

# Morality and the Role-Differentiated Behaviour of Lawyers

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## 1. Introduction

According to a common view of the legal profession the proper professional conduct of lawyers is itself morally debilitating; more precisely, it is thought that simply in performing their professional role lawyers will come to suffer a kind of moral blindness. While I do not think this view is accurate, it is not necessarily an expression of simple prejudice; on the contrary, this view can be founded on a respectable philosophical argument. The argument I have in mind here has been given careful expression by Richard Wasserstrom, who claims that the lawyer-client relationship leads lawyers to occupy what he calls 'a simplified universe which is strikingly immoral'<sup>1</sup>. The crux of Wasserstrom's argument is that 'to be a professional is to be enmeshed in role-differentiated behaviour' (p. 60), behaviour that in the case of the legal profession alters a lawyer's moral point of view in ways that leads him or her to treat many of the moral concerns of people outside the lawyer-client relationship as irrelevant. I argue, however, that this argument mischaracterises the nature of role-differentiated behaviour both generally and, more specifically, in the case of lawyers. Here I defend the following three claims. First, that role-differentiated behaviour generally expresses and helps sustain important human values. Second, that the role-differentiated behaviour of lawyers in particular expresses and helps sustain in various ways our respect for persons. Third, that in singling out the professional conduct of lawyers for special criticism Wasserstrom exaggerates the moral differences between the role-differentiated behaviour of lawyers and that of other professionals. Far from leading lawyers to occupy a simplified moral universe, their role-differentiated behaviour, in common with other forms of role-differentiated behaviour, actually contributes to and completes what we might call following Wasserstrom the moral point of view.

To illustrate what he means by role-differentiated behaviour, Wasserstrom offers the example of being a parent. As he says,

as a parent one is entitled, if not obligated, to prefer the interests of one's own children over those of children generally. ... In the role of a parent, the claims of other children vis-à-vis one's own are, if not rendered morally irrelevant, certainly rendered less morally significant. In short, the role-differentiated nature of the situation alters the relevant moral point of view enormously (p. 59).

In a similar way then being a lawyer, as with professions more generally, alters one's moral universe. So in the case of the professions, the individual *qua* professional is expected to prefer 'in a variety of ways the interests of the client or patient over those of individuals generally' (p. 60). But in the case of lawyers, so Wasserstrom argues, the moral problems this kind of behaviour generates are more acute.

## 2. The Lawyer as Amoral Technician

Wasserstrom in presenting his argument actually makes two distinct claims: First, that the lawyer-client relationship will make it 'obligatory for the attorney to do things that, all other things being equal, an ordinary person need not and should not do' (p. 60). Second, that so long as the ends sought by the client are not illegal 'the lawyer is, in essence, an amoral technician whose peculiar skills and knowledge are available to those with whom the relationship of client is established' (p. 60). While I accept the first claim above, I will reject the second. That one's professional role requires one to act in ways that an ordinary person need or should not may be read as indicating merely a conflict between the ethical demands of one's profession and ordinary morality, as conflict as it were within morality more broadly construed. So the weight of Wasserstrom's argument falls on Wasserstrom's second claim—and it is with this claim that I will be concerned.

It is important to note first of all that Wasserstrom is at least prepared to accept that in the case of a criminal trial it may be 'appropriate and obligatory for the [defence] attorney to put on as vigorous and persuasive a defence of a client believed to be guilty as would have been mounted by the lawyer thoroughly convinced of the client's innocence' (p. 60). However, following Wasserstrom, this can hardly serve to justify the lawyer's altered moral perspective more generally. Holding the guilt or innocence of an accused client as irrelevant is only one aspect of the lawyer's altered moral perspective. Beyond this there is the lawyer's obligation to 'invoke procedures and practices that are themselves morally objectionable' (p. 61). As an example here Wasserstrom cites the permission under California law for a defendant in a rape case to secure an order requiring the rape victim to submit to a psychiatric examination. Further, and more generally, there are a whole host of obligations outside the criminal law for a lawyer to pursue various ends of their client regardless of the merit of those ends. One example Wasserstrom raises here is the case of a lawyer who helps a client to exploit a loophole in the tax system available only to the rich. As Wasserstrom then concludes

The lesson... is clear. The job of the lawyer... is not to approve or disapprove of the character of his or her client, the cause for which the client seeks the lawyer's assistance, or the avenues provided by the law to achieve that which the client wants to accomplish. The lawyer's task is to provide that competence which the client lacks... In this way, the lawyer, as professional, comes to inhabit a simplified universe which is strikingly immoral. (p. 61)

Wasserstrom's point is then to question whether it is really a good thing for lawyers to be quite so professional, for them to embrace as fully as they do such role-differentiated behaviour.

