Resolving a Moral Conflict Through Discourse

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ABSTRACT. Plato claimed that morality exits to control conflict. Business people increasingly are called upon to resolve moral conflicts between various stakeholders who maintain opposing ethical positions or principles. Attempts to resolve these moral conflicts within business discussions may be exacerbated if disputants have different communicative styles. To better understand the communication process involved in attempts to resolve a moral dilemma, we investigate the "discourse ethics" procedure of Jürgen Habermas. Habermas claims that an individual's level of moral reasoning parallels the type of communication which that individual typically uses in attempts to resolve conflict. Our research focuses upon the relationship between the *communicative style* used by participants attempting to resolve a particular moral dilemma involving workplace safety and the *level of moral reasoning* possessed by those participants. The results of our study suggest that, contrary to Habermas' views, participants with "higher" levels of moral reasoning do not use "discursive" communicative tactics more frequently than participants that possessed "lower" moral reasoning.

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Rossouw (1994, p. 11) states, "moral dissensus is a distinct feature of our times." Business decision makers increasingly are challenged to resolve tough moral dilemmas in business negotiations with various stakeholder constituencies who hold opposing moral beliefs and ethical standards (Rahim et al., 1992). The nature of conflict is perhaps obvious to all of us. Kenneth Thomas (1976, p. 891) articulates it as follows: ". . . conflict is the process which begins when one party perceives that the other has frustrated, or is about to frustrate some concern of his." Seemingly irreconcilable differences in opposing ethical positions can make mutually acceptable solutions to moral dilemmas an apparently impossible goal. These moral conflicts may also be exacerbated by differences in the communicative style used by each party in the dispute. For example, one disputant might utilize a communicative approach which includes strategic tactics such as intimidation, threats and the subordination of the opponent. An alternative approach could include communicative actions which encourage all affected parties to agree to arrive at a new position that takes into account the welfare of all those affected by the conflict.

Jürgen Habermas (1976) claimed that an individual's level of moral reasoning parallels the type of communication that individual typically uses in attempts to resolve conflict. If this is so, then a better understanding of how a person's level of moral reasoning may influence the communicative behaviors which he or she typically displays in conflict resolution efforts could assist business leaders faced with the daunting task of facilitating the resolution of tough moral conflicts in the workplace. The aim of our research is to increase understanding of how discussants

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in a business setting may differ in the communicative actions they use during an attempt to settle a moral conflict. In particular, we investigate the relationship between the *style of communication* used by participants involved in a discussion to resolve a moral dilemma and the *level of moral reasoning* possessed by those participants. We will begin by reviewing literature that introduces the theoretical grounding underlying the relation of moral reasoning to communication style. We then describe the research methodology designed to investigate the relationship of moral reasoning to communication style used during attempts to resolve moral conflict. Results of the research are offered next, followed by our conclusions. Finally, we discuss the implications of our findings for practitioners and offer suggestions for future research in this area.

Ethics and moral conflict

Since the time of the ancient Greeks, philosophers have theorized about ethics. However, despite centuries of debate, no one theory of ethics has won universal acceptance. Most attempts at defining ethics do tend to have in common some reference to the practical aspects of morality such as the "right and wrong" and/or "good and evil" inherent in human behavior. The roots of this view of ethics reaches back at least to Plato's dialogue "Protagoras." In a myth about the origin of morality it is suggested that Zeus sent morality to human beings because without it there was the danger that the conflicts between them would lead to the extermination of the human race. In the twentieth century, a similar view was worked out in more detail by the philosopher Ralph Barton Perry who wrote:

> Morality is man's endeavor to harmonize conflicting interests: to prevent conflict when it threatens, to remove conflict when it occurs, and to advance from the negative harmony of nonconflict to the positive harmony of cooperation. Morality is the solution of the problem created by conflict – conflict among the interests of the same or of different persons. (Perry 1954, p. 373)

When focusing upon business conflicts it seems fitting to adopt an approach which emphasizes the practical aspects of morality. One such account is provided by James Rest and his colleagues: "the function of morality is to provide basic guidelines for determining how conflicts in human interests are to be settled and for optimizing mutual benefit of people living together in groups" (Rest et al., 1986, p. 1). This definition follows philosopher Kurt Baier's proposition that a meaningful treatment of morality must focus on conflict resolution. Baier viewed ethics as a system of guidelines for conduct which is conductive to societal well-being (Baier, 1965). These accounts of morality make clear the importance of mutual benefit and societal well-being, and also place the resolution of human conflict as central to the discussion of ethics.[1] We agree that the most pragmatic definitions of morality stress the connection between ethics and general human well-being. Our conviction is that the study of conflict resolution is essential to the proper understanding of ethics. This viewpoint implies that definitions of ethics should include "basic guidelines" for moral reasoning and respect for the well-being of others as ideal characteristics of social processes that would facilitate a discursive resolution of conflict.

Moral reasoning and behavior

The concept of moral reasoning emanates from work done at the beginning of this century by the psychologist William McDougall (1908) who identified four stages of moral conduct which later became the crux of Jean Piaget's (1932) stages of moral judgment. Lawrence Kohlberg (1969) subsequently used the Piaget framework to articulate his own theory of moral development. (See Table I.) Kohlberg's six stages of moral development constitute a theory of cognitive moral development that assumes an individual's stage of moral judgment would be applied consistently in all decisions regarding issues with moral implications (Kohlberg, 1980). Although Kohlberg's basic structure is sound, other researchers have called for a broader perspective

TABLE I
Kohlberg's sequence of moral development

Level	Stage	Motivation for moral judgment
Preconventional	1	Obedience to authority in order to avoid punishment.
	2	Immediate, personal reward through individual or reciprocal effort while recognizing that others have their interests as well.
Conventional	3	Living up to group expectations for the sake of social recognition, concern for others and the "golden rule."
	4	Obedience to the law and fulfillment of duties for the sake of promoting order in the society for self respect.
Postconventional	5	Conscience driven free choice delivers upon a preconceived social contract to maximize social utility.
	6	Individual principles of conscience promote justice, equality and individual dignity.

that would allow for the influence of emotions and situational contexts when evaluating moral decisions (Berkowitz et al., 1987; Kurtines, 1987).

