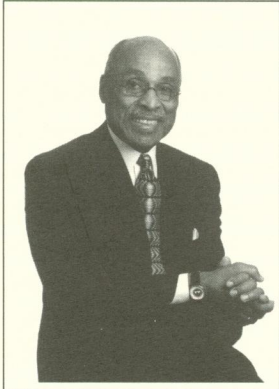


Cary M. Maguire Center for Ethics and Public Responsibility

Southern Methodist University

Volume 12, Annual Newsletter, 2006- 2007

J. ERIK JONSSON ETHICS AWARD

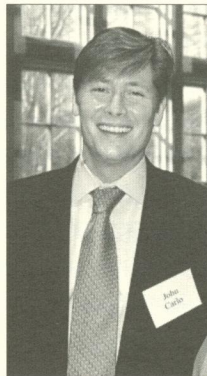


Rev. Zan W. Holmes Jr., a legendary clergyman and exemplary public citizen, received the 2006-2007 J. Erik Jonsson Ethics Award on April 24, 2007. About 300 civic and corporate leaders were in attendance as President Gerald Turner, Mr. Erle Nye, and Mr. Ron Kirk, former mayor of Dallas, presented the award.

Rev. Holmes lives a life of sacrifice and service for the public good and for this, the Center is pleased to bestow the J. Erik Jonsson Ethics Award. (See page 3 for more photographs.)

PREPARING FOR DISASTER

The 2006-2007 Annual Conference of the Professions was held March 1, 2007. This year's topic was "Preparing for Disaster: Fire, Flood, and the Flu." The keynote speaker was John Carlo, M.D., Medical Director for Dallas County Health and Human Services. Dr. Carlo is Medical Director for Dallas County Health and Human Services. Dr. Carlo, who manages public health issues for the 2.3 million residents of Dallas County, has done significant work in the area of bioterrorism preparedness and was the county's chief public health officer during the Hurricane Katrina and Rita response efforts.

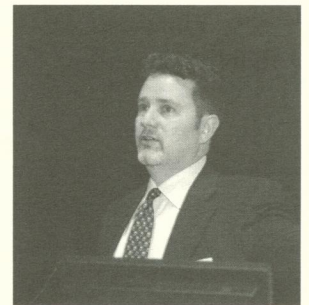


A panel moderated by Gary MacDonald, M.Div., Perkins School of Theology and consisting of Jeffrey L. Canose, M.D., CEO of Presbyterian Hospital of Dallas; Edward Richards, J.D., Harvey A. Peltier Professor of Law at Louisiana State University Law Center and Director of their Program in Law, Science, and Public Health; and Cory Sparks, Ph.D., M.Div., pastor of Carrollton and Parker Memorial United Methodist Churches in New Orleans; responded to Dr. Carlo's remarks.

DOMESTIC SPYING CONFERENCE

The Center's 2006-2007 conference entitled *Guarding the Guardians: The Ethics and Law of Domestic Surveillance* explored some of the ethical challenges regarding domestic spying and surveillance. Topics addressed included privacy and pragmatism, domestic surveillance and separation of powers, whether national security and personal privacy are mutually exclusive, and what Americans may legitimately expect of their intelligence agencies.

The keynote speaker was Joe W. (Chip) Pitts, III, attorney, technology consultant, and lecturer at Stanford Law School. His interest in international law is evident in his past work as Treasurer (2003-04) and USA Chair (2004-05) of Amnesty International; President, Bill of Rights Defense Committee, National Board (2005-present); member, Council on Foreign Relations, New York; member, Pacific Council on International Policy, San Francisco; member, Advisory Board, Business and Human Rights Resource Centre, London; and member, Advisory Board, Trade and Human Rights Committee, Duke University's Kenan Institute for Ethics.



Other speakers included Michael J. Marchand, President of the Center for American and International Law and Major General (ret.), United State Army; Paul McGreal, Professor of Law, Southern Illinois University School of Law; David Perry, Ph.D., Professor of Ethics and Gen. Maxwell Taylor Chair of the Profession of Arms, U.S. Army War College; and Richard O. Mason, Ph.D., Carr P. Collins Distinguished Professor of Information Technology and Operations Management and former Director, Cary M. Maguire Center for Ethics and Public Responsibility.

