What every decision maker would like to have is a quick four- or five-step procedure for arriving at the right decision. However, when facing an ethical dilemma, this is not so easy. There is no algorithm or computer program for generating the correct decision. Nor is there any guarantee that the decisions you make would be the same ones you would want to make again after the dust has settled and the issues are fully resolved one way or the other. However, what we propose is a road map that will help you uncover the various pitfalls, twists, and turns in the road and what might be lurking in the shadows. Each time a decision is made and the decision maker reflects on the processes involved and the resulting outcome, his or her cognitive reasoning will be strengthened, leading to more diligence and self-awareness in decision-making.

For example, the code of ethics put out by the American Counselling Association cautions its members to carefully consider their decision-making process when encountering an ethical dilemma (Corey et al. 2015). This self-awareness of the process in arriving at a decision is the first step in slowing down, recognizing the intentionality of the process through deliberation, consultation, and consideration.
of the options involved (Barnett and Johnson 2014). In addition, it is important to realize that this process is not a linear process that follows a clearly defined algorithm with certain outcomes but rather a process that embodies both cognitive (defined ways of knowing) and emotional (motivations and biases) responses that determine your choice. Thus, it is important to be cognizant of these cognitive and emotional responses to the issue at hand.

The cognitive responses can be culled based on the theoretical frameworks presented in Chapter 3, and it is best that you use one or more frameworks to test your decision-making process. How you resolve the issue might vary (or not) depending on the framework you use. For example, using the Virtue and the Utilitarian frameworks may or may not lead you to the same response in your decision-making. Nevertheless, it will give you the opportunity to consider how the issue might be framed in different ways and give you time to consider what would work best in your particular case and for your specific organization.

Consider this light-hearted but enlightening example, offered in the column The Ethicist appearing in the New York Times column (NYT 2017), titled Can My Cat Go Out if He Bullies Other Cats?

Playing outside is my cat’s greatest joy. During the long Maine winters, he stares wistfully out the window. The moment the snow melts, he’s outside climbing trees and running laps. The whole street knows my cat, Jasper, by name. Children play with him; he follows the mailman door to door; one neighbor even took photos of him, framed them and gave them to me.

Jasper loves people and dogs but loathes cats. Almost daily, I’ll hear the wailings of another cat, and I know Jasper is at fault. He doesn’t outright fight them, but he corners them, intimidates them and chases them, often until the other cat screams, bolts and goes into her own home. Some cat-owning neighbors say: “I love Jasper, he’s so friendly! But he does torture my cat.” Others just say, “He tortures my cat.” Keeping Jasper inside would lessen Jasper’s quality of life, and arguably those who love him would be sad. But I know he’s bullying a handful of cats. What’s the ethical thing to do?
Philosophy and law professor Kwame Anthony Appiah responded to this problem by using the rights-based and Utilitarian approaches in reasoning a solution. If you use the rights-based approach, assuming that you allow for animals to have rights, the questions to be answered are: Do Jasper’s outings intrude on the rights of security and freedom for other cats in the neighborhood? Are the neighborhood cats entitled to enjoy the outdoors without being bullied? Are other cat owners’ rights, to have their cats enjoy the outdoors, being trampled on? Thus, using the rights-based approach you might favor keeping Jasper indoors, as the ethical solution.

On the other hand, if you use the Utilitarian Approach, the questions that are relevant are: Given that male cats are disposed to being belligerent with one another, and the resulting behavior is more a case of Jasper’s “hiss is worse than his bite,” so it is relatively minor annoyance. Keeping Jasper indoors would not only deprive Jasper of his pleasure but also deprive the pleasure he gives non-cat-owning neighbors, children, and even the mailman. Thus, on balance, you might favor keeping letting Jasper outdoors as the ethical solution.

Using two different approaches leads to two different solutions, both of which can be argued to be ethical solutions to the cat problem. This illustrates how we can use different theoretical frameworks to arrive at more than one ethical solution. The question, having arrived at these solutions, is which one to choose.

The road map offered is not to make the choice for the reader but to lay out the various turns and twists in the roads, show the entire landscape that is involved in decision-making, and let the reader choose the path to be taken. Such a road map allows the decision maker to reflect on the roads not taken and articulate for themselves whether and why a specific theoretical framework is most appropriate for assessing the case at hand. The specificity and amount of information available in a given situation will often influence the way in which different frameworks are or are not applied to aid the decision-making process. In the case above, there is limited information to undertake a Utilitarian Approach, such as how many children and neighbors enjoy Jasper as versus how many cats remain indoors (a handful?). And in using the rights-based approach, you may consider whether it is acceptable to give similar
rights to animals as you would to humans. Some would argue that cats, in this instance, do not have such rights because it is not possible to hold cats to be morally responsible for their actions, as hissing is not something that a cat can evaluate as good or bad.

This way of thinking, of considering different ways of framing an ethical solution, can sharpen the thinking process, slow down the decision being made, and allow the decision maker to ponder not only the two distinct outcomes per se but also the framing of the approaches that lead to the distinct outcomes. You may wonder: Why is it necessary to do this? It is necessary to do it because it affords the decision maker multiple dimensions by which to consider the ethical dilemma and because it allows for a more thoughtful presentation of the solution chosen. It is important that the decision maker is not seen shooting from the hip, using the first solution that comes to mind, which is often triggered emotionally. Such a person does not come across as an ethical leader (even if the solution chosen is identical upon reflection). Followers expect their leaders’ ethical decision-making to be a thoughtful process involving careful consideration of the possible consequences of the decision for organizations’ multiple stakeholders, not an impulsive or split-second decision.