### 3. Role-Differentiated Behaviour and the Moral Point of View

It seems to me however that Wasserstrom has not adequately characterised the nature of role-differentiated behaviour or its relationship to the moral point of view—including in the case of the role-differentiated behaviour of lawyers. Wasserstrom's own example of the kind of role-differentiated behaviour involved in being a parent will help illustrate the point here. Wasserstrom points out that we take the rightness of parental preference for granted and suggests that the degree of parental preference accepted and encouraged in our society may not be morally justified. Now one might accept that there must be a limit to parental preference beyond which such behaviour cannot be justified. But it is another, and questionable, thing to suppose as Wasserstrom does that 'in the absence of special reasons why parents ought to prefer the interests of their children over those of other children in general, the moral point of view surely requires that the claims and needs of all children receive equal consideration' (p. 60). For this way of speaking simply fails to acknowledge the distinctive values expressed in this kind of relationship—the values expressed through parental love. The parent-child relationship, like other human relationships, essentially involves a preferential concern with the needs and interests of particular others. Perhaps it would be a good thing were parents to care more about children generally, but it is not consistent with the kind of love a parent may have for their own children that they give equal consideration to the interests of all children, showing no preference for their own. Granting this point, the question of whether there are from the moral point of view special reasons to prefer the interests of one's own children becomes the question of whether parental love can be justified from the moral point of view. But parental love is, I argue, *part* of the human good, part of what the moral point of view is supposed to encompass. To ask for special reasons that justify parental preference is to ask in what way this advances some independently specifiable human good. However such preference is morally significant not for the (independent) good it achieves but for the good it *expresses*.

My central claim is that Wasserstrom fails to consider the specific kinds of value that are expressed and sustained through certain kinds of role-differentiated behaviour, and specifically the values expressed through the lawyer-client relationship. But before I expand on this point, let me stress that I am not suggesting that we understand the lawyer-client relationship as a particular kind of *personal*

relationship. So I would disagree for example with Charles Fried's suggestion that we understand the lawyer as a kind of special purpose friend<sup>2</sup>. I think there are insurmountable problems with this idea. To consider just two problems commonly raised here: first, we do not pay people to be our friends; and second, at least some of a lawyer's clients are likely to be the sorts of people we ought not to have as friends<sup>3</sup>. Fried's point is essentially that our very sense of ourselves as 'choosing, valuing entities—free moral beings'<sup>4</sup> depends on us being able to hold in reserve some measure of preferential concern for ourselves and those with whom we have personal relationships. While I do not doubt our personal relationships are essential to the self in the way Fried indicates, I want to claim that personal and many impersonal relationships alike have a further and equally non-instrumental value—as I will now explain.

To begin, personal relationships that involve love and friendship are morally significant not merely in so far as they are essential to our own sense of self, but also for the way in which they express and help to sustain for our society generally a certain conception of human life and even of the moral life. Consider our understanding of love. It is crucial to our understanding of what love is that we do not love particular others merely for their good qualities, but for the unique individuals they are. A feature of such relationships is that we do not apportion love simply according to merit. Rather, through love we recognise another human being as valuable, even precious, in ways that do not depend upon their virtue. What such love reveals not just to those within such relations but to all of us is that human beings are valuable in themselves independently of their good qualities, that our conception of human life is constituted in part by the idea that human beings are intrinsically valuable. My point is now that certain impersonal relationships, and specifically the relation between a lawyer and a client, similarly express something of the value involved simply in being human.