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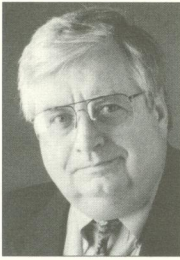
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FROM THE DIRECTOR

From my perch as director of an ethics center dedicated to the proposition that university students will thrive (and possibly even prosper) by their exposure to ethics instruction and discussion, these were a few of the worst headlines of the past year:

- **Duke MBAs Fail Ethics Test** (*Business Week*, April 30, 2007): At Duke University's Fuqua School of Business - where the preamble to the school's honor code is posted on a wall in every classroom, and each student signs a copy of the code -- nearly ten percent of the first-year MBA class stand accused of cheating on an open-book, take-home exam.

- **Cheating on an Ethics Test? It's 'Topic A' at Columbia** (*New York Times*, December 1, 2006): Columbia's Graduate School of Journalism reported that it was investigating charges that students may have "cheat[ed] on an open-book, take-home exam in a pass-fail course . . . about ethics."

I do not mention these stories out of a naïve belief that these headlines describe a world that doesn't include SMU. Nor am I shocked by the evidence that students and teachers of ethics are human and their behavior sometimes falls below a standard they know all too well. If human nature were perfectible, after all, jails and churches would have gone out of business a long time ago. Only in heaven doth the lion lie down next to the lamb and is there no need for due process of law.

For those of us in the ethics business, however, these stories are worthy of careful consideration for what they tell us about what we do and how we do it.

In a book chapter about the ethical challenges faced by trustees of nonprofit hospitals, this Center's first director, Bill May, might just as well have been writing about the challenges that confront us all. There are, he writes, "at least two basic kinds of ethics problems: temptations and quandaries." Temptations, he says, involve "a clear distinction between right and wrong." Don't lie, cheat, or steal. Avoid cronyism, self-dealing, and other conflicts of interest and neutralize those conflicts that can't be avoided. Make good on your obligations of loyalty and due care. Most such rules are learned at an early age and are equally applicable in the settings of workplace and school, in sandboxes, marriages, and boardrooms.

Especially in applied ethics, though, the "sexier" issues tend to involve what Bill May labeled "quandaries." The quandary, he writes, "does not confront us with a clear choice between right and wrong but rather with an unavoidable conflict between competing goods or evils." Should we treat a cancer patient's pain aggressively and run the risk of hastening her death or step back from that threshold and allow the patient to suffer needlessly? Should shareholders' earnings be sacrificed by keeping open a plant in a city with a loyal but aging and very expensive work force, or should manufacturing be moved overseas where labor costs are at a sub-

sistence level (and workers' benefits are nonexistent)?

There is a reason for this type of ethical "specialization." If it is true that our moral compass is pretty well set by the time we reach our college years (if not sooner), the temptations Bill May wrote about are well known to each of us, as are the rules that apply to them. Granted, certain types of "theft" are trickier to spot and some conflicts of interest are subtler than others. By and large, however, the degree to which our moral intuition is set is coextensive with our understanding of the rules that apply to ordinary temptations. How much can ethics instruction add to that understanding? Probably not much (though it never hurts to be reminded, a task for which ethics codes are commonly employed).

Most of our students, however, will spend much of their lives living and working in environments that are increasingly defined by ethically challenging quandaries. In my experience, "trusting your gut instincts" or what you learned in a sandbox is an inadequate

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ETHICS BOWL TEAM

The students who constituted this year's Regional Ethics Bowl team were President Kathryn Rowe, Treasurer Christine Breen, Hayley Collins, Cynthia Halatyn, and Christopher Simpson.

At the Regional Ethics Bowl in San Antonio, on November 11, 2006 at St. Mary's University, the team successfully debated cases involving environmental issues, animal rights, free speech, and grading in high schools for dual credit in universities. SMU was one of the four schools selected to compete at the National Ethics Bowl to be held in Cincinnati, Ohio in February, 2007.

On February 22, 2007, the Ethics Bowl Team competed at the national Intercollegiate Ethics Bowl in Cincinnati, Ohio. The competition took place at the Annual Meeting of the Association for Practical and Professional Ethics (APPE). The team did not place but had a good showing. The team debated cases involving pornography being taught in universities, use of MRIs to detect personality traits and mental capacities, police officers engaging in sex with prostitutes in order to gain evidence for prostitution, and whether the prison system has a responsibility to provide vegan meals. The national bowl team members consisted of President Kathryn Rowe, Treasurer Christine Breen, Hayley Collins, Sheila Zamanian, Luis Vargas, and Daniel O'Neal.