In the section that follows, we outline a concise road map to guide you through a systematic decision-making process. The road map has twelve steps, designed to get you thinking critically about the various questions and considerations that arise when faced with an ethical dilemma in the nonprofit context. The steps are not an exhaustive list of possible questions or considerations, nor will every single step be applicable to every given situation. You may find, for example, that you can skip over or work through some of the steps rather quickly, while others you will need to ponder more closely and thoroughly. The road map may act as a more formal outline for you as you work through ethical dilemmas that arise in your work, or it may simply serve as a quick reference. Regardless of how you choose to use it, we think the road map will be a useful tool for organizing your thoughts about a difficult situation and especially for keeping track of and accounting for the various interests and viewpoints of key stakeholders—a critical aspect of nonprofit management.
After introducing and elaborating on the steps in the road map, we will provide an example and show how we use the road map to work through the ethical dilemma involved in the case. We do this not to illustrate the “correct” or ideal application of the road map, but rather to demonstrate one possible way of utilizing it as a tool and resource. Much like ethical decision-making, you will find that the road map offers quite a bit of flexibility. This feature is deliberate because ethical dilemmas are context specific. Therefore, our road map must be not only specific enough to capture the unique challenges of nonprofit managers and practitioners but also flexible enough to be useful in a variety of organizations, by a number of different stakeholders, and in the face of a wide range of complex dilemmas. We hope it will be useful to you as students of and practitioners in the nonprofit sector.

Ready? Let’s explore our road map for ethical decision-making.

The Road Map

1. **Identify the problem at hand.**
   - Define clearly the issue involved.
   - Gather all relevant information about the problem.
   - Is there missing information? Is it available?

It is important before making any decision to collect all relevant materials and information pertaining to the problem at hand. Information gathering should suffice for the needs of problem solving, but it is often difficult to get all the possible information. How do you know when to stop searching for information related to the problem at hand? If you are intent on gathering every last piece of data, you might find that it will far exceed the time needed to act in an appropriate time frame, and before you know it, the problem will be addressed by the action of inaction! Thus, given the time to act will determine the time you have to collect information. Depending on the issue and what is at stake, you will have to trade-off collecting more information and make a decision on the information you have. At the end of the day, your decision will certainly reflect the information you have based it on, and there is no
point second guessing what your decision would have been if you had access to more information.

2. **Identify all affected stakeholders both in the short term and over the long term.**

   - Among affected stakeholders, are some more important? Why?
   - Are there cultural factors to consider?

In identifying stakeholders, especially in the case of nonprofits, it is important to remember not only those directly involved but also those involved indirectly. If donors and board members are involved, any ethical issue that impacts the funding downstream may inflict harm on the clients of the nonprofit. This must be considered, especially when using the Utilitarian framework. While it is best to identify all stakeholders including those directly and those indirectly affected, it may be the case that some are given additional weight than others. However, this weighting needs to be justified. Should you weight the impact of your decision on the million-dollar donor more than the impact on the volunteer, who only gives his or her time? Whether you do or do not, this type of thinking will enable you to understand your choice of action and its impact on the nonprofit. In essence, it is a good practice to evaluate the rights, responsibilities, and welfare of all those affected by the problem at hand. It is also important to take into consideration socioeconomic factors as well as race and religion where appropriate.

3. **Is this an ethical dilemma?**

An ethical dilemma occurs when a decision needs to be made on the best course of action when there are several different courses of action to choose from. It is an ethical dilemma when all the courses of action (or inaction) give rise to unsatisfactory outcomes to a problem that has no clear solution. In other words, regardless of the solution undertaken, some ethical principle is violated, and as such there is no perfect solution. Given there is no perfect solution, or else a dilemma would not be present, makes it even more important in understanding the principles behind the choice of the action. Should you use the rights-based
approach or the justice approach? It may be useful to try several theoretical approaches, and sometimes more than one will give you the same course of action as the right thing to do.

4. **Does the problem have legal ramifications?**
   - How, if at all, does the law apply to the problem?
   - Do you know the relevant laws and regulations?

Generally, ethical problems have some legal issues associated with them, in which case it is useful to be knowledgeable about the current federal, state, and local laws that may be applicable to the case at hand. Because many laws and regulations are not cut and dry but exist in gray areas where ethical issues are blurred, knowledge of the legal background is a helpful starting point but not the end point of ethical decision-making (Welfel 2015).

5. **Consult with stakeholders to identify issues that are salient to them.**
   - Bear in mind that different stakeholders have different rights and obligations to the organization.

Sometimes, due to issues of confidentiality, it is not possible to consult all the stakeholders involved. But when possible, stakeholders impacted by the ethical issue may provide invaluable information as to how the issue affects them. In evaluating the course of action, particularly in the Common Good Approach or the Justice Approach and even in the Utilitarian Approach, such information is invaluable. Also, all stakeholders of the nonprofit are not equal, in the sense of both their rights and obligations to the organization and their investment in the organization. Because of this variation, they may perceive the nonprofit organization differently. This diverse set of viewpoints will help in the choice of the decision framework as well as the final decision.

6. **Does your organization’s code of ethics give you guidance?**
   - Identify the relevant parts and note how they will influence your decision.
A helpful guide to decision-making when faced with an ethical dilemma is the organization’s code of ethics, as we have seen in the previous chapter. This document complements the laws of the land but also delves further into the gray areas that the law does not address. In this case, such a code will prove to be immensely useful to the decision maker. It is a set of rules that guide the organization’s ethical conduct, and often the ethical problem can be resolved using the code of ethics. However, these codes of ethics are not designed to cover all eventualities. Ethical dilemmas arise because of varieties and specificities of the nonprofit, the individual stakeholders, and multiple bottom lines. While in some cases the code of ethics is a starting and ending point, in the most intractable ethical dilemmas, it is a compass that points in the direction toward possible actions to be undertaken for the decision maker in charge.

7. **What are the risks posed to the organization?**

- Are there financial risks involved? If so, what are they, and who bears the costs?
- Are there risks to the organization’s image and reputation?

