



Funeral Service Ethics

3 CE Hours

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Final Exam – Funeral Service Ethics (3 CE Hours)

1. When considering law vs. ethics, which of the following statements is INCORRECT?
 - a. Ethics may be understood as the systematic set of universally accepted rules and regulations created by an appropriate authority such as a government (regional, national, international, or otherwise)
 - b. The law is universally accepted, recognized, and enforced: every person in the society is bound to follow the law
 - c. Think of ethics as a set of guidelines that are abstract, often internal, and based on things like personal or cultural norms
 - d. Think of the law as a set of rules and regulations that are expressed and published in writing

2. _____ are moral principles that vary with circumstances.
 - a. Meta-ethics
 - b. Normative Ethics
 - c. Situational Ethics
 - d. Values

3. _____ is often referred to as “The Universal Teacher,” and had a considerable influence on Western thought. Much of modern philosophy was conceived either as a reaction against or in agreement with his ideas, specifically in the areas of natural law, ethics, and political theory.
 - a. Immanuel Kant
 - b. Marcus Aurelius
 - c. Socrates
 - d. St. Thomas Aquinas

4. American psychologist Lawrence Kohlberg identified several stage of moral development. Instrumental Orientation, which expresses the “what’s in it for me?” position, can be found within which level?
 - a. Conventional
 - b. Post-Conventional
 - c. Pre-Conventional



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d. Pre-Moral

5. Which component of James Rest's model of ethical decision making and action is described as "Once an ethical problem has been perceived and considered, decision makers choose a course of action from the options they've generated,"?

- a. Component 1 – Moral Sensitivity (Recognition)
- b. Component 2 – Moral Judgment
- c. Component 3 – Moral Focus (Motivation)
- d. Component 4 – Moral Character

6. Ethicist Rushworth Kidder suggests that nine steps or checkpoints can help bring order to otherwise confusing ethical issues. The statement "Sometimes seemingly irreconcilable values can be resolved through compromise or the development of a creative solution," applies to which checkpoint?

- a. 2 - Determine the actor
- b. 5 - Test for right-versus-wrong values
- c. 7 - Look for a third way
- d. 9 - Revisit and reflect on the decision

7. Which of the following is an example of absolutism in relation to the deceased human body?

- a. A dead body is deserving of respectful treatment unless it was an evil person such as Adolf Hitler
- b. Every dead body is deserving of respectful treatment, regardless of who they were
- c. Both of the above
- d. Neither of the above

8. During the arrangement conference, ethical behavior includes _____.

- a. Ensuring all advice given is for the benefit of the consumer or the funeral home
- b. Keeping all information confidential
- c. Serving all customers equally, once they've met certain financial standards
- d. All of the above

9. Licensing boards are tasked with investigating allegations of dishonesty, violations of the law, and unethical behavior by licensees. If you should be the subject of one of these investigations, it is important that you, as an ethical funeral professional,

_____.

- a. Cooperate with licensing authorities and anyone conducting the investigation
- b. Deny any possibility of wrongdoing
- c. Launch your own investigation and discover the identity of the accuser

d. Resign

10. In terms of your relationship with your competitors, ethics requires that _____.
- a. You drive your competitors out of business
 - b. You like your competitors
 - c. You make false positive statements about your competitors
 - d. You treat your competitors in a professional and respectful manner

CONTINUING EDUCATION for Funeral Directors & Embalmers

Funeral Service Ethics

3 CE Hours

Learning Objectives:

In funeral service, questions of ethics arise over and over – and often, there are no easy answers. Yet your grasp of this complicated topic can benefit you, your business relationships, and the families you serve. This course first addresses ethical concepts and philosophies in general, and then considers ethics in the funeral profession.

By the end of the course, learners should be able to:

- Recall key terminology and individuals relating to the discussion of ethics
- Distinguish between stages of ethical development and models of ethical decision making
- Identify ethical considerations within the funeral profession

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Introduction

In the absence of a specific set of rules by which you are governed or through which you learn to govern yourself in your relations with others, you are dependent upon traditional customs and practices as rules of conduct (Funeral Ethics Association, 2003). In funeral service, there is really no code or manual that can specify all the duties of the licensee in every circumstance with which they might be confronted. There are many situations where neither custom nor tradition has provided a standard of practice that best serves the interests of the public and the profession. Here is where your grasp of ethics comes into play.

Ethics can be defined as that branch of philosophy dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such action (Webster, 2019). To simplify the terminology, it is a collection of fundamental concepts and principles of ideal human character. These principles help us in making decisions regarding what is right or wrong and inform us about how to act in particular situations.

The Funeral Ethics Association (2003) further describes it as the science of rectitude and duty; its subject is morality and its sphere is virtuous conduct; it treats the various aspects of rights and obligations. To boil it down a bit, at the core, ethics is a set of principles that governs conduct for the purpose of establishing harmony in all human relationships. To distill things still further, for practical purposes, ethics is fair play.

The study of ethics can be somewhat confusing. Like many subfields of philosophy, there are few simple answers, if any definitive answers at all, to many ethical questions (Klicker, 1995). This course delivers an overall sense of the study of ethics through time, as well as looking at factors that can be considered when determining what makes a concept or action ethical in general. We'll also look at the funeral industry specifically, examining the many different aspects of a funeral professional's business and personal life that necessitate making ethical determinations.

The Grey Areas

We'll start with a quick look at two areas where the understanding of ethics often becomes foggy.

Religion vs. Ethics (Mintz, 2012)

Most of the world's religions have an ethical component, including Judaism, Buddhism, Hinduism, Islam, and Christianity, in that they prescribe moral rules to follow.

Written and oral religious revelation directs people to an understanding of the nature of human values, of how they should live and what constitutes right and wrong.

Such teachings and examples are scattered among various verses and sources in different religions. Some examples of these moral teachings include the necessity of doing right and good beyond the call of duty, loving thy neighbor, using correct behavior between people, disciplining or training one's character under the law, showing piety beyond the law, and the embracing the need to be respectful, earn a living, engage in learning and culture, etc.

The link between religion and ethics can be illustrated by the Golden Rule – “Do unto others as you would have them do unto you,” – a version of which appears in virtually all of the world's great religious texts. In other words, we should treat others the way we would want to be treated, and happiness will result. This is one of the basic religious ethics.

Let's look at examples of the Golden Rule from some of the world's major religions. In Christianity, an example of the Golden Rule comes from Matthew 7:1 in the Bible: “All things whatsoever ye would that men should do to you, Do ye so to them; for this is the law and the prophets (King James Version).” In Buddhism, the example comes from the Udanavarga 5,1: “Hurt not others in ways that you yourself would find hurtful.” In the Hindu religion, the example comes from Mahabharata 5, 1517: “This is the sum of duty, do naught onto others what you would not have them do unto you (the Vedas).” In Islam, the Golden Rule example comes from Sunnah: “No one of you is a believer until he desires for his brother that which he desires for himself (Quran).” In Judaism, the example comes from Shabbat 31d of the Talmud: “What is hateful to you, do not do to your fellowman. This is the entire Law; all the rest is commentary (Torah).”

However, the connection between religion and ethics also has its pitfalls. True, it's easy to see a link between some of our most basic moral sentiments and religious ideology. For example, most people today agree that things like murder and adultery are wrong, while most major world religions have promoted these sentiments via their scriptures for millennia. It could be argued that the ancient codes of conduct these traditions embody are actually the original sources of our modern social intuitions. On the other hand, if we accept the belief that these scriptures were authored or dictated by God, then the commands in them are inviolate, and can't be changed if human circumstances change or secular ethical ideas progress. Finally, even though religious and secular ethics don't derive their authority from the same source, there is still a great deal of common ground between them: just because a person is not religious does not mean they are not ethical.

At a minimum, we can consider religion a good source of basic ethical guidance. We should also remember that for many people, it forms the foundation of their ethical system, making it very difficult for them to navigate ethical decisions without being influenced by their religious beliefs.

Law vs. Ethics (Abizadeh, 2018)

Law is defined as a set of rules and regulations that govern an entire society. The law is created by the judicial system of the country with the purposes of maintaining social order, peace, and justice, as well as providing protection to the general public and safeguarding their interests. It clearly defines what a person must or must not do. The law is universally accepted, recognized, and enforced: every person in the society is bound to follow the law. So, in the case of the breach of law, a punishment or penalty or sometimes both may result.

In simple terms, the law may be understood as the systematic set of universally accepted rules and regulations created by an appropriate authority such as a government (regional, national, international, or otherwise). It is used to govern the action and behavior of the people, and can be enforced by imposing penalties. Ethics are principles that guide a person or a society, helping to determine what is good or bad, right or wrong, in a given situation. They set a standard of how a person should live and interact with other people, guiding behavior or conduct, and help an individual live a “good life.”

To make a little easier to analyze, let’s think of the law as a set of rules and regulations that are expressed and published in writing. Let’s think of ethics as a set of guidelines that are abstract, often internal, and based on things like personal or cultural norms. Laws are created with the intent of maintaining social order and peace, as well as providing protection to all people. Ethics are to help guide people in deciding what is right or wrong, and how they should act.

Ethical principles and moral values are often taken into consideration when laws are created: likewise, as a guide for ethical behavior, the law can be a very important tool to use. For example, it might be a good idea to consider the law of your profession, in this case funeral service, as the minimum standard for your ethics. A true funeral professional makes a point to exceed the letter of the law and behavior in a manner that the general public would describe as consumer friendly, not just what’s minimally required.

Exam Question

1. When considering law vs. ethics, which of the following statements is INCORRECT?

- Ethics may be understood as the systematic set of universally accepted rules and regulations created by an appropriate authority such as a government (regional, national, international, or otherwise)
- The law is universally accepted, recognized, and enforced: every person in the society is bound to follow the law
- Think of ethics as a set of guidelines that are abstract, often internal, and based on things like personal or cultural norms
- Think of the law as a set of rules and regulations that are expressed and published in writing

Background of Ethical Philosophy

When considering ethics of a specific kind, like those that impact funeral service, it’s often useful to start with an overview of ethics more generally. This broader prospective can increase our awareness of the extreme complexity of the topic, as well as aiding our understanding of funeral service’s place within a larger ethical framework.

Terminology

To start, let’s take a look at some important key words dealing with ethics, and the study of ethics, along with their definitions (Klicker, 1995):

Ethics, as we previously discussed, is that branch of philosophy dealing with values relating to human conduct, with respect to the rightness and wrongness of certain actions and to the goodness and badness of the motives and ends of such action.

Honesty is having a sense of honor, as well as demonstrating upright and fair dealing.

Integrity is fidelity to moral principles, or in other words, being true to your morals.

Morals are synonymous with ethics, and refer to the customs, values, and standards of practice of a group, age, or theory; intended to be timeless.

Professionalism is professional character or spirit.

Values are beliefs that are held in high esteem.

An **Absolute Moral Standard** is a moral principle followed consistently regardless of the situation.

Business Ethics is what is good or moral in business transactions.

A **Code of Ethics** is a declaration or statement of the professional standards of right and wrong conduct.

