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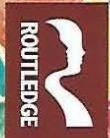
ETHICS FOR EVALUATION

BEYOND "DOING NO HARM" TO "TACKLING BAD" AND "DOING GOOD"

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Penny Hawkins, and Nicoletta Stame

ROUTLEDGE

3 Ethics and Evaluation

Ethical Issues Relating to Environmental and Social Impact Evaluations

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Preamble

This chapter primarily attempts to highlight the ethical ambiguities that prevail in the practice of environmental and social evaluations. An effort is then made to understand and analyze the reasons behind such ambiguities and how these reasons are perceived and understood by evaluators. Finally, a set of recommendations are offered, aimed at evolving a more coherent approach to ethics in evaluation.

Ethical Concerns about Evaluation

Evaluation literature suggests that concerns about ethical values in evaluation theory and practice have received increased attention recently, but even now such concerns are not widely shared. Many evaluators and theoreticians still consider the evaluation process to be a technical exercise, without evaluators deciding ethical issues. Fortunately, a growing body of literature attempts to persuade skeptics to accept ethical choices as an inherent part of evaluation theory and practice.

> For much of the history of the field, valuing received little attention due to the dominant value-neutral view of social science that endorsed a fact-value dichotomy and a conviction that value judgments cannot be examined or justified rationally. Many evaluators have since moved away from this view and acknowledge that valuing is central to evaluation and that value judgments can and should be made rationally.
>
> (Gates 2018: 201)

Evaluation science must be concerned about both doing things right and doing the right things.

(Patton 2018: 195)

Various international agreements and conventions on matters ethical, especially statements by associations and institutions enunciating ethical issues in evaluation, are also promoting discussion on ethical issues in evaluation. However, with the emergence of greater acceptability of the relevance of ethical concerns in the process of evaluation, there is also a corresponding emergence of disagreements on what is the ethical thing to do and, indeed, on what ethics is in the context of evaluation. Given the multiplicity of ethical views among evaluators, having unanimity among them at present seems impossible.

It seems impossible not only because of the diversity of views on ethics and the multiplicity of contexts, but perhaps even more important, because of the inability to acquire even theoretical ethical certainty. As things stand, there is no certainty on what is morally right or wrong, and even more significantly, no certainty on whether there is any moral right or wrong at all! But this is all discussed in detail later in the concluding section.

Without ethical certainty, it seems undesirable to universally subscribe to a single ethical doctrine, for it might well be the wrong one, and disastrously so. History has shown us that despite no unanimity, where even a majority or a powerful minority unquestioningly subscribe to a "moral" doctrine, much injustice is done. Slavery, paternalism and colonialism, class and caste discrimination, male chauvinism, homophobia, ethnic and religious cleansing, are some of the many examples. Therefore, until ethical certainty becomes a possibility, perhaps the next best thing is to have as much debate as possible.

History has also shown us that even the best of moral systems, adopted and supported by a large number of people can, and often do, get corrupted. This point is also vigorously made by Picciotto in his chapter in this volume titled "Evaluation ethics, models and values: The professionalization imperative".

Therefore, if for no other reason but just to constantly examine and re-examine even a popular and seemingly robust ethical system, there must be doubters and skeptics, and both must be recognized as adding value.

Looking back at the various ethical issues and dilemmas that confront evaluators, perhaps these can be categorized as, first, ethical values relating to the professional conduct of evaluators and, secondly, ethical values relevant to determining the acceptability and optimality of objectives and strategies.

Ethical Issues Relating to Professional Conduct

Fundamentally, the principles of professional ethics seem to be self-evident. Evaluators are expected to be honest, objective and uninfluenced by extraneous or illegitimate factors. They are expected to be

conscientious, compassionate and exercise due diligence. However, over time, conflicts between the various principles of professional ethics led to questioning what these principles mean. An ethical resolution of such a conflict might require a compromise on one or more of these principles.

Constructive Compromises

An evaluator is often confronted with situations requiring constructive compromises. Unfortunately, evaluators often disagree among themselves on what compromises are ethical, and to what extent.

Decision-making by evaluators relating to ethically optimal compromises are further complicated by some other factors. As discussed in detail later (in the conclusions), there are social, cultural, intellectual and epistemological factors, sometimes emanating from varied life experiences, that influence such decisions. Where evaluators disagree among themselves, or with the affected communities, invariably compromises have to be arrived at. But what is the ethically correct compromise?

Case 3.1 Disagreement among Evaluators

In evaluating rural health care centers, a team consisting of six European and six Indian evaluators conducted field visits to evaluate the functioning of primary health centers being supported in a south Indian state by a European international development agency (further details in case 10). During these visits various irregularities were noticed.

For example, it was noticed that a large majority of patients who visited the health center insisted on being given injections, even if they had a simple headache or a common cold. Apparently, there was a widespread belief in rural areas that the only thing superior about allopathic medicine was that their medicines were injectable, otherwise naturopathy and other local medical systems like Ayurveda provided superior oral medication.

The local nurse was under pressure and the only way many of the patients were willing to take the appropriate allopathic medicine was if it was accompanied by an injection. So many of the nurses had started giving intramuscular injections of sterile water to all those who demanded it, thereby allowing them to also administer the required medication. However, this was objected to by the medical doctors among the evaluators, as they thought it dangerous and medical quackery.

There were also some other discrepancies, some missing medicines and some missing nurses. However, for the first time basic medical care had become available in each village.

When the recommendations were being finalized, serious differences arose within the evaluation team. The European team members thought

that the social discrimination, the quackery, the corruption and poor management warranted cancellation. Five of the Indian members, though regretting all this, especially the social discrimination, stressed on the amount of good the project was achieving. They argued that corruption and mismanagement were limited and not rampant, the quackery served the important function of enlarging the catchment of the health center, and the possible danger posed by injecting sterile water was remote. They also felt that though the program had weaknesses, it was being managed better than many other such programs and, given time, further improvements could be made.

The project was cancelled because one of the Indian team members voted against it, along with the European members. But the compromise being suggested by the minority group seemed worth considering especially as, if only those activities were supported in the poorer Asian countries that met with the performance standards expected by European countries, then there would be little support for development in the poorer countries, further exacerbating the gap between the poor and rich countries ...

