# 經濟倫理學

# BUSINESS ETHICS

理査徳・T・徳・喬治 著



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#### **Business Ethics**

(第五版)

理查徳・T・徳・喬治 原著 李 布

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#### Preface to the First Taiwanese Edition

Each society is a different mix of an economic system, a political form of government, and a social structure. Free enterprise as it is found in the United States is somewhat different from that found in Germany or in Japan. Each of the so-called East Asian Tigers — Taiwan, South Korea, Hong Kong and Singapore—share similarities, but each is different, each is finding its own way and, despite similarities, each is unique.

The face of capitalism as described by Marx has changed dramatically in the developed countries of the world, and in such countries is no longer recognizable as the same phenomenon. A large middle class of workers, through their ownership of stock in pension plans and personal accounts, are now part owners of the means of production. Democracy and the power of the ballot have given a voice to the workers that they did not have in the Nineteenth and the first third of the Twentieth Century. Legislation has tamed the more rapacious aspects of the market, has protected consumers, has recognized the rights of workers on the job, and has forced large enterprises to control pollution and diminish environmental harm.

As societies have become more complex, the world has learned that centralized planning can take a nation only so far. A fair or just market is more efficient than any government as a processor of information about consumer demand, the prices that people are willing to pay, the allocation of resources for competing purposes, the jobs that are available, and so on. We have also learned that the wide availability of information is essential to the development of new ideas and products. In the Information Age democracy and a relatively free economy go hand in hand, because both are the most effective ways to utilize information. Centralized control is both inefficient and inhibits innovation and creativity—neither of which can be commanded.

Business ethics as a field started in the United States in the 1970s. Of course there were ethical issues from the time business began. There was always concern that exchanges between people were equal and that one was not being taken advantage of. Nonetheless, in the early period of industrialization it was not ethics but power that played the dominant role. Employees, to be sure, were not to steal from their employers, and there was some discussion of fair prices and fair wages. Churches preached morality, and labor unions fought for better wages and working conditions. But so long as business provided employment and produced goods of reasonable quality at a reasonable price, many people felt that ethics did not really apply to business, even though people in business should not steal or cheat or lie. The general moral rules applicable to society applied to people in business. But these rules did not seem to apply to business itself. I call this social

phenomenon AThe Myth of Amoral Business.≅ One of the tasks of this book is to disclose the Myth as a myth, and to articulate the fact that morality or ethics applies to business as well as to individuals.

The belief that business is amoral began to change in the 1950s in the United States. By the 1960s people had become aware that industry, through the development of modern science and technology, had the power to dramatically and adversely affect the environment, their lives, and the future of the planet. In addition consumers began to organize to voice their rights, just as workers had done almost a century before. The result in the United States was a movement on the part of business to justify its legitimacy and to defend itself against attacks through the notion of Asocial responsibility.≅ Under public pressure companies publicized their charitable contributions, the actions they were taking to prevent environmental harm, the ways in which they treated all employees equally and without discrimination (no matter what their gender or race or nationality or religion), and so on.

The next step, taken by academics, was to develop an overall context in which the actions of business could be objectively evaluated from an ethical point of view. The result was the rise of what is known in the United States as business ethics.

Although the movement was at first grudgingly recognized by companies, more and more slowly accepted it as they developed ethical codes to govern their actions. Legislation of various forms helped accelerate the process, such as a United States law passed in 1977 that made it illegal for any U.S. company to pay bribes to any high level government official anywhere in the world. In 1998 similar laws were passed in OECD countries.

The globalization of business carried with it the need to extend the notions of business ethics to wherever business was carried out. The first targets of ethical criticism were American multinationals, whose actions were tracked and whose unethical actions were publicized by human rights groups, environmentalists, and those in business ethics. The presence of multinational corporations in South Africa during the period of apartheid resulted in many protests in the United States against U.S. companies in South Africa and led to the companies policing themselves and joining in the fight against apartheid.

Although the business ethics movement started in the United States it was not long before it spread to Western Europe in the 1980s, and since then it has spread to Japan, to other parts of Asia, to Latin America and to Africa. It is weaker in some countries than in others, and not present at all as a movement in still others. Numerous international codes or standards of corporate ethical behavior have been developed, and the UN itself is in the process of developing an international code for corporations. So business ethics has truly become a global concern.