Deontological Theory maintains that the morality of an action is determined by its motives or in accordance with some rules. This is also known as non-consequentialism.

The **Golden Rule**, as was mentioned when discussing religions, is a rule of ethical conduct found in some form in most major religions, usually phrased similarly to “Do unto others as you would have them do unto you.”

Meta-ethics evaluates the meaning of ethical statements and the structure and reasons used at arriving at normative theories.

Normative Ethics is the study of ethical action; it involves formulating moral standards of conduct.

Situational Ethics are moral principles that vary with circumstances.

Teleological Theory maintains that the morality of an action is determined solely by its consequences. This is also known as consequentialism.

Utilitarianism is the idea that the morally right action produces the greatest good for the largest number of people.

Exam Question

2. _____ are moral principles that vary with circumstances.

- a. Meta-ethics
- b. Normative Ethics
- c. Situational Ethics
- d. Values

Philosophers

Many philosophers have considered the issue of moral and ethical behavior throughout history. Today, some are still very well-known individuals, while others are not really household names, but still made important contributions to the current structure of ethical thought. The following list notes key philosophers, along with what they are best known for, ethically speaking (Vesey, 1986):

Aristotle was a Greek philosopher and a student of Plato. He is often considered the “Father of Western Philosophy.” He declared that a virtuous person is someone who has ideal character traits derived from natural internal tendencies and the need to be nurtured. Aristotle developed theories of virtue ethics that do not aim primarily to identify universal principles that can be applied in any moral situation; rather, virtue ethics deal with wider questions like “How should I live?” and “What is the good life?” and “What are proper family and social values?”

Epicurus, a Greek philosopher, was the founder of Epicureanism. Epicureanism focuses on attaining a happy, tranquil life with modest pleasures. Epicurus believed that what he called “pleasure” was the greatest good, but that the way to attain such pleasure was to live modestly, to gain knowledge of the working of the world, and to limit one’s desires. This would lead one to attain a state of tranquility, characterized by freedom from fear and an absence of bodily pain. This constitutes happiness at its highest form.

Immanuel Kant was a German philosopher who lived in Prussia and Germany during the Age of Enlightenment. He wrote the *Critique of Pure Reason*, which discussed uniting reason with experience. He is the father of Kantian ethics, which is a deontological ethical theory developed as a result of Enlightenment rationalism, and based on the view that the only intrinsically good thing is

a good will: an action can only be good if its maxim – the principle behind it – is duty to the moral law.

John Stewart Mill was a British philosopher. He is commonly known as the most influential English-speaking philosopher of the nineteenth century. Mill was a proponent of utilitarianism. He wrote a book published in 1843 called *A System of Logic*, which formulated the five principles of inductive reasoning that are known as Mill’s Methods. It outlines the empirical principles Mill would use to justify his moral and political philosophies.

Lawrence Kohlberg was a Jewish-American psychologist born in 1927. He developed a theory of stages of moral development, later known as Kohlberg’s Stages of Moral Development, in his 1958 dissertation for his doctoral degree in psychology at the University of Chicago. His theory was inspired by the work of Jean Piaget, whose findings on children’s reactions to moral dilemmas he expanded upon. We will discuss his work further later in the course.

Lucius Annaeus Seneca was a Roman Stoic philosopher. Stoicism is predominately a philosophy of personal ethics, informed by its system of logic and its views on the natural world. Seneca’s works discuss both ethical theory and practical advice, and he stresses that both parts are distinct but interdependent. His *Letters to Lucilius*, which remains one of his most popular works, offers ethical guidance and showcases Seneca’s search for ethical perfection.

Marcus Aurelius was a Roman emperor from 161-180 AD, as well as a Stoic philosopher. He was the last of the “Five Good Emperors.” He wrote *Meditations*, mostly for his own guidance and self-improvement. He had a logical mind and his notes were representative of Stoic philosophy and spirituality.

Mortimer Adler was a Columbia-educated American philosopher who lived during the twentieth century. He referred to Aristotle’s *Nicomachean Ethics* as the “ethics of common sense” and also as “the only moral philosophy that is sound, practical, and undogmatic.” Thus, it is the only ethical doctrine that answers all the questions that moral philosophy should and can attempt to answer, neither more nor less, and that has answers that are true by the standard of truth that is appropriate and applicable to normative judgments. In contrast, he believed that other theories or doctrines try to answer more questions than they can or fewer than they should, and their answers are mixtures of truth and error, particularly the moral philosophy of Immanuel Kant.

Plato was a Greek philosopher, the student of Socrates and teacher of Aristotle. He was the founder of the Academy of Athens, which was the first institute of higher learning in the Western world. Like most other ancient philosophers, Plato maintains a virtue-based conception of ethics. He believed happiness or well-being is the

highest aim or moral thought and conduct, and the virtues are the requisite skills and dispositions needed to attain it.

Socrates was a Greek philosopher, considered to be the “Father of Ethics.” He was the teacher of Plato, among others. Socrates was the first person to give a practical and political focus to philosophy and ethics. He believed that the best way to find knowledge, and one of the important components of being a good, ethical citizen, was to have meaningful conversations with people about basic principles. Socrates equated knowledge with virtue, which ultimately leads to ethical conduct. He believed that the only life worth living was one that was rigorously examined. His belief in his theories was so strong that it got him killed: he was forced to drink a mixture of poison hemlock for corrupting the minds of the youth of Athens.

St. Augustine is a fourth century Roman African philosopher whose groundbreaking philosophy infused Christian doctrine with Neoplatonism. He is famous for being an inimitable Catholic theologian and for his agnostic constitutions to Western philosophy. He focused on salvation and divine grace. St. Augustine is a saint in Catholic and Anglican churches.

St. Thomas Aquinas was a Roman philosopher, Dominican priest, and scriptural theologian. He is often referred to as “The Universal Teacher.” He had a considerable influence on Western thought. Thomas has one of the most well-developed and capacious ethical systems of any Western philosopher, drawing as he does on Jewish, Christian, Greek, and Roman sources, and treating topics such as virtue theory, normative ethics, applied ethics, law, and grace. Much of modern philosophy was conceived either as a reaction against or in agreement with his ideas, specifically in the areas of natural law, ethics, and political theory.

Exam Question

3. _____ is often referred to as “The Universal Teacher,” and had a considerable influence on Western thought. Much of modern philosophy was conceived either as a reaction against or in agreement with his ideas, specifically in the areas of natural law, ethics, and political theory.

- a. Immanuel Kant
- b. Marcus Aurelius
- c. Socrates
- d. St. Thomas Aquinas

In reading about these philosophers, you might have noted that many of them created or supported ethical philosophies and/or schools of thought that contradict each other. This leads to one of the major problems in determining ethical behavior: depending on which theory or school of thought you adhere to, determining which actions are right or wrong will be different. In other words, two people can look at the same situation and

have completely different ethical views, and both people can be correct. A great example of this can be found in funeral service. One person might think cremation is the best form of final disposition, while another person might think burial is the best form of final disposition. Neither party is wrong. Both can be correct. If a person picks the option that best fits his belief system, it is the correct option for that person (Klicker, 1995).

Types of Ethics (Klicker, 1995)

Ethical theory, as presented by the philosophers, can be broken down into two broad sub-categories: Normative Ethics and Meta-Ethics.

Normative Ethics is the development of moral standards of conduct. *Meta-Ethics* is the study and evaluation of these standards of conduct.

Normative Ethics can then be further divided into Teleological Ethics and Deontological Ethics.

Teleological Ethics maintains that the morality of an action is determined solely by its outcomes and consequences (as previously mentioned, this is also known as *Consequentialism*). *Deontological Ethics* maintains that the morality of an action is determined by its motives or in accordance with some rule (also known as *Non-Consequentialism*).

A subcategory of Teleological Ethics espoused by some is called *Utilitarianism*. This theory maintains that the morally right decision is the one that produces the most good for the largest number of people.

Stages of Moral Development

Regardless of which category and subcategory of ethics an individual lands in, they have to have developed their moral standards somehow. American psychologist Lawrence Kohlberg expanded on the earlier work of cognitive theorist Jean Piaget in order to explain the moral development of children, creating a template that remains influential to this day.

Kohlberg believed that moral development, like cognitive development, follows a series of stages. He used the idea of moral dilemmas to study 10-16 year old boys' sense of morality and values. These “dilemmas” were stories that presented conflicting ideas about two moral values. The best known moral dilemma created by Kohlberg was the “Heinz” dilemma, which discussed the idea of obeying the law versus saving a life. Kohlberg emphasized that it is the way an individual reasons with themselves about a dilemma that determines positive moral development (Kohlberg, 1984).

Kohlberg held that individuals developed ethical standards of living by passing through stages of moral development. Individuals can pass from not

understanding moral reasoning at all to a point where making a decision based on moral principles becomes an integral part of one's life.

Most American adults function between stages 3 to 5, but moral maturity is gained at stage 6, when the individual makes up his own mind about what is right and wrong (Klicker, 1995).

Kohlberg's Stages of Moral Development

Levels	Stages	Individual Response
Pre-Moral	0	Does not understand the rules or feel a sense of obligation to them. Looking to experience only that which is good, pleasant, or avoid that which is painful or bad.
Pre-Conventional	1 & 2	Moral reasoning is based on reward and punishment from those in authority.
Conventional	3 & 4	Expectations of social group (family, community, and nation) are supported and maintained.
Post-Conventional	5 & 6	Considered universal moral principles which supersede the authority of the group.

Technically, there are three levels (not counting Pre-Moral), identified by Kohlberg. Each level is associated with increasingly complex stages of moral development, as illustrated above. Now let's take a closer look at these three levels (Kohlberg, 1984):

Level 1 – Pre-Conventional

Throughout the Pre-Conventional level, a child's sense of morality is externally controlled. Children accept and believe the rules of authority figures, who might include parents and teachers. A child with pre-conventional morality has not yet adopted or internalized society's conventions regarding what is right or wrong, but instead focuses largely on external consequences that certain actions may bring.

Within the Pre-Conventional level, there are the first two stages of moral development: Obedience and Punishment Orientation and Instrumental Orientation. Stage 1, Obedience and Punishment Orientation, focuses on the child's desire to obey rules and avoid being punished. For example, an action is perceived as morally wrong because the perpetrator is punished; the worse the punishment for the act, the more the act is perceived to be "bad." Stage 2, Instrumental Orientation, expresses the "what's in it for me?" position, in which the right behavior is defined

by whatever the individual believes to be in their best interest. Stage 2 reasoning shows a limited interest in the needs of others: it exists only to the point where it might further the individual's own interests. As a result, concern for others is not based on loyalty or intrinsic respect, but rather on a "you do something for me and I'll do something for you," mentality. For example, during potty training, the parents may "bribe" the child to go potty in the toilet, promising candy or toys if they are successful. This is incentive for the child to do what they are asked to do.

Level 2 – Conventional

Throughout the Conventional level, a child's sense of morality is tied to personal and societal relationships. Children continue to accept the rules of authority figures, but this is now due to their belief that this is necessary to ensure positive relationships and societal order. Adherence to rules and convention is somewhat rigid during these stages, and a rule's appropriateness or fairness is seldom questioned.

