scandal in a way that could severely damage the institution’s integrity and identity. With this level of degradation, it might be difficult for the Roman Catholic institution and those associated with it to continue to operate in the true spirit of the institution’s deep moral character, thereby undermining the functioning spirit of the institution.

(c) The extent to which compromises in integrity actually are intended to and do serve a good the institution takes to be morally appropriate and perhaps ultimately contribute to the maintenance of the institution’s moral character integrity

There may be times when an institution’s moral commitments seem to require one action, but the spirit of the organization’s commitments, its core values, suggest that because of the particular circumstances surrounding the case, to pursue the action that appears to be required by the institution’s deep moral character would in fact not further the institution’s commitments. Here we might recognize that acting in a way that seems to degrade the institution’s integrity may be acceptable or may even be called for in order to maintain its integrity in the long run. This should not, however, be taken as an endorsement of strong consequentialism. Rather it is a call for institutions to consider and evaluate carefully different circumstances. Again, an example of this situation in which actions that seem to degrade the institution’s integrity may be acceptable or required to
maintain its integrity in the long run is the case of Long Island Jewish Medical Center. As discussed earlier, the institution abandoned its Jewish character in order to satisfy its overarching moral commitment of providing care to immigrant populations living in the vicinity of the hospital. According to Long Island Jewish Medical Center’s description of its history and circumstances, in order to fulfill its core moral commitments, it had to make choices that degraded the institution’s integrity as a Jewish health care institution in order to maintain its integrity as a health care institution that offers services to immigrants. The institution today understands its core moral commitment from the time of its founding to be to care for the poor immigrants who live in the area near the hospital. If this is the case, then in fact the institution had to abandon its commitment to being a distinctly Jewish institution in order actually to maintain its integrity by providing care to the poor of the area. However, if it turns out, the being a Jewish institution was core to its identity, then the institution’s current claim that it had to relieve itself of its Jewish identity in order to live up to its commitment to the poor is invalid. That is, if being a Jewish institution was actually one of its core commitments, the LIJMC did in fact violate its integrity in the short term and long term by shedding its Jewish character. In that case, the institution should remain a Jewish institution providing care to all the poor in keeping with Jewish values, much like many Roman Catholics have provided care to many poor non-Roman Catholics in Roman Catholic health care institutions. In a sense, this discussion reflects the idea that institutions must “choose their battles”, much like we recognize the need for individuals to do so.
(d) The area of moral character in which the degradation occurs
The description of moral character integrity offered here recognizes three aspects, or
levels, or types of moral character integrity in addition to full moral character integrity.
The issue under consideration is whether or not it is worse for an institution to degrade its
full moral character integrity, self-reflective identity integrity, superficial agential
integrity, or deep agential integrity. It has already been shown that integrity is a matter of
degrees rather than an all-or-nothing quality. If an institution lies about its moral identity
and moral commitments in order to protect them, is that different from lying about its
commitments in order to achieve personal (institutional) gain? This may be part of a
larger question in ethics about the role of motivation and intention, which I hold
generally do play a role in distinguishing right actions from wrong ones. The discussion
below includes an examination of different types of moral character integrity in order to
determine whether any of them is more or less important than others, and thus whether
degradation in any one area is more or less serious than others. On consequentialist
grounds, some types of violations may seem worse than others. For example, we might
think that it is worse to degrade some kinds of agential integrity than self-reflective
identity integrity because of what happens. For example, suppose a health care institution
had a moral commitment to providing patients with access to chaplains. Certainly we
would prefer that it say so that patients and staff would know, but it would be worse if it
actually failed to provide the access. That is, while it might be bad not to articulate this
commitment, it would be even worse to not live up to it. Of course, if there were a case in
which it turned out that degrading self-reflective identity integrity had worse
consequences, then a consequentialist would be committed to finding that type of
degradation worse. Below I look at the three forms of partial moral character integrity and then at full moral character integrity to consider in greater detail the extent to which some forms of integrity are more important than others.

Self-reflective identity integrity by itself is less valuable than other forms of integrity. This is the case primarily because talk can be cheap. This is not always the case; sometimes just articulating one's commitments could cost one a job opportunity or a grant, for example. But, because talk can be cheap, typically this is a less valuable form of integrity. When an institution lacks this kind of integrity, we must ask why its stated moral character does not reflect its deep moral character. It may be a simple failure, through oversight, to articulate its commitments and to reflect on those commitments. This, of course, could be problematic because it could result in lapses of integrity later on. (One can imagine that it is difficult to live up to moral commitments that one has not examined.) It may be an attempt to remain politically correct and/or part of the secular world. Carol Taylor, CSFN (2001) explores the importance of clearly articulated mission and identity statements for Roman Catholic hospitals and health care systems. She notes that many do not even include mention of “Jesus” or “Christ” and argues that such institutions must make explicit their use of “Jesus language” in their mission and identity statements as a minimum condition for maintaining their integrity. The Jesus model, she says, should be the foundation of every Roman Catholic health care institution and this must be clear and explicit. On the other hand, if an institution has this kind of integrity and lacks deep agential integrity, we will need to explore the reasons for which it is able to articulate its moral commitments but does not act on them. The fact that it can identify
its commitments is important, but is not an end in itself. If an institution has this type of integrity alone, then by definition its actions do not reflect its deep or stated moral character, and this is a serious flaw.

Superficial agential integrity in the absence of other forms of integrity is valuable only insofar as it gives us the ability to use statements about moral character as reliable predictors of an institution’s behavior. However, it is not valuable for the purposes of evaluating whether an institution acts as it ought given its commitments because it says nothing about the deep moral character of an institution. While this type of integrity may have slightly more value than self-reflective identity integrity because of its ability to tell us something about how an institution acts in the world, it is not highly valuable by itself. If this is the only type of integrity an institution possesses, then we must ask why the institution has only this form of integrity and why its stated moral character does not reflect its deep moral character. Moreover, if an institution has only this type of integrity and lacks self-reflective identity integrity, then its stated moral character coheres with its actions and its stated moral character and actions do not cohere with its deep moral character. This would constitute a serious lapse of integrity.

Deep agential integrity is important because we like to know that agents act on their commitments even when it is difficult to do so. Of all the forms of partial moral character integrity, this may be the most valuable in the sense that institutional actions can have a significant impact on others and it is, prima facie, desirable that institutions act on their fundamental moral commitments. Of course, if an institution has only this kind of integrity, then by definition its stated moral character does not reflect its deep
moral character. If this is the case, we will want to know why it is so. It may be the result of an oversight and lack of sustained reflection on its deep moral character, which could result in lapses in deep agential integrity if the institution failed to understand the implications of its fundamental commitments for a particular issue. The lack of coherence between an institution’s stated and deep moral characters might also be the result of an attempt to protect its identity and its moral character, as discussed above.

All things being equal and setting aside cases of institutions that have evil deep moral characters, it is best that an institution have full moral character integrity rather than merely any one of the various forms of partial moral character integrity. The reasons identified for why institutional moral character integrity is important in chapter five provide grounds for arguing that decreases of full moral character integrity are worst of all, and other than that various degradations of moral character integrity are bad, all things being equal.

