

Your Most Ethical Self



Using the "Science of Ethics" to maintain your highest ethical standards & avoid ethical slip-ups in your career, and life



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**WILSON
SONSINI**

DISHONESTY





Gordon
Caplan

A more prominent example

What is ethics?



What is unethical behavior?

**Why do smart people
commit ethical violations?**



**Why do smart people
make poor decisions?**

Common assumptions about *ethical violators* I would like to challenge today

1. They are stupid
2. They don't understand the ethical rule at issue
3. They are bad people
4. They have always been major rule breakers and finally got caught

The Science of Unethical Decisions



Common Causes / Conditions of Unethical Decisions by Smart People

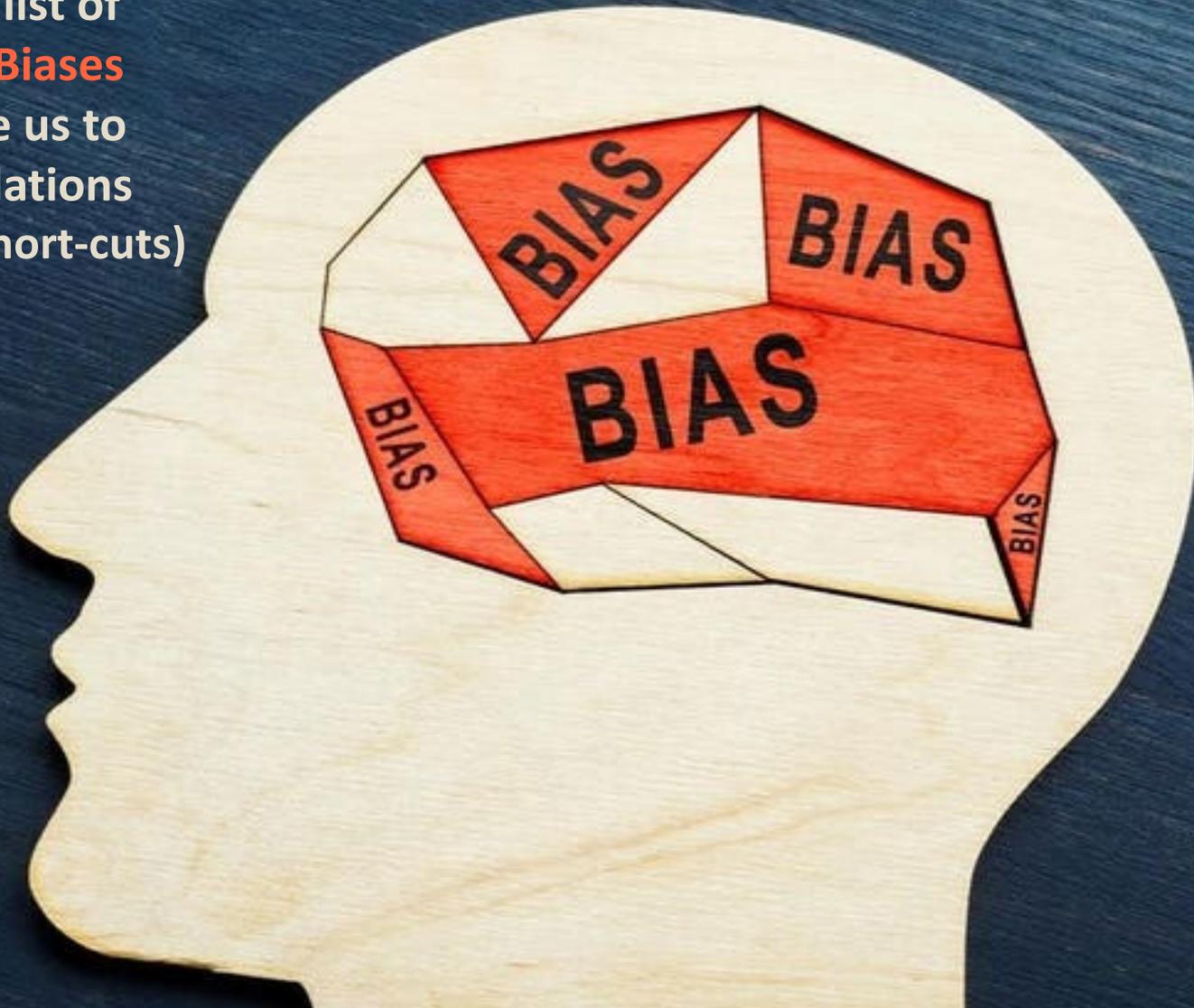


7 Neuro-Emotional Ingredients

(1) BIAS

We are Neurologically Wired to Prioritize Our Own Gain/Advantage/Identity over the Most Ethical Decision