The translation of this book in Taiwan is an indication of an interest in the field in this country, and the prior appearance of this book in Russia, Japan and mainland China, as well as other countries, indicates a growing international awareness of the area. Yet, as the reader will discover, this book was written primarily for an American and Canadian audience. That is obvious in many of the examples, in the discussion of U.S. laws and practices, and in some of the assumptions made and not stated. So how can we explain the interest in it in other countries, and especially in those now beginning to adopt a free enterprise system?

Part of the answer is that from this book those now entering the world market can see what the "rules of the game" are in business, and what is expected of corporations from an ethical point of view not only in the United States, but also on the world scene. Nonetheless, it is clear that these in other countries cannot simply take the contents of his book over whole. The general principles will apply no matter what the country. But the particulars will not always be applicable. Yet one country can and should learn from Those who are involved in the transition to a market economy or those going from a less developed stage to a more robust stage can learn from the countries that have gone through that development what some of the pitfalls and negative tendencies of capitalism are, what legislation has proven helpful and beneficial, how public opinion can play a role in tempering big The importance of contracts and enforced legislation that business. guarantees contracts is essential to keeping the system fair. This is a lesson that Russia and some newly emerging free enterprise economies are learning the hard way. Equally important is the role of government in curbing monopolies, in keeping the market fair and open to new entrants, and in controlling what economists call externalities. The market is only in part self-correcting. Although perhaps in the long run corruption proves itself to be inefficient, it can take a long time and do great damage until that time comes. Fair legislative controls are needed to correct market failures and inadequacies, and are important from the start.

The developed countries have learned how to deal with the grossest abuses of capitalism and have for the most part done away by legislation with child and slave labor, with unsafe and unhealthy sweat shop working conditions, with below-subsistence wages, and with the other ills that capitalism brought with it. Those ills are now found in the developing countries. But we know how to cure those ills, and countries and their people need to be empowered and motivated to do so.

The new ethical issues for business are those that come with the Information Age, with the Internet and the new business developments this makes possible and fosters across borders. Business ethics is not a list of rules or a static discipline. It must be as dynamic as business itself, as international as business has become, and as powerful a counter to the evil

tendencies that profit and greed foster as those tendencies themselves.

Ethical people are needed and without them no business can be ethical. Ethical corporate structures bolstered by ethically justifiable legislation are also needed, as are enforced contracts and laws, and penalties for violators. Law is not enough, but neither is ethics by itself. It is my hope that this volume will enable those who are interested in ethics in business in Taiwan to learn how to argue effectively for their views and to demand a level of ethics in business that they deem worthy of human beings in their social interactions.

Richard T. De George September, 2003

#### 臺灣版序言

一個社會是經由不同經濟體系、不同政治型態的政府、以及不同社會結構所組成的;正如在美國、德國與日本的自由企業的組成,各自存在差異。又如亞洲四小龍中的臺灣、南韓、香港及新加坡的四個新興國家般,驟看似相若,但經深入分析,可發現都具有獨自的特色。

在現今的發達國家中,馬克斯所描繪的典型資本主義意識型態,已不復見。大量中產階級勞動者,透過持有資本市場的權益,轉變成為該項生產原素的所有者。民主制度及投票權的實施,勞動者得以取得在十九世紀及二十世紀前期,不可能擁有的珍貴發言權,立法制度成功地約束了市場的貪婪,對消費者提供了有效的保護,確認了勞動者的工作權力,亦強迫大企業積極地抑制污染,與降低對環境的傷害。

當社會變得更為錯綜複雜時,人類亦意識到中央集權式之計劃經濟,僅能為國家的發展提供有限的空間。而一個公正、公平的市場機制,會比任何一個僅會處理消費者需求訊息、物價、競爭資源分配、或創造就業機會的政府,更具效率。另一方面,新意念與產品的有效發展,有利於資訊取得的便利性。是故,在現今的資訊世代中,民主精神及自由經濟的共存,最有利於資訊的有效使用;因為中央集權的資源分支配方式是既無效率,又會壓抑創新及創造力的。

企業與道德無關的信念,在 1950 年代的美國發生了明顯的變化。到 1960 年代,人們已開始察覺到現代科學與技術的發展,會促使工業產生不利於環保、生態、以及地球未來發展的影響;消費者亦開始有組織地,