In choosing a course of action, the decision maker should identify all potential risks that the nonprofit can face. These risks can be financial and non-financial. The latter may include bad publicity for the nonprofit, or a loss of morale among its employees or the loss of public trust in the organization. Financial risks could include a loss of grants or contracts as well the loss of donors and volunteers. All of these risks can bring into question the survivability of the nonprofit. The ethical course of action sometimes can expose the nonprofit to enormous risks, especially if the problem is of sufficient seriousness and results in corruption charges or other negative publicity that is newsworthy. The decision maker must carefully weigh the risks of not taking action just to avoid negative press. Sometimes coming forward truthfully about issues may garner future trust and good feelings toward nonprofits who act in ways to bury the truth for short-term survivability.
8. Consultations

- Consult trusted colleagues to get different viewpoints and identify missing factors.
- What, if any, are the precedents?

No matter how much information is collected, the decision maker has implicit biases that they are not even aware of and may come into play in their decision-making (Frazier et al. 2011) leading to biased decisions. Furthermore, the decision maker is subject to their emotions about the case perhaps because their personal feeling for the various stakeholders is involved (if they are known to the decision maker). It is important, notwithstanding confidentiality issues, to consult with trusted colleagues, including those who are likely to share your point of view and those who do not, to arrive at multiple perspectives of the ethical dilemma, perhaps uncovering missed factors or additional dimensions for evaluation. One way to learn the prevailing community standards is through consultation with peers in other organizations. This gives the decision maker confidence in having the necessary background to make better decisions.

Institutional memory can be very helpful to decision makers. It is possible that the person making the decision does not have a long history with the organization. Often ethical dilemmas that arise are not the first incidents of their kind to be dealt with by the nonprofit. It is useful to identify and approach individuals with longer-term affiliation and tenure at the organization to learn about the particularities of similar incidents in the past and any resulting precedents set previously. This information is valuable in assessing the norms of the organization and the impact of decisions to be made.

9. What are the options for acting?

Consider all options and identify feasible and actionable alternatives. Evaluate the alternative actions by applying more than one ethical
framework or by looking at them from different angles and through different lenses. We like the following set of questions, suggested by the Markkula Center for Applied Ethics at Santa Clara University (Velasquez et al. 2009), as a guide for getting started in thinking about possible framings for evaluating the different options:

- Which option will produce the most good and do the least harm? (The Utilitarian Approach)
- Which option best respects the rights of all who have a stake? (The Rights Approach)
- Which option treats people equally or proportionately? (The Justice Approach)
- Which option best serves the community as a whole, not just some members? (The Common Good Approach)
- Which option leads me to act as the sort of person I want to be? (The Virtue Approach)

10. **Brainstorming on alternative actions: Consider the ethical and legal implications of each action.**

Brainstorming on alternative solutions being considered as well as their ethical and legal implications can prove invaluable. Consulting with trusted colleagues and going through “what ifs” of each alternative solution can uncover hidden potholes and avoid misunderstandings in the communication and implementation of chosen actions. Consultation with colleagues can also buy the decision maker the support of colleagues, who feel invested in solving the ethical dilemmas.

This exercise can promote a culture of ethical decision-making throughout the organization, as others observe, listen to, and participate in the discourse of decision-making in the face of an ethical problem. It may even prove to be an excellent step in establishing regular trainings and discussions of the code of ethics of the organization.

Document all available information and processes undertaken as well as considerations made and discussed.
11. **Considering all these approaches, which option best addresses the situation?**

The solution to the problem is recognized to be the best available within the parameters of the information available, the precedents established in the organization, the existing legal framework, and the code of ethics of the organization.

If there are several alternative solutions and none of them are perfect, then you as the decision maker need to consider which alternative is the best possible solution? In other words, which is the solution that you can live with, professionally as well as personally?

Circumstances sometimes change during the time frame between identifying a dilemma and rendering a decision since many ethical problems are dynamic in nature: Problems generally involve people who can alter their behaviors; life situations may change for the stakeholders involved; and new information can become available that was previously inaccessible. Thus, the question is, how open to the possibility of change should you be? This needs to be thought out carefully. On the one hand, you need to be open to new information, especially if it arrives before the decision is made. But on the other hand, you do not wish to seem indecisive, which could cause more friction and uncertainty in an already difficult situation. Thus, you need to think through how best to handle new information and learn to identify when you have enough information to make an informed and defensible decision. Otherwise, you could end up deliberately for so long that your hands become tied.

Finally, after having weighed all options on way of framing the “best” identified alternative, you should ask yourself: If it were to be published in the local daily newspaper, would I be proud, or at least confident, to stand by my decision?

12. **Act and Reflect on the Outcome**

Once taken, it is best not to second guess your decision. Stick by it and remember your decision was made by carefully and thoughtfully weighing all alternative solutions with the information available at that time. Of course, hindsight has 20/20 vision and so it is of little use to ponder it in hindsight.
Although each ethical dilemma is unique, it provides the organization with a learning opportunity. As such, if confidentiality is not an issue, past decisions and the processes used to produce them could—and should—be used in staff trainings and to inform the development and implementation of codes of ethics.

**Working Through the Road Map: Case Example**

To illustrate how you might use the road map as a tool for evaluating alternatives and making decisions, we turn now to a case example. In this case, which was first developed by students in our nonprofit ethics course at the University of Pennsylvania, a wealthy CEO named Edwin Mitering has recently received a diagnosis of terminal cancer. After encountering 10-year-old Daisy Sellers, who has also been diagnosed with cancer and needs immediate help paying for treatments, Edwin tells Mathew Stevens, the executive director of Hand-in-Hand (a local nonprofit that helps children with cancer pay for their medical treatments), that he will make a significant donation with a pledge to donate half of his estate to Hand-in-Hand, if Daisy gets to bypass the waiting list. His gift would easily cover Daisy’s expenses and put Hand-in-Hand in a position to serve many more children in the future. Edwin gives Mathew only three days to respond. Mathew is left to consider whether the organization should bend its waiting list rules to accept a transformative donation.