(e) Predictive value of integrity
A final factor that may help determine what level of integrity is acceptable for an institution is the level necessary for us to be able reliably to predict an institution’s behavior. Earlier in this chapter, I claimed that one reason we may think integrity is an important quality for an agent to possess is that we may be able more reliably to predict the behavior of an agent who has a high level of integrity. Thus we may hold that for an institution’s level of moral character integrity to be acceptable, it must be high enough to have predictive value. The ability to predict an institution’s behavior may be important for numerous reasons. For example, if an institution has a reputation for enforcing strict policies that prohibit the withholding and withdrawing of artificial nutrition and
hydration, even when patients' advance directives ask that such measures be withheld or withdrawn, then an individual who strongly believes that he will not want to be artificially fed or hydrated will not want to receive care at that institution even if there are other aspects of the care he would receive there that he finds highly desirable. On the other hand, if the hospital has a policy that says it does not believe in the withholding and withdrawing of artificial nutrition and hydration but has a reputation for respecting the wishes of patients who want those measures withheld or withdrawn, then the same individual is much more likely to be comfortable seeking care at that institution.

(2) When does degraded integrity go so far as to destroy an institution's deep moral character beyond recognition?

When an institution's moral character integrity is degraded, it suffers from a lesser degree of moral character integrity, but nevertheless it is possible that the institution can continue to have the same moral commitments. The degradation is a bump in the road, so to speak, rather than a moral cliff from which the institution has fallen. This might be the case if the activities of the urologist at the Roman Catholic hospital discussed earlier were made known and the institution acted to correct the situation such that he no longer performed vasectomies there and perhaps no longer even practiced medicine at the hospital at all and that in addition the institution worked to strengthen its mission effectiveness program. It is also possible, however, that under other circumstances the degradation will be serious enough that the institution no longer has the same moral character – the institution no longer can be recognized as the same institution morally. Lapses in moral character integrity at a time may, but do not always, lead us to impugn the institution. If an institution takes corrective action, for example, we might treat an
incident as unfortunate but not as a sign of a deep moral violation. To say that an institution lacks moral character integrity at some particular time generally is not as serious as to recognize an institution as lacking integrity over time. Of course, if it is a serious enough lapse in integrity, even if it is only at a moment, we may treat it quite seriously. As addressed in chapter four, there are two principal ways in which an institution might fail to have moral character integrity over time: a pattern of lapses in integrity may over time make it inappropriate to attribute the same deep moral character to an institution, or an institution may have a sudden drastic change in its fundamental commitments. It is not as difficult to determine whether an institution has moral character integrity at a particular time as it is to determine whether or not it lacks integrity over time. In part this is due to the fact that not all momentary lapses of moral character integrity result in long-term changes in moral character. Furthermore, it is easier to recognize an institution as lacking moral character integrity over time because of a sudden change in its commitments than because of a pattern of lapses in integrity over time.

Repeated cases of incoherence between an institution’s stated and deep moral characters and/or between its manifest and deep moral characters may result in an identity change for the institution. Such violations may mean that it is no longer possible to assert with justification that an institution has the same fundamental moral commitments (deep moral character) it once had. Thus the types of threats discussed in the first section of this chapter, if realized and repeated over time, may result not only in failures of moral character integrity at particular times, but may result in a failure of full
moral character integrity over time. This is the case not only because the stated and/or manifest moral characters would conflict with the deep moral character over time but because such repeated violations (failures of integrity) may mean that at a certain point the deep moral character at time \( t \) conflicts with or is not the same as the deep moral character at time \( t+x \).

Also necessary here is a consideration of chronic low-level integrity. A scenario in which an institution never lacks integrity altogether but has, over time, a very low degree of integrity may result in the determination that the institution cannot be recognized as one with moral character integrity. This may be the case for many private universities in the United States today. Many schools that today are recognized as secular schools have religious roots that eroded over time. For example, Wake Forest University was founded as a Baptist school and at one time students were required to attend religious services and the school was in other ways very clearly a Baptist institution. Gradually, the school had less and less of a religious character, even though it maintained its affiliation with the Baptist church. The school now bills itself as having a Baptist heritage because it has formally severed its ties with the Baptist church. At that time that it ended that connection, Wake Forest University’s moral identity changed. However, it could be argued that long before it underwent any official change in status, its integrity as a Baptist university was suspect. It had a low level of integrity over time that already would have made one question whether Wake Forest was “really” a Baptist school.

The examination of moral character integrity over time is not an exact science and there will be difficult cases. A number of factors are relevant to considering this issue.
First, it is important to assess the nature of the degradation, because some commitments may be more serious or fundamental than others, and there may be some reasons for which an institution’s integrity is degraded that are less morally problematic than others. Second, the degree to which integrity is violated or the severity of the degradation may be relevant. Third, we may consider whether the institution takes corrective action and “gets back on track” after the violation. Here we will also need to know how committed the institution is to satisfying its moral obligations and preserving its moral character integrity. Fourth, we should determine whether the violations are institutionalized in the sense that they are so built into an organizational structure or the financing of the institution that the institution depends on routine violations for its functioning. An additional consideration here is the possibility that some challenges to institutional integrity may actually be legitimate calls to reconnect with their deep moral characters.

As noted above, this is the account offered by Long Island Jewish Medical Center as to why it no longer is an explicitly Jewish institution; its original mission was to serve an immigrant population in need and although at one time that population was primarily Jewish, it no longer is. The population now in need of services comes from a variety of places, including Eastern Europe and South America, and represents a variety of religions, including Islam and Christianity.

Earlier I defined integrity in terms of coherence of the stated and manifest moral characters with the deep moral character. If the deep moral character changes radically but the stated and manifest moral characters cohere with the new deep moral character, then according to my previous definition of integrity the institution would still have full
moral character integrity but would have radically changed its character. Nevertheless, the preservation of moral character integrity in this sense does not seem to be a genuine preservation of moral character integrity because of the assumption of a new character. Thus the possibility of a radical rupture of the deep moral character at a given time also constitutes a threat to an institution’s full moral character integrity because it makes it impossible for an institution to maintain its deep moral character over time. Instantaneous changes of deep moral character are not all that common; more common are changes of deep moral character over time as discussed above.

B. Not all institutions may possess moral character integrity
The discussion of the possible threats to institutional integrity illustrates part of the reason I noted in chapters one and three that not all institutions can have moral character integrity in the sense of being committed to particular moral goods. We see here that in order to have their moral character integrity threatened, institutions have to have some particular moral commitments in the first place. Thus only those institutions that have moral commitments can have moral character integrity that can be subject to challenge. An institution innocent of all moral commitments bears an analogy to a person who is morally incompetent. This claim might give the impression that institutions may only have integrity if their moral commitments are challenged and they continue to adhere to them. This is what is suggested by views of integrity that understand integrity to be something like faithfulness to one’s commitments in the face of adversity (see Putnam, 1996). This is not what is meant here. The claim here is that in order to be the type of institution that has moral character integrity, the institution must have content-full moral
commitments, ones that could, at least in theory, be challenged or threatened. We would be able to describe theoretically what kinds of actions and moral commitments could degrade the institution’s moral character integrity. If the institution has no substantive moral commitments, then we will not be able to describe possible threats to its integrity. Such an institution, as pointed out in the first and fourth chapters, would only be able to have functional integrity. Certainly we might also try to evaluate it as morally good or bad using moral norms we take to be universal and thus as having or not having universalist moral integrity.