Another factor that complicates decisions about the optimality of a compromise is political and administrative pressure. Ordinarily, there is no justification to bow down to such·pressures where they are clearly illegitimate. However, often the choices are very hard. Host governments have political and administrative agendas that they try to push through various development projects. If evaluators withstand the pressure, there is sometimes a threat to cancel the project, thereby depriving the potential beneficiaries of the good that even a compromised project would achieve. Interestingly, Picciotto seems to agree: "Principled compromises are needed and, where necessary, second best solutions should be adopted" (2005, p 42).

Case 3.2 *Compromising with the Government*

An interesting example is that of a super thermal power station proposed in the Indian state of Kerala. The state government identified a coastal site in Kayamkullam, adjacent to ecologically sensitive backwaters which were the breeding grounds for many fish and other marine species. The evaluators felt that locating a coal-based super thermal power station there would be ecologically disastrous and adversely affect the livelihoods of thousands of fisherfolk. Efforts to persuade the government to shift the project away from the coast failed, the government claiming that no other site was available in the state. Privately, some officials informed the evaluation committee that the proposed location was within the electoral constituency of a very powerful politician who would not allow it to be located elsewhere.

A similar dilemma arose with another proposed power station in Dholpur, in the Indian state of Rajasthan. It was proposed to be located next to the Chambal River and the National Chambal Gharial Wildlife Sanctuary. Gharials are of the crocodilian family (Gavialis gangeticus) and highly endangered. The FAO and UNDP had just completed a four-year long project reintroducing gharials into the sanctuary to supplement their depleting numbers. The coal-based power station would not only draw water from the river but also emit fly ash, coal dust and other pollutants. Unfortunately, Dholpur was in the electoral constituency of the then-Chief Minister (top political functionary) of the state and the government refused to shift it. They also maintained that this was the only site in the state where a power station could be located.

Admittedly, both these projects would generate employment and economic opportunities in the region by generating electricity. Therefore, a compromise was finally reached where the locations were not changed but the power stations were converted from the proposed coal-based to gas-based. Though this did not negate adverse environmental impact, it significantly lessened it.

But compromises are a slippery slope. How far can one go and still justify them ethically?

Disagreements about the Scope of Evaluations

An equally important element of integrity is ensuring that the assessment is as comprehensive as it needs to be to capture all the tangible impacts of the activities and programs being assessed. Unfortunately, very often due to the paucity of time, budget constraints and sometimes inadequate thought, many potential adverse impacts are not factored in even though they were anticipatable.

Underestimated or ignored collateral costs, especially because of evaluations being inappropriately designed, with inadequate spatial or temporal coverage, or inadequate coverage of affected communities, can raise ethical issues and disagreements. Sometimes projects aimed at economically benefiting one group of people can have adverse economic impacts on other, seemingly unrelated or even geographically distant groups. Such impacts, though theoretically predictable, are often not studied or planned and budgeted. Where a narrow focus results in unanticipated adverse impacts on others, ethical issues arise.

Coal-based thermal power stations in India are often examples of this, as their assessment is mostly restricted to the plant location and the surrounding areas, mainly to the extent that the liquid and solid emissions from the plant might impact them. However, it has been observed in many cases that the transportation of coal, sometimes for hundreds of

kilometers, also has significant environmental and social impacts which are rarely assessed or planned for. Where the coal is transported by road, hundreds of trucks laden with coal travel over public roads every week. Their engine exhaust, the dust thrown up by their tires and the coal dust from their load cause significant air pollution over hundreds of kilometers. The increased traffic of heavy vehicles also raises the risk of road accidents and cause increased wear and tear of the roads, without any additional budgets for repair and resurfacing.

Also, many projects have long-term adverse impacts that might outweigh or drastically reduce their short-term benefits. Unfortunately, many impact assessments do not properly evaluate these long-term adverse impacts nor assess the costs of prevention or mitigation. In some cases, a proper assessment of long-term costs might well have made such projects economically unviable.

Dams and river valley projects that involve the impoundment of water, especially in mountainous regions, often suffer from such deficiencies. Ordinarily, such structures have a predicted life span of 50–100 years, yet it is rare to find a plan for the final dismantling of the structure, let alone any cost estimates and financial allocation. Where dams are constructed in unstable mountain regions, sometimes silt fills up most of the reservoir even before the official life is over. It is very expensive and not easy to desilt the reservoir and safely dispose the silt, and to finally dismantle the structure and return the river to its natural or near natural flow. On the other hand, old standing structures can pose an increasing hazard due to danger of collapse, inundating the downstream area with silt and water and threatening life and property.

Though this is rare, evaluators can sometimes have ethical concerns about the overall objectives or impacts of a project or activity which they have been asked to evaluate,[2] especially when the worrying objectives or impacts are outside the terms of reference of the evaluators, or are being deliberately ignored. So, for example, there could be a call to evaluate only the social impacts of an activity that also had serious environmental impacts.

Similarly, evaluators could be tasked to evaluate only the environmental impacts of an activity whose consequences would be unjust to a segment of society, be it women or marginalized classes or specific religious and social groups. Of course, there are many other ethical issues related to the social costs of "development" projects, especially for the poor and marginalized. Many of these are discussed in much greater detail by Inga-Lill Aronsson and Hur Hassnain in this volume. Insofar as this consequential injustice is ignored, despite being brought to the notice of

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2   The IDEAS Code of Ethics (2014) requires that: "Members shall decline to carry out evaluations of any programmes or projects intended to promote unethical activities".

the project proponent, ethics would clearly demand a disassociation from any such activity. Another possibility is that the evaluators can themselves interpret their terms of reference in a manner that allows including the issues earlier left out. An example is given below.

Case 3.3 Evaluating Impact on the Forests of Andaman and Nicobar Islands

In 2001, in response to a writ petition filed by environmental activists expressing concerns about the environmental degradation and destruction of forests in the Andaman and Nicobar Islands, the Supreme Court of India appointed me as a commissioner to "give a report on the state of the forest and other allied matters of Andaman and Nicobar Islands".

