

Two models of ethics – about the morality of the utilitarian and the personalist

In the modern ethical debate, utilitarianism, contractualism, and universalism are seen as critical ethical trends. Two of them attempt a “natural” justification of morality: utilitarianism and contractualism. The first appeals to altruistic feelings, the second is based on selfish interests. The effectiveness of both is questioned.³ Kantism or personalism can be treated as universalism. You can be a utilitarian without referring to this term at all. J. Haidt calls the utilitarian position “intuitionist approach” and links it with D. Hume’s philosophy, while the personalistic standpoint combines with Kant’s philosophy and calls it “rationalist approach.”⁴

The utilitarian appeals to benefits (use, happiness, interest, contentment, well-being) as the goal of moral actions. In the utilitarian sense, useful is also (or perhaps most of all) preventing any harm and detriment that may affect a person. Utilitarianism places doing good and not evil on the same scale, underestimating interpersonal obligations – it applies the ethical sense of action first to the community, not the person. Based on utilitarianism, it is impossible to explain, for example, the idea of justice.⁵ Considering human needs concerning benefits must be burdened with subjectivism and relativism. The contractualist recognises the rights of other community members because he believes it will be beneficial for him. The subject of a contractualist’s contract can be anything, every sphere of life, every sphere of human activities, every goal. On the other hand, the personalist recognises the rights of every other person because he is a member of the human community just like himself.

Personalism means any theory that adopts an anthropocentric, not social orientation, and a doctrine that can be expressed in the sentence that “the person is always the supreme value.” Apart from religious, relative personalism, as it recognises the value of a person only because of his/her divine origin, personalism can be considered all theses referring to humanism, and from philosophical theories, above all Kantism, recognising human being as an absolute goal, as the highest value. Personalism (e.g.,

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³ J. Sidorek, *Między Kantem a Adamem Smithem. Filozofia moralna Ernsta Tugendhata*, in: E. Tugendhat, *Wykłady o etyce*, translated by J. Sidorek, Oficyna Naukowa, Warszawa 2004, p. X.

⁴ J. Haidt, *Prawy umysł. Dlaczego dobrych ludzi dzieli religia i polityka?*, translated by A. Nowak-Młynikowska, Smak Słowa, Sopot 2014, p. 10.

⁵ J. Sidorek, *Między Kantem a Adamem Smithem*, p. XLIX.

Kant's ethics) assumes the protection of humanity and every value that conditions humanity as the goal of moral actions.

Utilitarianism underwent successive transformations, from the outright eudaimonism version, from proclaiming the pursuit of happiness understood as pleasure, through the distinction between satisfying higher and lower needs, to the versions of utilitarianism of acts and utilitarianism of principles. The primary doctrine of utilitarianism has not lost its validity throughout this time, which says that the moral goal of human actions is to provide the most significant possible benefit to as many persons as possible.⁶

The basic assumptions of both positions, utilitarian and personalistic, cannot be reconciled. While theoretical inconsistencies can sometimes be agreed upon by interpretation, inconsistent guidelines for action usually undermine the sense of taking action. When considering the code of professional ethics issues, we always remember that the code constitutes guidelines for the most essential and typical professional activities. This means that it is practice, i.e., the actual actions of the addressees of professional ethics, that are the ultimate verification of the relationship or lack of connection between the views of ethics and reality.

Also, for P. Łuków, it is clear that the theses about medical morality translate into theses about medical practice.⁷ At the same time, the author recognises the redundancy of codes of medical ethics and denies the ability of codes of professional ethics to influence professional morality. P. Łuków sees the basic sense of morality in moral reflection, which is allegedly discouraged by every code.⁸ Despite the author's preliminary declaration that the ethics of Immanuel Kant makes the background for his philosophical reflections on medical morality, he very often adopts the utilitarian stance of understanding ethics in them.⁹ Often, other authors who take up the issue of professional ethics, more or less consciously, mix these ethical trends, even though practical philosophy cannot be based on sets of contradictory directives.

