

The Functionality of Gray Area Ethics in Organizations

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ABSTRACT. All organizations have gray areas where the border between right and wrong behavior is blurred, but where a major part of organizational decision-making takes place. While gray areas can be sources of problems for organizations, they also have benefits. The author proposes that gray areas are functional in organizations. Gray areas become problematic when the process for dealing with them is flawed, when gatekeeper managers see themselves as more ethical than their peers, and when leaders, by their own inattention, inaction, and poor modeling, minimize the importance of building a moral community by delegating gray area issues to second-tier administrators. Gray areas provide wiggle room in coping with ethical dilemmas in organizations.

KEY WORDS: ethical dilemmas, ethics, decision-making, organization, values

Introduction

Ethics comes in several colors, black, white, and shades of gray. Black and white morality seems less common now than shades of gray. Some authors have attributed this change in ethical boundaries to the reluctance of recent generations to accept something as right or wrong just because authority or tradition has proclaimed it so. Known as the era of moral freedom, people are now more determined to create their own morality (Wolfe, 2000). Other scholars have empirically linked the effects of technology and social change to a gradual, but progressive loss of reciprocity, honesty, and trust in our society (Putnam, 2000). Still others claim the increasing incidence of societal anomie is responsible for the difficulty in establishing moral consensus in organizations (Johnson and Smith, 1999), for a high prevalence of moral muteness among managers (Bird and Waters, 1989), and for a heightened spirit of public watchfulness of leaders of public organizations (Zajac and Comfort, 1997).

Societal and cultural change and the complexities they create for human interactions, ranging from the individual to globalized corporations, have provided a broad brush explanation for a seemingly increasing and broadening incidence of unethical organizational behavior. This has led to an almost common frequency of ethical collapse of organizations and the individuals who are responsible for leading and directing them.¹ According to Jennings (2006), “ethical collapse happens when organizations are unable to see that bright light between right and wrong. Or perhaps those within the organization see that bright light, but the culture is so fearful, wild, or obsessed with numbers and goals that no one wants to hear about the bright light anymore. Ethical collapse is a state of moral malaise” (p. xi).

Lockhart (2000) pointed out that it is not possible to eliminate all moral uncertainties from decision-making in organizations. The practical question is how we should use available information about the moral rightness or wrongness of alternatives to make reasonable decisions. Indeed, he emphasized that there are degrees of moral rightness and wrongness and therefore a need for some moral hedging.²

It is the author’s premise that gray area morality is functional in organizations and, as such, will continue to exist. Therefore, it is useful to understand the purposes of gray areas, how they work, and their benefits and liabilities to organizations. A typology of gray area ethics is offered to provide a theoretical structure for empirical studies.

The nature of gray areas and their ethics

Rightness or wrongness are not the only moral choices in organizations, however, the choice not to make a decision is not always a morally neutral choice. Many decisions in organizations must be

situationally resolved because they neither fit black nor white criteria. Nonetheless, as Wildermuth and Wildermuth (2006) point out, ethical dilemmas have little chance of a win-win solution; compromises regarding ethical dilemmas are commonly made to save face for the organization.

A gray area is the border between two or more things that are undefined, hard to define, impossible to define, or where the border changes.³ In ethics it is where the border between right and wrong is blurred, what Nel et al. (1989) have termed “the twilight zone.” In organizations gray areas are commonly found around boundaries. Boundaries take several forms; they can be physical, social, psychological, emotional, and they can be policies, procedures, rules, or formal or informal agreements. Boundaries can exhibit various degrees of flexibility or rigidity. Rigid boundaries instill competition and keep people and issues apart. More flexible boundaries invite cooperation, teams, partnerships, and interdepartmental problem-solving. All organizations, profit and nonprofit, public and private, healthy and unhealthy, have gray areas of varying scope and intensity. Usually organizational leaders work toward minimizing gray areas as they can be time and resource consuming, can impede the work flow and productivity of the organization, and can create member dissatisfaction, low morale, and turnover. Leaders can also create gray areas, for example, through mergers and acquisitions, which can contribute to corporate anomie where gray areas and unethical behavior can occur (Mansfield, 2004). The type of organization and the characteristics of its leaders will determine the level of cultural tolerance of gray areas and how they are managed.