As already noted, not all institutions meet the conditions necessary for the possibility of having moral character integrity; some may only have the potential for functional integrity because they do not have a deep moral character or a set of fundamental moral commitments. Of course, there may be hard cases, institutions that it is not immediately obvious whether or not they can have moral character integrity.\(^5\) That is to be expected. Overall, those institutions that do not have fundamental moral commitments are not the kind of institutions this discussion addresses.

A further interesting question is whether a health care institution by its very nature has at least some basic moral commitments that make it illegitimate for its only (or top) priority to be profit. If the answer is “yes”, then by definition, all health care

---

\(^5\) The case of strictly for-profit corporations, those that lack any moral commitment beyond making as much money as possible while obeying the law, may be relevant here. These two commitments, namely making a profit and obeying the law, can be moral commitments. As mentioned in chapters one and three, although these commitments may be seen as involving some kind of contract that entails a moral commitment to shareholders, for the purposes of this discussion they are not thick enough to count as explicitly particular moral commitments. They are contractual obligations we can understand without the terminology of particular moral commitment. Nevertheless, I could hold the opposite position and it would have no effect on my arguments and claims. I would simply have to include a broader set of institutions in my sphere of concern.
institutions have the capacity for moral character integrity; all health care institutions have at least some basic moral commitments whether or not they want to see themselves as such. The issue here is whether health care institutions necessarily have some moral commitments because they are health care institutions. If these obligations are inherent to being a health care institution, as Patricia Werhane (2000) argues, then why would they not qualify as requirements of functional integrity, i.e., elements essential to recognizing a health care institution as such? Essentially, these commitments would be thick enough to count as moral commitments. They are too thick to be recognized under the umbrella of functional integrity. Moreover, even if an institution failed to live up to all of them, it might still be recognized as a health care institution and as an agent because it met all the requirements institutions must meet to have the (emergent) property of agency.

This issue of whether certain moral obligations are necessarily born by all health care institutions is a major point of debate that I will address only briefly here. Can health care institutions opt out of having moral responsibilities and be strictly for-profit institutions that follow a model like the one described by Milton Friedman or Theodore Levit, for example, or is there something about their nature that inherently gives them moral commitments?

In examining the relationship between business ethics and health care organizational ethics, Patricia Werhane considers the extent to which two approaches to business ethics, namely Milton Friedman-style rational choice theory and stakeholder theory, can contribute to our analysis of business ethics issues in health care. She argues that Friedman’s statements regarding the role of business, i.e., to make as much money as
possible while obeying the law and “rules of the game”, have been repeatedly misinterpreted and that businesses typically do not operate strictly on this principle (2000, p. 172). Moreover, Werhane argues that stakeholder theory, with its attention to the interests of the various parties affected by business decisions, suits health care in many ways. She develops a diagram showing the many obligations involved in health care. These include the obligations among organizations and patients, governments, suppliers, the community, investors (in the case of for-profit institutions), administrators, employees, and insurance companies and other payers (2000, p. 176). Nevertheless, she claims that this is not enough to address the business concerns that arise in health care. In making this point, she enumerates the obligations or commitments that health care institutions bear in virtue of being health care institutions. These include the prioritization of one particular set of stakeholders, namely patients, is the primary obligation of health care institutions according to Werhane (2000, pp. 172 and 178).

Werhane argues that health care institutions have “distinguishing characteristics” that set them apart from other types of businesses (pp. 178-179). These unique characteristics are the moral responsibilities or obligations they bear. She is careful to note that profit is not in itself anathema to health care and that health care organizations can have among their motives profit-making. What they may not do, she claims, is to make the pursuit of profit their top priority. Nevertheless, she argues, it is acceptable for health care institutions to include profit-making among their goals.\footnote{For a number of reasons, including perhaps the historic association of physicians with kindness and compassion, the high stakes in health care, and the vulnerability of those seeking health care, discussions of money-making in health care tend to be heated and there is no agreement on the appropriate relationship
It could be argued, against Werhane, that it is permissible (or even required) for health care institutions to have as a top priority making a profit because money in itself can contribute to human well-being or because profit-making is inherently good. Although some individuals may in fact have a conception of the good that includes this idea, it seems that profit may be an instrumental good, i.e., it can allow individuals or institutions to allocate funds in ways that promote or increase human well-being. It would be more difficult to show that profit-making is intrinsically good and thus a goal all health care institutions should have. The good that comes from money depends in large part on how the funds are used. Nevertheless, it is possible to see how the obligations Werhane attributes to all health care institutions are dependent upon adequate funding. Thus it could be argued that if an institution is obligated in the ways she describes, it will have to attend to financial issues and it may have to regard profit-making as a top priority. Without proper financial success, the institution cannot satisfy its obligations. Hence health care institutions may be under an obligation to turn a profit or have excess revenue in order to meet the conditions necessary for the possibility of satisfying their other obligations, some of which are inherent in their nature or identity according to Werhane.\textsuperscript{52}

Of course, one need not hold the view that health care institutions have certain inherent moral obligations. It is plausible that someone could hold that some health care

\begin{flushright}
52 Non-profit health care institutions do not turn a profit in senso stricto. Rather, they generate excess revenue.
\end{flushright}
institutions have particular moral commitments and obligations while others may have no such fundamental obligations as there is nothing intrinsic to health care institutions that gives them thick moral obligations. Those that have no basic obligations have no deep moral character and thus lack the capacity for possessing moral character integrity. They would be run like any other strictly for-profit corporation in which patients receive services they pay for, marketing and advertising efforts seek to widen market share, and so on.