Creating or consenting to the presence of contradictory orders, prohibitions, or recommendations in codes of professional ethics must result in their devaluation, disregard, or – at best – the indifference of the addressees to whom such a code is addressed. This may mean, for example, putting a doctor in a unique, awkward situation – moral consideration of contradictory recommendations, without being guided by the right decision, and without encouragement to act well. One can get the impression that the “moral deliberation” is the end result to which the functioning of morality is supposed to lead for some ethicists. However, if the patient were asked, he/she would definitely prefer the doctor's moral reflection to end with a decision to act. The patient would also like to know in advance that such an action will be taken and what ethical attitude of the doctor will result from it. This can be found out by the patient in the medical ethics code.

⁶ Indicating “happiness” or “contentment” as the goal of moral actions opens the way to very arbitrary interpretations of this goal. *Słownik filozofii*, edited by J. Hartman, Krakowskie Wydawnictwo Naukowe, Kraków 2009, p. 242.

⁷ P. Łuków, *Moralność medycyny. O sztuce dobrego życia i o sztuce leczenia*, Wydawnictwo Naukowe Semper, Warszawa 2012, p. 20.

⁸ P. Łuków, *Moralność medycyny*, p. 34 et seq.

⁹ P. Łuków, *Moralność medycyny*, p. 12.

P. Łabieniec, referring his observation to medical ethics, notices the increasing tendency to emphasise the effect as the decisive criterion for assessing an act from the ethical point of view. He also believes that opposing the hitherto accepted deontological principles is consequentialist in nature. On this basis, he supposes that if this way of thinking about professional ethics wins, it will mean the end of professional ethics understood as a set of relatively permanent principles and rules.¹⁰ It may be argued that this is an accurate observation.

This thesis is all the more convincing when we remember that the position of utilitarian ethics basically opposes the creation of codes of professional ethics, postulating not only the criterion of benefit as the basis for the assessment of moral good but also moral situationism. This view includes the belief that every event subject to moral evaluation contains a unique set of features that cannot be included in permanent ethical standards. Everyone in their actions and judgments should be guided only by discerning a specific situation and life sense. Utilitarian understanding of professional ethics means not only targeting all activities at providing and multiplying various benefits, but also reluctance to formulate codes of ethical principles and proclaiming the redundancy of codes of professional ethics, and even accusations of their harmfulness.¹¹

A thoroughly divergent understanding of the meaning of the code of professional ethics and, – consequently, of the need for professional ethics itself – results precisely from the divergent interpretation of the goal of morality – the ultimate goal of any moral action. The discrepancy in question is expressed in the proclamation of two opposing models of ethics and ethical codes – the personalist and the utilitarian models. When dealing with issues of professional ethics, it is good to know about the nature of these discrepancies and that theoretical doubts and accusations against professional ethics can be relatively easily lifted when their nature and functions are clearly and unambiguously defined. Methodological self-knowledge is an indispensable basis for the formulation of rational codes of professional ethics.¹²

The fundamental difference between utilitarian ethics and personalistic ethics is a different understanding of moral good. Apart from a different understanding of the goal of morality (social function), utilitarianism also recognizes as “moral” all objects and states of affairs desired by people, the possession of which is the cause of their satisfaction. Thus, it recognises the uncountable multitude of goods that should be sought, also in terms of professional ethics, e.g., ethics of medical professions. The utilitarian does not have the highest value in his conception of morality. In his/her opinion, the hierarchy of goods is variable and dependent on circumstances, except for one constant: as much use as possible for as many persons as possible.

It is hard to find a standpoint that expresses this doubt better than the words of the American author (R. Veatch), quoted by W. Galewicz, saying that a physician does not

¹⁰ P. Łabieniec, *Etyka – etyka zawodowa – prawo*, “Prokurator” 2002, 2 (10), p. 21–34, electronic document, <https://docplayer.pl/7700977-Etyka-etyka-zawodowa-prawo.html>, 20.02.2020.