The SMU Ethics Bowl Team is a chartered student organization supported by the Maguire Center. As such, the team voted to change its name to the Society of Ethical Evaluation and Debate (S.E.E.D.). After the completion of Nationals, S.E.E.D. held a mock debate as a recruiting tool for the next academic year, as three of the team members would be graduating. They picked up two new members, but will continue to recruit in the beginning of the 2007-2008 academic year. The 2007-2008 officers for S.E.E.D. are President Hayley Collins and Vice-President/Treasurer Sheila Zamanian.

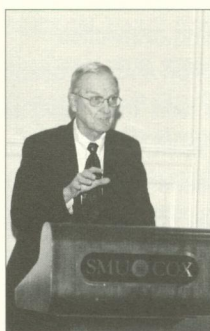
Photographs



(L to R) Dick Mason, Chip Pitts, David Perry, Michael Marchand, Cary Maguire, and Paul McGreal at the *Guarding the Guardians* conference on Oct. 20, 2006.



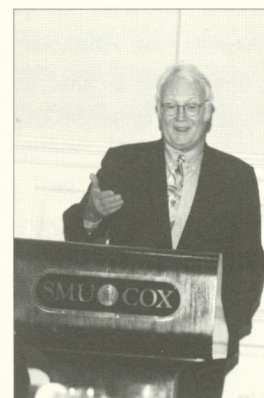
Bill May, Dick Mason, and Charles Curran at the *Guarding the Guardians* conference on Oct. 20, 2006.



Bill May waxes poetic at the retirement dinner honoring Dick Mason, Oct. 20, 2006.



(L to R) Erle Nye, President Gerald Turner, Zan Holmes Jr., and Ron Kirk at the J. Erik Jonsson Ethics Award luncheon on April 24, 2007.



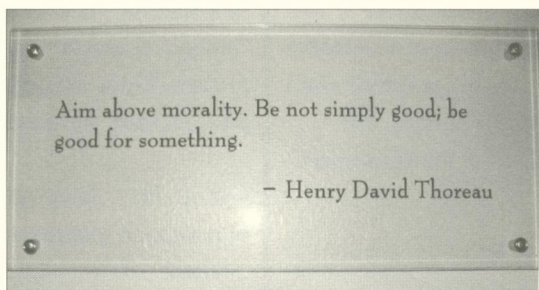
Dick Mason reminisces at a dinner in honor of his retirement on Oct. 20, 2006.



Winner of the 2006-2007 J. Erik Jonsson Ethics Award Zan W. Holmes, Jr. (left) is congratulated by previous award winner Jack Lowe, Jr. at the ceremony April 24, 2007.



(L to R) Edward Richards, J.D.; Jeffrey L. Canose, M.D.; Cary Maguire; John Carlo, M.D.; Rev. Gary MacDonald; and Cory Sparks, Ph.D., M.Div. at the Conference of the Professions, March 30, 2007.



New plaque installed at the Maguire Center office this year.

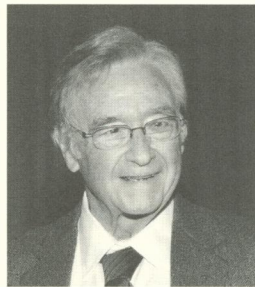
MAGUIRE PUBLIC SCHOLAR JOE KOBYLKA

In his Maguire Public Scholar Lecture held November 9, 2006, Dr. Joseph Kobylka gave a lecture entitled, "When Bible Classes Go to the Supreme Court, What Will They Find?" The Supreme Court has consistently held that public schools cannot conduct religious exercises or instruction without running afoul of the Establishment Clause of the First Amendment to the Constitution. Accordingly, it has struck down prayer exercises in public schools and at events sponsored by them. It has also held that classes teaching "creationism" and "creation science" are unconstitutional. However, Professor Kobylka argued that the Court's religion clauses' jurisprudence -- especially that concerning the Establishment Clause -- has grown very shaky in the past couple of decades. The lecture assessed that jurisprudence as it relates to the issue of "Bible classes" in public schools, both in general terms and in light of the changing face of the current Supreme Court. Are these classes likely to pass constitutional muster?



MAGUIRE PUBLIC SCHOLAR MARSH TERRY

In the Spring, our Maguire Public Scholar was Professor Marshall Terry, E. A. Lilly Distinguished Professor of English. His lecture was entitled "The Founding and Defining of a University" and focused on SMU's history and how it was shaped. "Mr. SMU" is widely known as the principal author (with President Willis Tate) of the university's 1963 Master Plan, which articulated the mission and values of SMU and lay the foundation for the Strategic Plan in place today. Professor Terry provided a fascinating history of SMU and some of the challenges that helped shape it into the great university that it is today.



