CSEP MODULE SERIES IN APPLIED ETHICS

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The Moral Status of Loyalty

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About the Author

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Background

In a 1973 CBS report on Phillips Petroleum, Inc., one of its chief executives was asked to describe what sort of qualities his company looks for in prospective employees. He responded without hesitation that above all else, what Phillips wants and needs is loyalty on the part of its employees. A loyal employee, he elaborated, would buy only Phillips' products. (I take it that he did not mean this literally, but meant, rather, that the employee would not buy any products from a company other than Phillips if Phillips produced products of the same type.) Moreover, a loyal employee would vote in local, state, and national elections in whatever way was most conducive to the growth and flourishing of Phillips. And, of course, a loyal employee would never leave Phillips unless it was absolutely unavoidable. To reduce the likelihood of that happening, prospective employees were screened to make sure their respective wives did not have careers which might conflict with life-long loyalty to Phillips.[1]

Phillips does not appear to be anomalous in its expectations of loyalty, although times have changed somewhat since the early 1970's, thanks to the efforts of Ralph Nader and others. Nader and Mark Green (1979) report that the Gilman Paper Company of Saint Mary's, Georgia demanded that their personnel manager find out who planned to vote against the candidate backed by the Gilman Company. The personnel manager refused to comply and finally quit, but another mill worker took on the task that the former had refused, and several people were subsequently fired for voting for the "wrong" candidate.[2]

Serious though the demand of loyalty is for all of those in business, the problem is particularly acute for engineers. Engineers are in a position of public trust. Compliance with the company's expectation of loyalty may, in some circumstances, have far-reaching consequences for those who trust the engineer to see to it that the product inspected by his or her department is safe.

Consider the following case reported by Kermit Vandivier (1972) in Robert Heilbroner's *In the Name of Profit.*[3] Rather than risk losing a sale by delaying delivery of the four-disk brake to the LTV Aerospace Corporation and explaining that in the interest of safety, a new brake design would have to be drawn up, the B.F. Goodrich plant at Troy, Ohio opted to "fudge" the data from the qualifying tests. Vandivier, who was among the engineers told to cooperate "or else," entitles his essay in Heilbroner's book "Why Should My Conscience Bother Me?"[4] His task was to issue the formal qualification report on the brake. The brake had failed the tests abysmally, even after it was "helped along": fans were used to cool it during the test and a conveniently miscalibrated instrument was employed to measure the brake pressure. Vandivier buckled under the severe pressure of his superiors and reluctantly handed in the fraudulent report. Later, however, he submitted a letter of resignation, citing the "atmosphere of deceit and distrust in which it is impossible to work" (p. 28). The resignation was to take effect a few weeks later, but the chief engineer informed Vandivier that in view of Vandivier's " 'disloyalty,' " he had decided to accept the resignation " 'right now' " (p. 29).

Vandivier and his cohorts were lucky. No one was (physically) injured when, predictably enough, the brakes failed. Such good fortune does not come to all those who succumb to the pressure and do what is said to be in the best interest of the company and to be required by loyalty. Many engineers who were loyal to Lee Iacocca and to Ford have more on their consciences than does Vandivier: between 1970 and 1977 Pinto crashes caused somewhere between 500 and 900 burn deaths. Yet the Pinto design was known to be faulty before any of the Pintos were sold (Dowie 1980; De George 1981).

The Issues for Engineers

While loyalty is a significant moral issue for everyone—why this is so will become evident shortly—it is of paramount importance that engineers come to grips with it since the impact of an engineer's decision to put loyalty to his or her company before (other) moral demands can have far-reaching and even life-and-death consequences.

There are two clusters of abstract questions that a responsible engineer should ponder:

1. What, if anything, is good about loyalty? If it is good to be loyal, is it always good to be loyal? If there are circumstances in which it is wrong to act loyally, how can we identify or be on the alert for such circumstances?
2. What should one do if conflicting loyalties make demands on one? How, if at all, can one weigh the relative importance of one claim of loyalty against another?[5]

Let us first consider how the cluster of questions that 2 raises bears on engineering ethics. A look at the code of the National Society of Professional Engineers (NSPE), or virtually any other code of ethics for engineers, will make this plain. The NSPE Code begins: "The Engineer, to uphold and advance the honor and dignity of the engineering profession and in keeping with the high standards of ethical conduct . . . will be honest and impartial, and will serve with devotion his employer, his clients, and the public. . . ." Can an engineer, no matter how heroic, always serve *each* of these parties with devotion? Can he or she, in other words, always be loyal to all three? The answer is clearly "No." Loyalty to their clients required that the engineers at B.F. Goodrich live up to the trust that LTV placed in them: it required, among other things, that they adhere to the methods of qualification testing that the military specifies, rather than concoct their own "tests." Loyalty to the public

required the Ford engineers to "blow the whistle," that is, to inform the public of the hidden danger in the Pinto, or perhaps collectively refuse to cooperate in completing the Pinto, given Iacocca's refusal to remodel the gas tank.

In order to answer the questions raised in 2 we must first address the more abstract ones which 1 raises. We cannot expect to make any headway in adjudicating between conflicting loyalties unless we first figure out how to evaluate the extent to which various claims of loyalty really do make a legitimate claim on us. To do this, we will analyze the concept of loyalty, isolate its positive features from its negative features and determine, within broad parameters, when it is right to act loyally and when, because of other moral considerations, it is wrong to do so. But first we must ask what loyalty is.

The Nature of Loyalty

In asking what loyalty is we have two aims: (1) to pin down what we shall mean, for the purposes of this discussion, when we use the words 'loyal,' 'loyalty,' and 'loyally'; and (2) to try to capture the idea that most of us have when we speak of loyalty and the idea of loyalty that is relevant to the issues in engineering ethics, as indicated above. In other words, we want to avoid using the words in question loosely and vaguely: it is crucial that we be clear on what it is that we are talking about. In addition, though we do not need to take on the task of giving a full analysis of what loyalty is, we do not want to "change the subject" and end up discussing the moral status of something other than what is generally meant by 'loyalty' when the term is used in connection with issues in engineering ethics.[6]

Loyalty and its Objects

To accomplish our aims we must first decide what objects loyalty can take; that is, what sorts of things one can be loyal *to*. Immediately we encounter disagreement among those who have written on loyalty. Josiah Royce, a turn-of-the-century American philosopher and one of the few philosophers to write an entire book on loyalty, stipulates that the object of loyalty must be some *cause* or other. "Loyalty shall mean . . . *The willing and practical and thoroughgoing devotion of a person to a cause* (16–17, Italics in text)," the cause being something "beyond your private self, greater than you are . . . personal and . . . superpersonal" (Royce 1908, pp. 55–56).

> Instances of loyalty are: The devotion of a patriot to his country, when this devotion leads him actually to live and perhaps to die for his country; the devotion of a martyr to his religion; the devotion of a ship's captain to the requirements of his office when, after a disaster, he works steadily for his ship, for the saving of his ship's company until the last possible service is accomplished, so that he

> is the last man to leave the ship, and is ready if need be to go down with his ship (Royce 1908, p. 17).

John Ladd, a contemporary philosopher, disagrees. So does another contemporary thinker, Andrew Oldenquist. In his *Encyclopedia of Philosophy* article on loyalty, Ladd differs from Royce as to the object of loyalty. Far from having as its objects impersonal and superpersonal causes, loyalty, Ladd thinks, is interpersonal. Both historically and in our ordinary moral language, 'loyalty' is "taken to refer to a relationship between persons—for instance, between a lord and his vassal, between a parent and his children, or between friends. Thus the object of loyalty is ordinarily taken to be a person or group of persons" (Ladd 1967, p. 97). Loyalty, Ladd adds, is "also specific; a man is loyal to *his* lord, *his* father, or *his* comrades. It is conceptually impossible to be loyal to people in general (to humanity) or to a general principle, such as justice or democracy" (p. 97).

Oldenquist joins Ladd in rejecting the view that ideals can be the object of loyalty. His explanation makes it clear that the issue is a deep one, involving much more than the simple question of how we should use the term 'loyalty.' In his explanation, Oldenquist contrasts being loyal to something (or as he puts it, "having a loyalty") with having an ideal. The test by which one can distinguish loyalties from ideals is as follows:

> If I say that I ought to defend my country, I have a putative loyalty. But if I am willing to replace 'my country' with, e.g., 'a democratic country' or 'a Christian country,' I have not a loyalty but an ideal; in this case what I am committed to is a kind of thing, not some particular thing. If I am unwilling to replace 'my country' with a characterizing expression, I have a genuine loyalty and not an ideal; my normative judgment is self-dependent (Oldenquist 1982, p. 175).