¹¹ See L. Bartkowiak, T. Maksymiuk, *O potrzebie kodeksu etyki zawodowej i argumentach przeciwnych – część pierwsza*, “Medyczna Wokanda” 2019, no. 12, p. 23–36; L. Bartkowiak, T. Maksymiuk, *O potrzebie kodeksu etyki zawodowej i argumentach przeciwnych – część druga*, “Medyczna Wokanda” 2019, no. 13, p. 18–27.

¹² H. Jankowski, *Kilka uwag na temat etyki zawodowej*, “Etyka”, R. 1994, no. 27, p. 180–184.

have a privileged position to express an opinion on “what will be actually good for patients”: “One of the reasons for this state of affairs is [...] that this total or overall good for the patient, apart from medical goods, related to health, also consists of goods of another kind. There is often a conflict between the former and the latter, and it is then necessary to judge which of them has priority. However, doctors are not more suited to this comparative assessment than medical laymen...”.¹³ Therefore, this position, expressed also by, for example, W. Galewicz, is a definitely utilitarian position: “to be an advocate of life and health” always and in every situation “means nothing else but to stand up for this ‘medical’ good – and thus against other goods that sometimes collide with them – also in non-medical situations (e.g., when dividing social funds for medical purposes and different types of expenses.”¹⁴

In personalistic ethics, there are no goods other than moral goods, that is, outside the good of the person. The personalist recognises the highest (relatively constant) value in the system of moral values. For a doctor, it is the life of an individual, not “saving the whole world” by fulfilling the role of a doctor. Therefore, it makes sense, and a personalist must present all values or norms which support the highest value of the professed moral system in a hierarchical order. The code of ethics is such a presentation of the professed moral system.

Polish physicians, pharmacists, nurses, diagnosticians, and paramedics believe that the highest value they declare to protect is human life and health. A personalist referring to a hierarchically ordered moral system recognises only one principal value (not several “main” values!), which he especially feels called to defend. A personalist in the professional role of a doctor knows well what is the most important (best) for the patient. A utilitarian physician (also in other professional roles) will always have serious doubts in this matter.

The example of a code of American doctors cited by P. Łuków, consisting of 10 principles and about 150 pages of commentary, is to convince about its redundancy for professional code regulation or the decline of medical ethics in Western culture in general.¹⁵ Both Polish authors mentioned here, P. Łuków, who writes about the code of medical ethics, and W. Galewicz, who deals with the specificity of professional ethics – refer to American literature, i.e., the utilitarian school, without giving examples from Polish codes of ethics, including medical ethics. Polish codes of ethics for medical professions are definitely personalistically oriented, and the diagnosis of the problems of utilitarian ethics (in this case, American) does not fit them at all. This is despite the fact that more and more often, we can observe utilitarian interferences in these codes, i.e., the mixing of both ethical models. Mixing these two models of ethics in codes of professional ethics, or even tolerating elements of the utilitarian model in the personalistic model, carries the risk of losing the idea that professional activities are to serve, as well as the risk of decision paralysis as to the possibility of formulating moral judgments based on such a hybrid set of operating guidelines.

¹³ W. Galewicz, *W sprawie odrębności etyk zawodowych*, in: *Moralność i profesjonalizm. Spór o pozycję etyk zawodowych*, Universitas, Kraków 2010, p. 9–19, 28.

¹⁴ W. Galewicz, *W sprawie odrębności etyk zawodowych*, p. 39.

¹⁵ P. Łuków, *Moralność medycyny*, p. 30.

We are in favour of the personalistic model of ethics because we believe that it – unlike the utilitarian model – can adequately present the meaning and purpose of morality and those actions that serve their fulfilment. Utilitarian ethics, although it aspires to be called ethics, does not treat morality as an idea of man but is certainly a theory of social welfare.