Embedded morality

Every organization has formed a moral identity, that is, it has taken a position purposefully or inadvertently, formally or informally, establishing its boundaries of moral and amoral behavior. An organization takes a stand, by its own actions or inactions, in asserting how it collectively will act and how individuals in it are expected to act. This positioning, which Weaver (2006) calls “moral identity development and maintenance,” is modifiable throughout an organization’s lifecycle. Both internal and external

forces act to modify the moral identity of organizations as they mature. The moral identity of some organizations remains strong, persistent, and resists major change, while other organizations’ positions on morality change more readily with new leaders, new members, and changing societal norms. Unethical behavior usually emerges during periods of change, crisis, or transition, when organizations are most vulnerable, and experience lapses or discontinuities, sometimes without the awareness of their members.

Organizations can embed, routinize, and rationalize unethical behavior by socializing new members into an unethical culture. New members will believe that existing behavior is normal, acceptable and “was always that way” (Ashforth, 2001; Jackall, 1988). Questionable ways of thinking and behaving, may be encouraged by existing unclear or inconsistent reward structures and dissonant leader and manager behavior; in this way unethical behavior can become embedded as routine or normal in organizations.⁴

As part of the process of socialization, organizations teach new members about gray areas, although they are usually not explicitly defined as such. Teaching about gray area behavior usually occurs as ethical issues arise because there may be no written or unwritten policies or procedures regarding them. Also, the teaching about gray areas in organizations is often done informally through modeling. Learning occurs from the keen observations of, and comparisons among, members about what happens to other people in situations involving ethics.

The occurrence of gray area dilemmas are usually more common in organizations where ethics is not “integrated all the way through” the organization and the organization does not function as a moral community (Buchholz and Rosenthal, 2006). For example, in higher education there is a lack of academic codes of ethics in colleges and universities. This has been pointed out by Felicio and Pieniadz (1999) who noted that there is insufficient attention in colleges and universities to matters of race, class, and sexuality and how these matters are related to age, academic rank and in determining the parameters of ethical dilemmas.

Persons in the organization who are caretakers of gray area behavior can possess substantial power in that they influence decisions that can effect the future well-being of individuals, groups, departments, and policy.

Power and gray area ethics

Problem-solving in organizations is related to power. Power comes from being in the right place. Whether a problem looks reasonable or ridiculous, and its ethical color, depends on its context, that is, how the problem or issue is framed in terms of what has preceded it, who presents it, and the language that is used to present it (Pfeffer, 1992). How an issue is framed can determine its outcome. In some organizations leaders do not want to be bothered by gray area problems, they want to hear clear alternatives; managers are delegated the responsibility and power to resolve ethical conflict. Yet there is substantial evidence that the prevalence and severity of unethical practices in organizations are directly related to the minimal involvement of top management (Nel et al., 1989).

What is most important in decision-making for leaders in organizations is that they be perceived as consistent, perseverant, and showing good judgment (Tichy and Bennis, 2007). As one progresses up the organizational ladder one develops a theory of leadership, which the organization can count on in times of adversity or uncertainty. Leaders who vacillate may be viewed as indecisive whereas persistence is valued as a trait of leadership. A leader may persist in a course of action simply for the sake of appearing to be consistent and strong. Therefore, it is to a leader's advantage not to become entangled in gray area ethical decision-making, unless it is a "big issue" that bears on the reputation or survival of the organization.

Managers as gatekeepers for gray areas

Much of the published literature indicates that managers or second-tier leaders in organizations most frequently, by delegation or default, have the responsibility for resolving a wide range of moral issues (Waters et al., 1986). Indeed, managers experience "moral stress" because they are often unsure of how they should act in a given situation in the absence of organizational policies or guidelines regarding the matter at hand (Waters and Bird, 1987). Managers were found to have individual views regarding moral standards, but they held these views privately and tacitly. Posner and Schmidt (1984), found that managers felt pressure to conform

to organizational standards and they believed that most of the problems they were dealing with were related to the person's peers, immediate supervisor, or to the organizational climate.⁵

In an effort to understand how managers differed culturally in their attitudes and judgment of ethicality, Jackson (2001) studied 425 managers in 10 nations and found that managers across cultures tended to see others in their organizations as less ethical than themselves. Therefore, the stress expressed by managers in the absence of organizational policies or guidelines, the pressure to remain loyal to their organization, and their belief that they were more ethical than their colleagues, is evidence of the dissonance managers experience in gray area decision-making.