Still, Augusto Blasi (1979) found a positive relationship between a person's moral development under Kohlberg's classification system and that person's observed moral behavior. Also building upon Kohlberg's theory of moral development, the German social theorist Jürgen Habermas believed that a person's behavior can be influenced by that person's level of moral reasoning. Habermas (1976, 1990) asserted there is a parallel relation between stages of moral development and the communicative behaviors people exhibit in attempts to resolve conflict. Modifying the basic types of communicative behaviors discussed by Habermas, William Kurtines (1989) offered his own taxonomy of communicative actions to be used in research into the types of communicative behaviors that typically occur during conflicts centered upon a moral dilemma. Kurtines' operationalization is now briefly outlined.

Kurtines' operationalization of communicative actions

Kurtines noted that a basic assumption of Habermas' communication theory was that communication not only aims at understanding, it also presupposes a "background consensus" between communicating parties regarding the four validity claims of comprehensibility, honesty, truth, and rightness. (These four validity claims are described in detail by Habermas, 1976.) Conflict may arise, and background consensus may be threatened when a participant in a social interaction is challenged regarding the validity of his(her) statements. Drawing upon the Habermas conceptualization of consensual speech, Kurtines' developed a taxonomy of definitions of communicative actions that typically occur during social interactions revolving around the discussion of a moral dilemma. (See Table II.) Kurtines grouped his definitions of communicative actions into three categories corresponding with what he viewed as three general contexts of background consensus for social interactions: (1) interactions conducted *with* background consensus, (2) interactions conducted *without* background consensus, and (3) interactions where participant(s) attempt to *create a new consensus.*

TABLE II
Kurtines' taxonomy of communicative actions

No Significant Discussion (NSD)
A speech act that contains no significant discussion of facts or principles related to the particular moral dilemma at hand.

ORDINARY COMMUNICATIVE ACTION

Ordinary Communicative Action 1 (OCA-1):
A speech act aimed at rendering explicit the speaker's own understanding of "the *facts*" of the dilemma. A speech act which refers to specified factual details pertaining to the characters and/or the situation in the particular dilemma at hand.

Ordinary Communicative Action 2 (OCA-2):
A speech act aimed at rendering explicit the speaker's own understanding of "the *principles*" of the dilemma; an attempt to render explicit the principle(s) implicit in the speaker's position.

STRATEGIC GOAL-ORIENTED ACTION

Strategic Goal-oriented Action (SGA):
A strategic action whose purpose or aim is that of accomplishing an agreement from the listener through manipulation, intimidation, or deception in the absence of the listener's understanding that a lack of consensus exists.

DISCURSIVE COMMUNICATIVE ACTION

Reflective Communicative Action 1 (RCA-1):
An action aimed at rendering explicit the listener's understanding of "the *facts*" or situational aspects of the dilemma. The speaker "reflects" upon the listener's factual justification of position through constructive paraphrase or questioning. The speaker reflects upon a potential validity to the position of the listener.

Reflective Communicative Action 2 (RCA-2):
A speech act aimed at rendering explicit the underlying *principle(s)* of the listener's position. The speaker "reflects" upon the listener's principled justification of position through constructive paraphrase or questioning. The speaker reflects upon a potential validity to the position of the listener.

Integrative Communicative Action 1 (ICA-1):
A speech act aimed at establishing a new shared mutual understanding through the integration of previous *facts* for the construction of mutually acceptable *new facts*. Note that the actual attainment of an agreement is irrelevant to this rating.

Integrative Communicative Action 2 (ICA-2):
A speech act aimed at establishing a new shared mutual understanding through the integration of previous *principles* for the construction of mutually acceptable *new principles*. Note that the actual attainment of an agreement is irrelevant to this rating.

Ordinary communication

Kurtines describes *ordinary communicative action* (OCA) as communicative behaviors that occur primarily within a context of background consensus between a speaker and a listener on the four background validity issues. OCA is identified as a communicative action oriented towards achieving an interaction goal while maintaining a background consensus. OCA would include a speaker simply articulating his(her) own position on the moral dilemma being discussed. The speaker may also explain the reasoning or the "principles" behind his(her) stated position. The listener subsequently responds by articulating his(her) own position and/or principles. A

speaker can offer to compromise on his(her) original position in favor of the listener's position, or (s)he may ask the listener to compromise on his/her position in favor of the speaker. Any challenges to the background consensus between the speaker and listener over the validity of their statements could conceivably be resolved within this context of consensual speech. The rebuttal of the challenged party would be accepted by the challenger. However, if these ordinary communicative actions fail to maintain consensus, the challenged participant may choose to end the interaction and literally or metaphorically walk away from the communication. If participants choose to continue the interaction without consensus, Kurtines interprets Habermas to assert that the communicative actions of the participants in the interaction would probably shift to one of two alternative modes of communication: *strategic goal-oriented action* or *discursive communicative action.*

Strategic communication

With the loss of background consensus, a speaker may switch to *strategic goal-oriented action* (SGA), and attempt to gain the listener's agreement on interaction goals through use of intimidation, manipulation or deception, while placing little importance upon maintaining consensus on the four implicit validity assumptions. Thus, the speaker's actions are oriented primarily towards the achievement of a goal or outcome rather than towards achieving understanding. The interaction style becomes competitive, and the speaker aims to simply impose his/her will upon the listener through threat of sanction or prospect of gratification. Some philosophers have referred to this type of verbal behavior as "goading" as opposed to "guiding" (Falk, 1953).