Within the Conventional level are stages 3 and 4 of moral development: Good Boy, Nice Girl Orientation and Law and Order Orientation. During stage 3, Good Boy, Nice Girl Orientation, children want the approval of others and act in ways to avoid disapproval. Emphasis is placed on good behavior and people being "nice" to others. During stage 4, Law and Order Orientation, the child blindly accepts rules and convention because of their importance in maintaining a functioning society. Rules are seen as being the same for everyone, and obeying rules by doing what one is "supposed" to do is seen as valuable and important: if one person violates a law, perhaps everyone would. Moral reasoning in stage 4 is beyond the need for individual approval exhibited in stage 3, but is still predominantly dictated by an outside force.

Level 3: Post-Conventional

Throughout the Post-Conventional level, a person's sense of morality is defined in terms of more abstract principles and values. People now believe that some laws are unjust and should be changed or eliminated. This level is characterized by an increasing realization that individuals are separate entities from society, and thus may disobey rules that they see as inconsistent with their own principles. Post-Conventional moralists live by their own ethical principles, which typically include a belief in such basic human rights as life, liberty, and justice. People in this level generally view rules as useful but changeable, rather than allowing them to absolutely dictate how they must act. Because Post-Conventional individuals weigh their own moral understanding of situations more heavily than that of society, their behavior (especially at stage 6) can sometimes seem similar to the behaviors exhibited by people at the Pre-Conventional level.

Within the Post-Conventional Level are stages 5 and 6 of the moral development. In stage 5, the world is viewed as containing different opinions, rights, and values; these

differing perspectives are held to be equally valuable, and characteristic of each person or community. Laws, rather than being perceived as unchangeable and unbreakable, are regarded as social contracts: useful only insofar they meet the greatest good for the greatest number of people, and in need of alteration, via compromise and majority rules, when they do not. Sound familiar? Democratic government is, in theory, grounded in stage 5 reasoning. In Stage 6, moral reasoning is based on abstract reasoning using ethical principles. Generally, the chosen principles are abstract rather than concrete and focus on ideas such as equality, dignity, or respect. Laws are perceived as legitimate only when they are grounded in justice; thus, commitment to justice conveys carries an obligation to disobey laws that are unjust. The individual acts in a way that is morally right because it is morally right, not to avoid punishment or because action is their best interest, expected, legal, or agreed on. Although Kohlberg insisted that stage 6 exists, even he had trouble identifying individuals who regularly achieved it; other theorists have expressed the opinion that speculated that many people may never reach the Post-Conventional Level at all.

Exam Question

4. American psychologist Lawrence Kohlberg identified several stage of moral development. Instrumental Orientation, which expresses the “what’s in it for me?” position, can be found within which level?
- Conventional
 - Post-Conventional
 - Pre-Conventional
 - Pre-Moral

Critiques of Kohlberg’s Theory (Gibbs, 2003)

Kohlberg has been criticized for his assertion that women seem to be deficient in their moral reasoning abilities when compared to men, claiming that they get “stuck” at stage 3. A female research assistant of Kohlberg’s named Carol Gilligan criticized her former mentor’s theory because it was based so narrowly on research using white, upper-class men and boys. She argued that women are not deficient in their moral reasoning and instead proposed that males and females reason differently. In this way, girls and women focus more on staying connected and maintaining interpersonal relationships.

In addition, the theory has been criticized for emphasizing justice to the exclusion of other values, with the result that it may be not adequately address the arguments of those who value other moral aspects of actions. Similarly, critics argue that Kohlberg’s stages are culturally biased. These critics believe that the highest stages in particular reflect a westernized ideal of justice based on individualistic thought. This is biased against those that live in non-Western societies that place less emphasis on individualism. It’s also been observed that many people make moral

judgments in an inconsistent manner, such as when making decisions involving drinking and driving. Business situations provide many opportunities for people to reason at a lower developmental stage, making choices driven by self-interest (stage 2) rather than authority and social order obedience (stage 4). Critics argue that Kohlberg’s theory cannot account for such inconsistencies.

Making Ethical Decisions

Ethical decision making in a business could be based strictly on what is legal, but that’s really the bare minimum. Many businesses strive to base their ethical decisions on factors beyond legality, including government regulations, employee needs, consumer needs, social pressures, and the firm’s financial status. Let’s briefly break down each factor, so we can understand them better (Klicker, 1995).

Laws are rules that govern society. *Government regulations* are usually enacted to protect consumers. *Employee needs* can be economic, physical, and emotional. *Consumer needs* can also include economic considerations, physical factors, and emotions. *Social pressures* determine the company’s social responsibility. Finally, the *firm’s financial status* can affect the likelihood of its embracing a high ethical standard: it can be easier to consider ethics during strong economic times, but during times of financial difficulties, owners/managers are more apt to forgo ethics for economics.

So far we’ve looked mostly at abstract ethical theories. Now let’s consider some practical applications of these theories: models and guidelines that can help us to make decisions in an ethical manner. While the moral dilemmas we face as funeral service professionals may seem unique, we can meet these challenges with the same tools that are applied to all ethical problems and all ethical business decisions. Understanding how we make and follow through on ethical decisions is the first step to making better choices (Johnson, 2012).

Models of Ethical Decision Making (Johnson, 2012)

There are a number of models of ethical decision making and action. Arguably the most widely used model of moral behavior was developed by James Rest of the University of Minnesota. Rest built his Four Component Model by working backward. He started with the end product, moral action, and then determined the steps that produce such behavior. He concluded that ethical action is the result of four psychological subprocesses:

1. Moral sensitivity (recognition)
2. Moral judgment
3. Moral focus (motivation)
4. Moral character

Let’s take a closer look at Rest’s model of ethical decision making and action.

Component 1 – Moral Sensitivity (Recognition)

Moral sensitivity, or recognizing the presence of an ethical issue, is the first step in ethical decision making: we cannot solve a moral problem unless we are first aware that one exists. According to Rest, problem recognition requires that we consider how our behavior affects others, identify possible courses of action, and determine the consequences of each potential strategy. However, a number of factors may prevent us from recognizing ethical issues when they arise. First, the way we usually think may not factor in ethical considerations. Alternately, we may prefer to avoid the use of moral vocabulary – words like values, justice, and wrong – in order to avoid controversy. We may even trick ourselves into believing that we are acting morally when we in fact are not, a process called “ethical fading.”

So how do we enhance our ethical and moral sensitivity? Actions we can take include active listening, imagining other perspectives, stepping back from a situation to determine whether it has moral implications, using moral terminology to discuss problems and issues, avoiding euphemisms, refusing to excuse misbehavior, accepting personal responsibility, and practicing humility and openness to other points of view.

Besides taking actions to enhance our moral sensitivity, we can also pay closer attention to our emotions, which can give us important clues that we are faced with an ethical dilemma. Moral emotions can be triggered even when we do not have a personal stake in an event, encouraging us to take action that benefits other people and society as a whole.

There are several types of moral emotions. *Other-condemning emotions*, including anger, disgust, and contempt, are typically prompted by things like unfairness, betrayal, immorality, cruelty, poor performance, and status differences. *Self-conscious emotions*, like shame, embarrassment, and guilt, encourage us to obey the rules and uphold the social order. *Other-suffering emotions*, such as sympathy and compassion, spring up when we see other human beings suffering or sorrowing, encouraging us to comfort, help, and relieve pain. Finally, *other-praising (positive) emotions*, including gratitude, awe, and elevation, occur on a personal level when someone does something on our behalf; they also occur more broadly, such as when learn of acts of charity, loyalty, and self-sacrifice, and when we read or hear about moral exemplars. They encourage us to repay others, and to become better persons.

Component 2 – Moral Judgment

Once an ethical problem has been perceived and considered, decision makers choose a course of action from the options they’ve generated. To put it a different way, the decision makers make judgments about what is the right or the wrong thing to do in this situation.

The moral judgment component goes back to Kohlberg’s Stages of Moral Development, and the question of how people develop their moral reasoning abilities. Rest, who

studied under Kohlberg, based his thinking on the levels and stages proposed by his mentor; however, he and his colleagues did make some changes. Rest and his colleagues replaced the stages with a staircase of developmental schemas, or networks of knowledge organized around life events. People use schemas when incorporating new situations or information into their current knowledge base. Let’s take Mortuary School, for example: mortuary students take Embalming I, then build on the information they learned in Embalming I to master the skills and information in Embalming II. The concept that decision makers develop more sophisticated moral schemas as they progress is known as Neo-Kohlbergian.

According to Rest and his colleagues, the least sophisticated schema is based on personal interest. People at this level are concerned only with what they may gain or lose in an ethical dilemma, and the broader needs of others are not considered. Those who reason at the next level, the maintaining norms schema, feel a moral obligation to maintain social order. They are concerned with following rules and laws and making sure that regulations apply to everyone, and perceive a clear social hierarchy with carefully-defined roles. The post-conventional schema is the most advanced level of moral reasoning: it involves looking behind societal norms to determine whether they serve moral purposes. As Kohlberg also maintained, thought at this level is not limited to one ethical approach, but encompasses many different philosophical traditions. Post-conventional individuals believe that moral obligations should be based on shared ideals, should not favor some people over others, and are open to scrutiny.

Interestingly, Rest actually created a test – the Defining Issues Test (or the DIT, later succeeded by the DIT-2) – to measure moral development. People taking the test respond to six ethical scenarios, then choose statements that best reflect the reasoning they used to come up with their choices. The chosen statements – which correspond to the three levels of moral reasoning used by both Kohlberg and Rest – are then scored. (The most well-known example of one of these ethical scenarios is that of Heinz, whose wife is dying of cancer and needs a drug he cannot afford to buy. He must decide whether or not to steal the drug to save her life.) Hundreds of studies using the DIT reveal that moral development is a universal concept, crossing cultural boundaries. In addition, moral reasoning generally increases with age and education: college students benefit from their educational experiences in general, and particularly from any ethical coursework. When education stops, moral development stops as well.

Models of cognitive development can also provide important insights into the process of moral development. First, context plays an important role in shaping ethical behavior. Most people look to others, as well as to rules and regulations, when making ethical determinations, and are more likely to make wise moral judgments if coworkers and supervisors encourage and model ethical behavior. In other words: funeral service professionals generally,

and those in management positions in particular, need to act ethically in order to build ethical environments. Second, just as expressed above, education fosters moral reasoning. Pursuing additional degrees, taking continuing education courses, and being a lifelong learner can promote your moral development, as can discussing ethical issues in groups and at meetings, and reflecting on the ethical challenges you face on a daily basis. Third, a broader perspective is better, so consider the needs and viewpoints of others outside your immediate group or funeral home. Determine what is good for the local area, the larger society, and the global community. Fourth, moral principles produce superior solutions. The best ethical decision makers base their choices on widely accepted ethical guidelines.