#### **4. Autonomy and the Role-Differentiated Behaviour of Lawyers**

To turn to the specific case of the lawyer-client relationship, I suggest that what this relationship expresses is respect for persons as autonomous, free, agents. Consider Wasserstrom's example of the client who wishes to draft a will disinheriting a child for their opposition to the Vietnam War. Wasserstrom asks, '[s]hould the lawyer refuse to draft the will because the lawyer thinks this is a bad reason to disinherit one's children?' (p. 61). Now, opposition to the Vietnam War may indeed be a bad reason to disinherit one's children, however there are, all the same, good moral reasons for the lawyer to draft such a will anyway. For what is morally at issue here is not simply whether their client is behaving reasonably or fairly, but respect for autonomy. To explain, in a complex society such as ours many of the acts through which we may determine our own lives depend on the existence of certain institutions such as those that are involved in our legal system. So, for example, there can be no such act as 'disinheriting one's children' without the legal instrument of a will. At the same time, the capacity for most of us as to act in such institutionally defined ways depends upon the services provided by certain professionals, including lawyers. Just because the ability of most of us to

direct our own lives in such ways, our very autonomy if you will, depends on the services provided by lawyers, lawyers have a particular moral reason internal to their professional role to offer their services even where they do not approve of their clients character or motives. Far from behaving as an amoral technician, the lawyer's actions, say, in aiding a client to draft a will regardless of its contents expresses respect for the autonomy of their client.

Of course, I am not the first to attempt to justify the role-differentiated behaviour of lawyers via an appeal to the value of autonomy. Stephen Pepper in reply to Wasserstrom makes the following claims

Our first premise is that law is intended to be a public good which increases autonomy. The second premise is that increasing individual autonomy is morally good. The third step is that in a highly legalized society such as ours, autonomy is often dependent upon the access to the law'<sup>5</sup>

So, according to Pepper, we can justify a lawyer's seemingly amoral role by appeal to the greater value that is achieved here in increasing individual autonomy. Unlike Pepper however I am not claiming merely that 'increasing individual autonomy is morally good' for this way of putting the point fails to capture the kind of value we place on individual autonomy. In order to see this, consider David Luban's reply to Pepper<sup>6</sup>. To quote Luban, 'I deny [Pepper's] second premise, that individual autonomy is preferred over right or good conduct'<sup>7</sup>. As Luban goes on to argue,

[i]t is good, desirable, for me to make my own decisions about whether to lie to you; it is bad, undesirable, for me to lie to you. It is good that people act autonomously, that they make their own choices about what to do; what they choose to do, however need not be good. ... *Other things being equal*, Pepper is right that 'increasing individual autonomy is morally good', but when the exercise of autonomy results in an immoral action, other things are not equal. You must remember that some things autonomously done are not morally right'.<sup>8</sup>

What Luban fails to see here however is that the value of autonomy only comes into view precisely *when things are not equal*, that it is in this sort of situation that we are likely to appeal to what is really the true value of autonomy.

To explain, consider the consequences of accepting Luban's argument sketched above. The first thing to note is that the argument is not restricted to the lawyer-client relationship; many things done autonomously *without the services of a lawyer* are likewise morally wrong. But since things are not equal here either there are grounds to prefer right conduct over autonomy in these cases too and prevent people from acting wrongly. So, when people lie, cheat on their spouses, express racist views and so on it is surely preferable, right even, to prevent these kinds of conduct where we reasonably can. However most people I think would see such a broad restriction on autonomous agency as profoundly morally objectionable. Of course Luban himself is not suggesting that we should prohibit

all autonomous wrong acts, even all seriously wrong acts; as he notes, there are many reasons against this, for example, that preventing the relevant conduct would be too difficult or come at too high a social cost. But this seems to me still to miss the point of the objection; contrary to Luban the reason I suggest we do not take steps collectively to prevent all seriously immoral conduct is not because this may be too difficult or come at too high a social cost, but because we take it that people have a *right* to make their own decisions in a wide range of cases even though those decisions may be morally very bad ones. Here then we get to the heart of the kind of value we place on autonomy; that is, autonomy is the basis for certain rights, rights that cannot simply be traded for the greater good.

Still, it may be argued that the lawyer is not merely *tolerating* immoral conduct (as we do in a variety of ways) but actually *aiding* it, and that aiding immoral conduct is always wrong. Indeed it looks like a truism to say as Luban does that 'since doing bad things is bad, helping people do bad things is bad'. But a moments reflection will show that even this is not always true—and more pointedly that it is not true in cases closely akin to the practice of law. Consider that the racist standing for parliament on a 'whites only' immigration policy is not merely tolerated, they can also expect help from a variety of people and the community more generally. So, for example, journalists will help them by providing media access, the state (and ultimately taxpayers) may provide campaign related financial assistance in common with other candidates, and the community will provide them with further assistance financial and otherwise if they are actually elected. All of this we may conclude amounts to helping the racist do bad things, but it is not at all obvious that providing this kind of help is a bad thing to do. Here as in the case of law the central question is not what would be good or socially advantageous but how a person is entitled to be treated by others—and especially those who occupy institutional roles—simply because they are a full member of our rational and moral community. It is a bad thing when racists get elected to parliament, it is a bad thing when people lie to one another, and it is bad also when people disinherit their children for no good reason. But autonomy is so fundamental to our understanding of what it is to be a person that all this is a price we as a society are quite reasonably prepared to pay. For there can be no moral life at all in the absence of respect for persons, and sacrificing autonomy for the greater good is simply not compatible with this kind of respect.