Discursive communication

An alternative to these strategic actions is *discursive communicative action* (DCA), where the interaction participant does not focus primarily on simply winning the argument. Instead, the speaker will temporarily suspend his/her original position regarding the conflict, and attempt to find a new way of approaching the problem. By temporarily stepping away from their original positions, the speaker and listener may find a new position that is acceptable to both parties as well as to all those affected by that position. Interaction participants cooperate to make explicit the "reasons" behind their stated positions and principles in an effort to render validity challenges moot and look for new ways to (re)construct a genuine consensus. This process is the crux of Habermas' (1990, p. 203) discourse ethics. Examples to illustrate each of Kurtines' categories of communicative actions can be seen in Table III.

Association of communication style and moral reasoning

As mentioned previously, Habermas believes there is a strong association between the speaker's communicative actions and that speaker's level of moral development. He further claims that the degree of higher order discursive communication can serve to test of the validity of that individual's moral norms as well as to bring those norms to light. "The discursive procedure, in fact, reflects the very operations Kohlberg postulates for moral judgments at the postconventional level" (Habermas, 1990, p. 122).

An emphasis on consensus and working toward a just and lasting resolution of conflict is the focus of morality in views ranging from Plato to Baier. Discourse allows us to impartially ground our moral norms as well as to reconstruct "oughts" through a cognitive process with an emphasis on arriving at consensus (Rehg, 1994). Discourse at the highest (postconventional) level of communicative interaction, by definition, allows for a perspective that considers the welfare of people other than those directly affected by the decisions made during that discourse. One direct application of these views is to postulate that, during attempts to resolve a moral dilemma, those who have risen to the postconventional stage of moral development would be more inclined to move from their original positions

TABLE III
Sample communicative actions used by discussants

Ordinary Communicative Action 1 (Statement of position.)

I think the company should implement some sort of economically feasible way to gradually reduce the amount of lead in the workplace."

"If the employee doesn't want to continue to work in an environment (where they are exposed to lead), then that is the employee's choice and she is going to have to take a lower paying job if she wants to continue to work."

Ordinary Communicative Action 2 (Statement of principle.)

I believe that women have the right to choose whether or not to subject themselves to the dangers of the work place."

"I also believe strongly in the value of human life."

Strategic Goal-Oriented Action (Manipulation, intimidation, strategic tactics.)

So you say, just let them die?

"Is the woman truly free to not sign the waiver, or is this a veiled threat made by the company to forcefully move this person out of the unsafe area? What kind of company is this anyway?

Reflective Communicative Action 1 (Clarify another's position.)

Are you saying that women who are mandatory removed from a job deemed as unsafe will be moved to lower paying jobs?

Reflective Communicative Action 2 (Clarify another's principle.)

Do you think that the women have the right to make the free choice to decide whether or not to work under these conditions?

Integrative Communicative Action 1 (Introduce new position.)

OK, having women accept a lower paying job might not be fair. What if I were to say that women who request a safer environment could switch jobs and still keep their current pay?

Integrative Communicative Action 1 (Introduce new principle.)

Yes, your company has a right to operate within a free market system unencumbered by government or union interference. But, would you also consider that your company's freedom to operate as it pleases also carries with it a corresponding responsibility for the safety of it's employees while they are in the workplace?

and find new ways to resolve a moral dilemma. Thus, parties who possess a higher (postconventional) level of moral reasoning would be expected to utilize discursive communicative actions with an emphasis on arriving at consensus directed towards a lasting and just resolution. This gives rise to the following proposition:

P1: The *higher* the level of moral reasoning which characterizes the parties attempting to resolve a moral dilemma, the greater will be their use of *discursive* communicative actions during their discussions.

What logically follows from this proposition is that discussants with a lower (preconventional or conventional) level of moral reasoning would be relatively less inclined to utilize discursive communicative actions. According to Habermas (1990, p. 166) authority, self-interest and group norms dictate communicative interactions at lower levels of moral reasoning to the sacrifice of true discourse. The lower the level of moral reasoning which characterizes the parties attempting to resolve a moral dilemma, the more they will tend to use strategic communicative tactics such as power, force, intimidation, manipulation or deception. Those interested solely in

successful consequences with negligible consideration for the other party's point of view will typically be less inclined to move from their original positions to find new ways to resolve a moral dilemma, and will be *more* inclined to engage in strategic communicative actions (Habermas, 1990, p. 133). Thus, parties at a lower stage of moral reasoning (preconventional and conventional) would be expected to display relatively more strategic goal-oriented communicative actions with an emphasis on "winning." This gives rise to a second proposition:

P2: The *lower* the level of moral reasoning which characterizes the parties attempting to resolve a moral dilemma, the greater will be their use of *strategic* goal-oriented communicative actions during their discussions.

Research design and methodology

To test these propositions, we designed the following research program. Potential discussants were given a one-page synopsis of a moral conflict to be negotiated. (See Figure 1.) Each subject was then asked to make a binary choice after reflecting about the conflict. That choice was to designate themselves as either an advocate of the women's position or an advocate of the firm's position in this conflict. Next, each participant was asked to complete the three-scenario form of James Rest's Defining Issues Test (DIT), a paper and pencil instrument designed to assess the stage of moral reasoning possessed by the subject (Rest, 1979b). The DIT test has been extensively validated and has been used in over 1000 research studies in many countries. (Note that none of the participants had previously been exposed formally to either the concept of levels of moral judgment or to the Habermasian approach to communication.)

In line with Habermas' assumptions, higher moral reasoning was equated to the postconventional level of moral judgment. To be classified at the postconventional level the subjects in our study must have attained a modal stage score of either Stage 5 or Stage 6 on the DIT. In turn, lower moral reasoning was equated to the pre-

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Must manufacturers make industrial work places where lead is used safe for women of childbearing age?

Lead is a known cause of reproductive problems in exposed women workers. It can cause miscarriages and stillbirths as well as enter the blood of the fetus. Lead can also cause anemia as well as damage to the brain, nerves and kidneys of exposed workers.