It is somewhat unimaginable for many to think that a health care institution could legitimately be a business just like any other without any moral commitments or any obligations beyond providing the services it is paid to render and striving to maximize profits. Assuming that we share with the institution an understanding of fair business practices, including disclosure of services offered, quality of products offered, and as long as all parties understand the implications and responsibilities that accompany seeking care at an institution that has such standards, then perhaps it is not so unimaginable. In fact, provided full disclosure, we might see such an institution as giving patients and prospective patients a more fair chance to obtain the care they seek. Patients might be wiser consumers if they realized that they should approach health care much as they would any major purchase; they should be armed with questions and information. Currently many health care decisions are made with cost considerations taken into account but without disclosing to patients the role of money, and these choices are made in institutions in which something other than profit is claimed as the top priority. (Of course, according to Werhane’s arguments, this might be appropriate as long as cost is
not the only consideration.) The point is that it might actually be more honest for an institution to have those minimal commitments required of any business than to be unclear with patients as to where money fits into medical decisions.\textsuperscript{53} Included in this set of obligations we can attribute to any business is that health care institutions have an obligation to maintain a certain minimum level of quality so as to avoid being negligent. Given a broadly construed understanding of fair business practice, the idea that some health care institutions will be “pure” for-profit business committed to fair business practices may be more palatable and realistic. For a health care institution, fair business practices include adequate disclosure and a minimum level of quality. It is not clear how we could justifiably attribute to all health care institutions moral commitments beyond these minimal obligations. I would be willing to suggest that this minimal level of commitment is in fact what numerous health care institutions actually are committed to, despite some verbiage to the contrary. There is no reason to think, for example, that the average stock corporation, such as a for-profit HMO, actually recognizes itself as having strong particular moral commitments. Whether it ought to is another question, and I think that the answer is that it may be appropriate in a secular capitalist society for it to lack such a level of commitment. It is obligatory to follow fair business practices as described above. Of course, it might be desirable, even highly desirable, that health care institution have thicker moral commitments. But what is not clear is that they necessarily do and ought to simply because they are health care institutions.

\textsuperscript{53} Note that this scenario is not so far-fetched. It might be fair to say that a number of health care institutions act as if they do not have any content-full moral commitments. Their real commitments are to profit and to provide decent care and to follow the law. This minimal level of moral commitment, however, is masked in the flowery language of mission statements.
IV. Conclusion

This chapter examined a number of issues concerning the preservation of institutional moral character integrity. The first section identified four principal reasons for which it is important to understand institutional moral character integrity and for which it may be important that health care institutions maintain their moral character integrity. The second section explored some of the factors that might threaten an institution’s moral character. Some threats may be external, such as social and legal challenges to an institution’s moral character, and others may be internal, such as those posed by individuals associated with an institution who fail to support the institution’s moral character integrity adequately. This discussion also included an analysis of institutional moral character integrity over time. The third section considered further two claims made in chapter one: (1) moral character integrity is not a binary characteristic but rather one that admits of degrees and (2) some institutions are capable of having only functional integrity and cannot have moral character integrity because of the nature of their commitments.

The next and final chapter brings together the elements of institutional integrity discussed in this chapter and the preceding four chapters in a series of examples. I identify different levels of moral commitment and moral character integrity institutions may have. Then I consider some of the implications of this analysis for individuals, institutions, and society.
Chapter 6: Implications for Individuals, Institutions, and Society

This chapter begins with a set of examples of institutions showing the range of depth institutional moral characters may have and the range of moral character integrity institutions may exhibit. In the second section, I raise some of the principal implications of this analysis for individuals, institutions, and society. It is not meant to be a comprehensive discussion but rather a presentation of the landscape that results when we understand institutions to be morally responsible agents in the way suggested by this work.

I. Examples Of Institutions With Different Moral Characters And Different Ranges Of Integrity

This section brings together the discussion in the first five chapters in order to show what institutional moral character integrity might mean in the “real world”. I provide here examples of institutions with moral characters of different thicknesses and consider what such institutions might look with different degrees of moral character integrity.

Regardless of how thick an institution’s deep moral character is, an institution with full moral character integrity might be expected to have the following features. First, its policymakers and members of its governing bodies should share a commitment to ensuring the character integrity of the institution; they should understand what those commitments are. Second, its professional staff and all employees should have an appropriate understanding of the institution’s moral commitments, particularly as these relate to their own activities; they should either actually be committed to maintaining the
institution’s integrity or at least they will be committed to acting as if they shared those commitments; they should act in ways that uphold the institution’s deep moral commitments. The training necessary for those associated with the institution should include training in how to identify and report lapses of integrity. Third, the institution should have some mechanism in place to evaluate the extent to which its moral character integrity is maintained. This may include internal and external audits, for example. Fourth, the institution should have a clear statement of its identity. Fifth, the institution should have clear and well-developed policies that reflect its moral commitments and that show how its moral character integrity is to be maintained in practice. This is necessary for the institution to protect and, where necessary enforce its deep moral character integrity. Absent clear policies, an institution may be faced with important decisions in which the parties involved are not sure how to act on behalf of the institution or situations in which some of the parties involved are able to force the institution to degrade its moral character integrity because the institution failed to disclose a particular commitment with its corresponding implications (see the case of Requena, for example).

A. An Institution with Very Limited Moral Commitments
What would it be for an institution with very limited moral commitments to have different degrees of moral character integrity? To explore this, consider a for-profit HMO committed to providing limited, basic health care clearly enumerated and to making a profit. It has as its goal providing affordable limited care for a particular market niche both in order to make a profit as well as to provide health care at a price otherwise unavailable. The institution’s contracts and policies state clearly that it provides nothing
beyond its list, regardless of need or perceived need. For this institution to have a maximum degree of moral character integrity, it would have a board of directors, administrators, and health care professionals committed to providing the care the institution has contracted to provide and to limiting services as outlined in their policies and contracts. Those individuals could not be involved in attempts to deceive patients or in some other way deny care they have agreed to provide. Likewise, they would have to be committed to denying care not covered under their policies. Physicians, for example, would not engage in deceptive coding practices in efforts to provide care that is not supposed to be covered. Moreover, employees, such as nurses, would understand these restrictions and would be trained in how to identify and report such practices against institutional policy. No health care professional would coach a patient in how to report a problem or complaint such that it would be considered a covered expense if the problem fell outside the parameters of the established agreements. These efforts and profit-maximizing business strategies would result in the institution having maximum moral character integrity.

Consider another scenario. Instead of always restricting care as the institution’s policies and contracts require, most physicians provide care as agreed to but sometimes fail to restrict care quite to the extent the institution requires. For example, even though the policy indicates that elective abortions are not covered, a physician may incorrectly indicate that the abortion was necessary to save the life of the pregnant woman so that it would be covered. These activities, infrequent as they may be, will cut into the institution’s profits and reflect a reduction in the institution’s degree of moral character
integrity. A further degradation of integrity will occur if the institution failed to control costs because it provided more services or more expensive services than it was supposed to provide. Its integrity would also be degraded if the institution acted in ways to avoid providing services it had contracted to provide. For example, if the agreements indicate the emergency care is covered when provided at the closes emergency facility regardless of whether it is a network provider, then the insurer should reimburse its customers for emergency expenses they incur. If the institution tries to claim that services received where not actually immediately necessary and thus did not constitute emergencies such that they would not cover the charges, then such would collide with both its stated and deep moral characters.

