Viewpoint on Ethical Reflection in Evaluation Practice in Multiactor Networks

Risto Huotari
University of Helsinki

**Background:** In the evaluation process, it is not only the organising of different views and action plans so as to reach the mutual understanding that advances evaluation utilization through argumentation. It is above all complicated to compose a framework that can ensure clear guidelines for ethical evaluation practice in specific contextual situations and in complex operational environment with conflicting role expectations.

**Purpose:** The aim of this article is to suggest guidelines for ethical reflection in evaluation practice in multiactor networks. For this purpose, we study the normative features of the use of language, illustrate the complexity of ethical decision-making, and discuss the importance of professional virtues in ethical reflection.

**Setting:** Not applicable.

**Subjects:** Not applicable.

**Research Design:** Not applicable.

**Data Collection and Analysis:** Desk review.

**Findings:** The results indicate that from speech acts it may be impossible either to logically derive moral duties or obligations to act, or to present idealising suppositions of such rules for dialogical situations as would ensure the production of universal norms for participants in a conversation. However, the argumentation process is fruitful expressly when the participants can set mutual understanding as a goal and commit to aspire to that goal—although it will be impossible to reach it perfectly in practice. The use of neither extensive principles nor reflection on several theories can ensure a clear view of the situation.

**Conclusions:** The ethics of evaluation is mostly concerned with balancing the conflicting principles and values. Therefore in ethical reflection, the focus should be on commitment to a certain reflective professional way of life in which the identification and acquirement of professional virtues have an important role.

**Keywords:** ethics; evaluation; professional virtues
Evaluation and evaluators have an important role in the choice of the public-policy instruments by which governmental authorities wield their power attempting to ensure support and to effect social change (e.g. Bemelmans-Videc & Vedung, 1998). The pressures around evaluations have increased because of their greater impact. The protocol and procedures of the evaluations have not, however, enough developed to meet these challenges. (Temmes, 2004) In the governmental evaluation markets the evaluators, are acting in complex operational environment, multiactor networks, where they have to meet conflicting or different preconceived notions about their roles (Laitinen, 2008) and to cooperate in order to reconcile the multiple points of view, traditions and interests; to resolve eventual conflicts in interactional context (Huotari, 2009).

In this article, the complex nature of evaluation practice in multiactor networks is the starting point of the sketching of guidelines for ethical reflection. For this purpose we firstly discuss the question whether the use of language has normative features through Searle’s and Habermas’ approaches. Then the complexity of ethical decision-making is illustrated through Newman and Brown’s model. Finally, the importance of professional virtues in ethical reflection is discussed.

Communication and Commitment

From an argumentative perspective, evaluation consists of different kinds of statements, which become matters of individual interpretation, collective argumentation and decision making in interactional contexts. The reasoning process in evaluation produces arguments that are communicated as text and speech for evaluation users. These arguments then become part of the social processes of discussion, dialogue and negotiations, which may lead to decisions and other kinds of effects (Valovirta, 2002).

According to Valovirta (2002) an evaluation utilization process comprises four phases (see Figure 1): first, people participate in an evaluation process and read the evaluation reports, the substance of which they interpret on their own. The presented arguments are re-evaluated, leading to new and transformed comprehensions, confirmation of existing beliefs, or they are refuted. In policy making and organizational action, these individual interpretations also become the subject of collective deliberation and decision making, where argumentation by persuasion, legitimization, criticism and defense play the central role. Finally, these interactions may result in decisions and actions, new shared understandings and a new level of legitimacy.
Communication is an essential element in the evaluation process. Therefore, from ethical perspective, the question of the illocutionary force of utterances is important: does the use of language itself have normative features. The study of the approaches of Searle and Habermas, however, indicate that from speech acts it is impossible either to logically derive value propositions, moral duties or obligations to act, or to present the idealizing suppositions of such rules for dialogical situations as would ensure the production of universal norms for participants in a conversation. The use of language itself has normative features only when the speaker at the same time commits to take the promise seriously (Huotari, 2003).