The thesis of this article is the claim that the purity of the personalistic model in the codes of ethics of medical professions, understood as full internal theoretical compliance, should be maintained. All these codes, through their introductory declarations, advocate personalism. The support for such a personalistic approach to the goal of morality is not only the continental European tradition but also newer arrangements, such as the European Convention on Biomedicine.¹⁶

The fundamental, preliminary distinction between utilitarianism and personalism, between the code of utilitarian ethics and the code of personalistic ethics, between their overarching goals – benefit or dignity – may prove to be an insufficient distinguishing feature of both models of ethics. Thus, perhaps, we cannot always capture the situation when dealing with hybrid forms of ethical codes, which, in particular, are revealed by the codes of professional ethics. Hence, not only referring to benefits (use, interest, satisfaction) is the determinant of utilitarian orientation. Utilitarian orientation (also as pragmatic) can be noticed in all those codex provisions, where there are also other elements characteristic of the utilitarian understanding of the good.

In this article, we focus on the essential element differentiating the utilitarian and personalistic model of ethics, i.e., the different understanding of the phenomenon of morality in both positions.

Understanding morality

The model of professional ethics is determined not by the content of particular norms of the code but by the goal set for its fulfilment, which in turn depends on how morality is understood. We will present the standpoint of utilitarian ethics, especially on the example of the authors' views of two textbooks on bioethics, British and American.¹⁷ According to their opinions, morality consists of any directives of action, as long as they aim to prevent social harm or achieve social benefit. Morality, according to the cited authors, is innate, obvious, universally understood, and accepted as “common morality” (“universal morality”), also appearing in other authors as “general ethics.”

¹⁶ Konwencja o ochronie praw człowieka i godności istoty ludzkiej wobec zastosowań biologii i medycyny, in: ETS164Polish.pdf (coe.int), 25.10.2020, electronic document, Artykuł 1, (Cel i przedmiot): Strony niniejszej Konwencji chronią godność i tożsamość istoty ludzkiej i gwarantują każdej osobie, bez dyskryminacji, poszanowanie dla jej integralności oraz innych podstawowych praw i wolności wobec zastosowań biologii i medycyny. Państwa-Strony podejmą w prawie wewnętrznym konieczne środki w celu zapewnienia skuteczności przepisów niniejszej Konwencji.

¹⁷ B. Mepham, *Bioetyka. Wprowadzenie dla studentów nauk biologicznych*, translated by E. Bartnik, P. Golik, J. Klimczyk, scientific editor of the translation P. Łuków, Wydawnictwo Naukowe PWN, Warszawa 2008; B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka. Ujęcie systematyczne*, translated by M. Chojnacki, Wydawnictwo słowo/obraz terytoria, Gdańsk 2009.

B. Gert, C. M. Cluver and K. D. Clouser state that “common morality is a fairly uncomplicated undertaking: everyone knows what it means to harm or hurt someone, deceive someone, cheat, fail to fulfil one’s duty, etc.; everyone also has sufficient discernment in these matters to recognise a situation in which everyone should be convinced that in similar circumstances one may violate some moral principle.”¹⁸ Colloquial morality has the goal of “reducing the amount of suffering experienced by those it is intended to protect. It must accommodate and accommodate human fallibility and also take into account the requirement that it should be understood by everyone to whom it relates.”¹⁹ “It is a complex system known to all concerned [...]”²⁰ The public nature of the moral system, “applicable to all rational persons, explains why all know what morality prohibits, what it requires of us, what it discourages us from, what it induces us to do, and what it allows us to do.”²¹

The author of the second textbook on bioethics also believes that common morality is a code of ethics shared by members of society in the form of unreflective common sense and tradition.²² B. Mepham claims that an essential feature of ethics is that “it largely concerns our relationships with others, where the word ‘others’ refers to human beings, animals, some say plants, and the environment in general, and still others they say it refers to God.”²³ He repeats the position of the quoted American authors: “Since morality forbids doing this harm to each other and encourages us to help each other avoid it, it would be irrational not to support it as a public system that should govern the behaviour of all persons who can comprehend it and manage it accordingly.”²⁴ “Ethics is basically about how much the interests of one person should take precedence (if any) over the interests of others – or more generally, ethics is about the order in which the interests of different individuals (groups) should be prioritised.”²⁵ Since morality can apply to any action, utilitarians assume that the meaning of morality is to prioritise (all) matters of human everyday life. “The concept of morality, as we understand it, refers only to the behaviour of different persons towards other people; it does not refer to behaviour, the effects of which affect only the perpetrator [...] It is not immoral but irrational to harm yourself without good cause.”²⁶ A doubtful instance is the “common moral sense” praised by utilitarians, since whether a decision is “reasonable” is to be decided by the acting person himself.²⁷