Marshall Terry has influenced generations of SMU students as a gifted teacher, mentor, and writer. He had major roles in shaping both the English Department and SMU's development as an institution. In 1963 he helped President Willis M. Tate write the Master Plan, which articulated the mission and values of SMU and lay the foundation for the Strategic Plan in place today.

DOMESTIC SPYING, *continued from page 1*

On the same evening, a celebratory reception and dinner was held in honor of Dr. Mason on the occasion of his retirement. Dr. William F. May, Founding Director of the Maguire Center; Cary M. Maguire; Cox School Dean Albert Niemi; Cox Professor Bob Rasberry; and others offered remarks. Dr. Mason then reminisced about his almost 50-year career in ethics and information technology. Over one hundred persons were in attendance.

CO-SPONSORED EVENTS

End-of-Life Care: A Clinician's Journey

Timothy Quill, M.D. spoke on February 13, 2007 on "Medical and Legal Challenges to End-of-Life Care: A Clinician's Journey." In this lecture, he explored issues of medical decision-making, the physician-patient relationship, medical communication, and palliative care. Dr. Quill is a nationally-recognized expert who currently heads the Strong Health Palliative Care Program at the University of Rochester Medical Center.

Dallas Institute of Humanities and Culture Lecture Series

The Dallas Institute of Humanities and Culture presented a lecture and discussion series entitled "Youth and Age: Sources of Wisdom" which focused on youth, age, and wisdom in literature; the ethics of marketing youthfulness; and the future of aging in American culture. These lectures occurred in three consecutive weekly sessions in March 2007 and were co-sponsored by the Center and The Dallas Institute of Humanities and Culture.

TOPLab Seminar

The Maguire Center donated 25 scholarships to Perkins Youth School of Theology students to attend a three-day seminar with the Theatre of the Oppressed Laboratory (TOPLab). The seminar/workshop offered students the possibility of using interactive theatre as a tool for analyzing and exploring solutions to problems of oppression and power that arise in the workplace, school, and community. The experience ended with a performance on the seminar's last evening, April 14, 2007.

Regional Bioethics

The Maguire Center for Ethics co-sponsored the spring semi-annual meeting of the North Texas Bioethics Network. The dinner meeting was held May 23, 2007 at the Omni Hotel.

The Summit on Sports

"Bringing Leadership and Ethics Back to the World of Sports" was the topic of a two-day conference sponsored by the Maguire Center and De La Porte Global Impact. This event brought together the best and brightest minds in the world of sports with a group of thoughtful, committed citizens, who love sports, cherish values, act with integrity, and are confident that their leadership can make a difference. The conference was held at the Collins Executive Education Center at SMU on May 23-24, 2007.

MAGUIRE & IRBY FAMILY PUBLIC SERVICE INTERNS

Our interns gain practical experience struggling with social problems well beyond their capacity to solve in total, but within their capacity to contribute productively. This year's interns are:

Chris Bhatti worked with the Hockaday Science in the Community program in developing a strategic plan for it, as well as developing a website that can provide 24-hour access to math and science lessons for DISD students. The model he created will be replicable nationwide through high schools and colleges in providing low-performing public-school students with quality supplementary science and math instruction. Chris is a second year MBA student at the Cox School of Business.

Aaron Clinger worked at Mosaic Family Services, a non-profit organization that provides services to at-risk and underserved groups in the Dallas-Fort Worth area. He worked in their Multicultural Legal Services office providing legal assistance by writing briefs and assisting attorneys with immigration and family law cases. Aaron is in his third year at the Dedman School of Law.

Madison Dyal worked at Heart House Austin, which provides after-school and summer care for low-income families and at-risk children. She constructed a strategic marketing plan including events, partnerships with local businesses, and development to increase awareness and involvement from the Austin community. Madison is a junior majoring in business and minoring in advertising and art history.

Cynthia Halatyn worked with the Texas Coalition to Abolish the Death Penalty (TCADP) in Austin conducting research. Her study focused on the costs associated with the death penalty in Harris County versus the cost of incarceration for life. Cynthia is a senior majoring in political science.

John Hasley volunteered with the Equal Justice Center's Transnational Worker Rights Clinic in Austin as an advocate, working directly with workers to recover unpaid wages. He applied low-wage employment laws to protect migrant workers and would assist with intake, managing cases, filing litigation, negotiation, and settlement. John is in his third year at the Dedman School of Law.