What I am claiming then is that the lawyer's role is essential to our respect for autonomy and in this our respect for persons. I am not suggesting however that a lawyer *must*, say, agree to draft a prejudiced will. Rather, my point is just that once it is recognised that the exercise of autonomy and of the rights that flow from this depends for most of us on the services provided by lawyers we can see that lawyers have a moral reason internal to their professional role for acting in ways that from the standpoint of ordinary morality appear morally wrong. To put the point another way, what I am claiming is that in cases such as the one described above a lawyer faces a conflict *within* morality, a conflict between the demands of ordinary morality and the moral demands internal to their professional role.

To further illustrate the above point, even in the case of the criminal law—where he is prepared to accept the role of the lawyer advocate is to some extent justified—Wasserstrom misrepresents the role of the lawyer vis-à-vis their client. Contrary to Wasserstrom, a criminal trial is not just a ‘mechanism by which we determine in our society whether or not [a defendant] is in fact guilty.’ (p. 62) If that were so then in some cases at least—where guilt or innocence could be established without the defendant’s testimony—there would be no reason for the defendant to even be present. However, our common understanding of a criminal trial is that it is a *participatory* process; we are not merely concerned to determine factual guilt or innocence but to hold the defendant to account, to require them to answer for their actions. Beyond determining factual guilt or innocence, a criminal trial provides an opportunity for the accused to deny or to admit guilt, even to express remorse. In this regard, criminal proceedings remind us again that the defendant is a full member of our rational and moral community and that as such he or she is entitled to a certain kind of respect; that they have a right to respond in the above kinds of ways to the charges against them. Here too then the crucial *moral* role of the defence lawyer becomes clear. For their role in criminal proceedings is surely in part to enable their client to answer for his/her actions, to present his/her own account of events the trial is concerned with in the language the court is able to recognise. We might say the lawyer in enabling a defendant’s participation here serves to ensure that the defendant is counted as a member with us of our shared rational and moral community.

## 5. Two Kinds of Moral Dilemma in Professional Life

At the same time as he fails to consider the moral values that the role-differentiated behaviour of lawyers expresses, Wasserstrom fails to distinguish two kinds of moral dilemma a lawyer may face in performing his or her professional role. This then leads Wasserstrom to exaggerate in the difference between the role-differentiated behaviour of lawyers as opposed to that of other professionals. To explain, the moral difficulty posed by such examples as being asked to draw up a prejudiced will concerns the lawyer in providing services to a client where the client happens to be using those services to pursue morally questionable ends. But note that the issue in the case of drafting a prejudiced will is not whether there should be the legal instrument of a will but the use to which on some occasions that legal instrument is put. However a different kind of moral concern that a lawyer may face occurs where a lawyer is involved in, as Wasserstrom puts it, ‘invoking procedures and practices that are *themselves* morally objectionable’ (my emphasis). Consider again Wasserstrom’s example of the provisions of rape law in California granting a defendant the right to demand a psychiatric evaluation of their purported victim. Here the question is surely whether a person really ought to have this kind of legal right. But that is not a criticism of the role-differentiated behaviour of lawyers *per se* but of particular laws or legal entitlements.

With respect to the kind of moral problem outlined above the lawyer is in exactly the same position as any professional who has to work within the framework of some particular scheme of institutional arrangements where some

arrangements may be objectionable either from the point of view of ordinary morality or even from the point of view of the ethics of the relevant profession. Consider, for example, the parallel situation of a hospital doctor required to adhere to cost saving strategies in situations that they feel compromise their ability to provide adequate medical care. I suggest that as with other professionals the proper role of the lawyer faced with a morally objectionable practice or procedure is in part to publicise and register objections to it—and indeed this is exactly what many lawyers frequently do. Moreover, such objections carry a particular weight in public debates on the issues involved here precisely because of lawyers' particular commitment to the values that underlie the law and their professional roles.