Morality is therefore external to the person. The cited authors recognise that: “morality is best defined as an instruction formulated by rational persons so that it governs the behaviour of other individuals towards them and towards those they care about, regard-

¹⁸ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka*, p. 135.

¹⁹ The “externality” of morality towards individuals is revealed. It is, in a way, an agitational proclamation intended to persuade, hitherto unbound persons to accept a certain set of directives which, for some conventional reasons, are called “morality”.

²⁰ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka*, p. 20–21.

²¹ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka*, p. 9.

²² B. Mepham, *Bioetyka...*, p. 50–51.

²³ B. Mepham, *Bioetyka...*, p. 28.

²⁴ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 24–25.

²⁵ B. Mepham, *Bioetyka...*, p. 28.

²⁶ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 33.

²⁷ W. Galewicz, *W sprawie odrębności etyk zawodowych*, p. 13.

less of whether or not they intend to obey the instruction themselves. Many philosophical approaches to morality, however, present morality as if it were primarily a private matter.”²⁸ This passage significantly reveals the authors’ specific reasoning. First, that morality is made up. Second, that “morality” is an instruction devised *ad hoc* by everyone, for himself or others. Third, it points out a problem with the answer, why are they not identical, and sometimes even very different, due to the existence of one “public morality” affecting all private moralities (whether they are for one’s own or foreign use)?

It is wrong and disastrous to say that there is a “universally accepted moral system” as the foundation for explaining all moral issues²⁹ or that there is also “general consensus on most moral questions.”³⁰ Wrong, because there is no system of moral beliefs common to all people. It is disastrous because referring to unstable rules makes it difficult, not easier, to establish common moral convictions and positions.

This purely public understanding of morality is also characteristic of the other authors referred to. W. Galewicz, speaking of doubts about “mercantile ethics”, refers to morality in general, giving it his definition, and this is clearly a utilitarian definition: “moral rules include those which have in mind some common good or also the public interest.”³¹ For J. Haidt, the definition of morality is equally clear – it is thanks to morality, people could create “large, cooperative groups, tribes and nations, composed of individuals who were not bound by blood.” Moral reasoning is “an evolutionary skill that helps us achieve our social goals [...]”.³²

According to B. Gert and co-authors, morality consists of four main elements: “moral principles, moral ideals, features of situations relevant from the point of view of morality, and a two-step procedure of dealing with contradictions between principles and with contradictions between principles and ideals.”³³ For the utilitarian, moral principles are only prohibitions.³⁴ This belief is confirmed by the utilitarian code of ethics presented by the authors. “Every general moral principle takes the form of a prohibition; each of them either prohibits causing one of the damages belonging to a finite set of damage acceptable to all rational persons or prohibits the taking of such actions which, in general, increase the risk of suffering harm.”³⁵ The first moral principles presented by the authors are to correspond to the “five damages” indicated earlier by the authors:

„**Don’t kill**” (this rule also applies to permanent loss of consciousness).

„**Do not inflict pain**” (this rule also applies to inflicting mental pain, e.g., making someone sad and fearful).

„**Do not take away fitness**” (more precisely, “do not cause loss of physical, mental or voluntary fitness”).

„**Do not take away liberty**” (this rule also applies to the freedom from succumbing to the effects of someone else’s actions and depriving someone of the possibility of acting).

²⁸ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 40–41.

²⁹ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka*, p. 9.

³⁰ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 35.

³¹ W. Galewicz, *W sprawie odrębności etyk zawodowych*, p. 26.

³² J. Haidt, *Prawy umysł*, p. 22, 24.