According to Searle (1969, 1979, 1999), certain rules affecting the use of language are such by nature that they constitute acts, i.e. facts that also appear in intentional behaviour. The starting point is that the speech act is a lingual act whose purpose is to accomplish an impact—when saying something, the speaker also does something (Huotari, 2003).

Searle (1969, 1979) emphasizes the situationality of speech acts in his theory (cf. Austin, 1962). Depending on the context, the speech act might have different communicative meanings defined by the agreements and rules prevailing in the institutional context in question. The meaning is established on the basis of the constitutive rule “X counts Y in context C”. Thus it constitutes an institutional fact, whose existence presupposes the existence of certain human institutions (Huotari, 2003). Searle (1969, 1979, 1999) has endeavoured to explain how the speech act of promising creates a moral obligation. The main idea can be crystallized into the following deductive argument:

1. The evaluator expresses the thought “I will follow the action plan.”
2. The evaluator promised to follow the action plan.
3. The evaluator set himself / herself a duty to follow the action plan.
4. The evaluator has a duty to follow the action plan.
5. The evaluator must follow the action plan.

According to Searle (1969, 1979, 1999), the speech act of promising presented in sentence (1) is an institutional fact pertaining to a certain institutional context, from which it is possible to logically derive an obligation to act, the value proposition (1). "...in making the utterance, the speaker commits himself to acting in such a way so that his future behaviour will come to match the prepositional content of the utterance" (Searle, 1999, 2008, p. 175).²

Could it be thought that the actor, when promising to follow the action plan, in fact creates a moral duty for herself / himself to do that? However, Mackie (1977) has argued that it is not possible to derive a moral duty in the way Searle proposes. The institutional facts are not ordinary facts. It is possible to derive a value proposition from sentence (1) only if the promise already contains the duty to follow the rule; the uttering of the promise constitutes an obligation only when the speaker at the same time commits to take the promise seriously. It is possible to speak about duties without making them one’s moral burden. The promise given earnestly is quite a different matter than the mention of a promise (Airaksinen, 1993; Huotari, 2003; Mackie, 1977).

It seems impossible to attempt to logically derive an obligation to act from speech acts. The above attempt, however, makes it clear that the concept of commitment should be an essential theme of ethical reflection in evaluation.

The emphasis of the speech act theory on the illocutionary force of utterances, i.e. on the notion that in saying something the speaker also does something, is regarded as fruitful by Habermas, too. His definition of illocutionary force follows from this view: illocutionary force consists of a speech act’s capacity to motivate the hearer to act on the premise that the commitment signalled by the speaker is seriously meant (Cooke, 1998).

In his theory Habermas (1981, 1983) attempts to reconstruct the universal competencies that are involved when social actors interact with the aim of achieving mutual understanding (‘Verständigung’). By applying his social theory it is possible to seek ways of creating consensus by so-called communicative action. The attempt to achieve mutual understanding in a discussion may help to define those moral norms which enable one to assume that the consequences and side-effects caused by the common observance of those rules for anyone’s private interests are, taking into account the effects of known alternative means of regulation, acceptable to all the persons concerned (Huotari, 2003).

Habermas presents certain idealising suppositions to guide this process of argumentation: openness to the public, inclusiveness, equal rights of participation, immunisation against external or inherent compulsion, and orientation of the participants towards reaching an understanding (i.e. the sincere expression of utterances). Furthermore, the statements uttered must be true, the speakers must believe in their own arguments, and any linguistically argued positions must have jointly accepted justification (Alexy, 1978; Habermas, 1983, 1998b).
However, it is stated that the mutual understanding achieved by communication can be local only (Lyotard, 1985). Also, there is good reason to ask whether the exact rules set to the nature of speech situations are not too idealistic and whether the universalism does not hide part of its own ideals: freedom, self-realisation, and creativity. Furthermore, it is not self-evident that the participants of communication will actually choose the orientation towards reaching understanding as their goal and refrain from using power (Huotari, 2003).