To put Oldenquist's point more generally, loyalties involve an ineliminable first-person (possessive) pronoun: "my" (or "our"). This means that I can only be loyal to *my X,* but more importantly that to be loyal to my *X,* I must think of it under the description 'my *X*' rather than merely as an *X* which has the qualities *a, b,* and *c.* The reason is that otherwise I am committed to a kind of *X,* not to this *X.* If I am committed to a kind of *X* but not to some particular *X,* then I do not yet have any reason for preferring my *X* to other *X*'s of the same kind. And yet if I am loyal to my *X* (e.g., my country) I *do,* Oldenquist thinks, prefer it or value it more than other *X*'s of the same kind (e.g., other democratic countries). So this must mean that if I have a loyalty to *X,* I value it as my *X,* not just as an *X* which is valuable independently of being mine. This is what Oldenquist means when he argues that the objects of loyalty contain "uneliminable (sic) egocentric particulars" (p. 175).

Ladd and Oldenquist thus seem roughly to agree on what sorts of objects loyalty can take. Loyalties, on their view, are to people, not to ideals. Oldenquist might deny that one can only be loyal to people or groups of people, for he might deny that loyalty to one's country is really just loyalty to a group of people. But we can ignore such differences for now. We must focus instead on this question: What bearing does the disagreement between Royce, on the one hand, and Ladd and Oldenquist, on the other, have on the issues concerning loyalty in engineering ethics? Once we answer that question we can decide which characterizations of loyalty and its objects to accept for the purposes of this essay.

On Oldenquist's analysis, the demand that an engineer be loyal—if it really is a demand for loyalty—amounts to something like this. An engineer is to be loyal to his company because it is his company, and not solely because it is an important, socially useful company, or because he has been treated well by "the company" (i.e., the people who constitute it). His reasons for being loyal to it must include the fact that it is *his* company. Ladd would agree: the engineer must, to be loyal, be loyal to some particular group of people. In contrast, Royce's view is that this is elliptical and inaccurate. What the engineer is supposed to be loyal to, he thinks, is a cause—not a person, not a group of people, not an organization of people. Which characterization better captures (a) our ordinary conception of loyalty, and (b) the notion of loyalty which is relevant to engineering ethics? I believe that Ladd's and Oldenquist's characterization does. It outstrips Royce's characterizations with respect to both (a) and (b).

Consider (b) first. When Vandivier's superior at Goodrich told him that he was being disloyal, he surely did not mean that Vandivier was failing (either by having a cause to which he was disloyal or by having no cause) to fight for some cause—indeed, that is part of what Vandivier was doing in deciding to quit the company! What the superior meant is that he was being disloyal to his superiors and co-workers at Goodrich. The relevant notion of loyalty in that instance is loyalty to certain people or to a group of people, not loyalty to an ideal or a cause.

The Ladd-Oldenquist characterization also accounts well for our ordinary use of 'loyalty' and 'loyal'. A friend is loyal to another person, not to the cause of friendship, or to any other cause. The loyal dog is loyal to his master. When we speak of causes (or ideals) we are more apt to say that people are committed to them or devoted to them than that they are loyal to them.

The Case Against Loyalty

There are good philosophical reasons for worrying about the moral status of loyalty. Moral reasoning and moral conduct demand that one be impartial, that one not play favorites. Professors are not to give high grades to students just because they are family friends or members of the same political organization or Bible study group. Nor are jobs to be filled on the basis of whether the candidate is "my kind." Indeed, depending on the "kind" in question, it can be illegal to hire on that basis—and for good reason. If the members of group *A* have most of the power in a certain society and if out of loyalty to their co-members they try always to give the jobs to members of group *A* and to rent or sell residential property only to members of group *A* (or to reserve the only decent housing for members of group *A*), those who are not in group *A* will be, at the very best, second-class citizens.[7] Unfortunately, such scenarios are far from merely hypothetical.

What all this points to is the link between loyalty to *X*'s and discrimination against non-*X*'s. It is worth taking note of a special feature of the link between loyalty to *X*'s and discrimination against non-*X*'s: the link does not rely on any beliefs to the effect that non-*X*'s are in some relevant (or irrelevant) respect inferior to *X*'s. Whereas discrimination against non-*X*'s commonly is nurtured by a belief that the people in question are less bright or lazier or somehow morally inferior, loyalty to *X*'s provides its own potentially independent basis for discrimination. The "old buddy system" of hiring makes this clear: if, out of loyalty, I hire my nephews and sons-in-law whenever I can (and perhaps my nieces and daughters-in-law as well), I need not have anything against the better-qualified people whom I turn down. I need not believe that they are "a greater risk" or in some other respect less qualified. I simply am being loyal to my family. One problem with loyalty, then, is that it invites unfairness and threatens to contribute to social injustice.

There is a second and closely related reason for questioning the value of loyalty. Loyalty seems to eschew another central feature of morality: reliance on good reasons. If I am to justify some action that I took, I must be able to show that I had good reasons for taking it and that the reasons for taking it outweighed the reasons against taking it. Consider what happens if the action in question was performed out of loyalty. We have already seen that if I act from loyalty, I act partially; that is, I act on behalf of some particular person(s) or constellation of persons—my sister, my boss, my friend, my university, my company, my country. But putting partiality to one side, we note another feature of acting loyally: I act on behalf of one of these parties not because the party deserves it, because I promised it, because it will help the people in question while hurting no one else, but for a very different sort of reason (if indeed for a *reason* at all!): because the party in question is *my X*.

Recall Oldenquist's distinction between loyalties and ideals. If my reason for defending my country is that my country is democratic, then, he says, "I have not a loyalty but an ideal," for "what I am committed to is a kind of thing, not some particular thing." I have a genuine loyalty only if I am dedicated to *X* under the description "my *X*"; otherwise, I would have to say, any other *X* of the same kind (e.g., any democratic country) would have an equal claim on me. But what kind of reason is "Because it is mine"? If to act loyally is to act with a special regard for something because it is mine—only because it is mine—loyalty seems at best silly. Suppose someone asked me why I favor the type of government that I do favor or why I think so highly of my thesis student. If to either question I responded, "Because it (s/he) is my ___," the appropriate response would be an amused smile. And the only sensible way to comprehend my answer would be to regard it as a refusal to give a reason—perhaps an evasion. Hence it is hard to see how loyalty generates reasons. An appeal to loyalty seems to reject or evade the request for a reason. No wonder David Hume thought loyalty a virtue that holds "less of reason, than of bigotry, and superstition" (Hume 1888, p. 562). At its core this is just the sort of narrowness of vision that we are supposed to escape *through* moral reasoning!

This last point can be expanded on if we take a look at Hume's account of how moral reasoning enables us to be more impartial. Hume saw that while we are, as humans, very social creatures, our affections are partial. They pick and choose: we do not love everybody equally. It is natural to prefer certain people to others. He also noticed that we are more impressed by admirable men and women who live in our part of the world and our era, and more disturbed by horrible deeds done "close to home" than by those that happened hundreds of years ago. And yet, he noticed (speaking as a Briton), "we give the same approbation to the same moral qualities in China as in England" (p. 581). The fact that one wicked person lives in our town and another lives thousands of miles away does not prompt us to think of the first as more wicked, even though we *feel* more shaken up and more outraged by the spectacle of wicked deeds close to home. We don't say that cruelty of the same type and degree is worse if far away from us than if it is right in our neighborhood; yet our feelings towards the one instance of cruelty are quite different from our feelings towards the other instance. Hume noticed that what happens in such instances is that we take ourselves *beyond* those feelings by abstracting from them. We try to ignore the aspects of our feelings that are occasioned by the nearness or remoteness of the crime or character (or whatever) that is in question.

> Our servant, if diligent and faithful, may excite stronger sentiments of love and kindness than Marcus Brutus, as represented in history; but we say not upon that account, that the former character is more laudable than the latter. We know, that were we to approach equally near to that renown'd patriot, he wou'd command a much higher degree of affection and admiration. Such corrections are common with regard to all the senses; and indeed 'twere impossible we cou'd ever make use of language, or communicate our sentiments to one another, did we not correct the momentary appearances of things, and overlook our present situation (Hume 1888, p. 582).

In moral reasoning we try to leave behind the irrelevant considerations. We try not to let such factors as the person's "looks" affect our judgment of guilt or innocence for a certain crime; in allocating academic honors or 4-H awards we try not to be affected in our decisions by considerations of how much we like the candidates, from which part of the country they hail, etc. Of course, I may *feel* like awarding the honor to the student who babysits my children, but I realize that the fact that she is our babysitter is not a good reason for favoring her over someone else who is a candidate for this honor. Hume would say that moral reasoning extends my natural sympathy—or if the "passions do not always follow our correction . . . these corrections serve sufficiently to regulate our abstract notions, and are alone regarded, when we pronounce in general concerning the degrees of vice and virtue" (p. 585).

The trouble with loyalty is that it seems to force our sympathies back into their initial partiality. It seems to undo or oppose all the good that fair-minded moral reasoning strives to accomplish.

Yet a third and related problem with loyalty is that it seems to invite irresponsibility: acting out of loyalty to *X* without a concern for whether in doing so we act fairly, and without heeding the likely consequences of our action. In his ebullient praise of and call for loyalty, Josiah Royce (1908, p. 106) urges:

> Let this so possess you that . . . you can say . . . 'I am the servant of this cause, its reasonable, its willing, its devoted instrument, and being such, I have neither eyes to see nor tongue to speak save as this cause shall command.' Let this be your bearing, and this your deed. Then, indeed, you . . . have won the attitude which constitutes genuine personal dignity.