³³ B. Gert, p. 20–21.

³⁴ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 51.

³⁵ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 23.

„Don't deprive someone of pleasure” (this rule also applies to sources of pleasure).³⁶

The authors add to the five principles mentioned above, the rationale of which differs from the previous one in that failure to comply with these principles “usually, but not always, causes harm in specific cases; while their widespread non-compliance always entails suffering damage.”³⁷

„Don't deceive” (deception is not just a lie).

„Keep your promises” (in other words, “don't break a promise”).

„Do not cheat” (this rule mainly applies to violating the rules of some voluntarily undertaken activity, e.g., a game).

„Obey the law” (in other words, “don't break the law”).

„Do your duty” (in other words, “do not neglect your duties”).³⁸

It is not difficult to say that not only the first five principles but all these standards are designed to protect against the commonly recognised evil. The second set of five rules differs from the first in that failure to follow them does not always lead to harm, and breaking them is not always harmful. This means that these are ethical principles that can be unrighteous to break, or sometimes they may be not. A set of rules whose observance (or non-observance) sometimes causes evil and occasionally good (or is indifferent) is a questionable moral code.

The authors of the basic utilitarian code of ethics,³⁹ apart from “ordinary” moral principles, also include “moral ideals” in it. They state that, for many persons, moral ideals are the most important in morality “because instead of merely avoiding causing certain harm as required by moral principles, moral ideals encourage people to prevent or eliminate harm to others.”⁴⁰ Although utilitarians believe that all moral principles are in the form of prohibitions, due to the postulation of moral ideals, they also allow positive actions in the form of orders.⁴¹ “If a person does not violate any moral rules, common morality encourages him to follow one of the moral ideals.”⁴²

The moral ideals of the utilitarian can be associated with the notion of moral values in the personalist's dictionary. However, the similarity is apparent. The authors do not refer to the concept of moral value and do not use this term. The relationship between principles and ideals is absurd in their view; there is no dependency between them, a conflict is possible. Why? Because for the authors, “ideals” are also principles but prescriptive principles. “Common rules” are, in their understanding, only of prohibiting nature. Ideals can encourage positive action. The authors add that “Moral ideals do not require a precise definition; it is praiseworthy to follow each of them.”⁴³

³⁶ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 54.

³⁷ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 54.

³⁸ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 54. Obligation to observe the law is noteworthy.

³⁹ In the understanding of the utilitarian, it is a “moral” code because it usually does not distinguish between “ethics” and “morality”.

⁴⁰ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 20.

⁴¹ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 20–21, 24, 26.

⁴² B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 64.

⁴³ B. Gert, C. M. Culver, K. D. Clouser, *Bioetyka...*, p. 65.

Unwritten ethical principles and “general ethics”

The belief of the utilitarians in the existence of “universal morality” as an obvious morality is automatically connected with the belief in “unwritten moral principles” since this is the character of common morality. However, it is not legitimate to claim that there is a “set of unwritten norms.”⁴⁴ Of course, there are certain moral beliefs of a normative nature that very many persons share, but it is doubtful that they constitute identical personal moral systems. It is crucial that the action is always determined by a person, not a moral norm. Unwritten standards are automatically private and arbitrary standards. However, the existence of such standards is sometimes recognised. W. Galewicz assumes that the “code” is a set of written or unwritten standards.⁴⁵ It is unknown on what basis the term “code” is supposed to refer to “unwritten standards”? In practice, only the written version is considered a code of ethics.

This is not an isolated position, and other authors are convinced that unknown (unwritten) standards also bind us: “Similarly, disciplinary liability is borne for violating the rules of professional ethics, not for violating the standards contained in the ethical code” – write I. Bogucka and T. Pietrzykowski.⁴⁶ So what standards are included in the code of professional ethics, if there are other “rules of professional ethics” beyond it, important enough to deserve protection under the threat of disciplinary sanction?