爭取表達其訴求的機會。這種種社會自省行為,使不少美國企業開始思考為其企業行為的合法性及社會責任,並提出辯護。在強大的群眾壓力下,企業開始主動公佈其公益行為、建構預防環境損害的措施、公平對待所有員工,並確保絕無性別、種族、國籍或宗教信仰上的歧視。隨之而來,則是學者們開始嘗試從倫理的觀點,全面地、客觀地評價企業行為,因而帶動美國在企業倫理研究與應用的關鍵性成長。

剛開始時,企業僅被動式、勉強地接受該企業倫理運動,但爾後則漸次地面對及接受該運動的影響;甚至發展出各種倫理守則以規範企業自身的商業行為。各種相關法律的制定,更加促了改變的進程,例如美國在1977年,通過了嚴禁任何美國企業對他國官員行賄之法令;而經濟合作發展組織也隨之在1998年,通過類似的的法令。

全球化使企業經營變得無遠弗屆,使企業倫理的觀念得以拓展與延伸。美國的跨國公司首當其衝,成為各種倫理批評眾矢之的;其行為廣被追蹤、其不道德行為亦廣為人權組織、環保團體及企業倫理關懷者所佈導。美國的跨國企業在南非進行種族隔離政策期間,所進行的經營活動,更引起不少非議,迫使眾多跨國企業進行自我監督,並投入反對種族隔離政策的奮鬥中。

雖然企業倫理運動源自美國,但在 1980 年間,該運動迅速散播至西歐、隨後更延伸至日本及亞洲地區、繼而擴散至拉丁美洲、甚至非洲地區。不同國家,在實踐企業倫理運動的程度上存在著差異,但國際性的企業倫理法規或標準的陸續型成,甚至聯合國亦正積極發展相關的國際性法規,足可證明企業倫理確已成為全世界所關注的重要議題。

本書在俄羅斯、日本、中國大陸、以及臺灣的翻譯及出版,亦相當程度的顯示出社會大眾對企業倫理專業的重視與關注。由於本書原為美國及加拿大的讀者群所編寫,故讀者會發現書內所引用的個案及討論,主要依據美國法律與慣例加以詮釋。故此,我們需要深入思考慮如何可延用本書的內容,為其他國家作出貢獻,尤其考慮者為如何得為剛開始採納自由企業體系的國家所善用。

基於國家的發展經驗是可以相互借鏡的原則,無論是正在過渡到市場經濟、或正從低度發達階段努力上進的國家,均可以向歷經資本主義傷害的發達國家,進行學習。而學習亦可從如何制定有效的法律、如何釐清公眾意見在調整企業活動時所扮演的角色、如何藉法律以維護契約的重要性以及強制執行力等角度切入,以了解維護企業倫理系統的企業的重要性以及強制執行力等角度切入,以了解維護企業倫理系統的企業的人工。因此,本書可從倫理觀點,幫助剛開始進入世界商業市場的企業,了解到美國在企業倫理方面的"遊戲規則"、以及世界商業市場在企業倫理方面的基本精神。只是我們亦須了解到新興國家,在引證本書的內容理方面的基本精神。只是我們亦須了解到新興國家,在引證本書的內稅羅時,務須妥為調整,切忌不假思索地移殖使用,這方面我們可以從俄羅斯及若干新興的自由企業經濟所經歷過的艱困得到印證。

俄羅斯政府在處理經濟學者稱為外部影響的獨佔事業經營、市場公正性及開放程度時,察覺市場只會進行局部的自我修正。而從長時期完了,或許貪污最終會證明它自身的無效率,但證實的過程可能需要過過一段非常長的時間,始得完成。程蓋及不公平之矯一的人。是獨立法加以糾正及控制的,但若能在市場失靈 及不公平開始 與實本主義的傷害,亦已懂得如何透過立法,其所造成的損害就有效降低。發達國家已難決重工人,學習得如何處理資本主義的傷害,亦已懂得如何透過立法,無難不可,與對於與不能與不能與不能與不可,與對於與不可,與對於與不可,與對於與不可,與對於與不可,與對於與不可,與對於與不可,與對於與不可,與對於與不可,與對於與不可,以與對於與不可,以與對於與不可,以與如企業活動般保持動態,與於與而有力的對抗罪惡及貪婪。

我們需要了解及執善於倫理信念的人,缺少他們,企業倫理活動難於維繫。正當的立法、藉法律對契約的強制執行力、對侵犯倫理者的合理申戒,皆可有效支持企業組織的倫理發展,惟僅依賴法律的執行,對如何維護及提昇商業倫理仍嫌有所不足的。是故,期望本書的出版,可使關心臺灣企業倫理發展的企業,得以學習如何能更有效地主張其觀點,並得以提昇人類社會的倫理發展。