A laundry list of **Cognitive Biases** predispose us to ethical violations (and ethical short-cuts)



Some of the Cognitive Biases that can Impair our Ethical Decision-Making

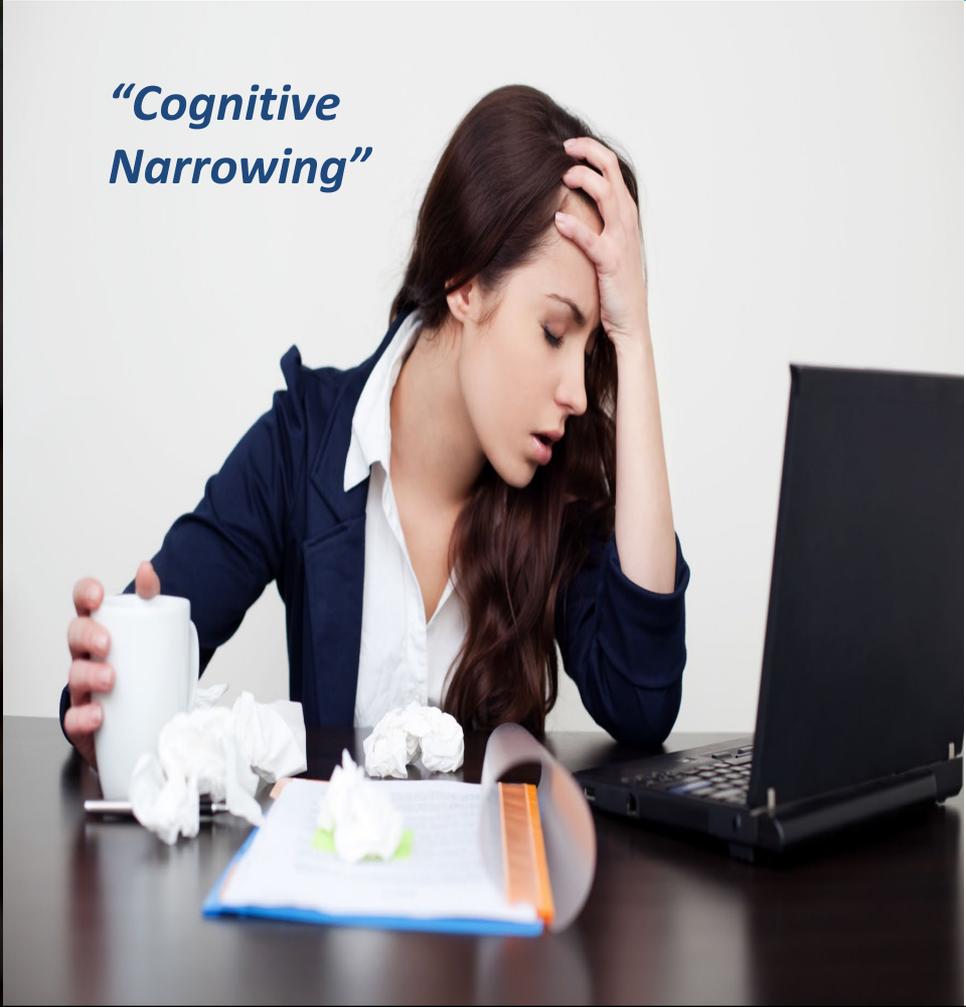
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- Confirmation Bias:** Tendency to seek, interpret, and remember information that confirms existing beliefs and behavioral patterns.
- Self-Serving Bias:** Attributing success to personal traits and failure to external factors (rather than one's own competence/ethics).
- Egocentric Bias:** Overestimating the importance or accuracy of one's own perspective; assuming others see things the same way.
- Cognitive Dissonance:** Discomfort from holding conflicting beliefs leads to irrational justification or change in beliefs.
- Groupthink:** Conforming to group consensus, often at the cost of critical analysis or dissent.
- Anchoring Bias:** Relying too heavily on the first piece of information (the "anchor") when making decisions.
- Overconfidence Bias:** Overestimating one's own abilities, knowledge, accuracy or ethical propensity of judgments.
- Availability Heuristic:** Judging the likelihood of events based on how easily examples come to mind.
- Loss Aversion:** Feeling the pain of losses more strongly than the pleasure of equivalent gains.
- Framing Effect:** Drawing different conclusions depending on how information is presented.
- Status Quo Bias:** Preferring things to stay the same, even when change might be beneficial or more ethical.
- Sunk Cost Fallacy:** Continuing a decision due to prior investments (time, money, effort), even when it's irrational or less ethical.
- Escalation of Commitment:** Continuing to invest in a losing course of action due to prior investment, rather than cutting losses.
- Hindsight Bias:** Believing, after an event has occurred, that it was more predictable than it actually was.
- Negativity Bias:** Giving more weight to negative information than to positive.
- Recency Bias:** Emphasizing the most recent information when making judgments.
- Halo/Golum Effect:** Letting a primary positive or negative trait overly influence overall judgment.
- Affect Heuristic (Comfort-Seeking Bias):** Letting emotions guide decisions; choosing what feels easiest, safest, or most emotionally comfortable, even when less effective/ethical.
- Optimism Bias:** Believing that positive outcomes are more likely for oneself than for others, underestimating risks or challenges.
- Mere Exposure Effect:** Developing a preference for something simply because it is familiar, not necessarily because it is better.