Component 3 – Moral Focus (Motivation)

After concluding that a particular course of action is best, decision makers must be focused, or motivated to follow through, on their choices. This can be challenging, because moral values can often conflict with other significant values. For example, an employee wants to report illegal practices going on at her funeral home; however, she must decide if her desire to do the right thing outweighs her desire to keep her job, provide income for her family, and maintain relationships with her colleagues. She will only report the illegal practices if moral considerations come out on top in this battle of priorities.

Psychologists report that both self-interest and hypocrisy can weaken moral motivation. Sometimes people truly want to do the right thing, but the perceived personal cost of acting in an ethical manner is too high, as in the example above. Others want to appear moral while avoiding the cost of actually being moral: they talk the talk, but never intend to follow an ethical course of action. Consider a manager who claims he always distributes tasks fairly because he would never make his employees doing anything he himself would not do – but really assigns himself the most desirable or easiest tasks, and gives the less desirable and harder tasks to others. Both self-interest and hypocrisy encourage leaders to set their moral principles aside: owners or corporate managers may tell their employees that they deserve higher wages, but really, they just want to look good to the lower-level workers. In reality, if the owner or manager is going to earn less themselves as a result, they are not likely to pay employees more money.

Rewards play an important role in ethical follow-through. People are more likely to give ethical values top priority when rewarded through raises, promotions, public recognition, and other means for doing so. Conversely, moral motivation drops when the reward system reinforces unethical behavior, and unfortunately, misplaced rewards are all too common. Think, for instance, of how often funeral professionals are rewarded for trying to push or upsell, regardless of whether the family they're working with can afford it.

Emotions also play a part in moral motivation. As noted earlier, sympathy, disgust, guilt, and other moral emotions

prompt us to take action, and we can use their motivational force to help us punish wrongdoers, address injustice, provide assistance, and so on. Other researchers report that positive emotions such as joy and happiness make people more optimistic and more likely to live out their moral choices and to help others. Depression, on the other hand, lowers motivation, and jealousy, rage, and envy contribute to lying, revenge, stealing, and other antisocial behaviors.

To increase your own moral motivation, as well as the moral motivation of those around you, seek out and create ethically rewarding environments. Make sure the reward system of a funeral home you hope to work for supports ethical behavior before joining as an employee or a manager. If all else fails, reward yourself by taking pride in following through on your ethical decisions and living up to your self-image as a person of integrity. Tap into moral emotions while making a conscious effort to control negative feelings and to embrace a positive frame of mind.

Component 4 – Moral Character

Executing the plan of action takes character. Moral agents have to overcome opposition, resist distraction, cope with fatigue, and develop tactics and strategies for reaching their goals. This helps explain why there is only a moderate correlation between moral judgment and moral behavior: many times deciding does not lead to doing.

Positive character traits like courage, prudence, integrity, humility, reverence, optimism, compassion, and justice contribute to ethical follow-through. Courage helps people implement their plans despite the risks and costs of doing so, while prudence helps them choose the best course of action. Integrity encourages them to be true to themselves and their choices. Humility forces them to address limitations that might prevent them from taking action. Reverence promotes self-sacrifice. Optimism equips them to persist in the face of obstacles and difficulties. Compassion and justice focus their attention on the needs of others rather than on personal priorities.

Reflecting on past performance can provide insight into whether an ethical choice was made and followed through on. It's also crucial to believe that your actions can have an impact; otherwise, you are probably not going to carry through when obstacles surface. Develop your skills so that you can better put your moral choice into action and master the context in which you operate.

Exam Question

5. Which component of James Rest's model of ethical decision making and action is described as "Once an ethical problem has been perceived and considered, decision makers choose a course of action from the options they've generated,"?
- Component 1 – Moral Sensitivity (Recognition)
 - Component 2 – Moral Judgment
 - Component 3 – Moral Focus (Motivation)
 - Component 4 – Moral Character

Decision Making Guidelines

Decision making guidelines or formats can help us navigate situations and make better ethical choices. Using a particular decision making system encourages teams and individuals to carefully define the problem, gather information, apply ethical standards and values, identify and evaluate alternative courses of action, and follow through on their choices. They're also better equipped to defend their decisions.

Let's take a look at two such approaches: Kidder's Ethical Checkpoints and Nash's 12 Questions.

Kidder's Ethical Checkpoints (Johnson, 2019)

Ethicist Rushworth Kidder suggests that nine steps or checkpoints can help bring order to otherwise confusing ethical issues.

1. *Recognize that there is a problem.*
This step is crucial: it forces us to acknowledge that there is an issue that deserves our attention, and helps us separate moral questions from disagreements about manners and social conventions.
2. *Determine the actor.*
Once we've determined that there is an ethical issue, we then need to decide who is responsible for addressing the problem.
3. *Gather the relevant facts.*
Adequate, accurate, and current information is important for making effective decisions of all kinds, including ethical ones. Details do make a difference.
4. *Test for right-versus-wrong issues.*
A choice is generally a poor one if it gives you a negative, gut-level reaction, would make you uncomfortable if it appeared on the front page of tomorrow's newspaper, or would violate the moral code of someone that you care a lot about. If your decision violates any of these criteria, you had better reconsider.
5. *Test for right-versus-wrong values.*
Many ethical dilemmas pit two core values against each other. Determine whether or not two good or right values are in conflict with one another in the situation.
6. *Apply ethical standards and perspectives.*
Apply the ethical principle that is most relevant and useful to this specific issue.
7. *Look for a third way.*
Sometimes seemingly irreconcilable values can be resolved through compromise or the development of a creative solution.

8. *Make the decision.*
At some point, we need to step up and make the decision. This seems obvious, but it's easy to become mentally exhausted from wrestling with the problem, get caught up on the act of analysis, or lack the necessary courage to come to a decision.
9. *Revisit and reflect on the decision.*
Learn from your choices. Once you've moved on to other issues, stop and reflect. What lessons emerged from this case that you can apply to future decisions? What ethical issues did it raise?

There is a lot to be said for Kidder's approach to ethical decision making. For one thing, he takes the process from start to finish, beginning with defining the issue, and concluding with learning from the situation after the fact. He also acknowledges that there are some problems that we cannot do much about, that we need to pay particular attention to gathering as much information as possible, and that some situations involve deciding between two "goods." Finally, he advocates considering creative solutions, and acknowledges that making a choice can be an act of courage.

Exam Question

6. **Ethicist Rushworth Kidder suggests that nine steps or checkpoints can help bring order to otherwise confusing ethical issues. The statement "Sometimes seemingly irreconcilable values can be resolved through compromise or the development of a creative solution," applies to which checkpoint?**
- a. 2 - Determine the actor
 - b. 5 - Test for right-versus-wrong values
 - c. 7 - Look for a third way
 - d. 9 - Revisit and reflect on the decision

Nash's 12 Questions (Johnson, 2012)

Ethics consultant Laura Nash offers 12 questions that can help identify the responsibilities involved in making moral choices.

1. *Have you defined the problem accurately?*
The ethical decision making process begins with assembling the facts. This might be something like determining how the rise in cremation rates and decline in traditional services and viewings will affect your embalmers. Finding out the facts can help defuse the emotionalism of some issues. The damage might not be as great as first feared.
2. *How would you define the problem if you stood on the other side of the fence?*
Asking how others might feel forces self-examination. From a funeral home's point of view, putting in their own retort might seem like a good idea as they would be able to perform their own cremations in-house and avoid driving to deceased

to the next city for cremation. However, neighbors might have an entirely different perspective, fearing a retort in the neighborhood would create smoke or ash.

3. *How did this situation occur in the first place?*

This question separates the symptoms from the disease. Lying, cheating customers, and strained labor relations are generally symptoms of deeper problems, which makes firing an employee for unethical behavior a temporary solution. Probe to discover the underlying causes. For example, many times when corners are cut in the funeral home, it is due to pressure from a boss or manager to reduce costs or time at work.

4. *To whom and to what do you give your loyalties as a person or group and as a member of the organization?*

Conflicts of loyalty are hard to sort through, but wrestling with the problem of where ultimate loyalty lies (Work? Family? Self?) can clarify the values operating in an ethical dilemma.

5. *What is your intention in making this decision?*

What do you expect to get out of it? What will others get out of it? As a funeral professional in dealing with families, what are your intentions during the arrangement conference? Are you getting something out of it? Is the family?

6. *How does this intention compare with the likely results?*

These questions probe both the group's intentions and the likely products. Honorable motives do not guarantee positive results. Make sure that the outcomes reflect your motivations.

7. *Who could your decision or action injure?*

Too often companies consider possible injury only after being sued. Try, in advance, to determine harmful consequences. What will happen if customers ignore the sign that says "watch your step" in your funeral home chapel and fall down and injure themselves? What if the food you serve after funeral services has been in the freezer for too long and causes someone to become ill? Based on these determinations, you may decide to make repairs or remodels to your funeral home, or abandon the idea of serving food yourselves after funerals and instead opt for a catering company.

8. *Can you engage the affected parties in a discussion of the problem before you make your decision?*

Talking to affected parties is one way to make sure that you understand how your actions will influence them. Few of us would want other people decide what is in our best interest, yet we often push forward with projects that assume we know what is in the best interest of others. An example of this would be the type of service that is right for a family you are serving as a funeral service professional. Is

there a problem that exists between family members in selecting the right service for their loved one? Is there a financial issue they are dealing with that might not allow them to select the type of service they want? As a funeral professional, can you discuss the options with the family so they can better understand their choices?

9. *Are you confident that your position will be as valid over a long period of time as it seems now?*

Make sure your choice will stand the test of time: what now seems like compelling reasons for a decision may not seem so important months or years later. Consider the funeral homes that refused deceased clients with HIV or AIDS, or charged their loved ones excessive amounts to take them, during the AIDS epidemic of the 1980's. Today, we know that this was incredibly discriminatory, and these individuals and others are now protected under the Americans with Disabilities Act from being discriminated against in places like funeral homes.

10. *Could you disclose without qualm your decision or action to your boss, the owner of the company, your family, a family you are serving, or the society as a whole?*

No ethical decision is too trivial to escape the disclosure test. If you or your company would not want to disclose this action, then you'd better reevaluate your choice.

11. *What is the symbolic potential of your action if understood? Misunderstood?*

What you intend may not be what the public perceives. If your funeral home is known for "ambulance chasing," and is then hosting an ice cream social and handing out business cards at a local convalescent home, it may not be seen as a generous civic gesture.

12. *Under what conditions would you allow exceptions to your stand?*

Moral consistency is critical, but is there any basis for making an exception? As a funeral home professional who manages a location for a corporation, you know that employees are supposed to be at work at a certain time. Yet, as a manager, is there any time when you would be willing to overlook violations? If the employee, who is a single dad, had to take his son to school first? If the employee had a late visitation the night before, or had to come in to embalm in the middle of the night?

Like the ethical checkpoints, the 12 questions highlight the importance of identifying the problem and gathering as much information as possible. They go a step further, however, by encouraging us to engage in perspective taking. We need to see the problem from the other party's point of view, consider the possible injury we

might cause, invite others to give us feedback, and then consider how our actions will be perceived. We also need to envision results and take a long-term perspective, visualizing how our decisions will stand the test of time. Stepping back can help keep us from making choices we might regret later on.