B. Institution with Middle Level Moral Commitments
Consider a secular community hospital that has a commitment to abiding by its legal obligations regarding emergency care so as to respect the values of its diverse patient population (e.g., it does not emphasize a particular religion). For this institution to have a maximum degree of moral character integrity, it will have to maintain a secular atmosphere in the institution and will not allow a particular understanding of the good to guide its policies. Its policies will focus on respecting patient wishes and standards of care. They will not allow for the prohibition of certain morally controversial services, such as abortion. Rather, patients’ conceptions of the good regarding medical-moral matters will guide their treatment. If this institution is generally respectful of patients’ wishes, but fails to respect certain wishes of certain patients because those desires seem out of line with what the institution understands and has acted as “normal”, then the
institution will not have degraded its integrity. For example, if the institution generally respects patients’ request that certain interventions be held or withdrawn but it resists the provision of faith-healing on its premises, then the institution has not failed to live up to its commitment to remain morally neutral on such issues and allow patients’ wishes to guide their treatment. The key will be whether such behavior is grounded in its deep and stated moral characters. This institution’s moral character integrity would be degraded even more if the institution hired a very religious administrator who began introducing religious views into hospital policy.

C. Institution with Weak Religious Commitments
A hospital affiliated with a religious group may have or may seem to have moral commitments at least slightly thicker than the secular community hospital discussed above. For example, St. Luke’s Episcopal Hospital in Houston, Texas is affiliated with the Episcopal Church. Thus we may presume that it has the moral commitments of the Episcopal Church. These include the belief that active euthanasia is never morally permissible (Seventy-First General Convention of 1994) and that the decision to seek an abortion should be made in consultation with a priest of the Episcopal Church (Sixty-Seventh General Convention of 1982). Thus for an Episcopal hospital to have a maximum level of moral character integrity, it would have to identify itself as an institution committed to the principles of the Episcopal Church, including the commitment to never intentionally end a human life to relieve suffering. Because in a number of cases, such as withholding or withdrawing care and abortion the Episcopal Church recommends consultation with a priest, an Episcopal hospital must also be
committed to making Episcopal priests available for consultation and guidance. The institution’s actions, of course, should reflect those commitments. The institution should enforce those commitments. For example, perhaps it would be impermissible to have or perform an abortion in such an institution without consulting an Episcopal priest, even if neither the patient nor the physician involved were Episcopalian.

A middle level of integrity might be held by an Episcopal hospital that had a strong mission statement and emphasized pastoral care by encouraging patients and staff to consult with Episcopal priests on medical-moral questions but failed vigilantly to enforce its moral commitments by ensuring that certain practices never be undertaken in the institution (such as euthanasia) and that certain other actions (such as abortion) never be performed without consultation with a priest (at least if the patient is Episcopalian).

Finally, such a hospital would have a minimum level of integrity if, for example, it identified itself as an Episcopal hospital but had a mission and identity statement empty of any mention of Episcopal medical-moral commitments and it functioned much like any secular hospital would, such as by making chaplains available but never emphasizing the need to consult with a priest on required matters. If one looks at the mission statement of St. Luke’s Episcopal Hospital in Houston, Texas, for example, it is immediately obvious that the institution’s stated moral character is in this sense weak and thus that the institution does not have a high degree of moral character integrity. The St. Luke’s mission statement says nothing about the moral commitments of the Episcopal Church. Moreover, the values St. Luke’s identifies its core values as “integrity”, “valuing people”, “excellence”, and “goal orientation”, all of which could be held by a secular institution and
none of which mention anything about the Episcopal tradition. As it stands, the institution appears almost indistinguishable from a secular institution.

D. Institution with Thick Religious Commitments

Roman Catholic hospitals bear a number of moral responsibilities because of their thick deep moral characters. These obligations are delineated in the *Ethical and Religious Directives* (ERDs) (1994 and 2001). They involve numerous aspects of the health care institution's activities. Some of the responsibilities addressed by the ERDs include charity and care for the poor, the care of the elderly and terminally ill, the importance of spiritual services, and permissibility and impermissibility of various reproductive services.

A Roman Catholic health care institution with a minimum level of moral character integrity might be one that adopted the “condominium approach” to contraception and abortion. In such cases, the institution and its employees technically are not themselves providing such services. Instead, the institution agrees to sell a suite of offices or land to a group that will provide these services. In doing so, the services are not technically provided by the institution, but the institution clearly has enabled others to provide and receive such services, rendering the institution complicit. A Roman Catholic health care institution might also have a minimum level of moral character integrity if it purposely denied care to the poor to increase profits.

Imagine a Roman Catholic hospital that has a hospice program that emphasizes appropriate pain management without ever intentionally causing death. If there is insufficient supervision of this program and certain professionals involved in patient care
sometimes go beyond the limit of providing only appropriate pain medication and intentionally provide too much medication so as to shorten a patient’s life, then this institution’s level of moral character integrity is compromised. If overall the institution maintains a high level of integrity, we may recognize this failure not as one that results in a total lack of integrity but as one that results in the institution having only a middle level of integrity. How such an institution responds to this kind of situation also will impact its moral character integrity.

For a Roman Catholic institution to have a maximum degree of integrity, all institutional policies, from how patients and families are greeted, to how care is delivered, to the availability and encouragement of religious practices and prayer, to policies regarding all medical moral matters should clearly reflect Roman Catholic moral commitments. In addition, those policies must be executed and enforced. In exploring the moral character of institutions with thick moral commitments, we must realize that often their moral commitments are not a series of disconnected moral principles or ideals but rather that they are all grounded in specific core values. The particular moral commitments essentially grow out of or are implications of holding those core values. Thus, many activities that might be violations of only one aspect of institutional identity may be serious violations of integrity because they represent not only disregard for some particular commitments but of a commitment that is one of the institution’s core values. In the case of a Roman Catholic health care institution, for example, the particular commitments the institution holds regarding care for the poor, the dying and the elderly as well as reproductive services are all grounded in core teachings of the Church.
regarding the fundamental dignity of the human person and the ends of science and medicine.

II. Implications

The examples in the section above together with the analysis in chapters one through five offer an understanding of how health care institutions may be morally responsible agents. The focus of this section is the implications of this analysis for individuals, institutions, and society. What does this account of institutional moral responsibility mean for individuals, institutions, and society?

A. Individuals

There are three sets of central issues to consider here. First, this work offered a different understanding of moral responsibility and moral integrity in general and then applied it to institutions. What does the understanding of moral character and moral responsibility offered here mean for individuals, individual moral responsibility and personal integrity? Second, what does the understanding of moral character and moral responsibility offered here mean for individuals associated with institutions? Third, what does the understanding of moral character and moral responsibility offered here mean for individuals living in society?

1. Individual moral responsibility in general

Individuals who have moral commitments can have moral character integrity. Moral character integrity helps us to understand individual moral responsibility in a society such as ours in which we lack a single vision of the right and the good. The distinction between universalist and specific moral character integrity allows us to recognize
individuals as possessing two principal forms of moral obligation and responsibility. First, individuals have some general obligations justifiably attributable to all persons in virtue of being persons, such as the obligation not to take innocent life. Second, individuals have particular moral responsibilities grounded in their deep moral characters. An agent’s fundamental moral commitments can be justifiably normative for them even though they may not justifiably bind all persons. Thus a Jehovah’s Witness has announced a moral obligation not to receive a blood transfusion although all non-Jehovah’s Witnesses are in no way obligated to refuse blood or blood products.