The Andaman and Nicobar Islands are a group of nearly 600 islands in the Bay of Bengal. Of these, less than 40 islands are inhabited. These islands are heavily forested mainly by tropical evergreen and semi- evergreen forests, with a large number of endemic and rare fauna and flora species. They are also home to many groups of tribals (indigenous people), some of whom are understood to have been isolated from the rest of the world for nearly 30,000 years, till the islands started being colonized in the late eighteenth century. Two of these tribal groups remain relatively isolated even today.

The Sentinelese, living on the North Sentinel Islands, are perhaps the only surviving group of people in the world who still remain virtually uncontacted, or isolated, from the rest of the world. "The Sentinelese are the only people currently known not to have reached further than a Paleolithic level of technology".[3] The other are the Jarawas, who are also isolated but recently have had some contact with outsiders. The Sentinelese and the Jarawas are both very aggressive to outsiders, and there have been instances when outsiders have been attacked, injured and even killed.[4]

While investigating the state of forests and other related issues in the islands, I was approached by a group of social activists working for the protection of indigenous tribal groups in the islands. They wanted me, as the commissioner, to help protect the Jarawas by recommending to the Supreme Court that the Andaman Trunk Road (ATR), that cut right through the Jarawa reserve, be closed to all traffic as tourists and other vested interest groups entered the Jarawa's territory through this road. Individual Jarawas who had wandered to the roadside either by chance or out of curiosity, were becoming addicted to tobacco, drugs and liquor, which the Jarawas were unfamiliar with so far. These were

3   http://www.and.nic.in/andaman/tribes.php
4   https://tinyurl.com/ycek3ok4. Also https://tinyurl.com/y2ru6u32.

being supplied by the travelers on the road, to whom these pigmoid tribals were objects of curiosity. Their addiction was also being exploited by vested interests who wanted to poach or encroach the forest land, and were hoping to get help from the addicted Jarawas, in exchange for these intoxicants.

On the face of it, this was beyond the terms of reference of the commissioner, as protection of tribes was not strictly a forestry related issue. However, recognizing the urgent need to protect the Jarawas and their unique way of life by helping them gradually establish contact in a benign manner and not through nurtured bad habits, I decided to recommend the closure of the ATR. It was generally admitted that the forests of the Jarawa territory were pristine and untouched, as encroachers and poachers were ordinarily scared to enter their reserve. This was used by me to justify the recommendation that as the ATR was facilitating the entry of encroachers and poachers into these pristine forests, it should be closed to all except those working for the welfare and protection of the Jarawas. In the long run, the ATR should be realigned so that it does not pass through the Jarawa reserve but is located along the coast[5].

Fortunately, the Supreme Court accepted these recommendations.[6]

In other cases where evaluators do not have the option of correcting a wrong unilaterally, they might feel ethically obliged to bring these lapses to the notice of the concerned authorities and, if this fails to rectify the problem, to do whatever else is required to prevent or at least minimize adverse impacts.

Going beyond the Evaluator's Brief

Sometimes findings and recommendations of evaluators are ignored or bypassed by governments and other regulatory and implementing agencies. Ordinarily, the professional obligations of evaluators end once they have submitted their reports and recommendations to the appropriate agencies. It is assumed that the system would ensure that proper action is taken on the report or recommendations. And if the evaluators' recommendations are ignored,[7] ordinarily the evaluators are not obliged to take any further action. However, there can be exceptional cases where the implications of disregarding the evaluators' recommendations

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5   Especially see para 21, pp 9–10, of the report accessible from: https://tinyurl.com/7x3h8wt9.

6   Copy of Supreme Court order available at: https://tinyurl.com/y3mssb26.

7   They are often ignored. Perhaps this is because, as Picciotto (2005) put it: "None of the standards makes public officials accountable for the effective use of evaluation results in the public interest".

could have serious consequences, or where there is evidence to believe that the recommendations are being disregarded because of extraneous reasons (political or commercial pressures, for example), that evaluators have an ethical obligation to bring the matter to the notice of the affected population and to publicly challenge the decision to ignore their recommendations.

But there is the danger that evaluators who go beyond their official brief would soon become unemployed.

Case 3.4 Evaluating the Tehri Dam

The 260 meters high Tehri Dam, built in the Himalayas, in India, posed some major ethical challenges to the evaluators. The dam is constructed in an area that has been classified as seismic zone V, which is the highest seismic classification in India. Seismologists have assessed that the area is likely to be affected by an earthquake of 8+ on the Richter scale, which will likely produce a peak ground acceleration of 1.5g (one and a half times that of gravity), during the life of the dam. Computer modeling done by the Ministry of Environment and Forests, Government of India, in the early 1990s, suggested that if the dam collapsed it could drown 1.6 million people (1991 figures) and cause incalculable damage to land and property.

The project, which had earlier been shelved because of adverse evaluation reports, was revived in the 1980s and referred in 1989 to the Government of India's standing environmental appraisal committee for river valley projects. The committee, after detailed assessment, concluded unanimously that the project, in its present form, was not fit to be given environmental clearance. Its report was submitted to the government in February 1990.[8] Unfortunately, the concerned ministry disregarded the unanimous and unambiguous report of its own committee and the then-minister of environment in the government of India took it upon herself to grant environmental clearance to the project, despite the very credible threat to life and property.

As a member of the evaluation team, I decided that I was ethically obliged to put the details of the evaluation before the public so that they could decide what action, if any, they would like to take. Unfortunately, anticipating such a move, the then-environment-minister instructed the officials to treat the report as secret and not share a copy even with members of the evaluation committee, who had authored it.

Fortunately, a sympathetic official leaked a copy to me, and I released the report to the media and thereby to the general public. I also resigned from the committee, to protest being denied a copy of our own report.