How can I act responsibly if I make myself a willing instrument of something else? If I say "No, I will not consider what dangers there are in nuclear power; I will promote the cause of my company without any regard to what happened at Browns Ferry," can I be acting responsibly? The answer is clearly 'No.' I cannot act responsibly if I avert my eyes from all warning signs. It is crucial that I remain open to new information and that I be willing to revise my plans—revise a design for a bridge or urge that the company alter its plans to keep the cost of the Pinto from exceeding two thousand dollars and the weight from exceeding two thousand pounds[8]—if I find that things are not quite as they seemed. To charge ahead despite indications that all will not go well is irresponsible. If loyalty demands such ostrich-like behavior, that only goes to show that loyalty needs to be tempered by other considerations.

It is worth noting that such instances of loyalty to one's company frequently end up hurting the company in the long-run, as well as hurting consumers. This was the case, for instance, with the refusal to take seriously the very worrisome test results on the Corvair. The proposal to install a stabilizing bar in the rear of each car to correct the Corvair's tendency to flip over was long regarded as too costly—at fifteen dollars a car. When it finally was accepted and executed, it was too late for the Corvair to regain credibility. Losses in sales and legal expenses and out-of-court settlements for those maimed and killed were enormous (Wright 1980).

It is a sad fact about loyalty that it invites—according to Royce, *demands*—single-mindedness. Single-minded pursuit of a goal is sometimes delightfully romantic, even a real inspiration. But it is hardly something to advocate to engineers, whose impact on the safety of the public is so very significant. Irresponsibility, whether caused by selfishness or by magnificently unselfish loyalty, can have most unfortunate consequences.

The Case For Loyalty

The preceding pages expose loyalty's darker side. But there is also much to be said *for* loyalty, as the following examples will demonstrate.

Imagine a parent who, perhaps as a result of reading the previous section of this essay, felt that the mere fact that her son was ***her son*** was no reason for her to pay thousands of dollars a year for four years to send him to college, despite the fact that he is bright and eager to go to college. Imagine that she considers the idea of spending the money on him rather than using it to help bright orphans to get an education to be "irrational prejudice" in favor of her son. Clearly there would be something wrong here. It is terrific of her to devote large sums of money to the education of orphans; but what about her son? Surely she shouldn't regard him just as one of the promising young people in the world, as someone who has no greater claim to her pocketbook (and to her love and her attention) than anyone else.[9] To take a different example, imagine a parent who felt that there was no more reason to throw a birthday party for his six-year-old than for any other child. Here again, the fact that it is ***his*** child *should* make a difference to him.

From these considerations it emerges that "The Case Against Loyalty" stands in need of qualification. "Because it is my *X*" can, in some situations, for some instances of *X*, be a good reason for doing something for that person that one would not do for anyone else. "Because it is my child" is a good reason for me to spend much more time with him or her than with any other child (assuming that I have no other children) and, more generally, to make considerable sacrifices which I would not make for anyone else.

Consider, too, something that psychologists frequently point out: children need unconditional love, i.e., love that isn't conditional on the child's behavior. Yet someone who, disdaining the element of "blind affection" in loyalty, felt that the mere fact that it is his son was not sufficient reason to love him, would be incapable of unconditional love—unless his affections got the better of his judgment.

Parental responsibilities are not the only reason why loyalty is of great value. Relationships between equals—spouses, siblings, friends, lovers—could not flourish (or even count as *relationships* in the usual sense of the word) without the "favoritism" or "bias" which is central to loyalty. What kind of friend would I be if I were no more willing to help a friend in need than to help a stranger in the same way? And there are many other situations and instances of X for which "Because it is my X" is a good reason for the sort of favoritism which is at the heart of loyalty. "Because she is my friend" is a good reason for me to put in a good (but honest) word for her when she applies for a job in the company where I work, or to give her a lift to the airport—something that I would be less likely to do for a mere acquaintance (depending on the degree of need and the distance to the airport.)

So far we have focussed on interpersonal, one-to-one relationships in presenting the case for loyalty. But loyalty is valuable in other arenas, as well. Memberships and fellowship in a community—be it a club, a church, an athletic team, a women's (or men's) support group, a town, (a division of) a company or university—is a significant part of human life. It would not be possible to feel that one is really a part of such a group if one did not have a special concern for that group because (at least *partly* because) it is one's group.

This is true even if one draws the important distinction between loyalty to the group and commitment to the ideal (if any) that it stands for. If I am in a local political action group and feel a real membership in and fellowship with that group, I would not be likely to quit that group for another which works for the same ideal. If I feel identification and affiliation with that group, if I am interested in its success or well-being as a group, I would feel a certain loyalty to it. This is a phenomenon that many of us experience in connection with the organizations for which we work—unless, of course, we are very unhappy with our work situations. And the organizations for which we work count on this feeling. They count on the fact that most of us will feel a certain amount of loyalty to the organization, and that this will help to deter us from quitting if some "nice opportunity" comes along. Despite its apparent lack of a rational basis, a bit of a "Rah! Rah!" attitude or a "I don't know why I'm attached to it; I just am" seems appropriate and desirable.

All of the above examples of loyalty emphasize the value of certain *attitudes and affections* which are central to loyalty. It can also be pointed out that many facets of human interaction would be impossible if we could not rely on each other to *act* loyally. Thus it is not just the *feeling* in loyalty that is important for human relationships, but also the *actions* which loyalty prompts. Friends would not confide in each other if they did not expect loyalty in the form of the keeping of these confidences.

The same is true on a large scale: a company needs to be able to count on its employees not to divulge trade secrets. Suppose that Engineer A and Engineer B are friends who are engaged in similar design projects at their respective businesses. Suppose, moreover, that the businesses are rivals. Under certain conditions it could be quite harmful to the company that employs Engineer A if she were to share with Engineer B the innovative plans that she and others at her company are working on. Her company depends on her special consideration for her company just because it is her company. In other words, it counts on her to be loyal. Imagine what would happen if Engineers A and B thought of the research that they were engaged in simply as research, and not as something that was being done *for* a certain company. It would be impossible for a company to compete successfully if too much vital information were leaked. Of course in a much less capitalistic society, where businesses did not compete as ours do, trade secrets would not have the same importance. Only if there is competition, and only if that competition is important, does information have to be thought of as "owned." But that hardly justifies American Engineer A in sharing such information with American Engineer B, or vice versa.

Note that on a yet larger scale, where the "company" is a country, the vital information concerns defense matters, and the information is leaked to someone regarded by the government as an enemy, the person suspected of leaking the information is regarded as a traitor. It is important to recognize that the concept of a traitor only makes sense given a background expectation of loyalty. It is considered so very serious to be "disloyal" to one's country in this manner (leaking security information) that in the United States, at least, the punishment imposed is sometimes death.[10] If all countries were at perpetual peace with one another, if there were no animosity, then here again, the situation would not arise.

Expectations of loyalty from an employee last even after the employee quits one company to join another. The former company has to count on the former employee for a certain amount of loyalty. This becomes evident when one ponders the following hypothetical case, posed by Richard T. De George in his *Business Ethics* (1982, p. 204):

> John Knosit was head of a research team of CDE Electric. His team was working on developing a cheaper and more effective filament for light bulbs. Six months ago, a rumor circulated in the industry that the team had made a breakthrough and all that was required was final testing. This would put CDE Electric far ahead of its competitors. Five months ago, X Electric hired John away from CDE, offering him $25,000 a year more than he had been getting. No mention was made of his work on the new filament. After being in his new position for three months, his superior approached him and said that X Electric had hired him because of his work on the filament and that he would have to develop the filament quickly for X Electric or be fired. John knows how to develop the filament. Is he morally justified in developing it for X Electric?

Companies cannot control the departures of their employees: they can usually fire them at will, but they cannot force an employee to stay.[11] Nor can they keep someone from taking a job elsewhere (except, perhaps, by blackmailing, blackballing, or some other nefarious technique). Nor can they erase certain bits of information from the employee's memory. (Once again there are elaborate methods (hypnosis, electric shock "therapy"), but at least for the purposes of this paper, these are not worth regarding as options.) Companies simply must count on a certain modicum of loyalty on the part of those employees who, as employees, have important "trade secrets."

The dependence of companies on the loyalty of their employees is actually just an instance of a more general phenomenon. Our world is shaped by competition: there are goods which I—and my group—cannot have unless certain others do not get some of the same goods. Not everyone who applies for a fellowship gets it; not every team can win the championship. Those on the team count on each other to stick with the group, to aid it and not the opposing groups. A group member who refused to recognize the boundaries—i.e., who refused to think in terms of "us" and "them"—would, in some instances, be good cause for worry; a group leader who insisted on impartiality vis-à-vis other groups, on playing no favorites, would quickly be deposed. Imagine a department head in a university who refused additional travel money offered to the department by the Dean, on the grounds that a different department was more in need! Imagine a team captain who offered to have one of his best players take the place of someone on the opposing team who had been injured! Need we say more? These examples—as well as many others presented in this section—show that impartiality and a refusal to play (or have?) favorites can easily be overrated.