The Equal Employment Opportunity Commission, though, warns that efforts to bar women from certain jobs could violate federal law. Unions, in turn, insist that women removed from hazardous jobs should not suffer loss of either pay or seniority. The United Auto Workers union has, in fact, filed grievances against a firm which bars women of childbearing capability from holding battery plant jobs that may expose them to lead in the air. The union claimed a violation of contract clauses on nondiscrimination.

Many working women feel that it is unnecessary to impose strict safeguards because they don't intend to have children or add to their existing family. Because of her company's work place policy one mother of four had herself sterilized in order to keep her job. Her alternative was to move to a safer, but lower paying job. A union official reacted, saying: "A worker should not have to choose between having a job and bearing a child."

With more than one million women of childbearing age employed at jobs that are potentially hazardous to the reproductive system, the issue poses an enormous and expensive challenge to business. If the Occupational Safety and Health Administration's proposed standards to lower lead in the workplace air to a safe level are implemented some firms may have to shut down operations.

At this time a number of companies say they cannot make decisions until the government does. One executive stated: "We feel as if we're caught between government agencies. If any of those agencies would say, 'Put those women back in the refinery' – or, 'Don't put them back' we'd obey. We're finding it difficult to find a position that's not attackable from one side or the other."

Fig. 1. A workplace dilemma.

conventional or conventional level of moral judgment. Subjects assigned to this category must have attained a modal stage score of Stage 2, 3 or 4 on the DIT. "P" scores (from "principles") subsequently calculated from the DIT for each subject also marked the extent to which the test taker used "Stage 5" and "Stage 6" moral reasoning. (See Table I.) The "P" scores were used to corroborate the classification of individual discussants into two groups: one group that scored relatively high on moral reasoning and one group that scored relatively low. The following breakpoints were used to confirm the stage score designation of lower and higher levels of moral reasoning:

"P" Score	Stage of Moral Reasoning
50 and above	HIGHER stage of moral reasoning
40 and below	LOWER stage moral reasoning

Rest has reported national norms for "P" scores in term of thirds and quartiles. The highest quartile (75th percentile) begins with a minimum score of 47, while the lowest two-thirds (67th percentile) begins with a maximum score of 41. Thus, a gap of at least ten percentile points separated our groups who were designated as possessing relatively higher or lower levels of moral reasoning. Also, Jacobs – as quoted by Rest – used the same cutoff point of 50 when using "P" scores to designate higher and lower levels or moral reasoning (Rest, 1979b).

A total sample of thirty discussion pairings were assembled from these two groups. Each pairing was purposely chosen based on their opposing positions on the moral conflict as well as for their similar "P" scores regarding moral reasoning. Fifteen pairs of discussants with "P" scores of 40 or below were matched based on their contrasting views about job security and workplace safety. Fifteen additional pairs were chosen according to their relatively higher "P" scores of 50 or above. (See Table IV and Table V for profiles of each pairing including a listing of the actual stage assessment and "P" scores associated with each discussant.) Each participant was asked to read a one-page conflict scenario (See Figure 1) which described a moral dilemma involving safety in the workplace. All thirty discussion pairs were then instructed to try to reach an agreement with regard to the moral dilemma in private settings of their own choice while audio tape recording their uninterrupted discussions in full. All pairs were further advised that it was not essential for them to reach an agreement – that they might not find it possible to resolve the conflict.

Assumptions

Testing of the research propositions was based on the following major assumptions: (1) the parties to the conflict are capable of a level of logical thinking which would lead to a lasting resolution of the conflict, (2) the parties to the conflict consider the issues(s) constituting the conflict as meaningful enough to justify serious moral reasoning, and (3) the level of moral reasoning or judgment characterizing each party can be identified.

Each of us has emotions and it is the rare individual who can suppress them entirely when he or she has a stake in the outcome of a discussion with another party. Yet, can positions based solely on each party's emotions lead to true conflict resolution? Is there not needed a degree of reasoning that would allow discussants to assess how a solution to conflict will both hold up over time as well as affect others involved in the conflict? Some level of foresight and reasoning skill is necessary for discussants to reach a lasting resolution to a conflict. To buttress this point, Gibbs et al. (1984) have found a direct relation between logical thinking and the use of discursive communication. Granted, overt conflict may cease when one party employs a strategic communicative approach to impose his or her position on the other through subtle or not-so-subtle intimidation. But does such a solution constitute "true conflict resolution" in a social setting? Or, would such an enforced solution lead to a less than effective implementation of the solution by the intimidated party? Using coercive power through strategic communicative actions

TABLE IV
Discussant profiles (lower moral reasoning pairings)

Pair	Advocate	"P" score and (stage)	Principles stressed	Position change
L1	Business	40 (4)	Equity	Women's original
	Women	40 (4)	Equity	Position prevailed
L2	Business	40 (4)	Pragmatism	Women's original
	Women	40 (4)	Pragmatism	Position prevailed
L3	Business	40 (4)*	Autonomy, equity	No
	Women	37 (4)*	Autonomy, equity	Movement
L4	Business	36 (4)	Non-malificence	Firm's original
	Women	40 (4)	Autonomy	Position prevailed
L5	Business	37 (4)	Justice	No
	Women	37 (4)*	Compassion, equity	Movement
L6	Business	33 (3)	Non-malificence, equity	Women's original
	Women	33 (4)	Non-malificence, dignity of life	Position prevailed
L7	Business	33 (3)	Pragmatism	Women's original
	Women	33 (3)	Pragmatism	Position prevailed
L8	Business	30 (3)	Autonomy	No
	Women	36 (4)	Non-malificence, dignity of life	Movement
L9	Business	30 (3)	Equity	Firm's original
	Women	33 (4)	Equity, non-malificence	Position prevailed
L10	Business	29 (4)	Autonomy, dignity of life, equity	Women's original
	Women	33 (4)	Dignity of life, autonomy	Position prevailed
L11	Business	30 (4)	Pragmatism	Resolution by
	Women	30 (4)	Non-discrimination	New Position
L12	Business	30 (4)	Non-malificence	Slight compromise
	Women	30 (4)*	Autonomy	Only
L13	Business	30 (4)	Pragmatism	Resolution by
	Women	30 (4)	Pragmatism	New position
L14	Business	20 (4)	Non-malificence, equity	Women's original
	Women	13 (4)*	Equity	Position prevailed
L15	Business	03 (4)*	Non-discrimination, equity	Slight compromise
	Women	03 (4)*	Non-discrimination	Only