8 Copy accessible at: https://tinyurl.com/25xvpdmc.

> *Despite widespread public protests and almost universal media condemnation, the government refused to reconsider the project. Therefore, I decided to move the Supreme Court of India against the project and filed a case, along with a former civil servant and environmental activist.[9] The case went on for nearly 27 years, and in the meantime the dam was built as the court refused to stay its construction. However, numerous orders given by the court as a part of the case significantly improved environmental protection and safety measures related to the project and enhanced economic and social benefits.*

Even when all this happened (1990), the ethical implications of an evaluator leaking the evaluation report and, further, challenging in a court of law the decision of the government to disregard the report was widely debated. Many among the evaluator's community felt that this was unethical as there was an unwritten obligation that evaluators had to keep all matters confidential. Others thought that by moving to the court of law, the concerned evaluator had seriously compromised his own employability, and seriously eroded the trust that institutions had of the evaluator community.

On the other side, it was thought that the dangers inherent to the project were so grave that all other considerations paled before them, and it was essential to do all that was required to ensure that the project was not implemented in its current form. Besides, there was also the belief that people had a right to know: a belief that finally got ensconced in a transparency law in India some 15 years later.[10]

Government secrecy is a major impediment to public awareness of wrongdoings. Though the enactment of the Indian Right to Information Act, 2005, has made things easier, there still remains a tendency, and a diminished but nevertheless prevailing ability, among the government to hide things from the public. It is, therefore, often critical, but nevertheless, difficult, for evaluators to unilaterally make sensitive information public.

As discussed earlier, where matters of professional ethics are concerned, the ethical obligations are relatively clear and universally acceptable. However, how far an evaluator is ethically obliged to go, to ensure preventive, remedial or mitigative action, needs to be determined separately for each specific case. It would be impossible to lay down any general principles that could be universally applicable and agreed upon by everyone, because there are too many variables involved.

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9   ND Jayal and Shekhar Singh vs. the Union of India and others, writ petition (civil) 295 of 1992. For press reports see: https://tinyurl.com/y33xma6o and https://tinyurl.com/y5jepa8j (accessed on 29 January 2020).
10   The Right to Information Act, 2005

Being Independent and Unbiased

It is a complex challenge to be as unbiased as humanly possible and, in any case, be honest and upfront about the remaining inherent biases. This would go a long way in reassuring the various stakeholders of the fairness and transparency of the process.

Therefore, the first challenge is to decide how influenced or uninfluenced should one be by external reality, over one's own internal thinking and beliefs. Should one fully suspend one's own ethical beliefs and go with the consensus, or are some principles fundamental and cannot be discarded because of majority perceptions. Similarly, what weight does one give the short-term consequences of any intervention versus the medium- and long-term ones, and how does one balance the interests of those directly affected by these interventions against those who might be indirectly, sometimes remotely, affected.

Perhaps a simpler, but nevertheless challenging, decision needs to be made on whether one allows some bias in one's own thinking in order to counter the seeming bias of other members of the team, or in order to fairly speak up for those special interests that one might be representing in the team. Whereas I have learnt over the years that it is best to remain unbiased and pursue what seem to be the facts even when one is surrounded by colleagues who are shamelessly pushing vested interests. Apart from the ethics involved, it is usually the most effective way of working towards a fair and balanced outcome and not allowing the others, often the majority, to undermine your integrity.

However, when it comes to protecting the special interests that one might be representing in the team, then the issue becomes far more complex. I distinctly remember the first time I was confronted with this issue. In the mid-1970s I was on the teaching faculty of the North-Eastern Hill University (NEHU), in Shillong, and concurrently staff advisor to the student's union of the University. In the latter capacity I was also in charge of the many students' hostels that the university maintained, those days in rented accommodation, as the university campus had not yet come up. NEHU's jurisdiction covered the north-eastern states of Meghalaya and Nagaland, and the then-Union Territory of Mizoram. A constant source of tension among the students was the allotment of hostel accommodation, as this was always in short supply. By and large the students had organized themselves into tribal groups with the Khasis, the Garos, the Jaintias, the Nagas and the Mizos all pushing for a larger quota of seats to student members of their tribe.

When all efforts at reaching an agreement through discussions with the student leaders failed, it was decided to constitute a committee of faculty members who could come up with a fair intertribal quota. Typically, when the committee was being constituted, it was thought necessary to ensure that all the various tribal groups were represented in

the committee. Accordingly, I meticulously chose those faculty members from each tribal group whom I thought were the most reasonable and mature and therefore would most likely be able to arrive at a fair decision that was acceptable to most, if not all.

To my horror I found that the committee of faculty members was even more sharply divided than the student leaders with whom I had been holding discussions earlier. After a particularly acrimonious meeting, I remember confronting one of the tribal faculty members who was not only a close friend but also somebody whom I respected enormously as being fair-minded and reasonable. I expressed to her my surprise that she also was taking such a partisan and extreme stand. I remember that she smiled back at me and said that if she had been appointed without explicitly being there as a representative of her tribe, she would have certainly taken an unbiased stand. However, as she was essentially there to represent the interests of her tribe, it is unfair to expect that she would not fully fight for their interests.

Despite struggling for over 40 years with this dilemma, I have not been able to come to a satisfactory solution and wonder whether our democracy, our parliamentary system and perhaps even our government, in being representative of groups and sub-nationalities, does not similarly propagate the interests of the strong and most numerous, without any semblance of fair play.

Apart from personal inducements and threats, which have been discussed earlier, in my experience there are at least two other strategies that government agencies use to undermine your independence and credibility. The first is an appeal to presumed nationalist sentiments, and the other is to pit credible civil society members against you to counter and weaken your stand. I have had both types of experiences, as the cases below will illustrate.

Case 3.5 Using Emotional Pressure: Meeting in Stockholm Regarding the Narmada Project

In 1992, I was contacted by a top functionary of the water resources ministry, under whose charge was the multi-state Narmada project that was under construction. Though the government of India seemed fully supportive and committed to the Narmada project, the said functionary himself was personally opposed to it, perhaps because he belonged to the state of Madhya Pradesh, which was going to be most severely affected by the project.

This functionary requested me to attend, as a part of the Indian government delegation, a meeting that was being organized by the World Bank, in Stockholm, where many of the European country members of the World Bank wanted to discuss the pros and cons of the project before deciding on whether to support or oppose the Government of India's proposal for financial support from the Bank for the Narmada project. As

this was an important meeting that might well decide the future, or at least the financial future of the Narmada project, he was keen that there be some voices in opposition of the project even within the official team.