2. Individuals associated with a particular institution
The understanding of institutional agency, moral responsibility, and moral character offered in the preceding chapters has implications for individuals associated with specific institutions as well as for those individuals not associated with particular institutions. First, one of the essential issues to consider is whether or not we take institutional moral responsibility and institutional integrity seriously enough to hold that at times the individual may be required to make sacrifices or compromises in order to maintain institutional integrity. If we understand institutional moral character integrity as important for moral well-being not only of institutions but also of individuals, as described in chapter five, then there may be a sense in which institutional moral character integrity overrides individual moral commitments. That is, when individuals associate freely with a health care institution, either as patients or as employees, particularly when those institutions have thick moral commitments (deep moral characters), those individuals must understand themselves as responsible for adhering to, upholding, and
conforming to the institution’s moral character. Individuals who freely associate with an institution that has particular moral commitments and act in ways that violate the institution’s moral character integrity may be blameworthy for their actions. Thus the urologist performing vasectomies in the Roman Catholic hospital is morally blameworthy for his role in degrading the institution’s moral character integrity. Furthermore, when individuals with clearly stated moral commitments freely associate with a health care institution, they have an obligation to ensure that their activities or choices conform with the institution’s deep moral character. For example, Ms. Requena ought to have understood that by seeking care in a Roman Catholic hospital, some of her choices might be legitimately limited. Similarly, a patient seeking care in a Roman Catholic hospital should not expect to have abortion services made available to her. This general issue is addressed by the president of Baptist Health, a health care system in Arkansas, Russel D. Harrington, Jr.: “Each of us has our own code of ethical conduct which is based on our personal values. However, when we become part of the Baptist Health family, our conduct is expected to reflect the organization’s values. This expectation applies to every person and company associated with Baptist Health” (President of Baptist Health, 1999 letter introducing the Baptist health Code of Ethical Conduct).

The possible restrictions individuals may face because of their association with a particular institution has been addressed in the literature on corporation moral responsibility. In his analysis of corporations, Peter Drucker notes: “Because the corporation is an institution it must have a basic policy. For it must subordinate individual ambitions and decisions to the needs of the corporation’s welfare and survival”
(1964/1972, pp. 36-37). There may be cases, then, when individuals must choose among maintaining their personal moral character integrity and/or serving their own needs and maintaining the institution’s moral character integrity, or serving the institution’s needs or interests, or leaving their employment. The president of Baptist Health and Drucker would argue that at least under certain circumstances individuals must give priority to the institution with which they are associated or leave the institution.

Individuals, therefore, need to consider whether they are willing to sacrifice their personal integrity or at least make compromises in order to maintain the institution’s integrity. Another example here is the physician committed to providing patients with the best care possible while incurring the lowest out-of-pocket costs possible. If the physician works for an explicitly for-profit health care institution that prohibits the provision of any free or reduced-cost care without explicit permission of the director, then if this physician miscodes billing claims or in some way sees to it that patients are charged for less than what they receive, she violates the institution’s integrity. The physician not only undermines the institution’s existence, but its moral commitment to cheap, affordable care.

Second, when individuals freely associated with an institution that lacks moral character integrity, they may be understood as morally blameworthy for their association. This will be important to them as individuals and to others only insofar as they value moral character integrity in general and, especially, the moral character integrity of that
particular institution. One implication of this is that we may hold individuals morally responsible for being associated with an institution. Thus we may understand individuals as being complicit for their association with institutions whose deep moral character we take to be evil and praiseworthy for their association with institutions whose deep moral character we take to be morally good. Even if an individual claims not to share the institution’s commitments, he may be morally responsible for his association with the institution. Some cases or circumstances will be more difficult to address than others. There may come a point at which we hold that an individual is not morally responsible for particular aspects of an institution’s activities even though the individual freely associated with it. For example, if an individual deeply committed to abortion rights works for Domino’s Pizza, whose founder and CEO is a Roman Catholic who supports pro-life organizations both personally and through the company, is that individual employee complicit in those donations to the extent that his personal moral character

\[54\] It is beyond the scope of this work to discuss exactly what it means to associate freely with an institution. Some cases may clearly not be free associations, such as when an unconscious patient is transported via ambulance to a hospital. Others clearly are free associations, such as when a person who could apply for jobs at multiple institutions or even the person who has offers from different institutions and chooses where to work in one particular institution. Many other cases may fall somewhere in between, but I will not discuss them further here. Even with a clear understanding of free association, it is not clear whether or not the same or similar implications for the individual hold in those cases in which an individual’s association with an institution is not free. One example likely to generate extensive debate is the case of a the rape victim who goes to the closes ER wanting to be examined and given “the morning-after pill” or emergency contraception, not realizing that the closest hospital is a Roman Catholic one. It is reasonable to think that there are a number of reasons that make the association one that is not free, e.g., her emotional state at the time of making the decision may have precluded her from thinking about where to go. The association would have even less of the character of a free association if she had been taken to the hospital by someone else in a state of unconsciousness or even in a state of severe shock. To discuss this case further would require extensive analysis of (1) the concept of free association and (2) the extent to which free association is a necessary condition for holding individuals responsible for acting in ways that help sustain, or at least not undermine, institutional integrity. If we hold institutional moral character integrity in high enough regard, we will hold that Roman Catholic hospitals ought not to be forced to provide services contrary to their moral commitments even in such circumstances.
integrity is denigrated? We may determine that the individual employee is far enough removed from the contributions to the pro-life organizations such that we do not associated the employee with the CEO’s actions or his domain of moral responsibility.

Third, the discussion in note 30 in chapter four of the ways in which moral responsibility may and may not be diluted or divided is important here. Simply because we recognize institutions as morally responsible does not mean that less moral responsibility should/can necessarily be attributed to individuals. Moral responsibility is not a pie with a limited size or number of slices. Individuals may be fully morally responsible for their participation in activities for which we also consider institutions morally responsible.

3. Individuals living in society not associated with a particular institution
That certain institutions seek to maintain their moral character integrity may have implications for individuals not associated with those institutions. Primarily the impact for those not associated with the institution will be that they will have to tolerate the existence of institutions in their society that act in ways with which they may not agree and they may have to consider this before associating themselves with particular institutions. This is precisely the idea that disturbed Michael Rie (1991), whose views on institutional integrity were discussed in chapter five. Rie holds a conception of American constitutional law according to which individuals should have a right not to be discriminated against and according to which institutions should not be allowed to impose moral views on individuals. Thus while he holds we must allow individuals to take stands that discriminate, such as by refusing to provide abortions, he holds that
institutions may not discriminate in this way. The view presented in this work also
challenges some of the tenets of radical individualism, such as the idea that the individual
is the central and most important figure in moral decision-making and individuals’ rights
are most important and are to protected at (almost) any cost. At the same time, without
the account offered here, individuals’ rights to associate freely and establish institutions
to satisfy their needs within particular moral frameworks would not be protected. In
short, the account of moral responsibility and moral character integrity offered here has
implications both for how we understand individual moral responsibility in general in a
pluralistic society and for how we understand the moral responsibilities of individuals
with regard to particular institutions. More is said about this in the section below on
society.