Value fit and gray area ethics

There is considerable evidence that the degree of congruence or fit between personal and organizational values have a significant effect on organizational citizenship behavior and the regard for gray areas. Indeed members, perceptions of an organization's warmth and competence were stronger predictors of task performance than person-environment fit measures (Goodman and Svyantek, 1999) as well as member commitment, intention to stay with the organization, satisfaction, beliefs about the organization's effectiveness, and perceptions of conflict (Ambrose et al., 2008; Ravlin and Ritchie, 2006; Valentine et al., 2002). The greater the perceived and real value congruence between an organization and its members, the greater the member's long-term commitment to the organization (Moynihan and Pandey, 2008).

Fritzsche and Oz (2007) concluded from a study of how personal values related to five types of ethical dilemmas (bribery, coercion, deception, theft, and unfair discrimination), that organizations should be encouraged to hire employees with altruistic values as opposed to self-enhancement values. Pontiff (2007) interviewed middle managers in several organizations asking them to describe their experiences when faced with ethical dilemmas. All of the managers relied upon their prior ethical socialization to help them resolve their dilemmas.

There is some empirical evidence to support a hypothesized relationship between leader-member

dissonance and their perceptions of gray areas. The greater the degree of value congruence between organizational leaders and organization members, the greater the degree that gray areas will be experienced as beneficial to the organization. Conversely, it could be hypothesized that the greater the value dissonance between organization leaders and organization members, the more likely gray areas will be experienced as problematic for the organization (Bruhn, 2008).

The liabilities and benefits of gray areas

Gray areas in organizations can be seen as beneficial, problematic, or a blend of both. Table I lists some of the benefits and liabilities of gray areas to leaders, to the organization, and to its members. What is a benefit and what is a liability will depend on the type of organization and its make-up. According to Miles' Law (1978), "Where you stand depends on where you sit." It is the author's experience that it is not the number of gray area issues or dilemmas that make them problematic, but rather the *process* by which gray area issues are addressed that is critical to the organization's integrity. Gray areas are areas of uncertainty and risk; they need to be managed to minimize the effects of no-win outcomes. When gray area issues are poorly managed they can easily become an

organizational albatross. Leader and manager attitudes and behavior toward previous gray area issues are known in the organization and influence member or employee expectations. While managers might be the delegated gatekeepers of gray area ethics, if the accountability of the ethical behavior of the leader of the organization is largely circumstantial, the process of gray area deliberations will be carried out from that perspective.

The purposes of gray areas

The general purpose of gray areas is to identify the limits or boundaries of behavior. It is where the line between what people must do or not do and what they may choose to do or not choose to do is blurred. Gray areas are an acknowledgement that organizations must have a mechanism to deal with the various issues that arise as a consequence of social change, poor communication, and interpersonal conflict. It is not possible to formulate policies and procedures to cover all possibilities of gray area issues as organizations and the people in them are constantly changing, therefore most of the concerns or actions regarding gray area issues are dealt with situationally. In general, most large organizations have Offices of Human Resources or Ethics Officers who

TABLE I
Some benefits and liabilities of gray areas in organizations

Benefits	Liabilities
<i>To Leaders</i>	<i>To Leaders</i>
Affirm leadership authority	Can result in outside intervention
Affirm organizational values	Can create a confusing regulatory environment
Opportunity to create a moral community	Whistle blowing
<i>To organization</i>	<i>To organization</i>
Manage person-organization fit	Proliferation of policies
Affirm accountability	Can be resource intensive (time and money)
Increase positive perceptions of organizational climate	Different cultural attitudes may conflict
Leverage risks	Can create turnover intention
Reinforce boundaries, social control	Can create distrust, divisiveness
Share values	Can divert attention away from organization's goals
<i>To members</i>	<i>To members</i>
Identify areas of unfairness, inequality	Can create climate of defensiveness, self-protection
Encourage openness, discussion	Can create need for liability protection
Deal with minor problems informally	Can create cynicism, disloyalty
Encourage social responsibility and personal morality	

are designated by the CEO as the major overseer of gray areas that have organizational consequences.

Gray areas encompass both proactive and reactive issues. Administrative representatives are the guardians of legal and organizational-specific policies and procedures and initiate necessary interventions, as the bureaucracy requires, to resolve issues to minimize costs to the organization and interference with its mission. Reactive issues pertaining to gray areas are largely related to conflicts between the roles, values, and boundaries between individuals, units, or departments. Proactive issues pertaining to gray areas include evolving issues such as those surrounding rights and equity. Some gray area challenges in organizations such as those concerned with measuring performance, productivity, person-organization fit, and rewards and sanctions are continuing issues.