The main dilemma in this case involves questions of donor priority and intent. To get the most out of this exercise, you should first read the case and consider the discussion questions provided. Next, take a look at the analysis of the case provided at the end of the chapter, which is an expanded version of the analysis provided by our students. You may find that you agree with some parts of the analysis and disagree with others. Or, you may have thought of something when reading the case that we do not cover in this analysis. This is to be expected, given that we all start from our own personal perspectives and experiences. The important thing to remember is that there is no “right” answer. The goal is to assist you in beginning to think through ethical dilemmas in a
systematic way and to demonstrate one possible application of the road map for ethical decision-making. It is our hope that you will then use what you learn in this chapter to work through the cases provided in Part II of this book on your own or with your classmates.

Case Example: Saving Daisy

Key Characters

- Edwin Mitering: 60-year-old CEO of FISCO recently diagnosed with terminal cancer
- Daisy Sellers: 10-year-old girl diagnosed with early-stage lung cancer
- Mathew Stevens: Executive Director, Hand-in-Hand
- Tiffany Young: Director of Development, Hand-in-Hand
- Jessica Low: Director of Public Relations, Hand-in-Hand
- Bob Bok: 7-year-old boy at the top of Hand-in-Hand’s current waiting list

Meet Daisy

“You have terminal cancer. You have less than one year to live.” The doctor’s words replay themselves in Edwin’s head as he leaves the room. He feels numb. Never could Edwin Mattering, the CEO of FISCO, have imagined that he would receive a diagnosis of terminal lymphoma during his yearly checkup. He had not experienced any of the classic symptoms—fever, weight loss, night sweats, or even fatigue. Coming in, he had felt as healthy as ever. He was a runner, ate carefully, and worked hard.

As Edwin leaves his oncologist’s consulting room, he is too overcome with emotion and slumps down in one of the chairs in the waiting room, stunned and speechless. Silently, he ponders his death sentence and reflects on his life and his work at FISCO. He enjoyed many successes and helped FISCO grow from a small, local business that his father founded into a leading national enterprise. However, that success
had come at some personal cost; he had always regretted spending less
time with his wife, put off having children until it was too late, and
devoted himself entirely to his business and his employees. He always
thought of himself as a kind person who is generous to his workers and
frequently gave back to his community. He easily responded to requests
for help, he sponsored local events, and he wrote out many checks
when asked of him. He also believed in God and had regularly donated
money to the church that he frequented.

In his grief and shock, Edwin thinks, “But is this all that my life has
been? What is the point of all my accomplishments?” Putting his face in
his hands, Edwin begins to do something very uncharacteristic of him-
self: he weeps uncontrollably.

“Here, Mister. Do you need a tissue?” a young voice asks, handing
him a wrinkled-up tissue. Without looking up and without a word, Ed-
in takes the tissue.

“Why are you crying?” the voice persists, tugging at his sleeve.

“Oh, it’s nothing,” Edwin lies, drying his eyes and trying to act
composed.

When he finally looks up, he sees the face of a young girl, about
10 years of age, seated in the chair next to him. To his surprise, she
looks oddly familiar, but he quickly shakes off the thought, and replies
“I was just thinking of something that made me sad. Are you here
alone? Where are your parents?”

The young girl points toward the reception desk. “My mom’s over
there talking to the doctors, probably about how to make me better,”
she replies.

Edwin stares blankly in that direction. He pauses for a moment and
then gently takes the young girl’s hand and says, “I hope you will be
better soon.”

At that very moment, a thin and pallid middle-aged woman begins
to sob as she walks over to the young girl. “Mommy…” the young girl
drops Edwin’s hand and runs to her mother, and utters, “Please don’t
cry, Mommy!” The woman clutches her little girl desperately and sits
down, next to Edwin. Slowly she becomes aware of Edwin’s presence,
whose eyes are riveted on this young girl and her mother.
Seeing his kind and somewhat inquiring gaze, the distraught woman begins to talk frantically without an introduction. She speaks fast and without pausing.

“I’ve been trying to hold it together, to build our lives up somehow, but I can’t find a job and now my little girl, my sweet angel,” she erupts in tears. “My perfect little girl is diagnosed with early-stage lung cancer. Not a cent to our names! What am I to do? Who’s going to help us now?” The woman breaks down and sobs again.

Edwin is speechless, quite unsure of how to respond to her grief. Barely audible, he manages to respond, “I’m very sorry. I hope things work out for you.” The mother nods at him and turns back to her daughter.

Edwin, for the moment, cannot think anything but his own impending death. He turns to the young girl and the mother, wanting to say something more, but cannot. He is tongue-tied and emotionally in turmoil. Self-consciously, he gets up and turns toward the elevator to leave. However, something in his gut makes him stop in his tracks. He walks back to the young girl and asks, “What is your name?” The girl replies, “Daisy Sellers.” Edwin makes a mental note of her name as he leaves.

Driving home, Edwin cannot help but think about Daisy, a sweet young girl who has been dealt the wrong cards in life. Tragic and heart-wrenching, without a doubt. But why, Edwin wonders, did she seem so familiar? Why couldn’t he get her out of his head, given his own diagnosis? He rationalizes the situation to himself and wonders if fate has sent him an opportunity to do something important. He feels overwhelmed with Daisy’s condition, and that distracts him from his own situation.

But suddenly, it hits him: It was Elise. Daisy reminded him of Elise, his only niece who died over fifteen years ago along with her mother in a car accident involving a drunk driver. Daisy looks somewhat like Elise, and though he has only spent a few minutes with her, Edwin realizes that many of Daisy’s mannerisms and her speech were strikingly similar to those of Elise, whom he always treated like his own daughter. All of his past regrets resurface…the hours he spent working…the milestones in Elise’s short life that he missed…not having spent time with Elise
or his sister when he had the opportunity to do so, because of work commitments.