This model of ethical decision making is very detailed, and it's possible to become frustrated at the amount of time it takes to answer the 12 questions: discussing the problem with affected parties, for instance, could require a series of meetings over a period of weeks or months. In addition, because everyone defines problems differently, there may be exceptions to the decision, however carefully considered. It's also possible to never reach a conclusion at all! Nash, however, maintains that discussions based on these queries can be useful even if the group does not reach a conclusion: answering the questions brings to light ethical concerns that might otherwise remain hidden, identifies common moral problems, clarifies gaps between stated values and performance, and explores a variety of alternatives.

In conclusion, decision making guidelines can be useful in making better ethical choices – but the particular format you choose is not as important as taking a systemic approach to ethical decision making.

Ethics for Funeral Professionals

Ethics in funeral service boils down to doing what is right on behalf of the family – and in so doing, the funeral professional must take into account all the considerations that affect the situation before them. That means that the funeral profession should be honest and not lie, should not misrepresent themselves, the funeral home, or anything they are selling, and should not deny the family they serve the best professional funeral that can be delivered, regardless of the circumstances (Funeral Ethics Association, 2003).

We'll be looking at several different arenas of ethical consideration that affect funeral professionals.

Ethical Pricing (Funeral Ethics Association, 2003)

Consider the following two questions:

“Should there be a reasonable relationship between the cost incurred by the funeral firm for services and the price you ask, including a fair profit?”

“Should the pricing of merchandise have some reasonable relationship to the cost of the product plus your fair overhead and recovery of profit?”

Even today, in the presence of casket stores and wholesale warehouses that sell caskets direct to the consumer, the matter is still debated. And we're not using logic to come to our conclusions, but resting instead on the way it was done in the funeral profession many years ago. But today's funeral profession faces new challenges, so shouldn't the

way we think change too? Now that third party sellers have demonstrated that they can radically reduce prices on their comparable merchandise, funeral services are being forced into the same competitive zone that every other business has experienced for many years.

The Funeral Ethics Association (2003) lays out a scenario that's a great example of this problem. Let's say your price range for 18-gauge steel caskets is about \$2,000-3,500.00. As a funeral director, if someone comes into your selection room and knows nothing about caskets, how would you convey the necessary information? You could compare the casket to something that would give them an idea of the value being received – something familiar to them, like a refrigerator or a washer or dryer. However, a washer, dryer, AND a refrigerator added together probably do not equal the price of an 18-gauge casket, so you might also throw in the cost of a range, microwave, freezer, and an outdoor grill. Now as the question becomes: will a person who's just been told they can get seven appliances for the same money as the casket believe that it is marked up to reflect the compensation for the modest service charge? Unlikely. Instead, they'll probably assume that if the merchandise is priced high, then so are the services.

However, surveys conducted by the National Funeral Directors Association, combined with actual costs that have been gathered through the Federated Funeral Directors of America, suggest that most firms today are still underpricing their services, by approximately \$600 a service. That's equivalent to a one-time markup loss on the merchandise before you ever go into the selection room.

Bear in mind that ONLY funeral directors can offer these services, while wholesale and big-box stores can offer the same merchandise for much less. So why are so many funeral professionals still marking up merchandise, while keeping service charges low? It is both ethical and prudent to examine how the pricing should be structured in order to reflect fairness and equitability between merchandise and services. Does this relationship exist at the funeral home where you work, or the firm you manage? If not, maybe now is the time to reconsider your pricing approach.

In addition to the above issue, investigations of pricing in funeral homes have concluded that funeral homes often are not forthcoming about how much things cost, or they might embed the information in elaborate package deals that can drive up the price of a funeral. Most funeral homes have websites; however, prices are often not included on the website, making it more difficult for families to price shop or understand what they are getting into. Consider your funeral home. Do you make your prices clear to families? Do you explain to your families what they are paying for and what they are getting? If you have package pricing, do you lay out everything included in the package so the family understands? Do you have a website that includes your prices? These are just some of the factors that should be considered in moving toward both ethical pricing in funeral homes, and public perception of the pricing as ethical.

Ethics with Regards to the Deceased Body

As funeral professionals, the deceased human body is a big part of our job. Even if you solely meet with families and do not ever actually come into contact with the dead body, you are still dealing indirectly with the deceased. Many elements come into consideration when we discuss ethics in relation to the deceased human body.

Absolutism vs. Relativism (Klicker, 1995)

The question of the value or the sanctity of the human body and how it should be treated is an important aspect of our ethical inquiry into funeral service. If we explore two of the many ethical theories, absolutism and relativism, in regard to what should be done with dead human bodies, we will begin to see the complexities involved in deciding whether actions are ethical or not.

We'll consider two ethical questions as we explore:

1. Is an action right or wrong in relation to certain conditions, or is it right or wrong independently of any conditions?
2. Are the rules always the same, or do they change with social and individual needs, customs, and historical evolution?

Absolutism is when an action is right or wrong because a higher authority of some kind says it is. The determination is absolute regardless of the situation. There is no uncertainty due to changing circumstances or events. This theory is one often found in religious beliefs.

Example 1: Killing another person is wrong, even if it is in self-defense or to protect the life of someone else. Killing is wrong, period.

Example 2: Every dead body is deserving of respectful treatment, regardless of who they were.

Relativism is when there is no one correct moral standard for all times and all people. Each group has its own morality relative to its wants, needs, culture, history, or to a change in a situation, event, or circumstance.

Example 1: Killing is wrong unless it is necessary to protect your own or someone else's life. Example 2: A dead body is deserving of respectful treatment unless it was an evil person such as Adolf Hitler.

Thinking about absolutism and relativism, do you, as a funeral professional, practice one or the other when you are dealing with a deceased body? Can you think of examples?

Within our profession, the majority of practitioners and educators believe one of the most important ethical responsibilities that the funeral professional has is toward the body of the deceased. The funeral profession is founded on the care of deceased individuals. For six thousand years, either funeral professionals of some sort, or a specified person or group, have been caring for the physical bodies of those who die. Even though one could argue that the

body is just a shell, and what made the real personal was the spirit or soul of that individual, the physical body was still an important component of that life and is the physical manifestation of that spirit. It talked to us, held us when we were frightened, beamed with pride at our accomplishments, cried when it hurt, and laughed when it was happy.

If there is ambiguity in this area, it is not in the belief that dead bodies should be shown respect. The ambiguity lies in what constitutes disrespectful actions. What kinds of behaviors in the presence of a deceased human body do you feel are disrespectful? What about swearing? Laughing? Smoking? Eating or drinking? Lewd comments about the body? Physical abuse? Listening to music? Watching television? Telling jokes? What if you do not put your best effort into the embalming, or fail to correct mistakes you might have made in the treatment of the deceased body? Can you think of other behaviors that might be disrespectful in the presence of a deceased human body? Alternately, are there actions that you think are okay, but others feel are disrespectful?

Now let's think again about absolutism and relativism. Are your decisions about these behaviors absolute or relative? If relative, what are the factors that would change your decision? If absolute, but you still have exhibited one or more of them, why did you act that way? Were you aware at the time that you were acting in a manner that you feel is incorrect?

It is common, and somewhat therapeutic, for people who are involved in life and/or death care occupations to relieve stress by taking part in activities that individuals outside of the profession may feel are inappropriate. Some examples might be a surgeon who sings while she is operating, the fireman who laughs and tells jokes at a bad disaster, or the police officer on a murder scene who swears at the situation or those involved. Then there is the funeral professional who finds certain actions of a bereaved person to be humorous. While these actions may relieve stress, are they respectful, or, more importantly, ethical?

Exam Question

7. Which of the following is an example of absolutism in relation to the deceased human body?
 - a. A dead body is deserving of respectful treatment unless it was an evil person such as Adolf Hitler
 - b. Every dead body is deserving of respectful treatment, regardless of who they were
 - c. Both of the above
 - d. Neither of the above

Professional Procedures (Klicker, 1995)

When performing any professional procedure on a deceased person, whether it is during the transfer, embalming, restorative art, casketing, or disposition, ethics requires that nothing less than your best professional skills should be utilized. When a family entrusts the body of a loved one into your care, they have a right to expect you to use the time and procedures needed to care for the body according to the accepted standards of the profession.

Removal/Transfer

The respect and dignity that is required of the funeral director begins during the first contact with the deceased. This is usually the transfer of the deceased from the place of death to the funeral home. The remains should be moved to the stretcher as gently and in as dignified a manner as possible, whether or not the family is there watching. Although this might be a difficult task due to the size of the person or the position he or she is in, your intention must be to use professional and sensitive care during this process, whether you are alone with the deceased or in public view.

Any personal belongings such as jewelry, money, or clothing found on the deceased should be removed, itemized, and given to the family. Before soiled clothing is discarded, the family should be informed of its condition and given the option of taking it. Any item the family instructs you to destroy should be destroyed or discarded. Thinking such as, "I am only going to burn this belt anyway, so I might as well keep it for myself," should not even be considered. Again, the family's wishes must prevail: if they want the belt, or maybe a jewelry item or a blanket, buried with the deceased, do as they request.

During Embalming

Because of his/her professional status, the embalmer is expected to abide by certain ethical rules of conduct while embalming. Privacy is a critically important aspect of these ethical rules of conduct. Only authorized individuals with a reason to be present should be in the preparation room during embalming. The deceased herself or himself should also be granted personal privacy by covering the genitals during the operation. Confidentiality, too, is of the utmost importance. No information about the condition of the deceased, the procedures performed, or pre-existing conditions should be given to anyone except immediate family, or the proper authorities who have a need to know.

Strub and Frederick (1989), in their classic textbook on embalming titled *The Principles and Practice of Embalming*, make one of the few references to ethics in regard to embalming that the student or licensed embalmer will find in the literature:

"The preparation room must be kept strictly private. Admittance is limited to the embalmer, his qualified assistant, and any person permitted by law and custom

(such as a physician, coroner, or health officer in the course of his duty) or a person designated by the family to aid in identification, etc.

"You will be asked from time to time by the morbidly curious to permit them to observe an embalming operation. Refuse all such requests politely but firmly, and make no exceptions to this rule. Not only is the presence of unauthorized persons in the preparation room illegal and unethical, but it is unwise as well. A person permitted to observe an embalming operation might well conclude that since you permitted him this privilege, you would do the same for others. Consequently, he may be inclined to call a more conscientious mortician to care for the body of his own wife or mother or sister.

"All subjects, male or female, must be decently protected against exposure at all times. During the embalming operation protections can be provided by a towel or piece of absorbent cotton. After the operation, rubber, plastic, or cotton undergarments should be used and the entire body should be covered with a clean sheet. Loose talk and ill-considered remarks should be forbidden in the preparation room, and smoking should be discouraged.

"Never under any circumstance, should the embalmer relate any details of his professional work to persons outside the funeral home. Especially must he disclose no confidential facts as to the condition of the body, age, deformities, cause of death, etc.

"There is only one safe rule to follow: regard every body as though it is your most beloved relative."