Organizations can become overwhelmed by gray areas. This may signal the need for more organizational policies and procedures, or the need to update and clarify existing ones. Nel et al. (1989) found that managers identified gray areas where they believed policies were needed, but none existed. Without guidelines for decision-making gray areas could be expected to be more contentious and time-consuming. On the other hand, organizations can become so policy-bound and behavior-specific that gray area concerns emerge from inflexibility and lack of creativity.

Organizational culture and gray areas

Often gray area issues are attributed to individual members or employees rather than to the organizational culture. Chen et al. (1997) point out that organizations can control gray area dilemmas by building a culture of ethics. They suggest four ways to accomplish this.

First, some organizations may not be clear about what constitutes ethical and unethical behavior. If organizations are vague about boundaries of ethical behavior, individuals will use their own standards. The two things that encourage grievances and lawsuits are ambivalent or unclear ethical standards and inconsistencies in resolving or arbitrating them. In some organizations organizational values are taught, employees are compelled to discuss them, and they are supported with incentives as well as role models.

Second, making organizational values explicit is especially important where members are from different cultures (Kanungo and Mendonca, 1996). Culture affects the determination of what is or is not ethical as well as the evaluation of the consequences of unethical behavior.

Third, organizational members should have a voice in framing their organization's standards and procedures for dealing with ethical violations. If organizations are ethical communities they need to have many sets of eyes and ears to protect ethical boundaries. If the organization functions as an ethical community, minor violations are usually dealt with informally by members. In the author's experience, the members of low trusting organizations have difficulty in agreeing on ethical boundaries and the consequences of ethics violations.

Fourth, organizations that have a climate of sharing, an attention to human relations, and employee interests are more likely to have open communication among members. As long as the majority agree that the decision process has considered the rights and interests of all, there should be a high degree of support for ethics guidelines.

Ruppel and Harrington (2000) found a strong relationship between communication and an ethical work climate. Employee communication was enhanced when the organization had rules, procedures, and mechanisms for sharing information between groups. Management sets the tone for open communication which, in turn, influences trust (Butler and Cantrell, 1994).

Nel et al. (1989) strongly affirmed top management must lead the way in creating ethical behavior in organizations. The cause of ethics failure in organizations can often be traced to their organizational culture and the failure on the part of the leadership to actively promote ethical practices.

Gray area ethics exemplifies the fact that there is wiggle room in the practice of organizational ethics. An organization's actions can be within the law, but it can still act in unethical ways (Bruhn, 2001).

A typology of gray area ethics

We developed a typology to understand the relationships between an organization's ethical positions and the various ethical positions of its members,

especially in situations where there are no formal ethical policies or guidelines commonly known as gray areas. In general, gray areas have two major components which can be placed along continua. One component is the *organization's ethical culture*. The second component is the *individual ethical choices* of members of the organization.

Figure 1 illustrates the two basic foci of gray area ethics, the relationship of the organizational ethical culture (axis *x*) and the ethics of individuals (axis *y*). Often, ethical issues hover in gray areas along these axes where a problem or issue may not be entirely individual or organizational, and where the rightness or wrongness of the problem will more likely be subject to debate (quadrants 1 and 3).

Gray area ethical problems are more likely to arise in organizations where there are no explicit ethical standards or policies. This is because, in the absence of explicit standards and policies, there is a greater likelihood that members will have a wide range of views about what is right and wrong, and ethical problems and issues are dealt with on an *ad hoc* basis.

Organizations experiencing dilemmas or conflicts about gray areas are confronted with several options. They can ignore the dilemma and buy time, hoping

that it will resolve itself, perhaps by the individuals involved leaving the organization. The consequences of this option are that the conditions surrounding the ethics may persist and be accepted as normal. Another option is for the organization to deny the existence or importance of a moral problem or dilemma. One more option is for the organization to assign blame for the problem to one or more individuals, discipline them, and then pronounce the problem solved. Still another option is for the organization to be open about the problem, invite discussion and ideas about possible solutions, and initiate measures to prevent reoccurrences.