Edwinpullshiscarovere to the side of the road and weeps. Poor Elise! And poor Daisy! Poor me! Edwin eventually regains his composure as a firm resolution washes over him: these last months of his life, he will do something worthwhile. He will do what it takes to save Daisy.

And, he already has an idea of how he might do it. But first, he needs to make a few phone calls and do some investigating.

**Hand-in-Hand Charities**

The next morning, Edwin rushes to his office and phones Mathew Stevens, the executive director of Hand-in-Hand charity. Hand-in-Hand’s mission is to “provide compassionate care for ill and underprivileged children by walking with them through their sickness, paying for their treatment, and supporting them in their recovery.” Edwin was first introduced to Hand-in-Hand by a family who attends his church. A while back, they told him about how their grandson had been helped by Hand-in-Hand. They passed out flyers on the work of Hand-in-Hand with a call for donations for children’s Christmas presents. Edwin, having read the flyer, responded to their call for help. For the past three years, Edwin, through his company, partnered with the charity to give Christmas presents to all the children assisted by Hand-in-Hand. He enjoyed his interactions with the organization and trusted and liked Mathew Stevens. Mathew might be just the right person who could help Edwin on his mission.

“Hello, this is Mathew Stevens at Hand-in-Hand Charities.”

“Mathew, this is Edwin Mattering from FISCO. We met at Christmas a few years ago. How are you doing?”

“Edwin!” Mathew replies, “Great to hear from you. How are you? FISCO’s contribution has made such a big difference to Hand-in-Hand. How can I help you?”

“Mathew, I’m going to get right to it,” Edwin eagerly replies. “I met a young girl the other day. She was just diagnosed with lung cancer, and
her family can’t afford for her to get proper treatment. I need to know if Hand-in-Hand can help her.”

“Well, Edwin, you know we would love to help,” Mathew replies, “and we would be delighted to help her. Could you give me some details!”

“Her name is Daisy, she is 10 years old and has just been diagnosed with lung cancer,” Edwin explains. “Her treatments are expensive and must start right away.”

Mathew pauses for a moment. “Edwin, let me explain what we do and how we go about doing it,” he begins, carefully. “Unfortunately, we usually can’t provide immediate help to those who come to us. Because of the large need and our limited financial resources, we have to keep a waiting list. Alas… there is always a waiting list for our services. And people have to meet certain criteria to be accepted, after which they are put on the waiting list. For example, we only take people with early diagnoses. I mean, when we started, we tried to triage between serious cases and less serious cases, but it got too complicated, and we just didn’t have the capacity to make those decisions. So, we now run everything on a first-come-first-served basis. No one is given preference over anyone else. It’s the only fair system.” He takes a breath. “So, you see, Edwin, even if Daisy meets all of our criteria, she will have to be added to our waiting list. I don’t mean to discourage you, but that’s our policy.”

There is a pause. Mathew hesitates, as if waiting for Edwin to speak. When he remains silent, Mathew begins to speak again. “Now, off the record, there is always the option of giving the money straight to Daisy’s family to help pay for the treatment. Edwin, do you understand what I’m saying?”

“Yes, I do,” Edwin says. “But I’m not sure about giving the money to Daisy’s family directly…” He trails off before continuing, “But back to this waiting list. How long is the current list, Mathew? Is there a chance Daisy could get added the list and reach the top quickly? And how much money is needed for each child anyways?”

“Well, you can find the waiting list right on our website,” Mathew says. “We keep it public so everyone can see it. We want to be held
accountable for our actions, and we think transparency is the best way to do it. I would estimate that the list currently has about 50 children. It seems to be growing every day. And, as far as costs go, we spend roughly $100,000 each year to care for one child. In a good year, we provide comprehensive services for about 40 children. I’d be happy to work with you to get Daisy on our waiting list as soon as possible…”

Edwin feels frustrated, but gives a curt thank you and hangs up the line.

The Dilemma

The next day in the office, Mathew receives an e-mail from Edwin that reads:

Mathew,

Thank you for speaking with me yesterday and explaining to me how Hand-in-Hand works. I checked your website and the criteria. While I really appreciate your offer to add Daisy, who by the way easily meets your criteria, to Hand-in-Hand’s waiting list, I must admit that I am not satisfied with your response for several reasons. Let me explain:

I wasn’t able to tell you this yesterday, but I was recently diagnosed with terminal Lymphoma. I would like to keep this personal information away from the public for now, so I’m telling you this in strict confidence. I have yet to tell my closest relations.

I met Daisy at my oncology office, and was moved by this meeting in a very meaningful way, for which I can offer no rational explanation. Only I know, I must act on her behalf.

In the short time that I have left, I am determined to see Daisy receive the treatment she needs. I have thought a lot about your off-the-record suggestion to give Daisy’s family the money directly. Unfortunately, I do not think this is a viable option. I found out from a personal investigation into the matter that her father has a history of gambling problems and misusing the family’s money. Giving the money directly to them will definitely not work in Daisy’s best interests. I also investigated about giving money directly to the hospital and clinics involved, and was turned away from doing so due to the time period involved (2-3 years) and its policies with insurance companies and billing procedures.
I likely will not live long enough to see the procedures come to an end, and therefore I want to be able to trust someone to do it on my behalf. So, this leaves me little choice but to turn to you. I want Daisy to be cared for in and out of the hospital, and given the information I have collected, I cannot be certain that she will be taken care of for the next 2-3 years if I were to just give the money straight to the family or even straight to the hospital. I trust Hand-in-Hand to connect Daisy to good doctors and to provide holistic, comprehensive care. Moreover, with the significant amount of money involved, I want it to go through a reputable local organization and believe that Hand-in-Hand will be the best organization to have my wishes fulfilled.