Restorative Art (Klicker, 1995)

There will be times when the deceased has been mutilated or disfigured before death, and major restorative procedures will be necessary for viewing. Not proceeding with the restoration because it will be time-consuming would not be ethical.

Even recommending to the family that the deceased not be viewed because you or your embalmers do not have the level of skill necessary may also be unethical. It is fairly common knowledge that most embalmers will not call in another funeral professional with superior skills, especially if that person works at another funeral home. If they cannot satisfy the family with their own level of skill, they will usually recommend that the casket be closed. However, ethically, a funeral professional should not let his or her ego stand in the way of admitting that someone else may be more proficient at the task. If an outside embalmer can be brought in to do the restoration, then they should be brought in: it is not unlike a physician bringing in a specialist to consult or assist with a patient's treatment or surgery.

Ethics do not require that additional embalming procedures, such as major restoration, be rolled into the standard embalming fee. If charges are legitimate, then

the funeral home should be compensated for additional procedures. The family should be notified if these extra procedures must be performed and how much the charges will be before the operation begins. It is possible the family will decline the additional procedures to save on costs.

As an ethical funeral professional, the deceased human body should be treated with respect and reverence. This is true whether you are in the presence of the deceased or just in discussion about the deceased. Doing what is best for the family you are serving includes treating their loved one right.

The Funeral Arranging Ethic (Klicker, 1995)

During the arrangement conference, the funeral professional is probably under greater scrutiny than at any other time during the funeral process. There is the opportunity for the funeral professional to develop a close, trusting relationship with client families he or she serves. Some funeral professionals choose to keep the relationship formal and businesslike, while others seem to almost become part of the family. Neither of these types of relationships is more or less ethical than the other, as long as both of these funeral professionals follow ethical principles in their dealings with the client families.

It is during the arrangement conference, whether formal or informal, that the funeral professional gives the most professional counsel to the family. During this meeting, funeral professionals give guidance and direction on legal and religious requirements, social and ethnic customs, and service and merchandise options. Whether the arrangement conference takes place at-need or pre-need, the funeral professional has the ethical responsibility to do many things for the families they serve:

- *Keep all information confidential.*
During the arrangement conference, there is generally some sensitive information, including social security number and mother's maiden name, obtained from the family. There might also be discussion of the actual death, or of the family's financial matters. Everything discussed during the arrangement conference should be kept confidential.
- *Ensure all advice given is for the benefit of the consumer, not the funeral home.*
Do not, as an ethical funeral professional, offer advice to the family that does not benefit them. Do not try to upsell them so they spend money they do not have for services they did not request. Advising them to do things they do not want to do is not what is in the best interest of the family.
- *Serve all customers equally, regardless of age, race, gender, religion, or financial status.*
Treat each family as if they were your own. Offer

the same services and advice to each and every family you work with.

- *Provide information that is knowledgeable, honest, factual, and up-to-date.*
Be sure you, as a licensed professional, know the laws regarding things like burial, cremation, disinterment, etc., so you can best assist the families you serve. Be knowledgeable in your professional.
- *Ensure the security of any property such as clothing, jewelry, or personalized items that the family places in your trusteeship.*
If you say you are going to lock something up to keep it secure, make sure to do so. Keep everything secure for the family as you promise them you will do.

If the arrangement conference is for a pre-need arrangement, the funeral professional has some added ethical responsibilities, including providing for possible long-term security of the pre- arrangement information, keeping all information confidential for what could be years to come, supplying the pre-arranger with a copy of all arrangements, complying with all state and federal pre-need, pre-funeral laws, and, after the death of a pre-need client, informing the survivor who has the legal right for disposition of the deceased exactly what the deceased's pre-planned wishes were.

On top of that, if the funeral has been pre-paid, the funeral professional has the ethical responsibility to adhere to any state or federal laws regarding the funds, ensure that any funds will be safe in a trust, bank account, or insurance instrument that protects the arranger from losing any principle or interest, and supply a yearly update on the status of any pre-need funds account maintained by the funeral director.

Exam Question

8. During the arrangement conference, ethical behavior includes _____.
- Ensuring all advice given is for the benefit of the consumer or the funeral home
 - Keeping all information confidential
 - Serving all customers equally, once they've met certain financial standards
 - All of the above

Ethical Business Operations

Ethical business operations at a funeral home are often much the same as they are with any business, but the details can be very different. Funeral professionals are ethically responsible for considering all applicable laws and licensing requirements, as well as questions of personnel and management, whistle blowing, finances, facilities, and advertising.

It is not unusual to find a person's interpretation of which behaviors are ethical changing as circumstances change. This is in itself not wrong: as mentioned earlier, what is considered ethical has changed over time. For example, it used to be considered unethical for lawyers or doctors to advertise, and now these ads can be seen in newspapers, watched on television, and heard on the radio.

It is also not unusual to see ethical perception changing as the economy changes. When the economic cycle is on the way up or is at a high level, business and professional groups discuss ethics and write new codes. When depression strikes or the economic cycle turns down, there is a marked decline in this type of activity.

Laws and Licensing (Klicker, 1995)

Every profession that requires a license to practice that profession carries with it certain legal and ethical rules that are expected to be followed. Failure to live up to these standards can mean the revocation or suspension of that license. Ignorance of these rules is generally not accepted as an excuse for violating them.

In funeral service, most state governments have a licensing board or department that regulates the issuing and revoking of licenses and maintenance of licensing rules. These boards belong to a national association called The Conference of Funeral Service Examining Boards.

Along with being a professional association for state licensing agencies, the Conference also develops and administers the National Board Examination to graduates of accredited mortuary science schools across the country. Some states accept the passing of the National Board Examination in place of an individual state licensing examination. However, many states require both the National Board Examination and a separate state licensing examination, generally dealing with jurisprudence issues in funeral service unique to that particular state.

The latest professional trend in funeral service regarding licensing is mandated continuing education to renew a funeral director's and/or embalmer's license. In those states that require continuing education, a funeral director is required to receive a certain number of clock hours of instruction during each licensing period. Each year more and more states are requiring some level of continuing education, and this trend is predicted to continue. We will return to this topic later.

Licensing boards are also tasked with investigating allegations of dishonesty, violations of the law, and unethical behavior by licensees. These investigations are generally put into motion from a consumer complaint against the licensee. If you should, at some point in your career, be the subject of one of these investigations, it is important that you, as an ethical funeral professional, cooperate with licensing authorities and anyone conducting the investigation. Just because a complaint is filed does not mean you did something wrong.

From time to time, disgruntled family members will make unfounded claims against funeral professionals. Investigators are only doing their job, and if you truly did nothing dishonest, illegal, or unethical, you will be cleared and no harm done: all the more reason to cooperate with these investigations.

Exam Question

9. **Licensing boards are tasked with investigating allegations of dishonesty, violations of the law, and unethical behavior by licensees. If you should be the subject of one of these investigations, it is important that you, as an ethical funeral professional, _____.**
- Cooperate with licensing authorities and anyone conducting the investigation
 - Deny any possibility of wrongdoing
 - Launch your own investigation and discover the identity of the accuser
 - Resign

Personnel (Klicker, 1995)

The most important asset a funeral home has is its employees – and some of the most difficult ethical questions a company deals with concern its relationship with employees. In addition, the employee has ethical obligations to the company. Decisions in this arena affect people's lives and their work environment for years to come.

There are a number of different personnel matters that involve ethical decisions. Of these, the two most common are wages and management/supervision.

Wages

An employee should receive a salary that is commensurate with his/her skills and value to the business. Some managers consider it a good business strategy to pay employees less than what they are really worth if the job market is slow. Some also consider it good financial management to fire an employee who is nearing retirement, thus making him ineligible for lifetime benefits. In both examples, the manager is saving the company money and increasing profits for the stockholders or the owner. What do you think, though: is this good business? Better yet, is it ethical?

Management/Supervision

It is generally accepted that an employer has the ethical responsibility to train employees in all aspects of their position, compensate them justly, and give them a safe environment in which to work. The employee has the ethical obligation to be honest with the employer and perform the duties he or she is assigned to the best of his ability. He or she must be active in learning what the funeral director is teaching and follow the policies of the funeral home.

Some funeral home owners/managers have volatile personalities, and respond to problems by screaming and yelling. They defend this behavior by saying they are the way they are, and anyone who does not like it can leave. In some ways, these statements are true: an owner does that the right to run things the way he/she wants (in accordance with the law, of course), and no one is forced to stay in any position. However, one ethical obligation of management is the manner in which an employee is treated. No owner, manager, or supervisor has the right to humiliate, embarrass, or ridicule an employee. In addition, an employee should never be reprimanded in front of other people.

Whistle Blowing (Klicker, 1995)

Whistle blowing, or reporting unethical, illegal behavior, is looked at in two completely different lights. Some individuals feel it is the ethical responsibility of those who know a violation is occurring to report it. Others believe it is best not to get involved, and follow three simple rules instead: if something unethical or illegal is going on pretend you do not see it happening, do not listen if someone tries to tell you about unethical/illegal behavior, and do not tell anyone about the unethical behavior. The paradox is that even though most of us do not condone illegal or unethical behavior, we also do not condone reporting it. However, as an ethical funeral professional, you should consider reporting unethical and illegal behavior. As a whistle blower, you do not have to give your name or information, just your report.

Finances (Klicker, 1995)

A funeral professional's ethical obligation in the area of finances is the same as it is in any business: honesty can never be compromised. In the funeral profession, the area of finance that seems to be most at risk for unethical or illegal behavior is the use of pre-need money and cash advances. First, the funeral professional must explain fully to families exactly what will happen with the pre-need funds they turn over to him or her. Secondly, the funeral professional must then do with the money exactly as he or she contracted to do with it. Using all or part of the money without authorization, or investing it in risky ventures, is not ethical and can also be illegal.

Profit (Klicker, 1995)

An aphorism heard in business is "Profit is not a dirty word." All companies not only have a right to make an honest profit, they have an obligation. The people who invest money in a funeral home have a legitimate right to expect a profit, whether it is just one investor (its owner), or hundreds of stockholders. Management has an ethical obligation to try to generate that return on investment.

With some business owners or managers, the dilemma comes in deciding what constitutes a fair profit. If we look at health care today, the dilemma is certainly made real: thousands of dollars for tests, hundreds of thousands of dollars for extended hospital stays, hundreds of dollars just for an office visit. A right that many believe should be

basic for all people is bankrupting individuals, companies, states, and possibly even the country.

There is a mistaken belief by some that you cannot operate a profitable business by always acting in an ethical manner. Studies of many different types of businesses have proven this to be false. In fact, it seems there is a positive correlation between successful operations and ethical behavior for several reasons. First, public trust is exceedingly important. A good reputation takes a long time to build and if a company ruins its reputation through unethical behavior, it is difficult to get it back again. Also, an unethical company will find it more difficult to attract and keep employees of the highest character. Finally, a company that acts ethically avoids fines and legal expenses.