To what extent is it actually possible for an actor in his/her occupational role to use language communicatively, with the aim of achieving mutual understanding (communicative action), instead of being oriented towards the consequences (strategic action)? (Habermas, 1998a, 1998c) This is a very interesting question indeed, for it is reasonable to think that in the evaluation process the action of the professional is governed above all by professional goals. The action can be described here as the realisation of a plan that relies above all on the actor’s interpretation of the situation. Here the linguistic communication is subordinated to the prerequisites of purposive-rational action. The essential question here is to what extent the actors who are professionally committed to strategic action can also commit to the communicative use of language, in which “the participating actors must conduct themselves cooperatively and attempt to harmonise their plans with one another (within the horizon of a shared lifeworld) on the basis of common (or sufficiently overlapping) interpretations of the situation” (Habermas, 1998d, p. 299).

This criticism does not prevent one from thinking, however, that the argumentation process is fruitful expressly when the participants can set mutual understanding as a goal and commit to aspire to that goal—although it will be impossible to reach it perfectly in practice. Normatively it is possible to set inevitable but general conditions for such communicative everyday practice and discursive will-formation as might place the persons concerned in a situation in which they were able, on their own initiative and according to their own needs and views, to realize some concrete opportunities for a better and safer life (Habermas, 1985; Huotari, 2003).

Ethical Decision-Making and Virtues

In the evaluation process, it is not only the organising of different views and action plans so as to reach the mutual understanding that advances evaluation utilization through argumentation. It is above all complicated to compose a framework that can ensure clear guidelines for ethical evaluation practice in specific contextual situations and in complex operational environment with conflicting role expectations. In the governmental evaluation markets, the evaluators are acting in a complex operational environment where they have to take on various roles, including those of a consultant/administrator, a data collector/researcher, a reporter, a member of the evaluation profession, a member of the same professional network as the object of evaluation, and a member of society. The complexity of assuming these several roles and meeting their demands frequently creates conflicts for the evaluator and results in ethical dilemmas—situations involving choices between equally unsatisfactory alternatives. The practical morality of
evaluators has to do with making choices among conflicting values and principles (e.g., Huotari, 2009; Newman & Brown, 1996).

As Newman and Brown (1996) has depicted the standards and ethical codes are useful but will always be insufficient in themselves as guidelines for ethical practice when rules conflict and when specific contextual situations demand unique responses. They also maintain that ethical theories, categorized on the basis of five criteria, have their strengths and weaknesses (see Table 1).

### Table 1
Strengths and Weaknesses of Ethical Theories

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Strengths</th>
<th>Weaknesses</th>
</tr>
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<tbody>
<tr>
<td><strong>Consequences</strong></td>
<td>Facilitates calculating the outcomes and making comparisons</td>
<td>Difficult to assess effects on everyone affected</td>
</tr>
<tr>
<td></td>
<td>Focuses on outcomes</td>
<td>May result in restricting someone’s rights</td>
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<td></td>
<td>Congruent with traditional outcome-oriented evaluation</td>
<td>Difficult to define what is good and whose goods take the priority</td>
</tr>
<tr>
<td><strong>Duty</strong></td>
<td>Provides a clear picture of expectations</td>
<td>May overemphasise managerial perspectives</td>
</tr>
<tr>
<td></td>
<td>Takes contractual and professional relationships into consideration</td>
<td>May neglect the needs of the stakeholders</td>
</tr>
<tr>
<td><strong>Rights</strong></td>
<td>Provides minimal protection for individuals</td>
<td>May fail to consider social justice issues</td>
</tr>
<tr>
<td></td>
<td>Separates behavioural standards from the outcomes</td>
<td>Rights are not absolute and they may conflict</td>
</tr>
<tr>
<td><strong>Social justice</strong></td>
<td>Ensures that goods are allocated fairly</td>
<td>May emphasise entitlement at the expense of effort/creativity</td>
</tr>
<tr>
<td><strong>Ethics of care</strong></td>
<td>Takes specific contexts into account</td>
<td>May restrict some stakeholder rights</td>
</tr>
<tr>
<td></td>
<td>Examines effects on relationships</td>
<td>Changes the traditional role of the evaluator from a neutral observer to an advocate</td>
</tr>
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</table>

However, Newman and Brown’s own framework, with the emphasis of five principles, has its own weaknesses to take in account the multiple perspectives at the same time (Huotari, 2003). Newman and Brown (1996) recommend that ethical decision-making should involve the application of five principles—autonomy, nonmaleficence, beneficence, justice and fidelity—that “are broader than specific rules, and they provide helpful, although not absolute, guidance when rules conflict and when specific contextual situations demand unique responses” (Newman & Brown, 1996, p. 191).