* Denotes female discussant.

to force conflict resolution plays more to the emotions than it does to the reasoning power of the individuals affected. Alternatively, discursive communicative approaches require discussants to possess logical reasoning capabilities that allow them to identify or create mutually satisfying and lasting resolutions to conflict. To feel comfortable that the subjects used to test our research propositions possessed the capability to reason with foresight, a restricted sample was used. The sample consisted of college graduates who, after work experience, returned to a university setting to pursue an MBA degree. Thus, the educational background of the sample gives some evidence that the first assumption underpinning the research had been met.

TABLE V
Discussant profiles (higher moral reasoning pairings)

Pair	Advocate	"P" score and (stage)	Principles stressed	Position change
H1	Business	77 (5)	Obligation	Only
	Women	77 (5)*	Autonomy, equity	Slight compromise
H2	Business	73 (5)	Autonomy	No
	Women	73 (5)*	Equity, autonomy	Movement
H3	Business	70 (5)	Non-malificence	Slight compromise
	Women	63 (5)	Non-malificence, non-discrimination	Only
H4	Business	63 (5)	Non-malificence	No
	Women	63 (5)	Autonomy, non-malificence, equity	Movement
H5	Business	70 (5)	Non-malificence	Firm's original
	Women	53 (5)	Autonomy	Position prevailed
H6	Business	63 (5)	Non-malificence	Resolution by
	Women	60 (5)*	Equity	New position
H7	Business	70 (5)*	Non-malificence	No
	Women	50 (5)	Equity, obligation	Movement
H8	Business	67 (5)*	Obligation, non-malificence	Women's original
	Women	53 (5)*	Obligation, non-malificence, equity	Position prevailed
H9	Business	60 (5)	Non-malificence, equity	Women's original
	Women	57 (5)	Non-malificence, equity, obligation	Position prevailed
H10	Business	56 (5)*	Equity, non-malificence, dignity of life	Women's original
	Women	60 (5)	Equity, non-malificence	Position prevailed
H11	Business	60 (5)*	Dignity of life, autonomy	Slight compromise
	Women	50 (5)	Non-malificence, dignity of life	Only
H12	Business	50 (5)	Autonomy, non-malificence	Slight compromise
	Women	60 (5)	Equity, Non-malificence	Only
H13	Business	53 (5)*	Non-malificence	Slight compromise
	Women	53 (5)	Non-malificence, dignity of life	Only
H14	Business	50 (5)*	No principles stated	Slight compromise
	Women	53 (5)*	Non-malificence, equity	Only
H15	Business	50 (5)*	Non-discrimination	Firm's original
	Women	53 (5)	Autonomy, non-discrimination	Position prevailed

* Denotes female discussant.

The career directions of the selected sample provided the underpinning for the second assumption of our research – that discussants believed the issue underlying the conflict was meaningful or significant. Because of the nature of their chosen graduate training in business, participants could be expected to be reasonably interested in the issues of workplace safety and job security. The particular moral dilemma that was discussed (see Figure 1) was selected because, given the extensive media attention as well as ten years of court deliberations on this actual case, the conflict scenario could be assumed to be of interest to the general public.[2] But, since none of the selected sample had been personally involved in the conflict, the question of how

valid their vicarious commitment to the issues would be cannot be dismissed. Perhaps the best surrogate measure of that commitment would be found in the actual statements made by participants during their discussions of the workplace safety scenario. Our position is that if an issue with moral implications is considered meaningful to a person, statements they make about that issue are more likely to reflect that person's moral judgment process than if the issues are viewed as relatively inconsequential. Thus, we chose to screen out discussion pairings whose audio taped statements indicated that they were merely concentrating on superficial attributes of the safety issues at hand rather than concentrating on the deeper moral issues themselves.

The third assumption behind this research is that a person's level of moral judgment can be identified. Moreover, it is assumed that the identified level of moral judgment can be applied to issues with moral implications. As previously mentioned, Augusto Blasi (1979) found a positive relation between a person's observed behavior with moral implications and the assessment of that person's moral development under Kohlberg's classification system. Likewise, Stephen Thoma (1986) found a positive relation between a person's moral behavior and their "P" scores on James Rest's DIT instrument. Linda Trevino's (1992) review of the literature, in turn, provides additional evidence of the relation between actual behavior and the DIT's assessment of moral reasoning. It should be noted, though, that the positive relations cited by Blasi, Thoma, and Trevino were far from perfect correlations. Still, the Rest DIT does give an assessment of the moral reasoning a person is capable of, even if that level of reasoning is not always employed. Accordingly, Rest's DIT provided the instrument by which we measured moral reasoning for the purposes of our study.

Coding of the discussions

Three judges evaluated audio tapes that captured the statements made by parties in the thirty discussion pairings. Each audio taped discussion was coded by at least two of the judges using Kurtines' taxonomy of eight communicative actions. Coding was facilitated by viewing the conversations between discussants as two participants "taking turns" speaking to each other. Each party's turn at speaking lasted until a significant communicative reaction was offered by the other party. Each speaking turn could include many sentences or simply one sentence. Each judge identified the gist of the overall communicative approach used within each discussant's speaking turn in its totality. In situations where a judge noticed that more than one of the eight types of communicative action was used by a discussant in a given speaking turn, the prevailing type of communication approach was identified and coded. A limitation of this research methodology is that interpersonal communication is not only verbal. Unspoken meanings and intentions that sometimes are evident through non-verbal communication channels are lost when observations are limited to audio tape. To help ensure that the meaning and intent behind each discussant's statements would not be misconstrued, each judge would listen further into the audio tape to find additional discussant comments that would either verify or refute the judge's original view of the communicative approach used in a discussant's earlier statements.