The Synthesis

At this stage we seem to be stuck in a dialectic, or a sort of tug-of-war. Loyalty seems so bad and yet so good. We must now tackle the really challenging question: Under what conditions is it wrong, on balance, to act as loyalty would demand—and under what conditions is it right to do so? What's a well-meaning, thoughtful engineer to do when faced with demands or expectations to be loyal, or when plagued by worries that a certain move (e.g., to quit a job she's recently begun for a more lucrative one) would be disloyal?

Our answer will be based on a distinction commonly drawn in ethical theory: a distinction between *duties of justice* and *duties of benevolence.*

Among our duties of justice are duties to be fair, to be honest and to avoid inflicting or contributing to the needless suffering of others. These are strict duties; that is, they are duties which we owe to everyone. The violation of such a duty constitutes a violation of someone's right(s). If I deceive or rob someone, I violate his or her rights.[12]

Compare the duties just named with the duty to be kind and generous and to help those in need. I cannot help *everyone;* time, financial considerations, professional demands and the like preclude that. I can discharge the duty to help those in need without helping all who are in need. So it does not follow from the fact that I have a duty to be generous that I owe it to be generous to any particular person; more broadly, from the fact that I have duties of benevolence, it does not follow that I have a duty or duties of benevolence to any particular person. This being the case, no one to whom I have been unkind or ungenerous can correctly claim that (in itself) my lack of generosity or unkindness to him or her constituted a violation of his or her *rights.* It may be true that I've behaved badly, that I've been unkind and that this is an expression of a moral defect in my character; but if the duty that I failed to fulfill was a duty of benevolence and not a duty of justice, I have not violated anyone's rights. It may be true, of course, that I wasn't really behaving badly—I may simply have been unable to sacrifice my time or money to help *this* person in *these* circumstances, especially since I was helping a number of others. I am culpable only if I refuse the cases where people are most desperate and where the cost to me is quite low, *or* if I refuse far too often to help others and am just plain selfish. An example of the first type is the case of the thirty-eight witnesses who didn't bother even to call the police when Kitty Genovese slowly died in an alley from the wounds received in a stabbing. An example of the latter type would be someone who would perhaps phone the police in the sort of situation just described, but would never contribute to a charity or a political cause (unless, perhaps, the political cause was one which directly affected that person's interests), would never offer to give directions to someone who appeared to be lost, or help a blind person who, waiting to cross a busy street, is unaware that the light has turned green. The important thing for the reader to bear in mind, however, is simply that duties of justice are duties that one owes to everyone, and a failure to fulfill such duties to S constitutes an infringement of S's rights; whereas duties of benevolence are owed to no one in particular, and a failure to be benevolent to someone, no matter how culpable, does not in itself constitute a violation of that person's (or anyone else's) rights.

Applying the Distinction

Armed with the distinction between duties of justice and duties of benevolence, we can proceed to examine the duties of engineers vis-à-vis loyalty by asking: (1) Should an engineer act as loyalty directs if in doing so (s)he must violate a duty of justice, i.e., violate someone's rights? (2) Should one do what loyalty asks if in doing so one must violate a duty of benevolence?

It is vital to bear in mind that duties of justice and benevolence are matters of degree: some duties of justice (e.g., duties not to kill) are more important than others (e.g., a duty to keep one's promise to return a book to the library the next day), and likewise with duties of benevolence. Moreover, it is sometimes hard to say whether a certain duty is a duty of justice, or instead, a duty of benevolence.[13] And sometimes it isn't clear whether an alleged duty is a duty at all. This should not worry us as long as we do not expect (or even hope) to find a mechanical solution to the problem of precisely when one should act as loyalty dictates. If we expect *parameters* for decision-making, the classifications of duties of justice and duties of benevolence should prove useful.

I will argue that duties of justice override considerations of loyalty[14] and that duties of benevolence (other than loyalty) sometimes do and sometimes do not. In part for the reasons why it is difficult to come up with any useful, general principles which rank duties of benevolence, it is not easy to say in advance when the claims of loyalty trump duties of benevolence. Some guidelines can be provided, however, for adjudicating among such conflicting claims. The guidelines will also be of assistance in situations where loyalties themselves conflict, or where demands of loyalty clash with the engineer's own wishes.

Loyalty and Duties of Justice

That duties of justice override considerations of loyalty becomes quickly apparent when we recall what we are counting as considerations of loyalty. A consideration of loyalty is a consideration that because X is mine—my company, team, club, neighborhood, etc.—I should promote it and should concern myself more with its needs than with the needs of other parties (except insofar as they are also, in some meaningful way, mine). How do such considerations compete with duties of justice? It is clear, I think, that my obligation to respect the rights of others has to come before considerations of what is best for my company, family, neighborhood, etc. What I owe to everyone must supercede what I may do to promote the welfare of my "group," or my spouse or friend or sibling.[15] None of his should be taken as denying that we should promote the welfare of our group, and more will be said shortly which will underscore the importance of such loyal actions. All that I have said so far is that duties of justice must come first.

If this is right, we now have an explanation (and justification) for our intuitions on such dilemmas in engineering ethics as the one in which Kermit Vandivier found himself, or that in which those who worked on the Pinto found themselves. If loyalty to the company—"My company, right or wrong"—mandated that the engineers at Ford who knew of the Pinto's built-in dangers keep quiet about them, it is nonetheless the case that the rights of the consumers to *know* about any unusual dangers in the car that they were driving (or thinking about buying) must come first.[16] The engineers at B.F. Goodrich had a duty of justice *not* to deceive those who had commissioned the qualification test (the test as specified by the military, not as "re-created" by employees of Goodrich). This duty of justice trumps considerations of loyalty to one's superiors or to the company.[17] Similarly, the thesis that duties of justice override considerations of loyalty explains our intuition that illegal dumping of hazardous wastes is wrong, especially if it threatens to contaminate the water supply, and that it is wrong not simply because it is illegal. It violates the right of those who drink the water to have drinking water which is safe—at least as safe as the government is willing to insist that it must be. But the thesis helps us out only in instances where the claims of loyalty clash with duties of justice. So, much more needs to be said.

Other Conflicts With and Within Loyalty: Some Guidelines

As indicated earlier, once we set to one side duties of justice and consider other conflicts of loyalty, we are in murky territory. But some guidelines can be provided for weighing how important the claim of loyalty is in a given situation.

First, a common confusion will be pointed out, a confusion which tends to give those of whom loyalty is demanded an exaggerated sense of their moral obligations, and tends to give those who expect loyalty an unwarranted belief that they *deserve* the loyalty they demand. For convenience, I will refer to it as the mistake of confusing *bogus* claims of loyalty with *bona fide* claims of loyalty. It confuses the engineer as an engineer in his or her role as an engineer with the engineer as, simply, a person. Second, a related error will be exposed, one which has the same effect as the first. Here the mistake is that of *exaggerating* what the engineer owes, where the "debt" is calculated with respect to goods that the engineer receives. I will label such mistakes "redundant demands of loyalty." These will require little discussion. Third, loyalty will be weighed against another source of moral demands, viz., autonomy. More precisely, I will weigh a particular form of loyalty, of special importance to engineering ethics, namely, deference to authority. I will suggest how engineers might reconcile the competing moral demands. Shortcomings and limitations in my proposed solution will be discussed at some length. Finally, I will argue that the value of loyalty is conditioned by the value of the community or relationship to which it is directed.

Bona Fide Vs. Bogus Claims of Loyalty

In determining the extent to which an engineer should allow considerations of loyalty to override duties of benevolence and her own wishes, we must take care to distinguish *bona fide* claims of loyalty from *bogus* ones. We must consider just what the moral demands of loyalty are, so that we can be on the alert for demands that may be addressed to engineers in the name of loyalty, but which are founded on a mistaken notion of what loyalty really does demand. As we address the question of what loyalty does demand, bear in mind that to say that loyalty makes a moral demand on someone is not yet to say that the person *should,* all things considered, act as loyalty demands, for there may be competing moral considerations. For example, loyalty may make certain moral claims on an engineer, yet these claims might be overridden by a duty of justice. Philosophers label such moral claims *prima facie* moral claims to distinguish them from moral claims which are absolute, i.e., which cannot be overriden by other moral considerations.[18] Determining whether an alleged claim of loyalty is even a *prima facie* moral claim is an important first step. It is pointless to weigh alleged claims of loyalty against other moral claims without screening out the bogus claims. So I begin by pointing out some common mistakes in this connection.

A first step in determining whether or not loyalty *does* demand a certain course of action on the part of engineers is to distinguish the engineer as such from the engineer as a person (i.e., the engineer apart from his or her role as an engineer). Whatever loyalty the engineer owes to his or her superiors or to the company *as* an engineer, it must be borne in mind that this would not be owed by the engineer as a private person. Loyalty to the company or to one's superiors cannot make legitimate demands on the engineer as a person.