- **Autonomy** includes the right to act freely, make free choices and think as one wish. The principle of autonomy is not just a right, but
also an obligation. As individual persons, we have the right to autonomy, but at the same time we have the obligation to respect the autonomous rights of the others (Newman & Brown, 1996).

- **Nonmaleficence** (doing no harm) is the duty not to incur evil or undue harm (Newman & Brown, 1996).
- **Justice**, being just means being fair, equitable and impartial. It means responding to, reacting to, and making decisions about people independent of their race, gender, socio-economic status or other inappropriate attributes. Being just also implies responding to people in a manner they deserve (Newman & Brown, 1996).
- **Fidelity** means being faithful. It implies keeping promises, being loyal and being honest. Veracity could be discussed as a separate principle, but Newman and Brown find it helpful to include it in the principle of fidelity (Newman & Brown, 1996).

These five principles play a key role in Newman and Brown’s (1996) flowchart (see Table 2), which is meant as a heuristic tool for ethical decision-making in program evaluation. The starting point is an **intuitive feeling of potential ethical conflict**, followed by an attempt to find out whether there is a specific rule that suits the situation. If necessary, one then conducts an analysis on the basis of **ethical principles and criteria** (theories), and reflects on the solution with respect to one’s **own set of values**.

### Table 2
The Decision-Making Flowchart

**Level 1: Intuitive sense of a potential ethical conflict**

Questions: Do I respond to my intuitive concerns? Do I have time for further analysis?

Decision 1: Stop or pursue concern analysis (move to level 2).

**Level 2: Rules**

Question: What rule, standard or code applies?

Decision 2: Does a rule, standard or code apply? If not, stop or go to Level 3.

Decision 3: If a rule, standard or code fits your situation, take action (Level 5) or move to level 3 for further analysis or stop.

**Level 3: Principles and theories**

Systematic examination of the relevance of each principle (autonomy, nonmaleficence, beneficence, justice, fidelity)
1. Questions you might ask yourself: *Autonomy:* Are anyone’s rights affected? Is the client attempting to restrict your right to collect appropriate information or to write the report you believe is appropriate? Do you respect the rights of the program participants to privacy? *Nonmaleficence:* What undue harm is likely to occur as a result of the decision and action? Is one’s reputation or job at risk? Will program staff be exposed to excessive stress because of the evaluation process? Will program participants be exposed to undue harm through violation of privacy or through program ineffectiveness if improvements are not made in the program? *Beneficence:* What good can come to clients and participants through evaluation? Is the maximum good being achieved? What good can be accomplished beyond the expectations of professional codes and rules? *Justice:* What issues are related to fairness and accuracy in this evaluation? Are multiple perspectives being gathered? *Fidelity:* What contractual arrangements have been made? Do you have unique obligations as an evaluator because of your role in the evaluation or within the evaluation context? Do the program participants expect you to be their advocate?

2. What is the relevance of each principle (autonomy, nonmaleficence, beneficence, justice, fidelity)? If principles conflict with each other in your evaluation context, how might they be balanced? Examination of the relevance of the criteria derived from ethical theory. How do the criteria (consequences, duty, rights, social justice and ethics of care) apply? (What are the possible consequences? Are there any special obligations or duties involved? How is your role perceived and how do these expectations match up with your own perception of your role? Are anyone’s rights affected? Are participants’ rights to privacy involved? Is social justice being served? Are you, for example, considering the needs and interests of the less powerful or less influential? What is unique about the context that may affect the consequences? How will a decision affect relationships among persons within this context?)

Decision 4: Stop, consider values (Level 4), or take action (Level 5)?

**Level 4: Personal values**

Questions: How do my personal values, visions and beliefs affect my thinking? What kind of a person do I want to be?

Decision 5: Stop or take action (Level 5)?