Figure 1 shows that gray area ethical issues are less likely to exist where there is agreement (conformity) between what an organization and its members regard as morally right or wrong behavior (quadrants 2 and 4). This agreement is not a blanket one, and may vary with situations as they arise, however, in general, where there is agreement with, or conformity to, organizational norms there are fewer and less serious gray area ethical dilemmas. On the other hand, quadrants 1 and 3 are areas where ethical conflicts are more common. Quadrant 1 is where individuals' views of right and wrong conflict with those of the

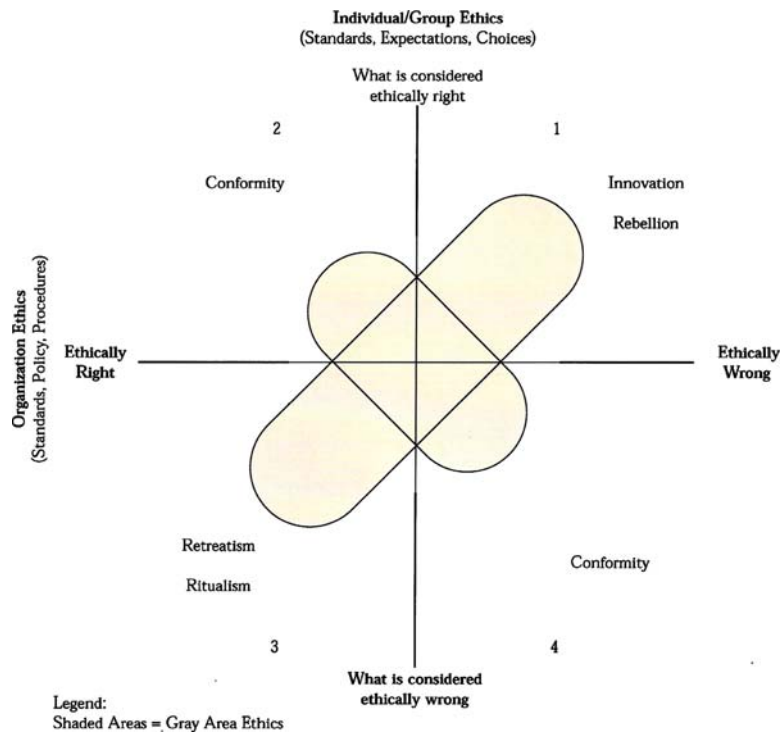


Figure 1. Typology of gray area problems and individual's adaptation to them.

organization; individuals would support behavior that the organization considers wrong. Frequently such individuals may try to creatively “work around” the organization’s rules to accomplish their goals. Other individuals may “take on” the organization (rebellion) seeking ways the organization might be more flexible and bend to certain activities that border on wrongness.

Quadrant 3 is where individuals’ views of wrongness are more stringent than those of the organization. This is where individuals perceive inconsistencies and unfairness in the organization’s application of the rules and consequences for unethical behavior. In quadrant 3 individuals may see the organization’s use of arbitrariness and power to explain inconsistencies in implementing consequences for unethical behavior.

Both quadrants 1 and 3 are sources of value dissonance in organizations. Adapting Robert Merton’s (1957) typology of understanding how social structure can influence individuals’ adaptation to it, quadrant 2 would be home for both the innovative and rebellious types: the innovator asking the organization for flexibility and the rebellious type fighting to change the rules. In quadrant 3 adaptive styles could be in the form of retreatism, that is, being part of the organization but not in it, or ritualistic, that is, overtly subscribing to the organizational culture and goals, while not working to improve or enhance it. These types are ways individuals can adapt to gray areas in organizations in lieu of conformity.

Gray area conflicts are not always a problem of individuals; managers, supervisors, and CEOs can create gray area problems through interpretations of policy (making exceptions), by the lack of policy, or in the uneven or inconsistent execution of the consequences for violations of ethical policies. Members of organizations are keen observers of discrepancies between what is said or not said by whom and when. Where members perceive that there are wide gaps between what is said and what happens in organizations they usually seek to leave the organization, become whistle blowers, or, if they stay, they may become rebels (obstructionists or naysayers).

The next step seems to be one of empirically testing the typology of gray area ethics discussed here with the aim of exploring the extent, types, and tolerance of gray area ethical dilemmas and conflicts in different organizations to determine how gray

area ethical conflict can be minimized. Gray area ethical conflict is a failure of leadership, citizenship, and professionalism. Ideally, greater control of gray area ethics should make for more trustworthy and respectful organizations.

Managing gray areas

Manas (2008) suggests that organizational leaders frequently frame difficult dilemmas and decisions as black and white choices in attempts to simplify them. Yet, in reality problems rarely are either black or white, but gray. Albert Einstein (1879–1955) said, “Everything that can be counted does not necessarily count; everything that counts cannot necessarily be counted.” Learning to live with gray areas and having dialogue about them opens up leaders and their organizations to new opportunities. Manas proposes that true leadership is about understanding and managing complexities instead of taking black and white approaches to problems.