On what basis to establish the difference between an unwritten norm from “universal morality” and an unwritten norm from professional ethics? How can it be said that an act can agree (or disagree) with “ordinary morality” when any belief can be ordinary morality? How do we know that “unwritten moral principles” exist at all if we cannot ascertain their existence? What if we proclaim some “unwritten moral principle” because we are convinced that it “applies to the community”, and it turns out that our listeners do not share our beliefs? Is my own “unwritten moral rule” binding for other people in my environment? Why should someone’s rule apply to me? Why should my morality apply to someone? Isn’t a code of ethics just an attempt to establish a standard version of an “unwritten norm”, which means it must become a written norm?

This proclamation of the validity of “unwritten moral principles” is a powerful argument against the construction of codes of professional ethics. The code, stripped of the obligation to comply with it, loses its sense and function. If – regardless of whether the ethics of a given profession is codified or not – it will be possible (if the representatives of the professional community so wish), to punish a colleague in the profession for breaking an ethical norm that is unknown to him/her, and hence unwritten, then the norms written in the code can fulfil only a facade role. One can always come up with some professional, ethical standard that has just been violated and of which no one, except for the accuser, has ever heard of before. What are the principles of “universal morality” is always only the presumption of the proclaimer of such principles and such “morality.” One may suspect that “universal morality” (“general morality”, “common morality”) is attributing one’s own beliefs to other people or considering the views of one’s own circle of acquaintances as such.

⁴⁴ W. Galewicz, *W sprawie odrębności etyk zawodowych*, p. 16.

⁴⁵ W. Galewicz, *W sprawie odrębności etyk zawodowych*, p. 16.

⁴⁶ I. Bogucka, T. Pietrzykowski, *Etyka w administracji publicznej*, p. 109.

Apart from the previously mentioned objection that it is difficult to argue about the content of a non-existent “document” such as the “principles of general ethics” (since they have never been written down and everyone has the right to understand them in their own way and to a different extent), each social agreement of the moral norm, and this is what writing a code is like, it is, willy-nilly, a Kantian verification of the maxim through its generalization.

P. Łuków notes that the code can support the decisions of a person “when there is doubt as to, for example, which of the ideals that go into conflict in a given situation has priority (which would require a hierarchical ordering of the norms contained in the code) but it is not the main source of moral instruction.”⁴⁷ The role assigned to ethical norms also significantly differentiates the model of utilitarian and personalistic ethics: for a utilitarianist, the “moral principle” (in fact, the “ethical principle”) is merely an “instruction”, sound advice. For a personalist, ethical principles are not “instructions”, but prohibitions and orders, sometimes obliging, under the threat of severe sanctions, even deprivation of the right to practice the profession, so it is difficult to treat them only as an enrichment of the addressee’s knowledge.

For a utilitarian, as in the examples of W. Galewicz, there can be many morals, and we can use many at the same time (“internal morality”, “external morality”, “personal morality”, “the most ordinary morality”, “general morality”) because According to the author, these morals mean various “ways of behaving”, not the essential part of a person’s identity and sense of worth, the principal expression of their relationship to themselves and other persons.⁴⁸ For a personalist, morality is part of his/her own personality and is one, just as everyone is the only personality. For utilitarian authors, “participation” in morality is the result of their own, changing decisions.⁴⁹ P. Łuków repeatedly writes not about the holders of morality but about “participants of morality.”⁵⁰ Utilitarians participate in morality; personalists possess morality. The utilitarian may “use” morality if he sees the need to do so. A personalist cannot get rid of his morality any more than he can get rid of himself. Therefore, the morality of the utilitarian expresses good interests, and the morality of the personalist depicts the good man.

We noted earlier that morality (as a set of principles for beneficial action) is primarily an external instance for the utilitarian. For a personalist, it is part of the personality; it is the verdict of one’s own conscience, and therefore an internal instance. For the utilitarian, humanity is neither the goal of moral actions (it is “benefit”) nor a value, because the whole of their ethical system is exhausted in the principles, the observance of which is to lead to the greatest possible prosperity of the society. The ultimate criterion of moral good is, therefore, social good.