**Level 5. Action**

Questions: How much stress is involved? What are the risks to me? What are the risks to others? What do my colleagues think? What is my plan of action? How will the organization react to this plan? What cultural perspectives are important to consider? How did my action resolve the issue?

Decision 6: Stop or implement an action plan?

Decision 7: Has the plan worked or must I start again?

It needs to be noted, however, that the principles (autonomy, nonmaleficence, beneficence, justice, and fidelity) may conflict with each other. From whose point of view, then, are the actions more just, more beneficial, or more faithful? When should one give preference to professional autonomy over fidelity or beneficence? In what situations are the choices seriously affected by the evaluator’s own beliefs and values? The solutions offered by different moral theories may also lead to conflicting valuejudgements, which is a serious problem. However, the criteria can be differentially emphasized and the evaluator’s personal ethics play an important role in this process. When the different criteria applied to the situation do not conflict, it is possible to get a diversified view (Airaksinen, 1993; Huotari, 2003).
The different definitions and theories are useful in their own places and functions. By analysing matters from many viewpoints, without commitment to one single moral concept system, it is possible to try to avoid the problems of moral consideration: no one ethical framework is strong enough to resolve the issue alone (Airaksinen, 1993; Huotari, 2003).

The flowchart outlined by Newman and Brown (1996) is an explicitly heuristic tool—it does not give ready-made solutions but leaves room for personal ethics. Maybe this is the main advantage of the model: it helps us to understand that it is necessary to develop our personal ethical reflection. The model also helps us to realize that personal ethics is mostly concerned with balancing the conflicting principles and values. Newman and Brown (1996) think that making ethical choices is a cognitive process—even though it involves personal values—and can be enhanced through thinking, reading, discussion, and practice. They also think that being ethical is more than just making good ethical decisions regarding isolated incidents or situations:

Being an ethical evaluator is a professional way of life and, ultimately, a personal way of life. Like any way of life, it does not remove conflict and stress, and it does not provide a rulebook answer to all dilemmas. Rather, being ethical represents the perspective we take on the tasks we face, the process we use to confront issues, and the guides we use to make decisions (Newman & Brown, 1996, p. 192).

In this context, they also emphasize some professional virtues:

Being ethical also takes something we probably have not addressed enough in this book, and that is courage. That courage, on occasion, demands resistance; on other occasions it demands persistence; and on other occasions it may even demand assertiveness. While fostering courage, however, we have to avoid being self-righteous. Courage must be coupled with the humble acceptance that we will not always make the best decision or the best choice, but we will keep trying, and we trust our colleagues and clients will help us by providing constructive criticisms (Newman & Brown, 1996, p. 192).

What are the essential professional virtues of evaluator? This interesting theme can be studied by applying MacIntyre’s (1985) definition of virtue. According to MacIntyre, virtue is an acquired human quality such that possessing and using it enables one to reach such good things as have an inner relation to the practice and lacking it prevents one even from gaining any corresponding value.

Following MacIntyre’s theory for example the professional virtues of management consultants can be generated on three different level or contexts that are (1) a personal life story of a management consultant, (2) the practice of consulting, and (3) the moral inheritance and ethical discourse of the consultants’ professional society. In his analysis of Ursin (2007) found ten different professional virtues for management consultant: the identity of management consultant, independence, objectivity, disinterestedness, loyalty to the agreement with a client, competence-aware flexibility, helpfulness, process reticence, trustworthiness, and integrity with a client.

In order to outline particularly evaluator’s professional virtues it is possible to supplement this approach by a model (Laitinen, 2002, 2008; Virtanen & Laitinen, 2004) that outlines the ethical perspectives of which an evaluator is
morally responsible (see Figure 2). Using this framework, the activity of the evaluator can be examined balancing the value dimensions; the ideal is that the activity can be approved in terms of (a) scientific veracity, (b) methodological mastery and competence, (c) the integrity of the object of evaluation, and (d) social responsibility and usefulness of evaluation (Huotari 2009; Laitinen, 2008). From this perspective, we can ask, what are the professional virtues that make it possible to fulfill the challenges of the elementary value dimensions?