I was reluctant to go because of other preoccupations, but he explained to me that there was huge opposition from official channels against all opposing voices, and the only name he was able to get approved by the PM was mine, because I was an expert member of the Narmada control authority subgroup on the environment, which was an official committee. Consequently, I had no option but to agree.

The World Bank had also invited an NGO representative, Ashish Kothari, and a faculty member of a prestigious research institute, which had recently published an evaluation report on the state of the project ousted families who had been rehabilitated. The report was very critical and the faculty member in-charge of the evaluation was representing the institute.

In Stockholm, the evening before the meeting, I got a call from the head of the Government of India official delegation, who was a senior official of the water resources ministry, saying that she and some other members of the delegation would like to meet me to discuss our stand in tomorrow's meeting. I invited them to my hotel room.

Their main effort was to persuade me that, whatever my individual views, in front of foreign governments and international bodies we should put up a united front so that our national image is not tarnished. We can always resolve our differences among ourselves, back home. However, they failed to persuade me, and I told them so.

Much to our (Ashish and my) surprise, in the meeting the next day we found the representative of the research institute totally playing down the adverse findings of their report on the rehabilitation of the oustees, going so far as to say that most of the weaknesses found had since been rectified and the few remaining ones would be rectified soon. This was disastrous, first because it was not factually correct, and also because the sensitivity of foreign governments, at least then, was much greater regarding social injustice than it was regarding environmental destruction. Subsequently, we discovered that the research institute representative had also been approached by members of the official team and had succumbed to their nationalist emotional pressures. Fortunately, the damage done was to some extent repaired when the World Bank decided some years later to set up the Morse commission, whose findings and recommendations finally persuaded the World Bank to withdraw funding from the Narmada project.

Case 3.6 *Undermining Influence through Opposing Credible Voices: The NCA*

Some years later (2003–2014) I had a new experience as a longtime member (1988 continuing) of the Narmada Control Authority

subgroup on the environment. By then, India had enacted the Right to Information Act (2005), and I had started making public the details of all our subgroup discussions. As I was by then, for all practical purposes, the only independent member in the subgroup, the media, the activists and NGOs, and the general public took note of my version of the proceedings, much to the embarrassment of the official agencies that drafted the minutes of the meeting in a manner that most, if not all, controversial matters were not even mentioned.

Then, one day, in 1996, I saw the well-known and highly respected senior journalist, BG Verghese, seated right across from me at the subgroup meeting. As the Supreme Court had banned any changes in the non-official members of the subgroup without their clearance, reportedly after the government had tried to remove the dissenting voices, I wondered what he was doing there. We were soon informed that he was a special invitee to the meeting, and continued to be so till his passing away in 2014.

BG Verghese was a senior journalist widely respected among the media, the NGOs and activists, and among the general public, and had a stature that I could not even begin to match. He had supported, and continued to support, till his death, a large number of progressive causes. However, he was also a strong supporter of large dams, as witnessed by many of his writings, especially his book Winning the Future: From Bhakra to Narmada, Tehri and Rajasthan Canal (Konark Publishers, Delhi, 1994). Nevertheless, I respected him enormously, even while disagreeing with his stand on large dams. With his "induction" as a special invitee, his views and utterances got extensive coverage in the official proceedings, significantly counteracting the impact of what I reported or said.

Interestingly, it is not only the so-called vested interests that pressurize evaluators, often the so-called "progressive" interests, namely activists, people's movements and voluntary organizations, also put pressure on evaluators, albeit usually out of what they perceive as public interest.

The two most common types of pressures applied by activists and people's movements on evaluators are demands for taking extreme positions, rather than the balanced ones that independent evaluators should be expected to take, and to manipulate, sometimes even falsify, data. In my 40 years of interacting with people's movements and activists, it is rare to come across situations where such pressure is not present.

Of course, there can be genuine disputes on what is the correct balance while evaluating a proposed or existing intervention. However, often the demand is to go much beyond this. Thinking activists, when questioned about such propensities, vigorously argue that as the government and other project proponents mostly exaggerate the benefits of the project and minimize the social and environmental costs, the only effective way

of countering this, especially where the all-important perceptions of the public are concerned, is to equally exaggerate the social and environmental costs.

Similarly, when questioned about the tendency to exaggerate, manipulate or even falsify data, it is again pointed out that it is well-known that most of the data available with the government and the project proponents has been deliberately falsified or exaggerated in support of the project or intervention. Therefore, the only way to counter this is to present alternative data sets which compensate for the exaggerations and falsehoods in official data, this being essential to get public support and to create enough doubt to initiate an independent review.

Case 3.7 Pressure from Activists and People's Movements: The Narmada Control Authority Subgroup on the Environment

I have been a member (variously described as an expert member or an independent member) of the Narmada Control Authority (NCA) subgroup on the environment, which was set up in 1987 and is still functional. Sadly, I am the only surviving member of the initial group of members, as the officials have since retired and others have passed on. The NCA subgroup is supposed to meet every three months and has very comprehensive terms of reference. These have been further expanded by the Supreme Court of India, in its final order, in 2000, on the case filed by the Narmada Bachao Andolan (NBA).

The Narmada project is perhaps one of the largest river valley projects in the world and consists of a large number of big, medium and small dams. My appointment to this somewhat high-powered committee was a bit of an enigma. Reportedly, my name was suggested and pushed by the various activists and NGOs involved with the Narmada project. In those days there were not many academics who were professionally involved in looking at issues of environmental management, especially related to large dams. However, neither in my designation nor in any of the correspondence was it ever indicated to me that I was on the committee as an NGO representative. This created a difficult situation because the activists and NGO community, who pushed for my inclusion, expected that I would be their spokesperson in the committee and consult them closely on every matter. On the other hand, I was mostly referred to as an expert member or as an independent (of the government and the project authorities) member of the subgroup. Both these descriptions seem to require that I function in as unbiased a manner as humanly possible. This is a dilemma that I have not been able to satisfactorily reconcile even today, though I've now been a member of the subgroup for over 30 years.