(2) STRESS

Unprocessed chronic stress & acute stress at the time of the decision



*“Cognitive
Narrowing”*



(3) EMOTION

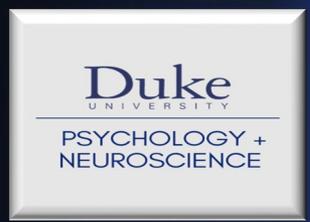
The unethical act is motivated by a fundamental, human emotional need or noble intent





(4) DESENSITIZATION

Progressive desensitization of the inhibiting emotion



Progressively reduced **amygdala sensitivity** to self-serving dishonesty

The Little Lies We Tell

- “Traffic was nuts!”
- “It must have gone to my SPAM folder.”
- “Oh yes, I was about to get right on that!”
- “I don’t watch much TV.”
- “Of course I remember you!”
- “My phone died!”
- “Yah, I know what you mean.”
- “Sorry, my kid is sick so I can’t make it.”
- “I’m doing well!”
- “GPS took me on a crazy route!”
- “I try to get to the gym about 3x per week.”
- “Unfortunately I have plans that day.”
- “I’m almost finished!”
- “Oh sorry, I have a conflict at that time.”
- “I love it!” or “That is so interesting!”
- “I didn’t even see you there!”
- “I am going to start on this right away!”
- “Oh yes, I read that book / saw that documentary. Very compelling.”

- “I have to go, but I’ll call you back later.”
 - “We should hang out soon!” or “We should do lunch soon!”
 - “I’m almost there!” or “I’m five minutes away!”
 - “I’ve been totally slammed.”
 - “Oh ya, he/she is really great to work with.”
 - “I had that in my Draft Folder and somehow forgot to hit send.”
 - “I have a call in 15 minutes so I have a hard-stop.” or “Another call’s coming in, I gotta’ go!”
 - “I have to cancel because *[insert lie here]*.”
 - “I’d like to, but my spouse/partner cannot (or doesn’t want to).”
 - “Your baby is adorable.”
 - “That name sounds familiar.”
 - “Sorry I’m late, my prior meeting/call went over.”
 - “\$800,000 is the very highest we can offer.”
 - _____
- [write in one of *your* favorites!]

(5) MISCALCULATION

Distorted Expectation of the
Discomfort of Honesty/Ethics



(6) NORMALIZING

Ethical Violations in One's *Insular Environment* [*Friends or Foes!*]