![Figure 4. A Framework for Ethical Reflection](image-url)
It must be, however noticed, that MacIntyre’s reasoning needs the support of a view that our social reality contains enough such extensive and significant ways of life and life plans as depend on acquired qualities, i.e. virtues, for their realization. This granted, life then consists of a number of social institutions and a number of virtues required for the effective functioning of those institutions (Airaksinen, 1993; Huotari, 2003).

Human beings are splendid and their life is good when they internally participate in social activities. It seems, however, that the problem of modern man precisely is that he/she doesn’t know his/her own goals but drifts from situation to situation, tossed by external forces and pressures. An essential question in virtue ethics is therefore: Does the meaning of human life provide us with any integrated whole from which virtues can be derived, or are there only specific tasks and relationships where people can shine (Airaksinen, 1993; Huotari, 2003)?

This raises many interesting questions concerning professional virtues: What is the vision that ought to guide and organize occupational activity? What sorts of acquired human qualities, or virtues, does the realisation of the goal require of the evaluator? To what extent can an evaluator base his/her action in his/her occupational role on motives that consist mainly of reputation, status, and money, rather than the goal itself, with an inner relationship between the means and the goal?

It seems that the identification and acquirement of professional virtues that make it possible to balance the essential value dimensions is an essential element in evaluator’s professional reflection. Furthermore, it is an interesting and important theme for further empirical research on the ethics of evaluation.

Conclusions

In this article, the complex nature of evaluation practice in multiactor networks is the starting point of the sketching of guidelines for ethical reflection. To this end, we have considered different approaches, which have their strong and weak points. Communication can be seen as an essential element in evaluation process. However, it seems that from speech acts it is impossible either to logically derive value propositions, moral duties or obligations to act, or to present idealizing suppositions of such rules for dialogical situations as would ensure the production of universal norms for participants in a conversation. Still, normatively it is possible to set inevitable but general conditions for such communicative everyday practice and discursive will-formation as might place the persons concerned in a situation in which they were able, on their own initiative and according to their own needs and views, to realize some concrete opportunities for a better and safer life (Habermas, 1985). Thus it seems, the argumentation process is fruitful expressly when the participants can set mutual understanding as a goal and commit to aspire to that goal—although it will be impossible to reach it perfectly in practice.

The use of neither extensive principles nor reflection on several theories can ensure a clear view of the situation. The ethics of evaluation is mostly concerned with balancing the conflicting principles and values. In order to face this challenge we need to commit ourselves to developing our skills in identifying, analyzing and solving the ethical problems and dilemmas. In this reflective, professional way of life—that neither
removes conflict and stress nor provides a rulebook answer to all dilemmas—we also need to commit ourselves to the identification and acquirement of professional virtues that make it possible to balance the essential value dimensions of evaluation.

Author Notes

1. Searle’s (1969) distinction between hard facts and institutional facts is based on the so-called theory of the philosophy of ordinary language inspired by Wittgenstein’s late philosophy. In this trend of analytical philosophy, the focus is on how people use language in their daily life and on what kinds of criteria they base their use.

2. According to Searle (1969, 1979) each type of illocution has an illocutionary point, a point or purpose which is internal to its being an act of that type: for example, the point of promises is to commit the speaker to doing something. “By saying that the illocutionary point is internal to the type of illocutionary act, we mean simply that a successful performance of an act of that type necessarily achieves that purpose and it achieves it in virtue of being an act of that type. It could not be a successful act of that type if it did not achieve that purpose. In real life a person may have all sorts of other purposes and aims; e.g. in making a promise, he may want to reassure his hearer, keep the conversation going, or try to appear clever, and none of these is part of the essence of promising. But when he makes a promise he necessarily commits himself to doing something, because that is the illocutionary point of the illocutionary act of promising...The illocutionary point of a promise to do act A is to commit the speaker to doing A” (Searle & Vanderveken, 1985, p. 14).

3. Communicative action can be distinguished from strategic action in the following respect: the successful coordination of action does not rely on the purposive rationality of the respective individual’s plans of action but rather on the rationally motivating power of feats of reaching understanding, that is, on rationality that manifests itself in the conditions for a rationally motivated agreement (Habermas, 1998a).

References


Cambridge, MA: Cambridge University Press.