It is for this reason that the expectation that engineers will not buy products from the company's competitors, or that they will vote in whatever way is expected to aid the company, are grossly unreasonable. It is crucial to recognize this division between the engineer as an engineer and as, simply, a person. Many claims that loyalty demands such-and-such of an engineer can be dismissed as illegitimate since they confuse the engineer as such with the engineer as a private person. In those instances, we need not even raise the question of whether the demands of loyalty are overridden by other moral demands, since loyalty does not, in those instances, really make any moral demands.

Redundant Claims of Loyalty

A second error which we should guard against is that of accepting as legitimate what I call *redundant* demands of loyalty. Redundant demands of loyalty ask that *X* be loyal to *Y* since, after all, *Y* does such-and-such for *X,* overlooking the fact that what *Y* does for *X* is not something for which further "payment" is in order. *Y* deserves no additional compensation. Example: it is sometimes said that citizens *owe* loyalty to their government since the government provides them with various goods and services. Of course many citizens would be happy to do without such "goods" as nuclear warheads, and

this is of some relevance. But even if we ignore that consideration, we can easily refute the claim that citizens owe loyalty by pointing out that as citizens who pay taxes, we have *paid* for the goods and services in question. Hence it is illegitimate to claim that we owe something further for the goods.

Similarly, it is sometimes claimed that one *owes* something to one's company or one's superiors (e.g., assistance in a cover-up) insofar as it—or they—treat one well. The reply to this is: "Why shouldn't I be treated well? I treat them well, too." If the thought is: "But *we* pay *you*!", the reply is: "Yes. You pay me for the work I do." The exchange is fair and square as things are; one must avoid the confusion of thinking that one's superiors are one's benefactors, to whom one owes gratitude, devotion or loyalty. The only loyalty that one owes is the cooperation and attachment that is needed for the community or the relationship to thrive.

Redundant claims of loyalty, in sum, ask for overpayment, or for payment when no payment is due. A demand for loyalty as payment for one's job is illegitimate for the reasons given. The same is true of expectations that an engineer be especially loyal to a superior who recommended or granted a promotion to him or her. Promotions and raises are not to be doled out for reasons other than merit, and someone who *does* dole them out on illegitimate grounds has no right to expect appreciation on the part of the recipient, much less a sense of indebtedness (unless, of course, the recipient conspired with the superior in the wrongdoing).[19]

Loyalty Vs. Autonomy: A Proposed Solution

Before proceeding to examine the conflict between loyalty and autonomy, we should make sure that we have a clear idea of its place within the larger discussion. Recall that I argued on pp. 13–15 that duties of justice override considerations of loyalty. It is more difficult to resolve conflicts between duties of benevolence and considerations of loyalty, but we can avail ourselves of some guidelines. I have indicated two of these guidelines, which warned against two errors: that of confusing the engineer as a person with the engineer as an engineer, and that of exaggerating the demands that loyalty makes. The next guideline will emerge from an examination of the conflict between loyalty and autonomy.

This third guideline will be of relevance to someone who is grappling with a dilemma of loyalty, once the problems just mentioned have been screened out. For his position at this time is that he knows that loyalty makes some claim on him, but rightly asks himself what other considerations enter in. He asks, "Granted, loyalty does demand this (whatever 'this' is), but what competing considerations are there? What else besides loyalty should I consider, and how should I weigh those competing considerations?"

There are many considerations which could, in a given situation, override those of loyalty; but I will focus on considerations of autonomy. I do so for two reasons. First, these seem to me to be the most important rival considerations in engineering ethics. Second, a detailed discussion of the clash between loyalty and autonomy helps us to focus on the question of just how important loyalty is, and how, roughly, to rank conflicting loyalties. Let us, then, reflect on when and why loyalty is valuable, keeping in mind the points made in an earlier section, "The Case for Loyalty." This will help us to recognize loyalty's boundaries.

Some remarks are in order on just what it is to be autonomous. To be autonomous is to be self-governing. Both *self* and *governing* must be stressed. The autonomous person is no one's puppet. She may seek other's advice; but she is the final judge of whether to follow it. But it is not just that no one will *make her* follow it. It is crucial to autonomy that she *governs* herself. She doesn't just do whatever she feels like doing, without any thought to whether she should act in this way. As Kuflik (1984) puts it, the autonomous person is "rationally self-accountable."

It should be clear that autonomy is a good thing, and also that autonomy is likely to come into conflict with loyalty. For once one is a member of a community, one will sometimes have to go against one's judgment. Loyalty is necessary insofar as the community requires for its well-being a certain amount of cooperation on the part of its members. It also requires from them recognition that they are working together as a group, and that they will therefore have to set aside their particular views and abide by the judgment of the group as a whole—or by those who have the authority to make the decisions. Hence the need for deference within the agency or organization. Yet autonomy and independent moral judgment are, as we have seen, also crucial.

There is in all communities in which both loyalty and autonomy are valued tension between autonomy and loyalty. One wants to avoid, on the one hand, the extremes of "group-think" and similar phenomena that can arise if there is too little autonomy and too much loyalty, and on the other, the chaos that may arise if there is too little loyalty or deference. As members of communities (in the form of corporations or agencies), engineers will sometimes have to forfeit autonomy, i.e., act contrary to their moral or professional judgment. They will also sometimes have to act contrary to their own wishes. To what extent and in what conditions does it make sense to say that loyalty demands that an engineer do so—that loyalty overrides the engineer's wishes or his or her moral or professional scruples?

It will be useful to consider how this balance is to be struck within democratic communities generally, and specifically, within a democratic state.[20] Just how much autonomy should one forfeit in a democracy? Arguably, one must abide by the laws in a democracy simply because they are the laws of one's community. This has been challenged by a considerable number of influential contemporary philosophers, and there is excellent reason for questioning it.[21] We need not discuss the matter here, however, for even those who claim that there is a moral obligation to obey the law in a democracy recognize that one may—and perhaps should—work at the same time to revise or rescind any laws which one thinks wrong or unnecessary. There is agreement on this among those who accept and those who deny a moral obligation to obey the law as such; they also agree that whether or not it is sometimes permissible to break the law on the grounds that it is morally objectionable, one should not make oneself a morality-enforcement agency. Suppose, for instance, that one thinks that abortion is wrong and that it should, moreover, be illegal in certain circumstances in which it is currently legal. Then one has a right to work to have the laws changed, and if one has thought very carefully and fair-mindedly about the issue, one *should* work to have the laws changed. But one should not kidnap doctors who perform abortions.[22]

If we apply this model to engineering ethics, we obtain the following result. Engineers should cooperate with company or agency decisions, at least if they are arrived at through a reasonably democratic procedure and if the decisions do not themselves strip engineers of the opportunity to speak out on issues concerning the company's or agency's products or procedures. But to say that they should cooperate is not to say that they should cease to advocate changes. It may be, for instance, that an engineer working on a product which, he suspects, *may* be unsafe should not *refuse* to work on it further, but should, at the same time that he works on it, circulate memos expressing his worries, especially as new developments concerning the possibility of some inexpensive improvements emerge, or further information as to its dangers surfaces.

Loyalty may thus demand that one work with the company, setting aside one's scruples to the extent that one continues work on a project unless one feels that it clearly violates some duties of justice, while at the same time honoring one's duties of justice by remaining on the alert for further evidence for or against one's suspicions, and by voicing one's worries.

Perhaps this will sound impossible. It is often assumed that one cannot be loyal to *X* and at the same time be critical of *X*. Some years ago, for instance, many cars were adorned with a bumper sticker that read, "America: Love It or Leave It!" The mistake in that bumper sticker is the same as that made by those who suppose that loyalty to the company requires that the engineer keep quiet, not voice his or her worries about the morality of a certain practice that the company has, or the danger of a certain product. The mistake is that of supposing that one cannot criticize something and at the same time be loyal to it. The supposition is that there is an inconsistency between seeing a need for improvement and being loyal. Yet surely this is not true. For first of all, real concern for one's community will involve a desire to improve it or to keep it from getting involved in a scheme that will bring the members shame and anguish later. Secondly, being loyal to X is consistent with being concerned about and loyal to Y. It is surely not a sign of disloyalty to the company if those who work at it care about air pollution (and not only insofar as the company's image will be improved if it installs anti-pollution devices). In aiming to improve Y one may have reason to criticize X, but this doesn't show that one therefore isn't attached to X and loyal to it.

I have been suggesting that the way to reach a balance between loyalty and autonomy, between the need for compromise and the need for personal integrity and independent judgment is roughly the same for engineers in their respective companies or agencies as it is for citizens in their respective communities. In each case the best solution, as I see it, is for the "citizen" to cooperate with the decisions made by the majority—or the relevant authority—while at the same time expressing her objections, to the extent that it seems to her important and worthwhile to do so. The solution might be pegged the " 'Put Up But Don't Shut Up' Solution." Of course there are circumstances in which this becomes either impossible or intolerable, and in which one may feel that there is nothing to do but to quit the company. It isn't intended as a solution in instances in which (a) the engineer thinks that important duties of justice are violated and (b) his superiors are hostile to "inferiors" who try to point out such problems. As the situation approximates one in which (a) and (b) hold, the solution I described will be increasingly inadequate. It is worth looking in some detail at an instance of this unhappy scenario.