Sommer Saadi worked in Richardson at HUG Internationally. This organization provides physical and emotional nurturing, medical and educational training, and humanitarian aid to needy children globally. Sommer focused her efforts on fundraising and marketing for HUG. She hoped to develop an interactive website that updates donors with information about the "Bunici Program," which hires Romanian grandmothers to help care for children in orphanages. Sommer is a junior majoring in History and Journalism.

Angad Talwar worked in New Delhi, India, with Shikha Pathshala, an organization that provides elementary education to underprivileged children. There he taught English, math, drawing, painting, and creative writing. He also supervised efforts to make the children computer literate. Angad is a junior Electrical Engineering and Physics major.

NEW MAGUIRE TEACHING FELLOW



Jeffrey Kahn

Jeffrey Kahn, Assistant Professor of Law at the SMU Dedman School of Law, is the 2007-2008 Maguire Teaching Fellow. Professor Kahn added an ethical focus to his existing course *Perspectives on Counterterrorism* to add issues "of special interest" to future lawyers: the professional ethical dilemmas confronted by individual attorneys who are either called upon to formulate government policies or to oppose them for their clients.

DESIGN TEAM

The Design Team is a student-run organization that encourages all students to think about the ethical implications of their actions before making a decision. They choose topics they believe are relevant to SMU students and then design a presentation that is customized to meet the needs of the particular class or group to whom they are presenting. This year, the Design Team project focused on sexuality. Their goal was to educate the SMU community on the changing perception of sex in our culture and to create discourse among students about the ethical implications surrounding sex-related decisions they make.

As part of their research, the Design Team first conducted personal interviews of students from various academic and cultural backgrounds to get an overview of the current attitudes towards sex among students on campus. The team also interviewed a number of professors and other experts. On March 8, 2007, the Design Team presented a conference entitled *Sex, Drugs and Rock 'n Roll* in the commons of Hughes-Trigg in which a panel of experts and students debating sexual ethics. The panel included faculty members Cathey Soutter, counseling psychologist, SMU Memorial Health Center; and Professor Carolyn Smith-Morris who specializes in medical anthropology. Also on the panel were students who represented liberal and conservative views. Students in the audience were also given opportunities to ask questions. The conference was a great success in that it stimulated a great deal of dialogue across campus as reflected in numerous articles and opinion letters published in *The Daily Campus*.

The 2006-2007 Design Team consisted of Roxanne Dass, Chelsea Hilliard, Clayr Simmacher and John Hunninghake.



Cathy Soutter, psychologist

DALLAS BUSINESSES RECOGNIZED FOR ETHICS

The Dallas Chapter of the Society of Financial Service Professionals held its Sixth Annual Greater Dallas Business Ethics Award Luncheon on May 1, 2007. The award recognizes companies in the Metroplex with a strong and proven commitment to ethical business practices in their everyday operations, management philosophies and in response to crises or challenge.

Awards were presented to the following: Fluor Corp. and ReGENERATION Partners Inc. Previous Dallas award winners EDS, Trammell Crow Company, The Staubach Company, and TDIndustries have been selected for the prestigious American Business Ethics Award.

The Greater Dallas Business Ethics Awards are presented by The Dallas Chapter of the Society of Financial Services Professionals, the Financial Planning Association of Dallas/Fort Worth, the Edwin L. Cox School of Business, the North Texas Ethics and Character Association, and the Maguire Center for Ethics.

DID YOU KNOW?

- **Tom Mayo's** web site, www.healthlawblog.blogspot.com, was chosen by the Library of Congress for inclusion of historic collections of Internet materials related to Legal Blogs.

- Maguire Center former director **William F. May** was appointed the Maguire Chair in Ethics and American History at the Library of Congress. He began his post in Fall 2007.

- The title for the Fall 2007 annual conference was *The Future of the Past: Ethical Implications of Collecting Antiquities in the 21st Century*. This 2-day conference featured speakers from all over the country and will result in a published book.

FROM THE DIRECTOR, *continued from page 2*

response to these dilemmas. Not only are the answers difficult to come by (if there are any "answers" at all), but it is sometimes difficult to see exactly what the ethical issues are, let alone how competing values ought to be weighed and reconciled.

Ultimately, this is what ethics discussion and instruction have to offer: not the promise that students and their teachers will become better persons through moral uplift, but the possibility that they will be better leaders and citizens. Equipped with the "corrective lens" of ethics (another Bill May phrase), they will have a better chance of recognizing an ethical quandary when they see one and knowing what to do with it when they do.