Most, if not all, decision-making in organizations involves values. Most gray areas involve values, are situational in nature, and are not amenable to categorization or are not included in general policies. Given a particular decision context and decision maker(s) with a set of personal values, it is difficult to see all sides of an issue. Being able to view the decision environment from multiple perspectives enhances the ability to make better-informed choices.

A significant amount of gray area management involves the management of perceptions. People construct boundaries through their perceptions. Because perceptions arise from personal values, boundaries are not perceived by everyone in the same way. A boundary perceived by one person to be a fence may be perceived by another to be a wall (Bruhn et al., 2002). A source of most boundary conflicts is that an individual or group will lose autonomy, power, status, prestige, income, or identity.

Intuitive leaders and managers have been shown to be perceptive of organizational gray areas and act proactively to address possible conflicts. Leaders and managers couple intuition with anticipatory management. This is important because most boundaries and gray area issues are in various stages of change. Even relatively fixed boundaries must respond to

external forces to maintain their boundary integrity. There is always an attempt by organizations to control change or modify its effects to maintain some degree of organizational homeostasis. The intuitive leader and manager can prepare organizational members for change and help them to learn about options, the effects of change for them, and how their values will be protected.

Gray areas in organizations require that organizations lead with a win/win agenda. We need more leaders and managers who encourage the development of cross-boundary and inter-organizational relationships to solve gray area problems and issues. Understanding the positive and negative aspects of gray area ethics can help to create healthier organizations. Characteristics of a healthy organization include: adaptability to change; the ability to anticipate; plan for, and collaboratively work out problems; creating an environment that enables autonomy and participation at all levels of the organization; and opportunities for organizational members to grow as persons in their jobs, guided by their values.

Conclusions

Gray area decision-making is common in everyday life and in the professional, business, and corporate worlds. Gray areas are frequently ignored until problems or issues arise related to them. We propose that gray areas can be anticipated, planned for, and policies and procedures can be developed to deal with many problems and issues. Gray areas have benefits and liabilities in organizations. Ethical fall-out often occurs when gray areas have not been taken seriously in organizations.

Notes

¹ Some moral dilemmas are predictable and preventable, such as various current or prospective technologies in biomedicine as discussed by Lockhart (1996).

² Moral hedging is an attempt to mitigate the bad consequences of the unethical activities or behavior of an organization.

³ Some typical gray areas in business center around international business transactions, negotiations, advertisement, and supply chain management in foreign settings. Some typical gray areas in medicine and health

care center around professional boundaries and patient autonomy, ethical issues of death and dying, new methods of reproduction, the ethics of transplants, and the ethics of testing and screening. Gray areas abound in everyday morality including abortion, computer autonomy and abuse, and the right to smoke.

⁴ Schein (1992) cautioned that, in evaluating an organization, it is important to understand its underlying assumptions accurately and not to settle for surface manifestations that could reflect very different assumptions. In an effort to learn about an organization's culture it may be discovered that no single set of assumptions has formed as a deep paradigm for operating or subgroups of the organization have different paradigms, which may or may not conflict with each other. Furthermore, culture is perpetually evolving. These points are valuable to remember as organization outsiders make assumptions about the ethical behavior of an organization's members. Schein emphasized that, when we see the essence of a culture and the paradigm by which it operates, then we can gain powerful insights into what people in it do.

⁵ There is conflicting evidence about the effects of Codes of Ethics on ethical behavior in organizations. On the one hand it has been found that Codes of Ethics are not influential in determining a person's ethical decision-making behavior. See Cleek and Leonard (1998). On the other hand, it has been found that ethical codes may enhance a company's ethical environment and employee's beliefs about corporate moral conduct. See Adams et al. (2001) and Singhapadi and Vitell (1990). In an interesting study of relationships between professional and corporate Codes of Ethics and employee attitudes and behavior, it was found that members of organizations with formal Codes of Ethics were less aware of wrongdoing than were members in organizations without formal Codes of Ethics. See Somers (2001). Furthermore, an empirical study of the corporate ethical practices of the Fortune 1000 in the mid-1990s showed a high degree of corporate adoption of ethics policies, but a wide variability in the extent to which these policies were implemented. The majority of firms committed themselves to low-cost symbolic gestures of ethics management. See Weaver et al. (1999).

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