## 6. Professional Behaviour in Law versus Other Professions

Still, one might argue that there is an important dis-analogy between the law and other professions such as medicine. So according to Wasserstrom,

The lawyer—and especially the lawyer advocate—directly says and affirms things. ... The lawyer lives with and within a moral dilemma not shared by other professionals. If the lawyer actually believes everything that he or she asserts on behalf of the client, then it appears to be proper to regard the lawyer as in fact embracing the points of view that he or she articulates. If the lawyer does not in fact believe what is argued by way of argument, if the lawyer is only playing a role, then it appears to be proper to tax the lawyer with hypocrisy and insincerity. (p. 64)

Of course one reply to this claim of hypocrisy would be to suggest that we understand the lawyer as akin to an actor. However Wasserstrom is not satisfied with this, claiming that 'the courts are not theatres and lawyers both talk about justice and seek to persuade' (p. 65). But be that as it may, two further points seem worth making here. First, surely no one who understood our legal system could believe that a lawyer even purports to be expressing their own beliefs in arguing their client's case. But then they can hardly be called hypocritical or insincere. Law courts are not theatres, but they are crucially a contrived, artificial, environment where the purpose of legal representation, the purpose of a lawyer's speech, is clearly not to express the lawyer's own beliefs. Just as with the theatre, once we understand the nature and purpose of legal proceedings we must recognise that, for example, in inviting the jury to consider the possibility that their client is innocent a lawyer is not thereby indicating what they personally believe here. True, a jury might try to *infer* from a defence lawyer's demeanour, manner of speaking and so on whether they do in fact believe that their client is innocent, but that just serves to show how different our expectations are in relation to this kind of speech as compared with everyday parlance.

Second, and more importantly, while it is obviously true that the lawyer seeks to persuade it is misleading nonetheless to suppose the lawyer's role here to be one of *mere* persuasion. For this is to obscure the important difference relevant to understanding the lawyer's role between argument and mere rhetoric. Note here that a lawyer cannot in the context of a trial say just anything to sway a



judge or jury to their client's position. There are, that is to say, specific normative constraints (in the form of legal rules) on this discourse that serve to distinguish it from mere rhetoric or the art of persuasion *simpliciter*. Further, these constraints are justified by and large in so far as they help to direct legal proceedings towards the truth and what is just. For this reason it would seem fairer to say that the lawyer is participating in a form of rational argument according to which he or she is charged with pursuing a particular position as far as it may go within the constraints that define legal argument and/or with providing reasons to doubt the opposing legal argument.

In light of the above points, the practice of law seems in one way peculiarly close to the practice of philosophy. Here too a person may propose something they clearly do not believe or pursue an argument that they think must be ultimately flawed in order to get at the truth. To give just one example, consider Descartes' method of doubt. It seems clear Descartes did not in any ordinary sense of the word doubt as he was writing the *Meditations* that the external world as he knew it did exist. But here again we surely do not want to claim that Descartes was merely a hypocrite or insincere for expressing (philosophical) doubt about the existence of the external world. Of course it may be objected that an important difference between legal advocacy and philosophical inquiry is that unlike legal advocacy, philosophical inquiry aims directly at discovering the truth and/or what is just. Indeed, one might think that aim of the lawyer advocate is merely to win his or her case. However, while it is obviously true that the role of the lawyer does not involve aiming *directly* at the truth or justice, one might nevertheless think that an overall (albeit indirect) concern with truth and justice forms an important part of the ideal of the legal profession. At the very least, it seems problematic to suppose that merely winning every case provides an adequate professional ideal for lawyers.