Judges compiled coding sheets that listed the order of communicative approaches made by each discussant in turn. This facilitated not only compiling raw counts of communicative actions displayed by each discussant, but also allowed analysis of action and reaction patterns between each party in a discussion pairing. Variations in the scoring between judges were reconciled after the judges explained their reasoning and interpretation of the discussant's statements. Raw counts of Kurtines' eight communicative actions were parsimoniously condensed into counts of the following three basic groupings of communicative approaches: ordinary, strategic and discursive. These counts were transformed into percentages to provide a common base upon which aggregations could be compiled for the two groups of negotiators. (See Table VI.) These standardized responses could then be used as evidence to test the two previously mentioned research propositions.

TABLE VI
Communicative approaches used by discussants

Moral reasoning pairings	"P" scores and (stage)		Percentage of overall speaking turns which primarily used each communicative approach		
	Business advocate	Women's advocate	% ordinary	% strategic	% discursive
Higher:					
H1	77 (5)	77 (5)*	65	22	13
H2	73 (5)	73 (5)*	68	22	10
H3	70 (5)	63 (5)	68	00	32
H4	63 (5)	63 (5)	60	32	08
H5	70 (5)	53 (5)	79	04	17
H6	63 (5)	60 (5)*	58	00	42
H7	70 (5)*	50 (5)	26	59	15
H8	67 (5)*	53 (5)*	44	03	53
H9	60 (5)	57 (5)	30	01	69
H10	56 (5)*	60 (5)	31	04	65
H11	60 (5)*	50 (5)	29	38	33
H12	50 (5)	60 (5)	23	01	76
H13	53 (5)*	53 (5)	17	18	65
H14	50 (5)*	53 (5)*	26	34	40
H15	50 (5)	53 (5)*	60	14	26
Average H			45.6%	16.8%	37.6%
Lower:					
L1	40 (4)	40 (4)	20	13	67
L2	40 (4)	40 (4)	56	00	44
L3	40 (4)*	37 (4)*	11	01	88
L4	37 (4)	40 (4)	04	00	96
L5	37 (4)	37 (4)*	37	44	19
L6	33 (3)	33 (4)	46	00	54
L7	33 (3)	33 (3)	66	27	07
L8	30 (3)	36 (4)	27	42	31
L9	30 (3)	33 (4)	08	08	84
L10	33 (4)	29 (4)	33	00	67
L11	30 (4)	30 (4)	55	14	31
L12	30 (4)	30 (4)*	37	04	59
L13	30 (4)	30 (4)	19	00	81
L14	20 (4)	13 (4)*	43	23	34
L15	03 (4)*	03 (4)*	88	04	08
Average L			36.7%	12.0%	51.3%

* Denotes female discussant.

The judges then analyzed the discussants' overall statements to determine answers to two questions. First, did the discussants verbalize the *principles* underlying their positions? (See column four in both Table IV and Table V.) This determination gives an indication about whether the sampled pairs made a good faith effort to resolve the moraldilemma. That is, the subject matter was considered meaningful enough to them to spend time in serious, reflective communication.

The second question to be determined by the judges was how far, if at all, had the parties moved from their original *positions* by the end of their discussions? (See column five in both Table IV and Table V.) In effect, was a reconciliation of views based only on a compromise of original positions or was it built on commonly held principles that enabled them to construct a new mutually acceptable position? This determination relates to the reasoning underlying both research propositions one and two.

Research results and conjectures

The position put forward by Habermas which relates advanced moral development to the increased use of discursive communication seems logical. Yet, it was not borne out in this research. For example our results do not support Proposition One. As shown in the last two columns of Table VI, discussants possessing higher moral reasoning did not use discursive communicative actions any more than did those who scored lower on a test of moral judgment. Why? One explanation for these disconfirming results could be found in Rest's belief that we carry the baggage of earlier (lower) stages of moral development with us as subsets of possible behaviors that characterize later (higher) development stages. The reasoning characteristics typical of earlier stages can show up again in later stages under appropriate conditions. This contrasts with the assumptions upon which Habermas' discourse ethics is advanced – assumptions which draw on the early work of Kohlberg. That work claimed that once a higher level of moral development is attained there is no backsliding except in certain crisis situations. We doubt, though, that the workplace moral dilemma was one of these crisis situations. A more intuitively acceptable explanation may come from the high "P" scores which were used to assign subjects to the discussion pairings. Those "P" scores indicate "highly principled" people. Such people may be unwilling to modify their positions, because any compromise would be somehow viewed as a prostitution of their principles. In effect, they may have been unwilling to separate principles from position. Then, as these highly principled parties became frustrated over lack of progress towards resolution of an extremely thorny issue, they may have reverted to strategic communicative tactics typically used during earlier stages of moral development.

Proposition Two also was not supported. The discussion pairs designated as those operating primarily at the conventional (lower) level of moral reasoning did not use strategic communicative approaches any more than pairs operating primarily at the postconventional (higher) level. The lower level pairings actually used slightly less strategic communicative tactics. Even the two negotiating pairs with the lowest postconventional moral reasoning scores (see L14 and L15 in Table VI) did not resort to using more strategic versus discursive communication. These results all run counter to Habermas' theory. Overall, strategic communicative actions were used sparingly by both the high and the low reasoning groups. When strategic communicative actions *were* used in either group it usually took the form of simply refuting the other party's argument rather than as an effort to intimidate or threaten that other party. One possible explanation for these findings is that the discussants in our sample were for the most part equal peers and therefore may not have had many intimidating or threatening communicative approaches at their disposal. Future studies of discussion pairings where one party is perceived to have some power over the other party may render different results. There are some aspects of the data that do lend support to Habermas' views. For example, there are more "win-lose" results within the lower level group than the higher level group. (See column five in both Table IV and Table V.) In addition, the combination of new positions and compromises within the higher group outnumbered those found in the lower group. (See Table VII.) These findings, while in line with the theory behind the first two propositions, still do not lift the veil of suspicion from those propositions.