Facilities (Klicker, 1995)

Historically, a funeral home was typically located in someone's home. Today – although some funeral homes are still in residential areas and/or were once a family home – they are generally separate places of business. While many of these facilities are very old and even historic, ethically, they should be working to comply with modern standards. For example, historic buildings are not exempt from things like the Americans with Disabilities Act (ADA) accessibility requirements. There is a common misconception that some buildings have been "grandfathered," and are not required to comply with ADA. This is not entirely true: to the greatest extent possible, historic buildings must be as accessible as non-historic buildings. An ethical business owner will comply with all building codes, and do whatever it takes to make their facilities available to everyone.

Other facilities-oriented issues often center on the retort, or the crematorium. A common misconception about funeral homes is the presence of a terrible smell, and/or dangerous pollutants, that the crematory emits during the cremation process. These concerns are mostly invalid, and as an ethical crematory owner/operator, it is important to comply with local codes and inspections to ensure that they remain so. In terms of odor, substances burning at the high temperatures required by cremation do not have a smell (often, an odor can be traced to another nearby business that does not have the strict standards crematories have, like the fast food grill venting across the street). As for pollutants, it is true that mercury can be emitted through the incineration process. Therefore, it is both lawful and ethical to comply with all clean air standards, in addition to protecting employees exposed to mercury while operating the crematory.

Advertising (Klicker, 1995)

A necessary aspect of operating any funeral home is the need to inform the public that you are in business. This is done through paid advertising, non-paid publicity and through promotional activities such as sponsoring end-of-life seminars, educational tours, holiday remembrance activities, as well as donations of time and/or money, as well as various other activities.

With any advertising or publicity, the ethical responsibilities of the funeral professional are particularly important. Misleading or inaccurate information is usually not illegal, so the sole responsibility to prevent this is ethical. All information in publicity or advertising should be factual and honest. No information should ever compromise a client's confidentiality. No products, services, warranties, testimonials, or endorsements should be misrepresented. Also, as an ethical funeral professional, you should not discredit other funeral professionals.

Even if an ad is unethical, it may still be in poor taste. Most funeral home ads today talk about the long history of the firm, the type of facilities, the convenience of the location, and sometimes the value of the funeral. But what if a funeral home, instead, showcased the skill of their embalming team? What if their ads focused on the expertise of the restorative artists, or the beautiful bodies presented by the embalmer? It sounds odd to us today, but in the early days of embalming, advertising the longevity of the embalming or the expertise of the embalmer was somewhat normal. Just like with everything else, times change. As long as the statements are true, and there are no privacy violations these ads would be ethical today... but they still would probably not be a good form of advertising.

Handling Complaints (Funeral Ethics Association, 2003)

Complaints are not generally a crime. So why do many firms go into denial when confronted with a distraught family? Ideally, you would manage your business in such a way that a valid complaint does not occur. However, that is most likely impossible. Even if a funeral home has never had complaint before, there can always be a first time.

It is often in the best interest of the funeral home for the funeral professional to be quick to acknowledge even a marginal complaint. Do not let the customer leave without being satisfied. If necessary, bring in another staff member and invite the family to lay out their complaint so that you might discuss the matter collectively and come to a resolution. Take care of it as soon as possible. Simple issues can get escalated and then the problem worsens.

Ethics in Professional Relationships (Klicker, 1995)

Some ethical questions can involve relationships with others, such as customers, colleagues, competitors, allied professionals, and suppliers.

Customers (Families)

The most notable of all these relationships where ethical abuses can occur is with customers. Customer abuse in general in business has led to government regulations such as the "cooling off period," which allows consumers to cancel a sales contract within a certain number of days without penalty.

Funeral professionals generally do not refer to their customers as such, but rather as families. In most instances, if one hears of unethical behavior on the part of a funeral professional, it usually involves the family (customer), as well.

Generally speaking, any business, including a funeral home, has some definite ethical responsibilities towards its consumers. Some responsibilities might include products that are safe and well-designed, merchandise that is fairly priced, advertisements that are true and not deceptive, customers (families) that are treated fairly, the availability of adequate product information, and credit terms that are clear.

Most funeral directors feel they fulfill these responsibilities. They believe that proof of their honesty and good service can be found in the fact that the average funeral home has been in business for many years. If a funeral professional was dishonest or unethical, families would stop calling them and they would be out of business.

A frustrating occurrence for funeral professionals is to receive a death call asking that they handle arrangements, only to later be notified that the family has changed their mind and wants another funeral professional to serve them. If the deceased has already been transferred to your funeral home, and even if they have already been embalmed, it is not ethical in any way to try to intimidate or threaten the family or to charge them more than you normally would for those services you have provided up to that point. It is ethical, however, to inquire of the family if there was something you did that caused them to change their minds. It would also be ethical for you to assure the family of the quality of your services and your interest in helping them. These statements must be said in a non-intimidating, non-threatening, and non-accusatory way.

Non-Competitive Firms

You may be called on to supply services for a funeral professional in another city. These are often referred to as "trade calls" in the funeral profession, and usually involve the securing of necessary legal papers and the removal, embalming, and transporting of the remains, either yourself or by common carrier.

The ethical funeral professional should keep in mind that their services throughout the trade call should be of the highest of quality, their charges fair, and their relationship with any of the family entirely professional. Attempting to convince the family to purchase a casket or any other merchandise at your firm rather than at the other funeral home, for example, would be an unethical attempt to steal business, and can permanently damage your relationship with the non-competitive funeral home.

Ethically, you are not required to join other funeral professionals in joint-cooperative arrangements such as

sharing personnel or equipment. It may, however, make good business sense to do so. This is a growing trend that can have a positive effect on the firm's bottom line. If you do become involved in such an arrangement, all services you provide must be done in an honest, professional, and timely manner.

Competitors

Throughout the country, there are wide differences in the way funeral professionals interact with their competitors. These differences range from one funeral director handling his competitor's business for him while he is on vacation, to the other extreme, where competitors will do almost anything to steal a funeral from the firm down the street.

Ethics do not require that you like your competitors, nor are you required to make false positive statements about them. Ethics do, however, require that you are honest with them and treat them in a professional and respectful manner. It is more ethical to let your competitors know how you feel about them than it is to pretend to like them and then talk behind their backs. Ethics also require that you do not spread untrue stories about your competitors or repeat gossip that you have heard. It is better to say nothing than to say something disparaging about another.

Exam Question

10. In terms of your relationship with your competitors, ethics requires that _____.

- a. You drive your competitors out of business
- b. You like your competitors
- c. You make false positive statements about your competitors
- d. You treat your competitors in a professional and respectful manner

Allied Professions

Funeral professionals do not work in a vacuum, but deal with people in allied fields on a regular basis. Aside from government agencies, funeral professionals are required to deal with medical facilities and personnel, nursing home staff, social service agencies, lawyers, estate administrators and executors, law enforcement agencies, cemeterians, clergy, the press and media, coroners, medical examiners, and ambulance and fire personnel. Questions of ethics apply to every one of these relationships, so let's explore some.

Medical Facilities

In medical facilities, the ethical and legal responsibilities of the funeral professional require that we have permission from the next of kin to remove the deceased and transfer them to the funeral home or site of disposition. Funeral professionals should present the proper authorizations, sign the necessary forms acknowledging we are taking custody of the remains,

catalog and sign for personal effects, and remove the deceased in a timely, dignified, respectful, and efficient manner. In determining the route you will use to enter and leave the facility, concern must be shown for the fears and sensitivities of staff, patients, and visitors. The route selected should be the one that is most direct and affords the most privacy.

Physicians

When it is required that you present the death certificate to the physician for a signature, it should be done in a timely manner with accurate information on the certificate. Within the profession, you will find that the difficulties with completing the death certificate are not usually caused by the funeral professional. Tracking down the physician responsible for completing the death certificate, and then actually getting his or her signature, can be difficult. Ethically, if you have a problem with a physician, you should speak to him or her privately, not abuse his staff or talk about him or her to other physicians.

Social Service Agencies

Information that is required of you to process the social service paperwork should be accurate and supplied in a timely manner. When serving a family where a social service agency is paying for the funeral, the funeral professional should comply with the social service rules. For example, if the social service rule is that the funeral director cannot accept additional money from the family or friends to upgrade any part of the funeral that social service is paying for, it should not be done.

Lawyers

A funeral professional's contact with lawyers usually involves matters pertaining to the will, fulfilling the funeral wishes of the deceased, and recovering payment from a deceased's estate. Funeral professionals sometimes find it frustrating to try to expedite payment of the funeral bill from a deceased's estate. Delays can be caused by the "due process" of the legal system or by the lawyers themselves. Despite these inconveniences, the ethical funeral director should do their best to use professionalism, patience, and understanding. Although it can be hard waiting to be paid for services provided, it's useful to remember that lawyers most likely work with many families in estate planning, which could lead to referrals for future customers.

Clergy

The clergy is an important group of people for the funeral professional to keep on good terms with: for some people a funeral is an important religious event, and clergy are in a position to recommend a funeral profession to a family in need. In return, funeral professionals must be knowledgeable of the funeral ceremonies involved in many different religions, and must stay abreast of any changes in these religious ceremonies pertaining to the funeral. There is often a close working relationship

between the clergy and the director during these ceremonies. Should a conflict arise, the ethical funeral professional should bear in mind that a clergy person is most likely a confidant of the grieving family, and may be grieving with the family as well. If a problem exists, approach the clergy person directly about it, without putting the family in the middle: working well with clergy can lead to an overall comforting experience for the family you both are serving.

Cemeteries

Funeral professionals and cemeterians have more common interests than either realize: serving bereaved families, pre-need and at-need sales, personnel issues, government regulations, similar topics for advertising, and general business activities. These areas of common interest should make a naturally close working relationship; unfortunately, that is not always the situation. The major bones of contention are usually both economic and ethical. In some areas of the country, cemeteries sell merchandise such as burial vaults, which most funeral directors feel is their domain. Recently, more funeral professionals have begun selling monuments, which cemeterians historically saw as their domain. Both funeral professionals and cemeterians consider the people being served as *their* family, adding additional strain to the relationship. Despite these tensions, the ethical funeral professional will work *with* the cemeterian instead of against them. Keep in mind (as we previously discussed): only the funeral professional can offer the services, whereas anyone can offer the merchandise. Remember that the cemetery has just as much the right to sell merchandise as you do. Put the value on your services and their services, and let the merchandise chips fall where they may. Regardless, working together is the ethical choice.

Suppliers

Suppliers, such as casket companies, flower shops, and vault manufactures, are important to operating a successful funeral business. The ethical funeral home manager or owner will strive for a good relationship with these companies and individuals. This means staying current on paying bills for the goods and services they provide, treating them respect and kindness, and making sure that they see you and your funeral home as an asset to the community and to the families of that community. If they see you in this light, they will potentially refer you to other in the community they may work with or come into contact with.

In fact, as a general rule, it is both ethical and important to form and maintain good relationships with all of those you work for and with. Without these people, it would be nearly impossible to operate a funeral home.

Miscellaneous Ethical Issues that May Arise

There are several other ethical issues that may arise in a funeral home that the funeral professional will need to consider, including those pertaining to body donation,

organ and tissue donation, and autopsies, as well as HIV/AIDS and other contagious diseases.