Given the vastness of the Narmada project, and its remoteness from Delhi, there was no way that I could directly check and verify the information

being provided by the government and the project authorities. However, to independently check and verify this information was very important as a majority of the subgroup comprised of representatives of the concerned state governments and other institutions that were either interested in pushing the project forward as quickly as possible, not having the freedom to speak out independently of the government. There were just three independent, academic, members of the subgroup, two of whom were highly qualified and very senior professors of engineering who busied themselves with technical details. I was, therefore, the only independent environmentalist in the group. Also, like most other government committees, this subgroup did not function democratically and decisions were not taken on the basis of a majority but essentially by the chairperson who decided, hopefully on the basis of the discussion, what the correct decision was. In some ways this was fortunate for otherwise the so-called independent members would have always been outvoted given the predominance of government and project representatives. But it also meant that one's effectivity on the committee was almost totally dependent on how objective and open-minded the chairperson was, and how persuasively one or more of the independent members could convince him against the majority opinion.

Initially, I turned to the community of activists and NGOs active on the Narmada issue to check and verify the data and information that we were being provided as members of the subgroup. Consequently, as soon as the agenda papers or any other report was received by me, a copy was made and sent to activists and other knowledgeable people in the valley, with the request that they send in their comments and suggestions well in time for me to use them in the meeting. However, I soon got into embarrassing situations where the information being provided by the activists and NGOs turned out to be inaccurate. This was especially embarrassing when there was a sympathetic chairperson, who went out of his way to insist that the alternate information being offered by me must be taken seriously and independently verified. However, on more than one occasion the information that I had been provided with did not stand up to independent scrutiny and embarrassed both the chairman and I, thereby seriously damaging my credibility. Consequently, I had to change my style of functioning and though I still consulted the activists and NGOs, wherever there was serious discrepancy between the information being provided by them and the official version, I did not offer their information as the correct one but insisted on an independent verification. Most often this resulted in my discovering that the truth lay somewhere in between.

Case 3.8 Pressure from Activists and People's Movements: The Maheshwar Narmada Project

In 2000 I was invited to be a member of an expert group set up by the German Government and the German federally owned

international cooperation enterprise GTZ (Gesellschaft für Technische Zusammenarbeit) to look at the rehabilitation issues in the proposed Maheshwar Dam, on the Narmada river, in Madhya Pradesh. This was one of the first dams in India that was being developed by a private corporate house, S.Kumars, and they had approached the German government and the GTZ for financial support.

The people's movement around the Maheshwar project, partly in opposition and partly to ensure that the displaced families and other people were justly treated, was being organized by the Narmada Bachao Andolan, specifically by two of their activists. Our team, which consisted of an American team leader, a German member and I, interacted intensely with these two for many days, and we were all impressed by their professionalism and competence. Though they did not in any way hide their opposition of the dam, they nevertheless presented their case in a very fair and honest manner. Based on our recommendations,[11] the German government and the GTZ declined to support the project and, in 2020, it was finally abandoned and scrapped.

All this might give the impression that I was convinced about the correctness of my actions. However, three dilemmas remain. First, as soon as I started being subjected to such pressures from my activist friends, many of whom I respect enormously, I became increasingly aware of the dichotomy between supporting a cause and seeking the truth. Activists, especially the honest ones, were usually preoccupied with supporting good and just causes, like social justice, or animal rights, or environmental conservation, among others. And they mostly adopted the most effective of strategies, even if it meant occasional exaggerations or extreme positions. I, on the other hand, was primarily an academic, who at least initially prided myself in infinitely seeking the truth in all matters.

However, as I matured as an academic, I began to realize (somewhat like jesting Pilate), that no one could ever be certain what the truth is. This inherent uncertainty also applied to the truth and value behind causes, but then at least the one was not superior to the other. This left me progressively confused, and towards the end I mostly favored what appeared to be true over what would further the cause, but more out of habit than any perceived merit.

Second, this rethinking of my initial stand was also aggravated by the fact that more and more the world became a polarized environment where you were, by and large, alone if you took the middle path: a path that the search for truth often led. Initially, there was a sense of martyrdom at standing by ones principles even if one was alone in doing so: a

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11 Copy accessible from: https://tinyurl.com/2xnw4zzz.

practice exhorted by Rabindranath Tagore in his famous Bengali poem *ekta chalo re* (follow your own path alone). However, as one became more uncertain about one's own truth, the romanticism of isolation began to fade, and one missed the hurly burly of working in a team of people with similar beliefs.

Therefore, today I can honestly say that I respect those who support causes as much as those who stand for the truth, often alone, but without any certainty about the justification of either.

Finally, I was also confronted by the moral force of custom and tradition. As an avid animal rights activist, I would often argue in support of vegetarianism and of banning hunting and fishing. I remember three illuminating incidents regarding this dilemma. In the mid-1970s I had just joined the North-Eastern Hill University, in Shillong, as a lecturer in Philosophy. I was returning from Delhi when I bumped into the then-education-minister (and subsequently chief minister) of the state of Meghalaya at the Guwahati airport, and he offered me a lift up to Shillong in his car. On the way up we passed Ward Lake, and there was a large sign that one could see from the road saying "No Fishing Allowed". However, under the sign I could see at least a dozen men and women sitting with fishing rods with their tackles in the water. As the education minister and I had been discussing the high rate of literacy in the English language, in Meghalaya, I pointed out these people to him, blissfully ignorant of the signboard that they were sitting under. He laughed and said to me that, as far as fishing is concerned, even he can't read English!

In December 2000, I was invited by UNESCO to deliver a public lecture at the Federal University of Santa Catalina, Florianopolis, Brazil. They invited me to lecture on the environment and left the specific topic to me. As, during an earlier visit to Brazil I had had a lot of problem getting vegetarian food, I decided that I should lecture on animal rights. Accordingly, I informed them, and they subtitled my presentation in Portuguese and also arranged for a simultaneous Portuguese translation to my talk in English.

The university hall was packed on the day of the lecture and I took it as a sign of interest in the topic. Therefore, I gave an impassioned 45-minute talk and at the end of which I asked if there were any questions. Initially, there was pin drop silence and then one hand went up tentatively and in broken English a student asked me: "Sir, after your lecture, what should we eat for lunch?"