Mathew, I know am asking for a huge favor. You have the power to put Daisy at the top of your waiting list, and I am begging you to do so, and consider this as a dying man's request.

Maybe there are other organizations out there that would do what I am asking—or that don’t have a waiting list at all—but I wanted to give Hand-in-Hand the option first, because I trust you. I admire the work you do and have enjoyed our partnership during the three years. I want to help your organization, in addition to saving Daisy. Hence my very generous offer of two and half million dollars, under the condition, you ensure prompt treatment for Daisy.

I will give an immediate donation of $500,000 to Hand-in-Hand for which $200,000 must be designated irrevocably for Daisy's treatments, with any surplus going towards her education (I expect she will be out of school for a while and will need tutoring or other help). And in addition, I will alter my will and bequeath Hand-in-Hand half of my estate, which my accountant ensures me will be a gift worth over $2 million. I know you working with Hand-in-Hand Charities will be able to save many more lives with this gift.

Daisy's time is limited, and so is mine. I need a response in three days. If you can't grant my request, I will be moving to other alternatives.

Thank you for considering my request, Mathew. I look forward to hearing back from you soon.

Best Regards,
Edwin

Mathew sits motionless after reading the e-mail, overwhelmed with a flood of thoughts. Moving Daisy to the top of the list would be a huge compromise of the organization’s policies and would not be fair to the many other children who are also waiting for services. However,
Hand-in-Hand could take its mission to a new level with such a generous bequest. A $2 million gift would be tremendous! They would be able to help so many more children, and the additional $30,000 could immediately help at least three children already on the waiting list!

Mathew’s thoughts are disrupted when he hears a knock at the door. It’s Jessica, the Director of Public Relations. “Come in, please,” Mathew says.

“Mathew, I have great news!” Jessica cries. “Our local newspaper published a story on Bob Bok, the boy who is at the top of our waiting list. It has been receiving a great deal attention, and video of his interview on our website has been viewed over a hundred thousand times! Donations are starting to roll in, and I think we will be able to start him on his treatment very soon. This is such great PR victory for our Hand-in-Hand! We should take advantage of this momentum and get started immediately with a PR campaign for the next child on the waiting list!”

There is another knock at the door. Tiffany Young, the Director of Development for Hand-in-Hand, opens the door to his office and peers inside. “Mathew, I’m here to talk about our yearly fundraising goals. Do you have a minute?”

“Oh,” Mathew stutters. “I’m in the middle of talking to Jessica, but sure, please take a seat.”

Tiffany quickly enters. Looking overwrought, she begins hurriedly, “Mathew, we’re not going to meet our fundraising goal this fiscal year. We have only forty-five days left to go, and we’re behind where we were last year by this date by a difference of at least 20 percent. So even with a big push at the end of the year and the new donations rolling in for Bob,” she smiles encouragingly at Jessica—“I’d be surprised if we got to within 15 percent of last year’s donation. I’m concerned what this means for our operating budget for next year and I think we need to make some radical moves at this point.”

Tiffany and Jessica both see that Mathew’s eyes are distant. “Mathew, are you hearing what I’m saying?” Tiffany demands.

“Oh, um...um, yes, it really is serious, Tiffany, in more ways than you imagine,” Mathew stammers.

“Mathew, what is going on?” Jessica asks. “Has something come up?”
“Well… actually yes,” he responds. “Something just came up…. right before you both came in here.” Mathew proceeds to tell Jessica and Tiffany about his conversation with Edwin and shows them the e-mail.

“This is incredible!” Tiffany cries. “What an incredible offer. We have to accept! We must!”

“NO!” Jessica counters. “There’s no way we can alter our waiting list. You must be out of your mind! The list is public, and our reputation could be ruined if we put money ahead of our mission.”

“Well, clearly this situation warrants an exception,” Tiffany retorts. “If we secretly move Daisy to the top of the waiting list, no one will know.”

“But what about the children who’ve been waiting on the list? How is this fair to them?” Jessica counters. “And, let’s be clear about this: It would be impossible to keep this a secret. Our organization prides itself on transparency. Someone would find out.”

Turning to the executive director, Tiffany implores, “Look, Mathew. I know this is difficult. But accepting Edwin’s gift is better for the organization, right now and in the long run. We’ll be able save so many more lives if we accept Edwin’s gift. Not only does his immediate gift help with Daisy, but the excess of $300,000 after $20,000 going to helping Daisy, can help more than three children on the waiting list. So this not only helps us solve this year’s funding crisis but also could cover nearly half of our yearly budget when we take the additional two million-dollar bequest into account. Just think about the impact we could have with those resources. I’m sorry, but this is a no-brainer.”

“Mathew, you can’t be seriously considering this,” Jessica interjects. “This a potential PR nightmare, and it is completely unfair to the children already on the waiting list. Just because one kid happens to have gotten lucky and found a rich donor does not mean she should get special treatment. If we accept this money, it could be a disaster in more ways than one.”

Mathew finally speaks up. “You’re both right, and that’s my dilemma. I’m going to need some time to think about this.”

“Well, you better think quickly,” Tiffany says.

“I wonder why the donor gave you only three days to respond!” adds Jessica as they both turn to leave his office. “And, for that matter, why
can’t he just make a private bequest to the family directly, if he feels so strongly about it?” Tiffany shrugs at her as they both leave, shutting the door behind them.

Alone in his office, Mathew sits quietly at his desk, considering his next move.

Discussion Questions

1. What are the key ethical dilemmas in this case?
2. If you were the director of *Hand-in-Hand*, what would you do and why?
   