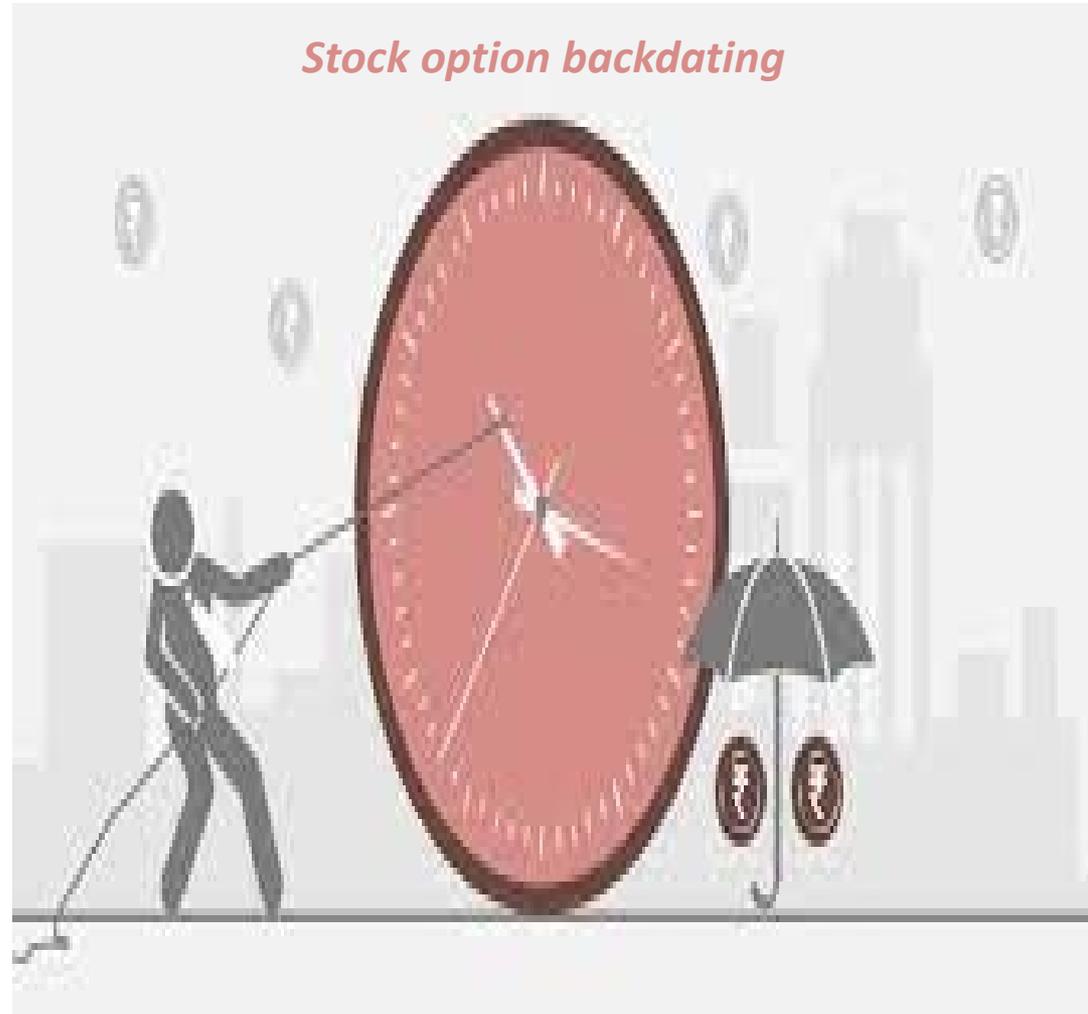


(7) VAGUENESS

Lack of Proactive *Clarification Measures*



Situational Vagueness Increases
Cognitive Dissonance



CLE Code:

514FNF

What to do about this...

7 tips for *upgrading* your
integrity & *preempting*

**Unethical
Decisions**



1

Engage in a Preparatory Stress Management Practice



View Stress Management as a **Necessary Step** in Making the Right Decision

DELIBERATE
INCUBATION

Actively Consider How Your Emotions and Biases May Be Influencing Your Ethical Evaluation



Some Self-Reflection Questions to Untangle the Possible Emotions/Biases

- What specific emotion am I feeling right now: anger, anxiety, pride, loyalty, urgency, fear, envy, scarcity?
- Is this emotion providing useful information – or is it subtly pressuring me toward a preferred outcome?
- If I were calm, rested, and not rushed (and emotionally at peace), would I evaluate this situation differently?
- Is loyalty, ambition, fear, or financial pressure quietly steering my reasoning? What about any of my cognitive biases?
- Would I interpret these same facts differently if someone I disliked (or liked) were involved?
- What outcome do I *want* here – and how might that desire be shaping my analysis? What discomfort might I be avoiding?
- Is my intuition signaling a genuine ethical concern – or merely a concern about reputation or consequences?

3

Surface the Possibility of Moral Licensing

Interrupt the **Moral Credit Account** fallacy



Moral Licensing research shows that prior good behavior an *unconsciously license* later misconduct

Good people justify anomalous ethical violations

“I’m a good and honest person; this isn’t really an issue of ethics.”