In utilitarianism, the code is unnecessary because there is only one norm of action – do what is useful! This already justifies the doubts of utilitarian authors as to the need to record utilitarian ethics in the form of a code. The personalist believes

⁴⁷ P. Łuków, *Moralność medycyny*, p. 35. Meaningfully, the author refers to “moral ideals” and not to “moral values.”

⁴⁸ W. Galewicz, *W sprawie odrębności etyk zawodowych*, p. 10, 20.

⁴⁹ Therefore, it is difficult to talk about any sanctions for taking or not taking voluntary action.

⁵⁰ P. Łuków, *Moralność medycyny*, p. 16, 17, 79.

that not every system by which we judge human behavior is morality – morality, as a system of judgments, norms, and values, relates only to conditions of existence in a human way. The fundamental difference between utilitarianism and personalism concerns the understanding of what morality is. However, what is significant, the authors of both ethical orientations very rarely present the definition of morality they use, and the reader is usually forced to recreate it on the basis of whether the author has the meaning of moral action. He/she sees benefits and pleasures (especially those measured on a social scale) or reserves the title of moral action only to affirm humanity, person, and dignity.

Besides the critical distinguishing feature of both ethical models, which is the assumed sense of morality, other differentiating elements are also characteristic, such as the adopted genesis of morality, its social functions, and the attitude towards legal regulations or other ethical systems. However, they deserve a separate discussion.

Summary

The article presents two principal and opposing currents of contemporary ethics as a model for professional ethics. It shows the fundamental theses of personalism and utilitarianism and conclusions for practice resulting from the basic assumptions of both these theories. In this case, their professional codes of ethics should be considered the practical dimension of professional ethics. We assume that they show ethically appropriate professional activities. We believe that especially the codes of ethics of medical professions should express the essential ethical values that are the goal of the professional activities of a doctor, nurse, pharmacist, or laboratory diagnostician. The analysis of the primary theses of personalism and utilitarianism shows that the assumptions of these two positions are incompatible with each other. Therefore, combining ethical norms of a personalistic and utilitarian nature in one code of professional ethics destroys the power of its impact because it means postulating contradictory actions on the part of the addressees. The principal conclusion of the presented analysis is the postulate that the codes of ethics of medical professions declared as an expression of personalistic ethics should retain this character in their obligations.

Key words: modern ethics, professional ethics, personalistic ethics, utilitarian ethics, personalism, utilitarianism, codes of ethics

Dwa modele etyki – o moralności utylitaryzmu i personalisty

Streszczenie

Artykuł przedstawia dwa podstawowe i przeciwstawne nurty etyki współczesnej jako model dla etyki zawodowej. Ukazuje fundamentalne tezy personalizmu i utylitaryzmu oraz wnioski dla praktyki wypływające z podstawowych założeń obu tych teorii. W tym wypadku za wymiar praktyczny etyk zawodowych należy uznać ich zawodowe kodeksy etyczne. Zakładamy, że to one ukazują właściwe etycznie działania zawodowe. Przyjmujemy, że zwłaszcza kodeksy etyczne zawodów medycznych wyrażać powinny podstawowe wartości etyczne, będące celem

działań zawodowych lekarza, pielęgniarki, aptekarza czy diagnosty laboratoryjnego. Analiza też podstawowych personalizmu i utilitaryzmu pokazuje, że założenia obu tych stanowisk nie dają się ze sobą pogodzić. Dlatego łączenie norm etycznych o charakterze personalistycznym i utilitarystycznym w jednym kodeksie etyki zawodowej niweczy siłę jego oddziaływania, ponieważ oznacza postulowanie u adresatów sprzecznych działań. Podstawowym wnioskiem przedstawionej analizy jest postulat, by kodeksy etyk zawodów medycznych, deklarowanych jako wyraz etyki personalistycznej, zachowały taki charakter w swoich zobowiązaniach.

Słowa kluczowe: etyka współczesna, etyka zawodowa, etyka personalistyczna, etyka utilitarystyczna, personalizm, utilitaryzm, kodeksy etyczne