   (a) Does your decision vary under different ethical frameworks?
   (b) Which ethical framework would you use to justify your decision?
3. What ethical frameworks do Jessica and Tiffany use when making their case?
4. What if Daisy’s illness were more serious than other children ahead of her on the waiting list?
5. Would your decision change if Edwin’s gift were only $1 million? What if it was $10 million?
6. What if this case were not about money for cancer treatment but instead about organ donations, and Edwin wanted to donate money to ensure that the very next organ that became available and was a match for Daisy went to her instead of a child higher up on the list? Would your answer be different? Same? Why?

Case Analysis: Applying the Road Map to “Saving Daisy”

1. **Identify the problem at hand.**

In analyzing case examples, it can be helpful to start by framing the main problem(s) in the form of a question. In this case, the main question is:

   *Should Hand-in-Hand accept Edwin’s donation?*
2. **Identify all affected stakeholders, both in the short term and over the long term.**

Our students provided the following analysis of key stakeholders and their roles in this case:

- **Edwin:** As a potential donor, Edwin has a number of rights. The Donor Bill of Rights, as established by AFP, lists the following rights (among others): being informed of the organization’s mission, informed of how it intends to use donated resources, and assured that gifts will be used for their intended purposes. These are especially notable for this case. If Edwin gives a donation, *Hand-in-Hand* must respect these rights. Additionally, Edwin certainly feels some kind of moral responsibility to help Daisy beat cancer. However, some might question whether he has a responsibility not to ask *Hand-in-Hand* to alter its policies for his specific demands. This point is less commonly considered, though the ethics of it deserve further discussion.

- **Matt:** As the ED of *Hand-in-Hand* Ministries, Matt has a responsibility for the overall health and reputation of the organization. His decisions should be in the best interest of the organization, and he should be able to distinguish between short-term benefits and long-term sustainability. Furthermore, one could make a strong case that he has a responsibility to be an advocate for the children that *Hand-in-Hand* serves.

- **Jessica:** Jessica is in charge of PR at *Hand-in-Hand* and thus is responsible for the public image and brand of the organization. She should ensure that the nonprofit operates transparently and that stakeholders have a positive impression of the organization.

- **Tiffany:** As the Director of Development, Tiffany must secure the necessary resources for *Hand-in-Hand* to complete its mission. She has a responsibility to be aggressive, assertive, and creative in raising these funds.

- **Other characters:** Additional characters such as Daisy, Daisy’s mother, Bob, and other children on the waiting list do not figure prominently in the ethical dilemma (or at least the decision-making).
at hand. They, of course, have rights and responsibilities, though these are less central to the key issues of this case study.

3. **Is this an ethical dilemma? Identify the ethical dilemma(s) in the case.**

Our students identified the following ethical issues in their analysis:

- The most obvious ethical issue in the case is whether *Hand-in-Hand* should accept the donation and subsequent bequest from Edwin. To do so would not only require breaking their own rules about the waiting list but also potentially cause a public relations challenge. It seems unlikely that *Hand-in-Hand* would or could move Daisy to the top of the list without garnering any attention, and therefore, the public’s reaction to the donation and its stipulations are critical points for consideration. However, were *Hand-in-Hand* to accept the gift, they would significantly improve their current funding problems and ultimately position the organization to serve more children.

- Another less obvious ethical issue is Edwin’s request. Is it ethical for Edwin to put an organization into a position where it has to choose to alter regulations and negatively impact other clients just to accept a gift? Some might say that Edwin’s actions are completely ethical because he is being honest and giving *Hand-in-Hand* all the information they need to make a decision; after all, his potential gift is remarkably generous. Others would likely disagree. Nonetheless, Edwin’s actions are also worthy of ethical analysis.

4. **Does the problem have legal ramifications?**

In this case, the problem does not have any immediate legal ramifications.

5. **Identify relevant factual issues, conceptual issues, social constraints, and any additional information necessary for an accurate understanding of the case.**

Our students outlined the following information as pertinent to their decision-making in this case:
• It seems important to briefly discuss the method that Edwin chooses to save Daisy. Some might argue that it would be easy for him to give money straight to Daisy’s mother or the hospital. While these are possible solutions, the case study explains Edwin’s reasoning: less control over the money, less holistic care for Daisy, and more complicated relationships to juggle. It is not far-fetched that Edwin would hesitate to take this option. Furthermore, Edwin already has a relationship with Matt and Hand-in-Hand, so it is natural that he would first try and work with someone(s) he already knows and trusts. In the end, could Edwin just pay the family or the hospital directly? Of course. But the case lays out a realistic scenario for why this would not be preferable.

• Another point of interest is the matter of the public waiting list and the possible PR backlash. This creates a tricky scenario where the line between ethics and self-interest is blurred. For example, if Hand-in-Hand turns down the money, perhaps they do so because they think the public’s reaction to an altered waiting list would be negative and unforgiving. In this case, did Hand-in-Hand make a decision based on any ethical reasoning? Perhaps the ethics of the situation contributed, but ultimately, they made a choice based on self-interest rather than ethical reasoning.

6. Does your organization’s code of ethics give you guidance?

In this hypothetical example, no code of ethics is provided. However, when working through the case examples in this book, you may consider how various professional codes of ethics might factor into the main characters’ positions. What is the setting of the case? Is it a university, a hospital, a small community organization? How do characters’ professional backgrounds influence their professional ethics? These questions may be a useful way to read between the lines in assessing the case examples and extrapolate from the limited information provided.

7. What are the risks posed to the organization?
8. **Consult with trusted colleagues to get different viewpoints and identify missing factors. What, if any, are the precedents?**

For the cases in this volume, you should consult with your classmates when working through the cases. In this example, one clear precedent for the organization that impacts our assessment of the case is *Hand-in-Hand’s* policy about their wait list, which Edwin is asking them to compromise. Breaking this long-standing precedent could have serious consequences for *Hand-in-Hand* moving forward if it results in a breach of public and client trust. Thus, bad publicity and a loss of future donor and community support emerge as potential risks facing the organization in this example.