In a seminar in India on ethics and administration, a young civil servant from a rural background objected strongly to the condemnation of nepotism. He narrated his own story, saying that he came from a poor rural family living in a remote village that only had a junior and middle school, no high school. The nearest high school was too far away to commute to daily, and his parents were too poor to pay for his stay in a hostel. As he got the best marks in the village on finishing middle school, the

whole village decided to contribute to his higher education, some even at the cost of their own children's further education, because they saw in him the best possibility of success. He finished school and college with their help, and then passed the civil services exam. But now if he helps the families that supported him for so many years by arranging jobs for his former class fellows, who did not pursue further studies because their parents supported his studies, then we will accuse him of nepotism. But if he abandons them now, then his family and his village will condemn him as being evil. Also, the values he was brought up with will not let him sleep in peace if he turns his back on those who sacrificed so much for him.

Ethical Values Relevant to Determining the Acceptability and Optimality of Objectives and Strategies

Development interventions can be defined as those aiming to better the world.[12] Such a broad definition is unlikely to generate much disagreement. Disagreements start with efforts to define "better world". Though there is broad agreement that bettering the world means promoting the mental and physical wellbeing of human beings, what constitutes this betterment and how best can it be achieved are variously understood. It is also broadly agreed that bettering the world includes bettering the natural environment and the lives of other living creatures, but in what way and to what extent is also much debated.

Disagreements about what are the Best Objectives of Education and Other Human Welfare Measures

Most of the children in the world today are being brought up in a competitive milieu, because the predominant ethical doctrine of the day decrees that competition is good: encourages people to better themselves and be more creative and productive. Therefore, children compete in their studies, in the sports field, in seeking rewards, winning scholarships, getting jobs and finally in earning more, becoming more powerful, influential and even famous. Yet, there is a charming story of a rural school where a visiting management consultant tried to inculcate the spirit of competition among the young students. He brought a bag full of biscuits and gathered the school together and told the children that they must all race and whoever wins the race will get the bag of biscuits. As soon as they heard this, the children started talking excitedly among themselves in their local language. The visiting consultant was pleased that

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12 Of course, with ongoing advances in space travel, one could soon expand this to bettering the universe!

the children seemed so excited by the challenge. However, as soon as he blew the whistle to start the race the children reached out to each other and joined hands and collectively arrived to jointly claim and share the biscuits. So, which approach is ethical, and why? And should we not, at best, try and accommodate both?

A similar dilemma arises when we try and decide what the correct objective of education ought to be. Is it to "educate" students to adopt the right values in their thinking and action, or should it just be to teach them how to think for themselves so that they can decide for themselves what are the right values? Alternatively, should children be encouraged to think for themselves even if it makes them susceptible to brainwashing by political and commercial interests, or to "post truth"?[13] And, within each of these alternatives there are further nuances, each with its baggage of justifications.

How one perceives and interprets reality also influences how ethical principles are applied to specifics. For example, even if many people subscribe to the belief that educating a child is ethical, for education promotes their wellbeing, is this wellbeing best achieved through traditional wisdom that has historical justification, or are ideological dictums that have evolved more recently more appropriate?

Some years back I was on the advisory committee of a center set up by a famous lawyer and a famous author. The purpose of the center, among other things, was to orient young men and women, mainly college and university students, in the values of democracy. During a meeting of the committee to finalize the syllabus and resource persons for a forthcoming summer vacation orientation program, there was a serious disagreement about how to design the course. One viewpoint was that the participants should be exposed only to liberal-minded resource persons who could convincingly argue in favor of liberal values like unfettered human rights, freedom of speech, the right to protest, etc. Another point of view was that speakers should be invited who represent different viewpoints so that the participants could also hear different points of view and make up their own mind. However, a counter view was that they are, in their daily life and through the mainstream media, exposed mainly to conservative viewpoints, and this program should be an opportunity to correct the imbalance. Both viewpoints seem to have merit.

Disagreements also plague the search for physical wellbeing. Should people be subjected to allopathy or are alternate health systems preferable? Should children grow up in highly sanitized environments, even if this inhibits their natural immunity? Desirable food habits are also

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13 "Relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief", as Patton (2018) describes it.

disputed. Our approach to gender justice, to ethnic, racial and class identities, and to economic systems, among others, is similarly disputed.

As a result, people from different religions, cultures, societies and intellectual persuasion attach different ethical values to different things, sometimes resulting in embarrassment, and even merriment.

As a story goes, an American professor was invited in the 1930s as a guest professor to a Japanese university. He found his class very respectful and disciplined, but also very stiff and formal. Wanting to break the ice and encourage students to speak up and interact freely, he decided to act informal and took off his tie and coat and perched himself on the table, facing the class. However, instead of seeing some relaxation he saw signs of increasing distress. Finally, he could not contain himself and asked the students what was wrong. On his insistence one student finally got up and respectfully said: "Sir, top of table honorable, bottom of speaker not honorable". So much for his good intentions in a culturally diverse social situation!

Disputes about the Best Strategy: Nature and Extent of Participatory Decision-Making

If strategies and objectives are to be chosen, who has the ethical right to determine which is the best? There are serious ethical dilemmas involved in a decision-making process. These are essentially of two types. First, there is the question of the extent to which the affected persons, essentially the beneficiaries and adversely impacted communities, should be allowed to determine the objectives and strategies of a development intervention. And having decided this, the second set of ethical dilemmas relates to determining what relative weighting to give to each of the various segments of an affected community.

Whereas affected communities appear to have a right to be heard, often there are strong differences between those who benefit and those who are adversely impacted, and even among different segments of the beneficiaries and of those adversely impacted. In some cases powerful minorities seek to get advantage over an oppressed majority or a majority bulldozes the legitimate interests and choices of a minority.

Even worse, occasionally the powerful (majority or minority) group ensures that only their point of view gets projected as that of the entire affected community, and it is difficult for outside evaluators to break through their dominance and establish the truth.[14]

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14 There are interesting experiments with alternate methods of opinion polls, such as participatory rural appraisal (for details see https://tinyurl.com/y3bm56wl, accessed on 27 January 2020). These highlight the unreliability of conventional methods of interaction.