Also of interest to us was the existence of shared principles between participants within each discussion. Our feeling was that explicitly

TABLE VII
Summary of dilemma resolutions

Resolution	High moral reasoning	Low moral reasoning
New position	1 (0)	2 (1)
Slight compromise	6 (4)	2 (1)
Woman's position prevailed	3 (3)	6 (6)
Firm's position prevailed	2 (1)	2 (1)
No movement	3 (2)	3 (1)
Total pairings	15 (10)	15 (10)

Parentheses indicate the number of discussion pairings in which both discussants shared at least one principle/value in common.

communicated shared principles could provide the foundation for conflict resolution. As shown by the principles given in column four of both Table IV and Table V, only one person, the business-side advocate in pair H14, did not refer to an underlying principle behind his arguments. The data show that the principles used by both the lower and higher moral reasoning groups were somewhat similar. In 20 of the 30 discussions the parties explicitly shared at least one common principle. Yet, even in those cases where principles were shared, there was no serious movement away from the parties' original positions to a new, higher evolved position. While ten of the higher level pairs and ten of the lower level pairs showed similar principles, only three of those twenty pairs could arrive at a new position. (See the fourth column in Table IV and Table V and the summary Table VII.) In the case of each of those three pairs, the new position was built upon an originally espoused position, and not upon a shared norm or principle. This fails to support Habermas' belief that discussants, after uncovering shared norms through discursive reasoning, would engage in a mutual construction of a new position.

Finally, during the process of coding the particular patterns of communicative actions displayed within each of the discussion pairs, additional questions arose. During attempts to resolve a moral dilemma, do particular communicative actions serve to amplify conflict? Would a strategic communication stimulus tend to evoke a similar strategic communication response? Similarly, would discursive communicative actions tend to elicit the same type of discursive response? If significant "stimulus-response" communication patterns are found, would these tendencies of responding to communicative actions in kind override the predominant actions normally associated with a particular level of moral reasoning? In other words, would parties at a postconventional (high) level of moral reasoning resort to strategic communicative actions if that is currently the predominant communicative approach being utilized by their adversaries? If discussants are naturally inclined to respond to communicative actions in kind, this would have important implications to business negotiators as a possible technique that could be utilized to encourage an opposing party to move to a different communicative approach.

To render explicit the data directly relating to these questions, each discussant's communicative (re)action was sub-categorized according to the type of communicative action used immediately prior to it by the other party. Table VIII facilitates a comparison of the communicative reactions of the "higher" moral reasoning pairs versus the "lower" pairings with a table that shows the rank ordered mean frequency of communicative reactions to each of the three different types of communicative approaches. The table illustrates that neither group consistently utilized its postulated communicative behavior (discursive for higher, strategic for lower) across all situations, thus further illuminating how Proposition One and Proposition Two could not be supported. Table VIII also compiles an overall summary of all 30 discussion pairs across both groups and found that ordinary communicative actions were followed by ordinary responses 49 percent of the time and discursive actions were responded to in kind 57 percent of the time. These results lend support to a view that discussants tend to respond to ordinary and discursive actions with similar communicative responses. This stimulus/response communication pattern, however, was not as strong for strategic approaches. Strategic communicative actions were followed by strategic

TABLE VIII
Summary of communicative reactions to each type of communicative action

Communicative action	Communicative reaction*					
	Overall		Higher moral reasoning		Lower moral reasoning	
Ordinary	Ordinary	49%	Ordinary	52%	Ordinary	46%
	Discursive	31%	Discursive	28%	Discursive	34%
	Strategic	20%	Strategic	20%	Strategic	20%
Strategic	Ordinary	53%	Ordinary	59%	Ordinary	45%
	Discursive	25%	Discursive	26%	Discursive	31%
	Strategic	22%	Strategic	15%	Strategic	24%
Discursive	Ordinary	57%	Ordinary	53%	Ordinary	62%
	Discursive	38%	Discursive	40%	Discursive	35%
	Strategic	5%	Strategic	7%	Strategic	3%

* Rank-ordered mean frequencies.

reactions 25 percent of the time. What is worth noting from the subjects' observed communication patterns is that when one party attempted to resolve the conflict through a discursive approach, the other party tended to react in a less adversarial manner and responded with strategic tactics only five percent of the time.

Conclusions and implications

George Herbert Mead (1934) provided the theoretical basis for implementing the discourse ethics framework proposed by Jürgen Habermas. Our conclusion, based on the results reported above, is that Habermas' framework, as he stated it, may be best viewed as a descriptive rather than an operational model. Proponents of Habermas' attempt to relate discourse to Kohlberg's level of moral development could point to possible flaws in our research design to explain these negative results. Certainly, the size of the sample and its vicarious rather than personal involvement with the ethical issues might bias the results. A future study of actual business discussions would be ideal. In turn, the use of capacity for moral reasoning as a surrogate of moral development is also open to question. While acknowledging the limitations of our approach, our findings still suggest that Habermas' theory of discourse ethics requires an operators' manual as well as a proactive implementation if it is to be of use to business.

Habermas chose to match his types of communication directly against Kohlberg's moral stages. Kohlberg's is a theory of cognitive moral development. It assumes that people reason from one stage of moral development. More recent research, though, has called into question the assumption of cognitive development and single stage reasoning. Kurtines has advanced a strong case for sociomoral rather than cognitive moral development. In turn, Rest makes a strong case that we use different levels and stages of moral reasoning at different times. Thus, when a person is classified by the DIT at a certain level of moral reasoning, that classification is somewhat fluid. In short, there are times when we revert to lower or earlier stages of moral reasoning even though we employ higher levels on average in our moral deliberations. For example, Trevino found that negotiators tend to use lower moral reasoning in attempts to resolve dilemmas that are more closely related to a realistic business situation rather than a non-work related situation. Kohlberg, himself, admitted this in his later writings. This broader perspective would allow for the influence of emotions and situational contexts when evaluating moral decisions. Our findings indicate that still another influential

situational context would be the pattern of communicative actions and reactions of the participants themselves.