One sort of instance is simple and pretty easily avoided: a pacifist who works in the field of defense technology cannot expect to be able to influence his company to change over to manufacturing non-defense materials. It would be hard to feel sorry for someone in that position (unless he turned pacifist after taking the job), for it would seem that he should have chosen a different job in the first place.

But consider Dale Bridenbaugh, Richard Hubbard and Gregory Minor, engineers who were enthusiastic about nuclear power when they began working in the nuclear industry, but became increasingly concerned about its safety. Their testimony is worth citing at length, as they force us to remember that the conflict between autonomy and cooperation with the company can be painfully difficult to resolve. I will focus on the testimony of just one of the engineers, Gregory Minor.[23]

When asked in the early 1970's about the safety of nuclear reactors, Minor reports, he always gave the "standard pitch":

> *How much waste is there?*
>
> If you take the volume of radioactive waste over a forty-year lifetime of a nuclear reactor and divide it up among everybody in the United States . . . it turns out to be the equivalent of no more than one aspirin-size tablet per person.

> *What about accidents?*
>
> You don't have accidents. You don't even have incidents—because you have your safety systems. You will never have a serious accident because we build redundant systems into everything. If one system fails, we have backup systems. . . .

But his confidence in nuclear power was greatly undermined when, in 1975, the electrical cables at the Browns Ferry nuclear power plant in Alabama caught fire and burned for more than six hours. Minor, then an engineer for General Electric, was among "the group that made some of the fundamental drawings used to build Browns Ferry." Included in the design were safety requirements which, Minor thought, made Browns Ferry "the best plant we'd designed." That *this* of all plants would undergo so serious an accident stunned him. Minor studied the data and tried to figure out just what had happened and what the implications were for the safety of the nuclear industry. To his dismay, his approach was very much at odds with that taken by most others at GE. Minor reports: "They were carefully building up a 'non-accident' theory—sure, all the emergency systems were gone, but we didn't melt any fuel, we didn't kill anybody—it was a 'non-accident'!" From then on, Minor thought more about what was omitted from or surreptitiously implied by the lines that he heard—and that he mouthed when asked about the safety of reactors.[24]

After a long, painful struggle to find a more optimistic and charitable way to interpret the attitudes of others in the nuclear industry or to find some sign that they could be persuaded to think more about safety and honesty, Minor decided to quit the "community." In this he had the solace of companionship; he, Bridenbaugh and Hubbard decided to leave GE simultaneously, convinced that they could only do what they felt they must do if they were no longer employed by GE. They couldn't both cooperate and protest; their commitments and those of the company were too seriously at odds.

Their situation thus illustrates the limitations in the scope of my proposed solution. One can't always remain within the community and at the same time struggle to improve it. In particular, if the rest of the community is hostile to any suggestions that improvement is needed, or if its criterion for what counts as an improvement is radically different from one's own, it will be virtually impossible to feel part of the community while at the same time retaining self-respect.

We have seen that genuine demands of loyalty require that one compromise somewhat one's scruples and one's professional judgment. This holds for engineers in agencies and corporations for the same reason that it holds for anyone who is (as virtually everyone is) a member of a community. In all communities, some cooperation and compromise are needed in order for the group to function as a community. Of course, just how much is needed depends on how unified the community is to be. Engineers and other members of communities should be wary of claims that exaggerate the need for homogeneity: e.g., claims to the effect that for a community to survive, everyone must have roughly the same political views (or religious views, or lifestyle); or that organizations cannot operate smoothly if any of its members circulate memos objecting to some of the company's policies.[25]

A Final Consideration: How Important is the Object of the Loyalty?

There is another way, perhaps more important than all of the preceding, in which loyalty can be measured and conflicting loyalties sorted out and assessed. In addition to thinking about whether the specific claim of loyalty, whatever it is in the given situation,

(a) conflicts with duties of justice;
(b) is a bogus claim, conflating the engineer *qua* engineer with the engineer *qua* person;
(c) is a redundant demand, asking for loyalty in exchange for goods provided when the proper "pay" has already been extended;
(d) exaggerates the community's need for harmony (or homogeneity);

one can and, I will argue, *should* have the following open-ended question in mind: *Does the object to which loyalty is allegedly owed really merit (this much) loyalty?*

Consider some examples.

1. You have a friend to whom you are loyal. He's moved to another town, but you correspond. You answer his letters promptly, though he often takes months to reply to yours. You rearrange your plans when he proposes, with only twenty hours notice, to stay overnight at your home when he passes through, en route to visit others. Vaguely it occurs to you that he's never rearranged his plans for you; you've generally gotten together with him only at his convenience.
2. You're a member of a political action group whose tactics you find often to be silly and ineffectual. You've tried to improve the group, but it doesn't seem to be working, and your suggestions clash with the others' views on how to proceed. The group was better before the enterprising and well-organized leader left; her replacement has been less than adequate. Having been in the group for quite some time, you feel some commitment to it, and when you mention to friends in it that you might quit, they respond with friendly reprimands, e.g., "Where's your loyalty?"

In each of these cases you are likely to wonder whether the loyalty is really merited. You may suspect that you're being loyal out of habit or out of a sort of sluggishness. In each case what you're seeing is that the value of loyalty is conditioned by the value of the object of loyalty.

I am not just saying that it's *natural* to question the object of loyalty in these instances, though the examples do show that doing so is important to the development of a sense of self, a sense of directing one's own life. But in some instances the ability to call one's loyalties into question takes on a far greater importance. Loyalty with no thought of what one is loyal to or whether one should be loyal to it is at the root of some of the most heinous activities, some of the most tragic events or episodes in human history. Think of loyalty to the Führer, loyalty to the Ku Klux Klan, loyalty to Jim Jones, who "tested" the loyalty of his followers by demanding that they imbibe a punch laced with cyanide.

Recognition of the importance of this question—How valuable or meritorious is the (putative) object of loyalty?—helps us to integrate the pro's and con's of loyalty that were pointed out in the first half of this essay. It is true that for a given organization to thrive, its members must be loyal to it, putting its interests before those of other organizations or communities. (How loyal will, of course, depend on the nature of the organization, and what its particular needs are.) And for so many and such various reasons, we *need* communities and organizations. Yet if the organization is itself something which does not *deserve* to thrive, or which is of far less value than other communities which make competing claims to one's loyalty, then there is no good reason based on considerations of community for those in it to assign moral weight to its welfare. That is, there is no good reason for them to believe that it makes a serious claim on their loyalty, since what they would then be loyal *to* does not merit devotion or commitment. The fact that we need communities and organizations doesn't mean that we should do all we can to help *this* community or *this* organization to thrive.

Considerations of the worthiness of objects of one's loyalties come into play in at least three sorts of social arrangements: (a) friendship; (b) membership in an organization—a club, a business or partnership, a political organization, a support group; (c) collaboration with others on a project at work. In (b) and (c) one may come to wonder whether the collusion of people on a certain project *is* such a good thing, and come to suspect that one has felt ties of loyalty and community only as mere remnants of something that once *did* matter, did have value, personal or otherwise. In (a) it is similar, though more delicate: one may come to think that the friendship (I include under this heading love relationships) is not very good for either party, that it needs cooling off, that less loyalty is in order.

Consideration of the value of the object of one's loyalty can help one to choose between conflicting loyalties and between a loyalty and some other duty. A more meaningful, more important friendship mandates more loyalty, other things equal, than a less important friendship.

Other considerations are also relevant, however, and should be mentioned here, if only in passing. These include the needs of the others in the "group"—and here both the *importance* of the need and the *extent* of the neediness or dependence must be taken into account. (I may very much need *X*, and you may be able to help me to get *X*; but if I could get *X* without your assistance, my neediness vis-à-vis you may not be great.) Aid to a very, very needy stranger may often take precedence over the interests of my group, whatever the group is; this would be an instance of a duty of benevolence overriding a duty of loyalty (itself a special sort of duty of benevolence).

Certain duties to promote the interests of one's group must take precedence over others even if they do not involve dire need: these are the institutional duties of those whose particular office it is to lobby for the interests of the group. (I say "institutional" because the duties derive from the institutional arrangement of having representatives lobby for their respective groups.) Someone assigned the job of lobbying for his group acts wrongly if he agrees to do so but then instead proposes to the agency in question that the goods be given to a different, needier party.

Some clarification may be needed at this point.[26] It may seem from what I have said that I advocate—or more importantly, that I am logically committed to advocating—that people go about evaluating their communities and friendships and looking for ripe occasions to shake off old loyalties in favor of better ones. But this is not my view. First, I do not claim that loyalty is only as good as its object, but rather that its value is conditioned by the value of its object. Thus I grant that loyalty to *X* may be a good thing even if one could cease to be loyal to *X* and "join" *Y*, where *Y* is in some way more worthy than *X*. Second, I do not hold that one should constantly be evaluating one's relationships and communities, but only that one should avoid both stubborn devotion—"My *X*, right or wrong"—and the inability to see that "My *X*" might *be* wrong, in some respect or other. It is crucial to morally good loyalty that one be open to revision—alert to the possibility that one should detach oneself from the group, break away from the party line, cease to devote one's skills as an engineer to (for example) nuclear armament, cool off a friendship. This is actually just an instance of a more general principle that I develop elsewhere: one should be governed in all one's conduct by a commitment to doing what it right, and while this *doesn't* require (or even recommend) perpetual self-scrutiny, it requires that one be open to and interested in the possibility that one's conduct needs improvement (Baron 1984). Here we are concerned only with certain aspects of conduct, those which involve loyalty. But the principle is meant to apply here, since it is meant to be quite broad in scope.