Body Donation (Funeral Ethics Association, 2003)

Some people decide before death that they would like to donate their body to science or education; in other cases, the family makes that decision after death. In the past, funeral services with the body present were not possible in cases of body donation, but increasingly, body donations can be honored and still allow a funeral service with the body present. In many states, due to a shortage of cadavers, anatomical gift associations are allowing arterial embalming, and are even accepting remains that would previous have been rejected.

Funeral professionals have been known to question whether they should support and encouragement the choice of body donation – in fact, in the past, it was somewhat frowned upon. Many funeral directors would take the time to walk the family through process of body donation, explaining in graphic detail what was going to happen to their loved one if they donated the body. Today, when the remains can be funeralized AND donated, there is every justification for encouraging families who wish to make such donations, and to do otherwise would be unethical.

Organ and Tissue Donation (Funeral Ethics Association, 2003)

The same can be said for organ and tissue donation. We all understand the need for and importance of these donations. Organ transplants and cadaveric tissue donations have the capability of keeping people alive and healthy. The skin might be used for burn units, or for a knee replacement. The organs might be sent to a half of a dozen different people in need in various part of the country. As a funeral professional, if you indirectly or deliberately guide a family away from organ or tissue donation when they have expressed interest in it, could you be considered a murderer because so many people who need those organs will ultimately die without them? Don't you think you have the ethical obligation to encourage persons who inquire about donation?

In the early days of organ and tissue donation, perhaps it was justified that funeral directors were reluctant to provide this encouragement. Initially, some of the donor groups were inconsiderate of the needs of the funeral professional trying provide a funeral for the loved ones: there were conflicts surrounding notification, timeliness of getting the remains back to the funeral home, and carelessness in extracting the organs and tissue. Some groups would even take the skin off of the hands, which makes them nearly impossible to repair for viewing. Today, however, funeral homes and organ and tissue procurement agencies work together to educate each other, and the areas of conflict have been significantly reduced.

One of the main concerns of the family considering organ donation is whether the body will be mutilated and if it will still be viewable. Our ethical obligation is to be honest and factual with the family if they question us on the issue. We should not interject our personal feelings into the discussion or try to talk the family out of the donation because it may mean more work for us in the preparation of the remains. During the embalming, our obligation is to use our expertise to restore the remains to their natural appearance.

Autopsies

Autopsies can be required by the medical examiner or coroner for a number of reasons, which vary by city or county or state. Families can also choose to have an autopsy performed on a loved one, to try to better understand the cause of death.

There are still many funeral professionals out there who actively counsel families against autopsies – both private autopsies and those recommended by doctors or authorities. Why is this? Well, an autopsy embalming is more work, as we know: pathologists sometimes are inconsiderate of the needs of embalmers when they perform an autopsy. Just like with organ/tissue donation, the temptation exists to warn families against them, or even simply take on a demeanor and tone that hints to the family that maybe they should not go ahead with the authorization of the autopsy.

Is this ethical? Let's go back to what we talked about earlier: as funeral professionals, we should always do what is right for the family. In the case of an autopsy, maybe knowing exactly how their loved one died is what the family needs to be at peace with the death and to move forward. Maybe the autopsy is what is best for the family.

As funeral professionals, and as human beings, we are confronted with challenges all the time, requiring extra effort, extra costs, and so on, and we choose to accept them. When a family you are serving is faced with the decision of whether or not to do an autopsy, consider their needs and assure them that they will be able to have a viewing for their loved one after the autopsy to say their final goodbyes. In addition, if there was a problem with the pathologist who performed the autopsy, conversation and education about what is needed for embalming after the autopsy can take place once the family's needs are seen to.

HIV/AIDS and Other Contagious Diseases

"It took 26 phone calls to 26 different funeral directors before we finally found one who was willing to take our baby and bury her. We were given all kinds of stories. They would not embalm her. They would take her only to the crematorium. It would have to be a closed casket; there would be no viewing. I even had one who told me that he would not accept her because we had her at home, and we would not properly bag her to protect his employees. One who was willing to take her wanted

an extra \$500 because of her diagnosis and told us if we wanted an autopsy, it would be significantly higher. It was horrible. We had fought that kind of discrimination while she was alive, and I did not expect to face that kind of discrimination at death, too (Wojcik, 2000)."

While most acts of discrimination target the living, discrimination can also occur after death in the context of a funeral or burial. For example, we may see discrimination against a person who died of AIDS-related causes or another contagious disease, or against surviving family members and others who may be presumed to carry the disease. Fairly recently, the law began to protect the dead, as well as the living. Today, under the Americans with Disabilities Act, discrimination by a funeral home or anyone else against someone who died from a contagious disease is illegal.

AIDS today doesn't carry as much of a stigma as it once did: Advances in medical science have helped people with HIV to live longer, healthier lives, and community education has reduced much of the fear of the unknown that used to surround it. However, there is still no cure. Likewise, there are a few other contagious diseases that tend to place funeral professionals and those who work with the dead on high alert. For example, hepatitis C and hepatitis B are both contagious and do not have a cure; according to the Centers for Disease Control and Prevention (CDC), hepatitis B can live on up to 7 days after the death of its host. Probably the newest and scariest contagious disease is Creutzfeldt-Jacob Disease: people fear the unknown, and little is known about this fatal degenerative brain disorder.

As an ethical funeral professional, you should be willing to serve the dead, whether they are rich or poor, man or woman, child or adult, and regardless of the cause of death. Maintain professionalism and use Universal Precautions in preparation, allowing the deceased's love one's to be able to properly say goodbye.

Ethics in the Funeral Industry

There are a number of resources the funeral professional can turn to with questions of ethics.

Code of Ethics (Klicker, 1995)

A code of ethics is a declaration or mission statement of the professional standards of right and wrong conduct of business. It is an explicit statement of beliefs. The code of ethics is important in that it puts into writing what you expect of yourself as a funeral professional, all employees, the firm, etc., ethically speaking. It is also a guide as to how to go about being a funeral professional. Your funeral home may already have one; if not, perhaps one could be discussed.

Contents of a Code of Ethics

A code of ethics should include the funeral professional's ethical responsibility regarding several things, including

confidentiality, conduct with customers, suppliers, allied professionals, stockholders/partners, etc., commitment to excellence in service and products, commitment to employees, commitment to safety, responsibilities to community, quality control criteria, commitment to the profession, and respect for the deceased.

Making a Code of Ethics Work

In order for a code of ethics to be effective and respected, it is best to incorporate certain factors:

- The involvement and commitment must start with top management, and be recognized in all management discussions and actions.
- There must be employee recognition of the company's commitment to ethical behavior. Employees should have input in the developing, monitoring, and revision of the code of ethics.
- The introduction of the importance of the code of ethics should start with recruiting and hiring.
- Adherence to the code of ethics must be expected of everyone in the company, and a violation of the code must be dealt with fairly for everyone.
- The code of ethics must be reviewed periodically and revised as needed, and there must be a method to measure effectiveness of the code of ethics.
- The wording in the code must be succinct and easily understood. An educational training process must be implemented to teach the code of ethics.

Many sample codes of ethics can be found on company websites, professional organizational websites, and state and national funeral professional association websites.

Ethical Oversight

Several organizations provide ethical assistance for funeral professionals. The National Funeral Directors Association (NFDA), the national association with open membership for funeral professionals, provides great advice and suggestions regarding ethical concerns. State funeral professional organizations, such as each state's Funeral Directors Association, also usually have their own codes of ethics, and provide assistance to member firms with ethical matters. Many smaller organizations – for example, the Cook County Funeral Directors Association in Illinois, or the Orange County Funeral Directors Association in California – do the same at the local level.

Ethical oversight is also something that state licensing boards provide, as previously discussed. If unethical behavior by a licensee or a licensed funeral home business is reported, the licensing board will investigate.

Legislating Ethics

In addition, although law and ethics are not the same, many governing bodies have made attempts to incorporate ethics into their laws.

Continuing Education (Funeral Ethics Association, 2003)

One of the prime examples of this phenomenon, on the state level, is the proliferation of continuing education requirements. Continuing education is good for the profession, helping to build and maintain public trust. It's also good for the individual professional, allowing him or her to stay abreast with what is happening with laws and trends in funeral service, and to provide families with information that is honest, knowledgeable, factual, and up-to-date. And it has the effect of driving out the marginal licensees, which is not a bad idea.

What if someone was licensed before 1984 and the big changes with the FTC Funeral Rule, or things like OSHA requirements? While the ethical funeral professional will strive to keep his or her knowledge current, a steadily increasing number of state boards are not willing to leave that up to chance. Although it has taken many years, there is now a basic continuing education requirement for funeral professionals in most states.

The FTC Funeral Rule

One of the widest-ranging attempts to incorporate ethics into law may be the Federal Trade Commission (FTC)'s Funeral Rule, which went into effect on April 30, 1984 (and has since undergone revision). As we've discussed, it is ethical to be transparent regarding our pricing for goods and services, to do no more and no less than the family requests, and to work cooperatively with other professionals and industries. The FTC Funeral Rule codifies these ethical stances, explicitly stating that people have the legal right to:

- Buy only the funeral arrangements they want
- Get price information on the telephone
- Get a written, itemized price list when visiting a funeral home
- See a written casket price list before seeing the actual caskets
- See a written outer burial container price list
- Receive a written statement after deciding what they want, and before paying
- Get an explanation in the written statement from the funeral home that describes any legal cemetery or crematory requirement that requires them to buy any funeral goods or services.
- Use an "alternative container" instead of a casket for cremation

- Provide the funeral home with a casket or urn purchased elsewhere
- Make funeral arrangements without embalming

In other words, the FTC Funeral Rule supports – and requires – ethical behavior.

Conclusion

As we have seen, ethics can be complicated, and there are a number of factors to consider in almost every decision you'll make. When in doubt, the best practice is to return to the theme we have discussed over and over again: as an ethical funeral professional, do what is in the best interest of the family you are serving.

During the course of your service to each family, you come to know what they want and what they expect. As an expert at what you do, and as a funeral professional, you should know what is in their best interest. Forget about the extra work you might have to do, or the hoops you might have to jump through. Your commitment to what is in the best interest of the family is paramount in your quest to become the best ethical funeral professional you can be.

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ANSWER SHEET

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Funeral Service Ethics FINAL EXAM

1. (A) (B) (C) (D)
2. (A) (B) (C) (D)
3. (A) (B) (C) (D)
4. (A) (B) (C) (D)
5. (A) (B) (C) (D)
6. (A) (B) (C) (D)
7. (A) (B) (C) (D)
8. (A) (B) (C) (D)
9. (A) (B) (C) (D)
10. (A) (B) (C) (D)

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	Low			High		
Orientation was thorough and clear	1	2	3	4	5	
Course objectives were clearly stated	1	2	3	4	5	
Content was organized	1	2	3	4	5	
Content was what I expected	1	2	3	4	5	
Program met my needs	1	2	3	4	5	
Satisfied with my learning experience	1	2	3	4	5	
Satisfied with customer service, if applicable	1	2	3	4	5	n/a

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What other courses or topics are of interest to you?



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