## 6. Corporate Clients

It will no doubt be noticed at this point that the above analysis of the role-differentiated behaviour of lawyers raises questions about the ethics of legal advocacy where a lawyer's client is not a natural person or (as with a class action) a group of such persons but an institution—such as a private corporation<sup>9</sup>. Where lawyers represent corporations their role cannot have the moral significance I have suggested it otherwise has. For a corporation is not a natural person<sup>10</sup>. The kind of values I have suggested are expressed and sustained via legal advocacy in the case of clients who are natural persons—values connected with respect for autonomy—simply do not apply in the case of corporate clients since corporations are not in any clear sense autonomous, or (even) agents. However far from marring my account of the moral significance of legal advocacy the example of corporate clients really helps to bolster it. For the case of corporate clients *across* the professions has been thought anyway by many to pose a significant and special challenge for professional ethics quite generally. Consider the medical profession where a doctor's clients are not individual human patients but likewise large corporations—such as drug companies. Similar problems emerge in both the

medical and legal professions around the issue of corporate clients. To give just one example, there is the question of whether professional/client confidentiality should carry the same moral significance where one's client is a corporation rather than a natural person<sup>11</sup>. One virtue of my account of the professional role of lawyers then is that it helps explain *why* there is a special problem here in the case of corporate clients.

## 8. Conclusion

My argument is, let me stress, no apologia for the behaviour or tactics employed by some actual lawyers. Indeed, if the prevailing legal culture leads some lawyers to simply ignore the demands of ordinary morality, then there are certainly grounds to morally criticize this profession. However we need not conclude from the rather tawdry behaviour of some lawyers that, as Wasserstrom suggests, the very nature of the relevant role-differentiated behaviour here leads lawyers to occupy a 'simplified universe that is strikingly immoral'. I end with just one further and significant reason for thinking that this conclusion does not follow. Wasserstrom at one point makes much of the fact that so many of those involved in the Watergate scandal were lawyers, seeing in this sorry affair how the law produces the kind of people who find it easy to deceive, and to ignore the demands of truth and justice more generally. But we should also remember, as Bernard Williams notes<sup>12</sup>, that given the recruitment procedures for our legal system out of this pool of supposedly amoral technicians somehow the judiciary must emerge, that the skills and behaviour that legal advocacy engenders must somehow fit people (and I should like to add somehow *does* fit people) for judicial office—an institutional role concerned with serving directly both truth and justice.

## Notes

- <sup>1</sup> R. Wasserstrom (1975) 'Lawyers as Professionals: Some Moral Issues', in J. Callahan *Ethical Issues in Professional Life* (Oxford: Oxford University Press, 1988), pp. 58-68, p. 61. All references to Wasserstrom are to this article.
- <sup>2</sup> C. Fried (1976) 'The Lawyer as Friend: The Moral Foundations of the Lawyer-Client Relation', *Yale Law Journal* vol. 85, pp. 1060-89.
- <sup>3</sup> Bernard Williams, raises these objections in his 'Politics and Moral Character' in Williams, B. (1981) *Moral Luck* (Cambridge University Press, Cambridge), pp. 54-70. For similar objections see: W. Simon (1978) 'The Ideology of Advocacy: Procedural Justice in Professional Ethics', *Wisconsin Law Review* vol. 30, pp. 29-144.
- <sup>4</sup> Fried, *op cit*, p. 1069.
- <sup>5</sup> S. Pepper (1986) 'The Lawyer's Amoral Ethical Role: A Defense, A Problem, and Some Possibilities', *American Bar Foundation Research Journal* vol. 613, pp. 613-35, p 617.

- <sup>6</sup> D. Luban (1986) 'The Lysistratian Prerogative: A Response to Stephen Pepper', *American Bar Foundation Research Journal* vol. 613 , pp. 637-49.
- <sup>7</sup> *Ibid*, p. 639.
- <sup>8</sup> *Ibid*.
- <sup>9</sup> I say 'natural person' here of course because a corporation has the *legal* status of a person.
- <sup>10</sup> It has been argued that we should understand, for the purposes of assigning moral responsibility, corporations to be fully fledged members of our moral community—essentially as a kind of abstract moral person. See here P. French (1977). 'Corporate Moral Agency', in Callahan, C. (ed.) *Ethical Issues in Professional Life* (Oxford: Oxford University Press, 1988), pp. 265-9. However this idea is I think fraught with problems—the most striking of which involve the thought that granting moral personhood to corporations and other institutions distorts the logic of moral discourse to do with praise, blame, guilt and remorse amongst a range of other moral attitudes/responses. See here J. Danley (1980). 'Corporate Moral Agency: The Case for Anthropological Bigotry' also in Callahan *op cit*, pp. 269-74.
- <sup>11</sup> See here S. Bok (1983). 'The Limits of Confidentiality', in Callahan *op cit*, pp. 230-8.
- <sup>12</sup> Williams, *op cit*, p. 64