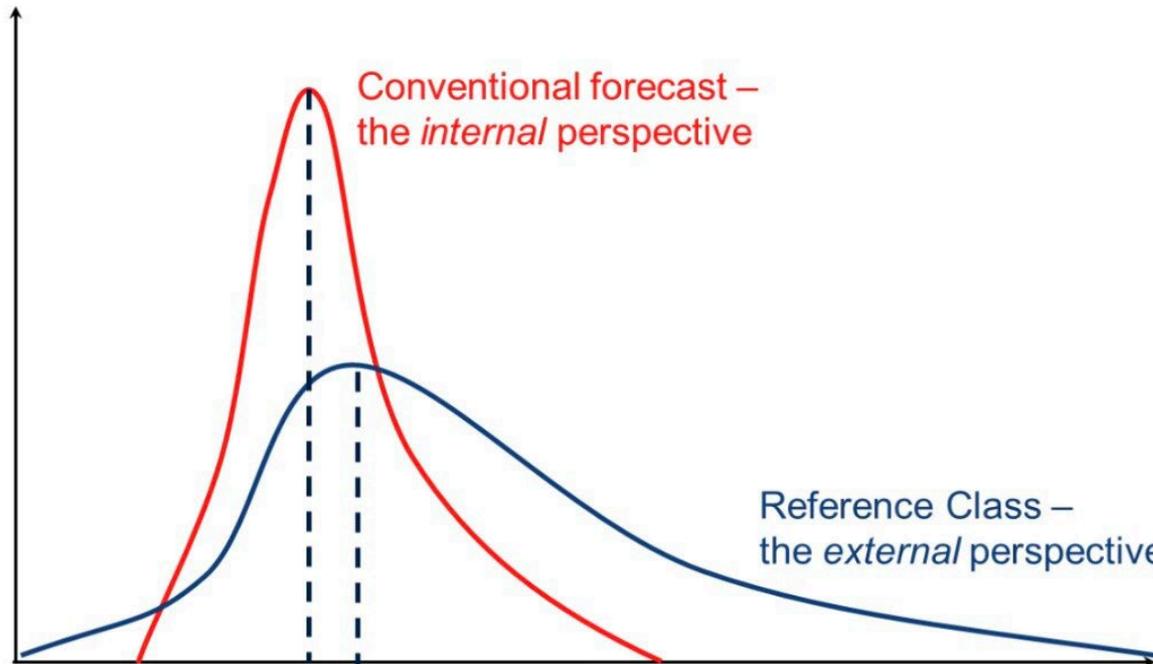
“I’m always so ethical; this is just my way of supporting an important cause”

4

Connect to the “Outside View” (aka *Reference Class Forecasting*)

We tend to be stuck in the “Inside View”

Identify and forecast based on a **comparative class of unrelated scenarios/decisions**



- This *self-distancing* can help us overcome our cognitive biases and emotional impulses
- Research: when we shift from ‘my situation’ to ‘situations like this,’ our ethical clarity increases.

5

Conduct an Ethical Pre-Mortem

Coined by cognitive psychologist Dr. Gary Klein, the “post mortem” technique uses “prospective hindsight” to assume failure has occurred

Shifting the focus from "what *might* go wrong?" to "why *did* it fail?"

Examples:

“It’s two years from now and this decision has become an ethical problem. What happened?”

“Someone later accuses me of an unethical action. What is their strongest argument?”

A Pre-Mortem exposes blind spots, cognitive biases, and rationalizations *before* they solidify

6

Seek the Opinions of Neutral Third-Parties and Pre-Authorize Ethical Dissent



Solitude is the breeding ground of unethical decisions

Pressure test your ethical decisions with a trusted – *and emotionally strong* – person/colleague

Groupthink research (Dr. Irvin Janis) and **Psychological Safety** research (Dr. Amy Edmondson) prove people are far more likely to raise ethical concerns when dissent is pre-authorized

Encourage and Celebrate Dissent!

7

Clamp Down Now on *Micro-Violations & Line Blurs*



Identify a space where you are committing **subtle** “**unclean**” acts and commit to eradicating them

SUMMARY



- ① Preparatory Stress Management Practice
- ② Actively Consider How Your Emotions & Biases May be Impacting Your Analysis
- ③ Surface the Possibility of Moral Licensing
- ④ Connect to the “Outside View” (aka Reference Class Forecasting)
- ⑤ Conduct an Ethical Pre-Mortem
- ⑥ Seek the Opinions of Neutral Third-Parties AND Pre-Authorize Ethical Dissent
- ⑦ Clamp Down Now on Micro-Violations and Line Blurs

*“The time is
always right
to do what is
right.”*

MARTIN LUTHER KING, JR.



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