B. Institutions
Once we understand institutions as morally responsible agents in the sense that we
understand that they may have moral character integrity, we are faced with the prospect
of morally evaluating institutions and holding institutions morally accountable. This
account of moral responsibility provides a standard for morally evaluating institutions
even when we do not share their fundamental moral commitments. One need not share
the institution’s deep moral character in order to determine whether or not it acted as it
ought to have acted given its moral commitments. This possibility for judgment can be
invaluable in a society in which there are multiple understandings of the right and the
good. In such a society in which in many areas we lack a single standard of moral
evaluations, it can be helpful to have a mechanism for assessing institutions. For some
institutions the possibility of moral evaluation may not matter because the institutions do not understand themselves as having a deep moral character and thus do not understand themselves as having the potential to have or to lack moral character integrity or simply because they do not attribute any value to maintaining their moral character integrity. However, for those institutions that do understand themselves as having a moral character and who have at least some minimal level of commitment to maintaining their moral character integrity, this analysis will have several important implications.

In particular, this account of institutional moral responsibility has implications for how institutions should operate. Although much of what an institution will have to do in order to maintain its moral character integrity depends on its particular moral character, three general claims can be made regarding institutional practices necessary in order to maintain moral character integrity. First, institutions will have to reflect on their moral character and identity and their moral commitments in order to determine how those commitments ought to translate into institutional policies and activities. This may be a task undertaken at the institutional level by an organizational ethics committee that includes individuals from all areas of institution as well as individuals familiar with institution’s history. Part of the goal of such reflection is to anticipate ways in which the institution’s integrity can be challenged and prepare a plan for how the institution can respond to such challenges so as to maintain its integrity. Such reflection should also identity future institutional goals and directions so as to increase the likelihood of a coherent institutional life. The possibility of reflection on institutional identity, commitments, and goals emphasizes that institutions have an identity that is not reducible
fully to that of the individuals associated with them. As Reiser notes in his discussion of organizational moral responsibility, “an organization is a historical entity . . . created to meet a set of goals, which are identified by and important to its founders, and which are thus seminal events in the life of the organizational. They stand as traditions . . . . The traditions of an organization set it apart from the individuals who work in and direct it. The accumulation of traditions as ways of doing things constructs the identity of the organization (Reiser, 1994, p. 32).

A second general claim regarding institutional activities in light of the possibilities of institutional moral character integrity is that institutions must evaluate and perhaps change their hiring, training, and firing policies to protect their moral character integrity. An institution that is committed to maintaining its moral character integrity will have to determine what is required of the individuals associated with it in order to determine which individuals ought to be hired, how they ought to be trained, and under what circumstances they must be fired. For example, an Islamic institution may determine that its commitment to providing care in a Muslim setting with full respect for Muslim moral rules and practices is so important that only Muslim physicians, nurses, and others should be hired. Individuals hired would have to go through a rigorous training program to ensure an understanding of all the relevant rules and customs they would be required to follow. Moreover, if the institution found that any of those individuals was not acting in accordance with their moral obligations, etc., then that individual might at some point have to be fired. An institution may determine that not all employees must actually share the institution’s commitments (deep moral character) as
long as they agree to act according to the institution’s policies so as to maintain the institution’s moral character integrity.\textsuperscript{55}

Third, institutions may need to develop a system of moral auditing procedures to evaluate their activities and policies so as to determine the extent to which they have or have not maintained their moral character integrity. This may include a system of internal checks and balances, modeled on the administrative case rounds Reiser describes (1994, pp. 33-34; 1991) or clinical ethics rounds, or through an external audit process.

C. Society
The analysis of institutional moral responsibility and integrity presented here indicates that if our society understands itself as allowing peaceable free choice, a plurality of deep moral characters institutions may need to be respected as long as those moral characters fall within the broad range of acceptable side-constraints. The fact of moral pluralism in our society means that there will be institutions with different deep moral commitments, not all of which will be acceptable to all members of society. If we are committed to peaceable free association, then this plurality will have to be respected and institutions whose deep moral characters fall within certain broad side-constraints should be permitted to pursue peaceably their activities in ways that maintain their moral character integrity. Even if we do not wish to give priority to institutional moral character, we may remain committed to this conclusion. This is due to the circumstance that as long as there are individuals in society who wish to associate with institutions that have particular commitments, perhaps as part of maintaining their personal moral character integrity and

\textsuperscript{55} As mentioned earlier, for a discussion of discriminatory employment practices, see Epstein (1995).
pursuing their particular views of appropriate moral commitments, then they will need to be able to associate freely and form institutions that facilitate their pursuit of the good and their personal moral character integrity. As discussed in chapter five, the reasons for recognizing institutional moral character integrity as important warrant granting such institutions the social and political space necessary to maintain integrity.

Determining the side-constraints that should define the limits within which divergent views of deep moral character may be pursued is a serious issue. It is beyond the scope of this work to explore this in detail. Only some very preliminary suggests are possible. First, the laws and regulations in place in society will serve as clear side-constraints. It will be necessary for individuals and institutions to respect the rule of law and to abide by government regulations and policies in their activities. This is an essential element of a free, pluralistic society for it allows individuals and groups who do not necessarily share a concept of the right and the good to live peaceable alongside each other. Second, we may recognize that certain elements of what we might call fair business practice are necessary in order to respect individuals in a society in which there are diverse understandings of the right and the good. Individuals need adequate disclosure, for example, in order to be able to judge the extent to which they want to be associated with an institutions. Absent common moral commitments in a particular area, it is imperative that institutions disclose to individuals their deep moral commitments, their expectations about the individuals associated with an institution, and a sense of what the individual should expect from the institution. Moreover, institutions should respect their oral and written agreements so as to facilitate peaceable and fair relations in a
pluralistic society. Third, under certain circumstances, individuals should disclose to institutions their particular moral commitments. Insofar as an institution has commitments it wishes upheld, it will be important to have individuals associated with it who either share its commitments or are at least willing to act (in their institutional capacities) as if they shared those commitments. So an institution will need to know, for example, whether an individual has moral commitments that will interfere with his upholding of the institution’s commitments. Thus disclosure by the institution and by individuals will be important elements of social interaction in a pluralistic society in which the freedom to pursue various conceptions of the right and the good is to be protected.