While allowing for situational pressures and possible reversion to lower levels of moral reasoning, can a relation between moral reasoning and communicative action still be identified when applied to resolving conflicts of ethical issues? Perhaps so. Recall that the respective investigations of Thoma, Blasi and Trevino of the relation between actual behavior and Rest's DIT scores and Kohlberg's moral development scores all showed a positive but weak correlation. That weakness may indicate that while the capacity or potential for higher order (postconventional) moral reasoning is present, it may take a stimulus of some sort to activate that potential. Two questions arise with respect to that stimulus. What form would it take? Is it realistic to believe that such a stimulus could be present in actual business discussions? One such stimulus might be the initiation of a discursive communicative approach by one of the discussants.

To put Habermas' theory to a second test, and to further allow a person's capacity for higher moral reasoning to be tapped, a different communication process may be called for. Sequential discussions would be one option. Berkowitz and Gibbs (1983) found that some but not all of the disputing parties whom they taped used more discursive communications as they progressed through four sequential but unstructured discussions over a two month period. Structured discussion presents a second option. In its simplest form, a structured negotiation process could follow the format arrived at by Fisher and Ury (1981) in describing the success of the Harvard Negotiation Project. But, the Harvard Project confines itself to a resolution of conflict that is satisfactory to only the parties at hand. Conflicts which contain an ethical dimension most likely have implications for a society broader than just those persons directly affected by the conflict. More promising is the discussion process outlined by Kurtines and Pollard in their "Communicative Competitive Scale – Critical Discussion Manual" which provides the stimulus to resolve conflict as well as enhance societal well being (Kurtines and Pollard, 1989). Kurtines, a disciple of Habermas, has described a step by step procedure which is designed to actualize a person's potential for higher order moral reasoning. In that procedure one party attempts to lead the other party to a level of discursive reasoning by progressing through the communication actions described in Table II. The goal is a feasible resolution of conflict attained through practical reasoning – the linchpin of discourse ethics (Rehg, 1994).

Acknowledging the existence of such a procedure, however, does not provide solid enough footing to claim that it can or will be used in efforts to resolve moral conflicts in business. The acceptability of such a process demands empirical evidence. This evidence takes the form of a project currently being undertaken by Levi Strauss. That firm is putting its managers through a training program similar to the procedure Kurtines has suggested. The Levi Strauss program is structured around a communication process advanced by Stephen Toulmin (1956, 1964) and fleshed out by Marvin Brown (1994). The Toulmin/Brown procedure incorporates the ethical goals of Habermas. In fact, part of the rationale for Habermas' communication theory was built around the work of Toulmin. Neither the Toulmin/Brown procedure nor the one outlined by Kurtines requires the parties to be at the principled level of moral reasoning (i.e., Stage 5 or 6). What *is* required is that an agreement be reached on a mutually acceptable position. The objective is to change positions not principles. In fact, the starting point is to identify principles shared by both parties to the conflict and build upon those commonalities to construct a new position. That position and the underlying shared principles, to meet Baier's, Perry's, and Habermas' conditions, have to be ones that would enhance societal well-being as well as meeting the personal needs of the negotiating parties.

To determine if societal well-being is enhanced, thus increasing the odds of a lasting conflict resolution, some criteria could be set out. For example, the discussants would be well served if their resolution was deemed feasible. Then, to test whether their resolution is appropriate it also might be beneficial to use another

Habermas criterion – one rooted in the work of Kant –that of *universalizability*. Both of these tests rest upon Habermas' requirements for successful communication – that understanding, truthfulness, and the availability of facts are necessary to arrive at an appropriate resolution. The exploratory study reported here should not be read to discredit Habermas' goal. What this study does imply is a more realistic reading of his search for consensus leading to universalized norms. Consensus does not naturally arise because both parties in a dispute show that capacity to reason at the postconventional level of morality. It will take an initiative of the part of one of those parties, or possibly the initiative of an adjudicator, to bring the discursive process to the resolution that Habermas hypothesizes.

Habermas places too much stock in Kohlberg's stage theory because his final goal is the same as Kohlberg. Both can be classified as neo-Kantian as they are both searching for universalized norms. However, Habermas searches for these universal norms by different means. He believes that discourse will naturally lead negotiators to uncover shared universal norms as a foundation for consensus. Our research did not support this view. But the current business environment, one increasingly marked by international transactions and multicultural values, calls for additional tests of discourse ethics. The growth of multinational conglomerates, with the corresponding increase of required relationships between persons of different cultural origins across national boundaries, introduces added conflict from differences in the ethical standards present in different countries. And, if Rossouw is correct, then the inherent assumption of post-modern rationality that no single correct view exists on any subject provides additional fuel to kindle fears about irreconcilable moral conflicts. In the face of these global societal trends, business decision makers and government regulators increasingly are challenged to resolve tough moral conflicts among an ever widening array of constituency groups. Can a proactive application of discourse ethics provide a means to resolve those conflicts? At least one firm believes the process is worth exploring.

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Notes

[1] While it is our view that the most plausible definitions do make clear the connection between ethics and general human benefit or well-being, we note that not all definitions of ethics or morality stress the importance of mutual benefit or societal well-being. This is not to deny that there may also be some metaphysical or theological aspect of codes of ethics. But, even the Christian tradition holds that "the Sabbath is made for man, not man for the Sabbath." In this same spirit, William Frankena writes, "Morality is made for man, not man for morality" (Frankena, 1963, p. 116).

[2] The courts had not rendered a final decision until after the discussions had been recorded.

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