9. **What are the options for acting?**

In this example, our students proposed different options for acting based on a few of the ethical frameworks that were presented in Chapter 3. Their analysis reflects the perspectives of both Matt and Edwin as the two main characters in the case.

*Matt and Hand-in-Hand Charities*

- **Utilitarianism:** If Matt were simply seeking to bring the most happiness (or good) to the most people, the decision would likely be to accept Edwin’s donation. Daisy and her family, Edwin, *Hand-in-Hand*, and perhaps even those children and families on the waiting list all experience greater happiness through Edwin’s donation.
- **Veil of Ignorance:** This Rawlsian thought experiment would likely result in Matt turning down Edwin’s offer. Under the “veil,” one does not know what role in the story he/she would have. It is reasonable to assume that most people would *not* want *Hand-in-Hand* to take the money because it seems unfair to the children already on the waiting list. Some might argue that those children might actually be *better* off in the long run because of Edwin’s bequest, but the Veil of Ignorance is still more likely to result in a donation rejection.
- **Newspaper Test:** What decision would Matt be most comfortable seeing on the front page of the newspaper? Likely, it would be turning down the money. This decision seems fairer since others are not
able to “buy” their way to the top of the list. Furthermore, it might even bring positive PR to *Hand-in-Hand* which could result in a temporary increase in donations.

**Edwin**

- Libertarianism: From a Libertarian point of view, Edwin should be able to do whatever he wants with his money. He has laid out the facts clearly and not forced *Hand-in-Hand* or Matt to respond in a certain way. Libertarianism would deem his actions ethical and encourage them in the future.
- Categorical Imperative: For Edwin’s actions to meet Kant’s Categorical Imperative, they must be universal and must treat people as ends and not means. Would he want everyone in the world trying to buy preferential treatment? Probably not. Is everyone in the situation treated as an end? Daisy certainly is, but the rest of the children on the waiting list are treated more like means. Thus, Edwin’s actions fail the Categorical Imperative, and were he following this framework, he would not make this offer to *Hand-in-Hand*.

**Alternative Actions**

- The most notable alternative scenario would be to try and talk Edwin into adding Daisy to the waiting list while still giving money to *Hand-in-Hand*. Matt could tell him that the more money Edwin gives, the faster Daisy would be moved up the waiting list. Furthermore, Edwin likely knows other wealthy people, and this could be an opportunity for him to enlist them for additional support. Daisy would still have to wait for her treatment, but *Hand-in-Hand* gets the gift and Edwin helps facilitate a quick move up the waiting list with additional donations.
- There are many “hybrid” solutions that exist. One example would be to immediately add Daisy to the waiting list while at the same time helping Edwin set up direct payments to the hospital. *Hand-in-Hand* deals with hospital payments more than Edwin and could both navigate this system and provide care for Daisy between treatments. Edwin could provide some payment to *Hand-in-Hand* for
their coordination. Ideally, Edwin would also keep his bequest with Hand-in-Hand, knowing that when he died, the organization would continue to help Daisy to the best of its ability.

10. **Brainstorm on the alternative actions. Consider the pros and cons of each course of action, as well as any ethical and legal implications.**

Our students offered the following insights about the possible alternatives in this case:

- Because the most salient ethical situation is whether or not Hand-in-Hand should take the money, this discussion will center on this action rather than Edwin’s actions.
- The advantages of taking Edwin’s donation are quite clear: an immediate large donation for Hand-in-Hand, part of which will help with the budget shortfall, and a large bequest that will likely come within a year and provide a huge boost to the nonprofit’s operations and impact. However, this donation has significant disadvantages as well. If Hand-in-Hand covers up the donation, they forfeit their honesty and transparency and, in essence, deceive the public. If they publicize the donation and acknowledge that they altered the waiting list, there could be an outcry both from those on the waiting list and from the general public.
- If Hand-in-Hand does not take the gift, it keeps its reputation intact and honors the promise it made to the families already on the waiting list. However, its fundraising problems persist, and it cannot help as many children.

11. **Determine which option best addresses the situation.**

12. **Act and reflect on the outcome.**

Addressing the final steps of the road map, our students proposed a compromise between Edwin’s original wishes for his donation to Daisy and her family and Hand-in-Hand’s position, based on their own
policies and precedents. Their solution and rationale follow. Do you agree with their assessment? Why or why not? If not, would you opt for another alternative outlined above, or did you come up with a completely different solution?

• We would first attempt to negotiate some kind of hybrid model of agreement. The ideal situation is to accept some or all of Edwin’s money without totally compromising the waiting list regulations or risking bad publicity for the organization. In many ways, this agreement would be truly Utilitarian: Daisy gets treatment, and Edwin gets his wish; Hand-in-Hand is happy because it receives a donation but retains its good reputation; and those on the waiting list are not directly bypassed for treatment.

• However, if Edwin were to refuse to accept a compromise, we would choose not to take the money. We admit that this is a partially ethical and partially practical decision. Ethically, we have serious concerns with the action of “buying” preferential treatment for someone when regulations do not permit this. Neither Kantian nor Rawlsian ethical approaches support accepting Edwin’s donation. Though Utilitarianism and Libertarianism would support accepting the gift, we would reject these frameworks in this instance.

• Yet, we recognize our own hypocrisy: if the gift had no risk of bad publicity, if the waiting list were not public, and if the gift were even bigger, we would not necessarily make the same decision. We may give into Utilitarian thinking and see the greater good being served by the donation rather than any possible “mistreatment” of people. Nonetheless, in the current “Saving Daisy” case study, if an alternative compromise could not be reached, we would turn down Edwin’s money and feel confident in our decision for both ethical and practical reasons.

Note

1. Daniel Flynn, Amanda Lee, and Grace Zhang provided the inspiration and first draft for this case.
References