III. Conclusion

This work has explored the concept of institutional moral responsibility with a focus on health care institutions, especially hospitals. Because moral responsibility is different from legal accountability and involves moral blame and praise, this analysis examined the moral life of institutions independent of their legal character. Chapter two provided a general introduction to and discussion of moral responsibility in terms of moral character and moral integrity in order to establish the context for examining institutional moral responsibility. I introduced an understanding of moral integrity as harmony among the three aspects of moral character (deep, manifest, and stated). A discussion of the literature on moral character demonstrated that the three aspects of moral character are not explicitly distinguished in the literature but are important.
The account of moral responsibility and moral integrity developed in chapter two is not unique to institutions, and it was not immediately obvious that institutions could be morally responsible in any sense. For discussions of institutional moral responsibility to be meaningful, several factors had to be addressed. First, we needed to determine whether or not institutions are the types of entities that can have moral responsibilities. For this to be the case, institutions must, at a minimum, be entities whose identity is not reducible fully to the individuals associated with them. Otherwise, to consider institutional moral responsibility would be nothing more than a shorthand way of addressing individual moral responsibility. Chapter three and the first part of chapter four address this issue. There I demonstrated that institutions are located within a social life-world and have an ontological status, that is not reducible fully to the individuals associated with them. I argued that this ontological status is dependent on the individuals associated with them, but not reducible fully to them. That institutions have an ontological status not reducible fully to the individuals associated with them; this is a necessary though not sufficient condition for recognizing institutions as having the possibility of moral integrity and thus moral responsibility.

Second, once it was established that institutions have an identity that cannot be reduced fully to the individuals associated with them, the issue of what it means to say that an institution has moral responsibility could be explored. The latter part of chapter four established that health care institutions have the possibility of being morally responsible because they can possess moral character and moral integrity. Thus health
care institutions can have moral responsibility not reducible fully to the individuals associated with them.

Once it was understood that institutional moral responsibility could be examined in terms of institutional moral character integrity, this concept on institutional moral integrity required further analysis. One aspect that had to be considered is the value of such integrity. Chapter five included a discussion of some of the reasons for which institutional moral integrity is important. If we take institutional moral character integrity to be important, then prima facie, then we will want to understand how it is that institutions might come to lack such integrity. Threats to integrity were also explored in chapter five. This final chapter, chapter six, considered examples of institutions with different types of deep moral character and varying degrees of moral character integrity. It examined as well some of the implications of this discussion for individuals, institutions and society. The discussion in chapter five of how institutions might come to lack moral integrity together with the examples offered in chapter six show that institutions can come to have and lack moral integrity in a unique way. Institutional integrity, much like institutional identity, is dependent on but not reducible fully to the individuals associated with them. Institutional integrity depends on the actions of individuals, for example, but it cannot be understood fully in terms of individuals. The relationship between individuals and institutions highlights the sense in which institutional moral integrity is a unique social phenomenon that can be understood and appreciated only when we examine carefully institutional identity and activity.
This study advances four principal claims. First, it establishes a particular account of moral responsibility grounded in moral character and moral integrity. For an agent to be morally responsible, it must be the type of entity that can have moral integrity. An entity that lacked all moral integrity would be morally incompetent. What an agent must do to maintain its integrity tells us something important about what moral responsibilities the agent bears. When an agent acts in ways that sustain its integrity, we can say that she has acted in a morally responsible manner. When her integrity is degraded, we know she has failed to act according to her moral responsibilities. This understanding of moral responsibility reflects the fact of moral pluralism, i.e., the fact that agents in our society, with certain constraints, there are diverse views of proper moral commitments. Thus the form of integrity operative here is moral character integrity, not universalist moral integrity, which would presuppose a set of moral responsibilities justifiably attributable to all. Moral character takes seriously the moral character of an agent and the moral responsibilities particular agents understand themselves as bearing. It is an evaluation of the harmony between an agent’s deep moral character (its fundamental moral commitments), its manifest moral character (the moral commitments evidenced by its actions), and its stated moral character (the moral commitments it claims to hold).

Second, this study is an account of the social world and advances the claim that institutions are important players in this social world. The social world is not composed exclusively of individuals: institutions are bearers of predicates such that we can make claims about and attribute properties to institutions and such properties are not reducible fully to the individuals associated with institutions. We experience institutions as having
moral integrity. We live in social contexts in which we make moral claims about those institutions. For example, we live in institutional domains of social experience in which we make claims regarding an organization acting morally appropriately or inappropriately and regarding the institution as possessing or lacking moral integrity. These moral predicates are not reducible to legal predicates/claims regarding institutions. These moral predicates are not reducible fully to the individuals associated with institutions. For example, for it to be appropriate to claim that an institution violates its moral integrity is not necessarily to say it violated the law or acted in a legally negligent fashion.

Third, the study shows that among the predicates institutions can bear are moral predicates, including moral responsibility. In particular, health care institutions can meet the requirements an entity must meet in order to have moral integrity of the sort described here. In short, health care institutions can have an ontological identity that is not reducible fully to the individuals associated with them in particular. They can have a stated, manifest, and deep moral character that cannot be attributed exclusively to individuals associated with them. Most importantly, institutions can meet the requirements of agency. The life-world of institutions cannot be reduced without loss of meaning to individuals such that any attempt to ignore institutions as distinct members of the social world would result in an impoverished understanding of this world. A number of aspects of the life of institutions suggest this. These were discussed in chapter four.

Fourth, the moral judgments we make concerning institutions have a social character because of the nature of institutions. There are similarities between the moral character integrity of institutions and individuals can have, but there is not complete
overlap. Institutions acquire moral integrity in a way distinct from the way individuals come to possess moral integrity. Institutions are dependent upon but not fully reducible to the individuals associated with them. Institutional integrity depends on the individuals associated with an institution but it is not merely an amalgamation of the degree to which each individual maintains his or her personal integrity. The relationship between individuals and institutions is important and impacts the extent to which institutions maintain their moral integrity. Thus institutional moral integrity has a social character of a particular kind. This became clear in the exploration of the ways in which institutional integrity can be challenged as well as in the examples of institutions with different degrees of moral integrity considered in chapter six.
References


American Civil Liberties Union (2002). Religious Refusals and Reproductive Rights, New York, ACLU.


Belaief, Gail (1965). ‘The relation between civil law and a higher law: A study of Spinoza’s legal philosophy,’ *Monist* 49(3), 504-518.


Brudney, Daniel (1993). ‘Two links of law and morality,’ *Ethics* 103(2), 280-301.


Episcopal Church (1982). ‘Sixty-Seventh General Convention, Resolutions Relevant to Abortion.’ Available online www.us.net/edow/medical/conven.html


EthicalEdge.com. Available online at: www.ethicaledge.com

Ethics Resource Center. Available online at: www.ethics.org


Franssen, Maarten. ‘The not-so-trivial truth of methodological individualism,’ Paideia, available online at: http://www.bu.edu/wcp/Papers/Scie/ScieFran.htm


Fuss, Peter (1964). 'Conscience,' *Ethics* 74, 111-120.


Giblin, Marie J. and Mark E. Meaney (1998). ‘Corporate compliance is not enough,’ *Health Progress* (September-October), available on-line: http://www.chausa.org/PUBS


In the Matter of Beverly Requena No. A-442-86T5, Superior Court of New Jersey, Appellate Division, October 6, 1986.

In the Matter of Beverly Requena No.P-326-86E, Superior Court of New Jersey, Chancery Division, Morris County, September 24, 1986.


Richards, Norvin. ‘A conception of personality,’ *Behaviorism* 14(2), 147-157,