理查德·T·德·喬治著輔仁大學 流行設計經營系 楊維漢教授譯 2003 年 9 月

※Bussiness Ethics 一詞一般(早期)中譯為商業倫理學,此 書譯者李布先生譯為經濟倫理學,而在台灣版序言中有譯為 企業倫理學是為此學說能包容較大的研究範圍之考慮。

#### "經濟倫理學譯叢"導言

"經濟倫理學譯叢"為中國讀者提供一種新的視野,讓他們了解將商務、經濟、金融界同倫理學聯繫在一起的一個富有吸引力的領域。經濟倫理學已經越來越成為中國的一個非常流行的話題。這不是一個純粹的巧合。在過去20年間,中國經歷了空前的經濟增長,也刺激起從企業中獲取更多利潤的胃口。但是,最近亞洲金融市場的風波戲劇性地動居了對經濟增長的天真而又排他的信念。整個亞洲逐漸形成了一種新的看法,認為迅速增長的經濟如果同腐敗的政府行為和不誠實的企業實限,那麼這種經濟是很容易崩潰的。在許多亞洲國家,人們越來越相信,對於腐敗,決不能再把它作為"遊戲的一部分"來容忍了。由於不能對於腐敗,決不能再把它作為"遊戲的一部分"來容忍了。由於不他們的交易,一些公司和政府部門不僅喪失了大量錢財,而且也喪失了他們的企業合作者的必要信任。腐敗和經濟違法行為是一對變生兄弟。

因此,這套新的"經濟倫理學譯叢"滿足了一種迫切的需要,為金融、經濟、企業、文化領域裡的研究者和業務人員同倫理學家之間的必要對話提供最新的信息。它旨在為中國的學術界和企業界提供一個觀點框架,喚醒共同的價值意識,這對成功的企業經營非常必要。

經濟倫理學最初創立於 20 世紀 70 年代的美國,並確立了在美國和歐洲的商學院管理教育課程中的地位。但是在中國,還有待於將這個綜合了經濟學、心理學、法律學、哲學的交叉學科變成每一個管理學學生的必修課。我們的第一本書是經濟倫理學領域的開拓者理查德·德·喬治的著作,涉及廣泛的重要問題,反映了多年來所做的全面工作中取得的成果。

來就有破壞人類尊嚴的非法買賣,如毒品交易,僅僅為了增加利潤這個 唯一的理由而使無辜的男女老少身心受到摧發。

經濟倫理學的影響主要依靠不同領域——政府部門、企業、大學—— 之間人們的對話與合作。沒有不得不在新的競爭氛圍一方面造就一批贏 家,另一方面增加大批失敗者的 "淘金熱資本主義" 氛圍中尋求出路的 人的不斷反饋,一般的指導原則就決不會有意義。

從經濟倫理學的角度來看問題,在一個法律體制還不夠健全的環境 中就顯得格外迫切。

無疑,現在有越來越高的呼聲,要求運用倫理標準。這套新的叢書反對某些悲觀主義的觀點,認為在中國改善道德標準是可以實現的:中國仍然有著巨大的倫理潛力,需要被更大規模地調動起來。人們期待著將世界不同智慧傳統與中國對真理的追求結合起來的對話。那時候,經濟倫理學將成為一種最終的挑戰,使這種對一種恰當的倫理學的共同探索不僅僅停留在理論層面,而且得出具體結論,提出改善中國生活與工作條件的決定性實施方案。

此外,若干年以來在中國,關於如何將英語術語 "Business Ethics" 翻譯成中文有過一場爭論。許多研討會及各種討論與開會的結果是,最 恰當的中文翻譯應該是 "經濟倫理學"。

"經濟倫理學"是"經濟發展"在它同道德哲學有關的重要方面,如必須被運用到企業管理、金融、行政管理、生態政策、信息技術、勞動權利等領域裡去的責任、公正、誠實等概念在一切經濟領域裡的倫理反映。同時,最近在上海剛出版的【經濟倫理學大詞典》中關於這個詞的界定和翻譯也可以作為本系列叢書之所以使用 "經濟倫理學"來表示"Business Ethics",這一英語術語的理由的佐證。

羅世範 (Stephan Rothlin) 楊恆達 2001年12月於北京

## 經濟倫理學

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