As a general rule, then, loyalty should be conditional in the way indicated. Parental obligations are an exception to this general rule, for the special needs of a child necessitate that loyalty and devotion be unconditional until the child grows up. (Perhaps the reader can think of other exceptions. No others occur to me, although there are certainly instances in which one should postpone pulling out of a group, e.g., at a time when the others are especially dependent on him or her.)

Summary

I have argued that the claims of loyalty are overridden by duties of justice. Conflicting claims of loyalty and conflicts between loyalty and other duties of benevolence are harder to resolve, but four guidelines were proposed. The first two simply warned against two mistakes, that of falling for bogus claims of loyalty, which conflate the engineer as an engineer with the engineer as a person, and that of accepting as justified *redundant* claims of loyalty, i.e., requests for loyalty in exchange for *X* (e.g., one's salary) when in fact the exchange was already fair and square. Redundant claims of loyalty, in short, appeal to phantom debts. The third guideline was part of a lengthy discussion of the tension between loyalty and autonomy, in which I argued that in most circumstances a balance can be achieved and maintained if one "puts up" without "shutting up." Exposing the errors underlying the slogan, "Love It or Leave It," I explained that one can be loyal to one's community while voicing dissent. Finally, it was shown that the value of a particular loyalty can be partially assessed by examining the value of the relationship or community for the sake of which loyalty is (allegedly) owed.

Loyalty and Impartiality: A Conclusion

The drift of this essay may be a little startling. Early on I argued in favor of Oldenquist's view of what loyalty is. I agreed that loyalty involves an irreducible "my." And yet, unlike Oldenquist, I have been suggesting that loyalties should be grounded in a conception of what is right or valuable, that loyalty should, in that sense, be ultimately impartial. It might seem that I should, like Oldenquist, see the value of loyalty to reside in itself, i.e., in the attachment, devotion and commitment to others or to one's community that it encapsulates. Yet instead I have said that this isn't all, that loyalty's value is conditioned by the value of the object of loyalty.

Loyalty, then, has a broad base, for although (according to the definition that we accepted earlier) I am loyal to *X* because it's mine, my loyalty is—or should be—ultimately grounded in a sense of rightness or value. I am open to revision, rather than stubbornly devoted to *X* because it's mine. I will not stick by my superiors or friends or colleagues just because they are mine; my loyalty is circumscribed by other considerations.

This may seem paradoxical, as it appears to demand that loyalty involve both impartiality and partiality. And indeed it *does* involve both. Loyalty to *X* does involve partiality towards *X*. But this partiality can—and I think *should*—itself be impartial. The partiality is something which must be justifiable from a perspective of impartiality. (That isn't to say that it must be *justified* from an impartial perspective). This is, I realize, terribly abstract, and a concrete illustration is in order. To appreciate what is at issue, consider how the dispute crops up in connection with patriotism. (I want to stress that it *is* a dispute: my view differs from both Oldenquist's and Royce's.)[27] I will develop a particular instance in some detail. The reader may wish to think of other such instances and test his or her intuitions on them, as well.

1. It is a commonplace to say these days—as President Reagan and others say—that we must protect our national interests in, for example, Central America, and by this it is meant that we must support the military regimes of Guatemala and El Salvador, and try to undermine the socialist government of Nicaragua. (Just how and how much are, of course, issues in themselves, and will not be addressed here.) There is overwhelming evidence that the Guatemalan and Salvadoran governments routinely torture and murder their respective civilians on any pretext whatsoever, and sometimes without even bothering with a pretext. Their aim is to terrorize the populace and (they hope) thereby to discourage rebels or would-be rebels. So when it is said that we must support these governments in order to prevent the spread of Communism and thereby (allegedly) protect our own national interests, the idea put forth is that it is all right to sanction and contribute to the mutilation and murder of civilians if doing so is necessary (or is the idea merely that it's *conducive?*) to protecting national interests.

Or *is* this the idea? Maybe the idea is, rather, that it is okay to do so in order to protect OUR national interests. That little word "our" makes all the difference. Without it, the loyalty invoked is ultimately impartial, for the loyalty is grounded on a moral principle which is itself impartial. If the "our" has to be in there, then the loyalty is ultimately partial, and *not* grounded on a conception of rightness or goodness but only on a conception of *our interest*.

For partiality to be impartial, then, the person whose partiality is at issue must be willing to allow that it is quite all right for everyone else (including The Enemy) to be partial in the analogous way. Patriotism is impartial insofar as it is grounded in the belief *not* that it is okay for *us* to put *our* country first, but that it is okay for *anyone* to put his or her country first. On my view of loyalty and patriotism as justifiable only from an impartial perspective, any American patriot who thinks that it is okay for us to aid a brutal, repressive government if doing so is in our national interest, should be willing to grant the same privilege to the Soviet Union. He or she must allow that there is nothing wrong at all with the Soviet Union's aiding a government, no matter how repressive or brutal, if doing so is in the Soviet Union's interest. Otherwise, the patriotism or loyalty to which he appeals is based on a prejudice and stands in need of moral correction. Things are, of course, different if some *reason* can be given for saying that it's okay for US to act in our interest but not for THEM to act in their interest. To give such a reason would change the nature of the dispute. For the dispute was over whether or not "It's us!" is a good enough reason for favoring "us" over "them". To say, "It's because we're better . . ." or "Look what they've done in Afghanistan," is to change the dispute. The dispute is about whether the mere fact that it's *our* interests is sufficient justification. If it is, we have *partial loyalty* (as opposed to impartial loyalty). If it isn't, then unless some reason can be given for showing that the cases are dissimilar (as in the U.S./U.S.S.R. example), it must be allowed that they are as entitled as we are to act from loyalty.

But loyalty or patriotism that is ultimately partial would not have to pass this test. How, then, should it be viewed? *Should* loyalty be ultimately impartial? If not, how would you defend your position against the claim that it is based on a prejudice and (as elaborated above in "The Case Against Loyalty") stands in need of moral correction?

The same question can be considered with respect to a different issue.

2. Imagine that Residents *A* and *B* of Anywhere, U.S.A. are arguing about whether or not to oppose the construction of a nuclear power plant near their city. Neither opposes nuclear power in general, but *A* plans to oppose the construction of one near his city, in the hope that it will be constructed elsewhere. He argues that although he thinks that the health risks are small, he doesn't want them to be near *his* town. Resident *B* objects: "I don't like it either, but if we're going to support nuclear power, what business do we have saying that *others* should suffer the unpleasantness of having a plant near their town instead of us?" Resident *A* is amazed. "It's our town!", he exclaims. "Where's your loyalty?"

Explain how the disagreement between *A* and *B* reflects the disagreement between Oldenquist and myself as to whether loyalty should be ultimately impartial.

The following four questions may help the reader to recall and to digest other material presented in this module. Bear in mind that there is room for disagreement in at least some of the instances.

3. An employee is admonished for failing in her personal life to "uphold the honor and dignity of [her] profession": she is a lesbian and does not make an effort to conceal the fact. Is a charge of disloyalty (to company or profession) in order here?[28]

4. Just out of school, a young engineer has job interviews with Company *X* and with Company *Y*. He wants a job with *X*, but is offered one by *Y* and after waiting as long as he can, given the deadline laid down by *Y*, gives up on *X* and accepts the job at *Y*. Shortly after he begins his job with *Y* he receives a letter from *X*, explaining that the opening for which they were considering him had not become available, but that they now have a different opening which they are offering to him. Is it disloyal to *Y*—and as such wrong—for him to accept the job with *X*?[29]

5. An engineer at a company that manufactures weaponry is worried about the arms race and is opposed to the development of the MX missile. She writes letters to her Senators and to local newspapers, and is even interviewed once or twice by a local radio station. In letters and interviews she brings her engineering expertise to bear on the issue, and mentions that she is an engineer. Various people at the company think this unseemly; "One shouldn't mix politics and engineering," some object. The word 'disloyalty' finds its way into their complaints, for the company, they anticipate, stands to gain a great deal if the MX missile *is* developed.

Is there anything objectionable about her conduct?

6. In a 1983 Federal appeals case the court ruled that a company may not dismiss an employee solely for the reason that he refused to lobby for legislation that his employer supported. A California lawyer who specializes in defending management in labor cases had the following comment on the ruling: "It goes further than any case I've ever seen in upholding the employee's First Amendment rights. From this decision, it would not be much of an extension to say that workers have the right to tell their boss that he stinks, or to go on television and announce that the company's products are no good."[30] Discuss the lawyer's comment. *Would* it be much of an extension?[31]

Notes

1. "The Corporation," CBS Reports, December 6, 1973.
2. Nader and Green do not indicate in what year this occurred. They said "recently" and their paper was first printed in 1973. For a plethora of stories of this sort, see Ewing (1977). One of the cases that Ewing reports is that of Louis V. McIntire, a chemical engineer who was fired by the Du Pont company when his supervisors came across the novel that he and his wife co-authored and published, *Scientists and Engineers: The Professionals Who Are Not.* The novel indirectly criticizes Du Pont by portraying in vivid detail a fictitious company, Logan Chemical, which resembles Du Pont.
3. See also Vandivier (1980).
4. Vandivier (1972, p. 233). Vandivier was at the time actually a data analyst and instrumentation writer. He started at Goodrich as an instrumentation engineer.
5. Rather than address this question directly, I will leave it to the reader to ponder the matter after reading my essay.
6. Of course, it could be that the notion of loyalty that is relevant to engineering ethics is *not* what is usually meant by 'loyalty'. But I do not think that this will turn out to be the case.
7. It should be noted that like most motives, the motive of loyalty rarely operates by itself, and so when I speak, here and elsewhere, of people acting from or out of loyalty, I should not be taken to mean that they are then motivated *only* by loyalty. Loyalty may mix with self-interest. In the Knosit example (p. 11) loyalty is likely to be intertwined with a sense of obligation to help those from whom one received help.
8. According to Dowie (1980, p. 170), all proposals to improve the Pinto's safety—one of which would have cost only one dollar per car and added only one pound to each car's weight—were rejected out of hand because Iacocca was determined not to exceed the "limits of 2,000" that he had set. See also the chronology of events in the development and production of the Pinto in the *Chicago Tribune* (1979).
9. I do not mean to imply that this evaluative judgment is valid independently of the social structure in which the woman and the son live. Within a different social framework where there was nothing resembling the nuclear family, adults (or perhaps only those who are parents) might regard themselves as having a duty of benevolence (explained below) to children in general, without any special duties to their children in particular.
10. Julius and Ethel Rosenberg were executed on June 19, 1953 amidst widespread protest and proclamation of their innocence. They were accused of having given the Soviet Union the secret of the atom bomb.
11. In some instances employers can ask new employees to sign "noncompetitive agreements" requiring that in the event that the engineer leaves the company he or she may not work for any other company in the area for a certain length of time, both to be specified in the agreement. Feld (1980) sketches the conditions under which such a noncompetition agreement is valid.
12. My use of 'right' and 'rights' here follows common philosophical usage. A right

is, roughly, a title or a "trump." If you have a right to *X*, the fact that millions of people will be happier if your right isn't honored is irrelevant (assuming, of course, that you *really do* have a right to *X*.) Your right trumps all considerations except competing rights. As Sharon Bishop Hill puts it (Hill 1975, p. 177), "The considerations [that a right] picks out as relevant mark off an area in which we do not allow considerations about either the general good or an individual's good to be decisive."

13. There are further problems with the distinction between duties of justice and duties of benevolence. First, the distinction is only as clear as the notion of rights, since duties of justice are duties to honor rights. And that notion is, at least in the opinion of many philosophers, itself riddled with problems. Secondly, it may not even be *that* clear, since if there are positive rights as well as negative rights—duties to do *X* for others as well as duties to refrain from doing *Y* to others—duties of justice may turn out to be duties to honor only a certain type of rights, viz., negative rights.
14. My position parallels and was to some extent inspired by Alan Goldman's position on the adversary system, as put forth in his discussion of legal ethics (1980).
15. Two clarifications are in order. First, things are different if the *rights* of (members of) my company, family, group are at stake. A subsistence right—a right to have the requisite food and shelter to stay alive—is at the *very least* in strong competition with a property right. Second, if two parties' rights compete and neither right appears to trump the other, it is presumably quite okay to favor one's loved ones. Hence, in a catastrophe in which, say, I can only save only one of two people, the other of whom will die without my aid, I do not act wrongly if I choose to save the person to whom I bear some special relation (friend, traveling companion, spouse, etc.). There is a growing literature in philosophy on these and related topics. See Anscombe (1967) and Bernard Williams (1976). In Baron (1984) I caution against some conclusions that Williams and others draw.
16. That at least some Ford engineers knew of the Pinto's dangers long before any accidents happened is documented by Mark Dowie (1980). See also De George (1981) and the *Chicago Tribune* (1979).
17. I have chosen my words carefully so as *not* to say that one must never act as loyalty directs if doing so violates someone's rights. I am inclined to this latter position, but I would not espouse it without thoroughly considering the complexities which arise because of the deplorable risk to whistleblowers—loss of job and, in some instances, profession. I will not discuss the question of whether an engineer should blow the whistle at great cost to herself or himself, since that is discussed in a different module in this series.
18. To avoid complicating matters, I refrained from mentioning in the text that there are also *prima facie* duties of justice, i.e., duties of justice which can be overridden by other duties of justice. A classic example is the following: Suppose that you had borrowed a rifle from a hot-headed friend with the promise that you would return it Saturday. As you go to return it late Saturday he greets you in a drunken rage, vowing to kill his son-in-law. It seems clear that your *prima facie* duty to keep your promise to him is outweighed by a more important duty.
19. The assumption that promotions, raises, etc. should be awarded strictly on the basis of merit is not without controversy, and I am sympathetic to the view that they should not be. For an intriguing and sensitive discussion of such questions of public policy, see Robert Paul Wolff (1976).
20. Admittedly, there may be disanalogies between the question as it arises in the context of engineering ethics and the question in political philosophy. Whether or not they are disanalogous depends on how the claim that one must abide by the laws because they are the laws is *grounded*. Is it grounded in the (alleged) facts that these are the laws of "my" community, that my community needs general compliance with the laws and that because it is my community, I should care about its needs? Or is it grounded instead in a claim to the effect that I *owe* compliance in exchange for certain goods that I receive? If the latter, then there *is* a disanalogy; but I am assuming the former, given the problems with the latter that I pointed out in passing on pp. 16–17. I am indebted to Robert Fullinwider for raising the possibility of disanalogy.
21. For insightful articles on this topic, see M. B. E. Smith (1973) and Richard Wasserstrom (1963).
22. Lest the example seem too bizarre, I should explain that I am referring to an actual case. Dr. and Mrs. Zevallos were abducted from their home outside Edwardsville, Illinois in August, 1982 by three men who called themselves the "Army of God." They were held for eight days in an abandoned ammunition bunker near Springfield, Illinois and threatened with death unless Dr. Zevallos agreed to close his clinic in Granite City where abortions were performed. They were released when Dr. Zevallos pretended to agree to the demands. See Bosworth (1983).
23. All of the testimony cited is taken from Freeman (1981, pp. 264–92).
24. Examples:

    1. The comparison of nuclear waste to aspirin not only provides a way to avoid talking about how long the waste remains radioactive—in some instances, for half a million years—or how tiny an amount of it would kill a human being; it also leaves one with the impression that its dangers are comparable to those of aspirin.

    2. The claim that no one has died as a result of problems in nuclear power plants is false, but if carefully restated (as it was by the GE public relations man), it reads, " 'No member of the public has ever died'—which means that plant workers don't count—'as a result of an accident at a commercial nuclear plant.' " As Hubbard (Freeman, p. 290) explains, "You have to say 'commercial' because people have been killed at governmental facilities." He adds: "The government only talks about immediate deaths, not the latent effects which cause cancer and genetic mutations for generations."
25. This ties in with an important issue: Is it morally permissible for a community to have laws against "victimless crimes" in order to "protect" the community and maintain a uniformity in moral attitudes and lifestyle? The philosophical literature on this subject includes Patrick Lord Devlin (1965) and H. L. A. Hart (1963).
26. Perhaps I should also clarify that I have been using 'loyalty' as explained earlier: loyalty involves an indispensable 'my' (or, for Marxists, 'our'). I mention this because the worth of the object of one's loyalty is less relevant to an assessment of the loyalty itself if the basis of the loyalty is thought to be a debt for goods received rather than attachment to someone or membership in a community. Consider: if the claim is that I should be loyal to *X* because of what *X* has done for me, rather than because *X* is my *X*, it may not be pertinent to ask, "But does our relationship merit my loyalty?" For there the basis of "loyalty" is a sort of exchange or transaction, not the claims of friendship or community.
27. Students interested in the dispute are encouraged to read Oldenquist (1982), especially pp. 182–86.
28. I know of no instance of this; however, Alger, Christensen and Olmstead (1965, pp. 254–55) ponder the question of adultery and decide that adultery and other "private immoralities" violate Canon 1.3 of the Code of the Engineers Council for Professional Development, which requires that engineers "uphold the honor and dignity" of their profession.
29. This is roughly the same as an example presented by Alger, *et al.* (1965).

30. The lawyer, Charles Bakaly, was quoted by Tamar Lewin in the *New York Times* (1983).
31. I would like to thank Vere Chappell, Robert Fullinwider, Donald Haworth, Vivian Weil and the students and professors who tested this module for their comments on an earlier draft.

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