Case 3.9 Public Hearings in Prini

The International Finance Corporation (IFC) of the World Bank group had been approached by an Indian private sector company and the Government of India to support a run-of-the-river hydroelectric project at Prini village, near Manali, in the Himalayas. The IFC, as a part of an ex-ante evaluation, engaged a group of Indian evaluators to organize a public meeting to discuss the proposed project with the potentially affected people, especially because there was a lot of resistance to the project from local communities. The team comprised of Ms. Sejal Worah of WWF India, Arvind Kejriwal, at that time founder convenor of Parvivartan, a grass roots organization working in the slums of Delhi. Arvind is currently the elected Chief Minister of Delhi, now in his third term. And the present author.[15]

In preliminary, informal discussions with small groups of villagers, the evaluators were told about the many problems that the villagers anticipated with the proposed project. However, in the subsequent, formal, public hearing attended by the villagers along with representatives of the IFC, the government and the private sector proponents of the project, the only demand raised by the affected villagers was that of significantly enhancing the compensation to be paid to the five families whose apple orchards were being acquired to accommodate the project. These five landowners also happened to be among the rich and influential families of the village, with some of their members being elected local leaders. All efforts by the evaluators, who were organizing the public hearing, to raise the other issues that they had been informally told about did not succeed as the local villagers, in one voice, reaffirmed that the only issue was to significantly raise the compensation.

That night some of the local villagers surreptitiously came to the hotel where the evaluators were staying and once again raised all the issues that were troubling them, including the safety of their women when hundreds of outside male workers came to live around their village, the safety of their children who usually walked to and from school on roads which would now have many big trucks on them and adequate supply of water for them once most of it was diverted for the hydro project. However, they were not willing to raise these publicly or even give a signed statement, as they had been warned by the powerful vested interests to keep quiet, otherwise they would face dire consequences once the outsiders had left. Efforts by the evaluators to flag these issues with the IFC, the government and the project proponents were largely unsuccessful.

Also, rural communities are often not fully aware of all the options available, and the advantages and limitations of each of these options.

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15 Copy of the report can be accessed at: https://tinyurl.com/x6knjp98.

Therefore, to design interventions based solely or primarily on their perceptions might not be in their best interest.

Decisions about such matters are further complicated by the fact that though there might be agreement that where it is a matter of opinion, the opinion of the majority, with additional weighting to the opinion of vulnerable communities, should prevail. However, what happens when it is a matter of principle. Should not principles be upheld irrespective, and not surrendered to majoritarianism?

Take the example of gender discrimination. A survey in India found that: "Shockingly, there is a list of reasons women thought their husbands were justified in beating them… 56% working women agreed with at least one reason for wife-beating. Forty-nine per cent in the 15–19 age group, 37% urban women and 36% girls, having a minimum educational qualification up to intermediate, also concurred on this".[16]

There were similar findings for many other countries too. "Domestic violence is never OK. Yet in 29 countries around the world, one-third or more of men say it can be acceptable for a husband to 'beat his wife.' Perhaps more surprising: In 19 countries, one-third or more of women agree that a husband who beats his wife may be justified, at least some of the time".[17]

But where do opinions end and principles begin? And is this also a matter of opinion that must be determined by a weighted majority? *Ad infinitum.*

At the other extreme are those that believe that all decisions must be taken by professional experts, who must decide on the optimality of strategies, as involving the affected people in the decision-making process inevitably divides the society and increases disaffection, without adding any value. They cite the example of a hospital and wonder what would happen if all diagnosis and treatment was determined by a vote among the patients, who are the affected persons, rather than by the doctors, who are the professional experts.[18]

Case 3.10 Designing Interventions without Local Consultation

Many years back an international development agency was supporting an aid program in India to improve healthcare in rural areas. After

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16 https://tinyurl.com/y4vnkn2t
17 "The data come from polling performed from 2010 through 2014 for the World Values Survey — an extensive study of attitudes in almost 100 countries, conducted on an ongoing basis since 1981. The study is led by an international network of researchers based in Stockholm": https://tinyurl.com/y2un92v3
18 There is also the option of evolving into an epistocracy, where the weight of a vote depends on the profile of the voter.

the first phase, an evaluation was carried out by an external team of experts, half of them medical doctors. The team comprised of three Indians and three foreigners. As a part of the evaluation they paid surprise visits to some of the village health centers in a southern Indian state. These centers were staffed by women nurses cum midwives known as multipurpose workers.

The evaluation at the end of the first phase of the project noted that an earlier mid-term evaluation had identified that, despite clear directives, the local nurses were not available to all sections of the society for emergencies at night. This was mainly because the villages in this state were mostly divided into two parts. One part, which was the main village, housed all the "upper" caste people, the social "elite". The scheduled castes, who were historically the outcasts, lived in what was known as colonies which were usually between half and one kilometer away from the main village. Recognizing this, and the fact that members of the scheduled castes were traditionally discouraged from entering the main village, even though legally caste discrimination was outlawed,[19] the aid program had required that the village health centers be constructed midway between the main village and the colony, so that it was equidistant from, and equally accessible to, both groups. However, the mid-term evaluation found that most of the nurses refused to spend the night in the wilderness, at the health center midway between the village and the colony, and preferred to hire a room and live in the main village. When questioned, it turned out that this was due to the fear of wild animals who roamed freely after dark in the uninhabited wilderness between the village and the colony.

In order to solve this problem, instructions were modified after the mid-term evaluation and all village health centers were required to be located at the edge of the main village closest to the colony so that, though not equidistant, they were still accessible to members of the colony who did not have to enter the village to seek medical aid. Perhaps not a perfect solution, but seemingly a working compromise till the historical discrimination against the scheduled castes was finally wiped out.

Unfortunately, the second evaluation team found that despite the health centers being at the edge of the main village, they were mostly abandoned at night and the nurses continued to live within the village, making it very difficult for members of the scheduled caste to get medical aid at night. On investigation it was discovered that villages in that state often have a cremation ground at one end of the village and the

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19 Despite the legal ban, it was still practiced because the "upper" castes owned most of the land in the region and the scheduled castes, who were mostly landless and poor, were dependent on the landowners for employment as daily-wage labourers.

local liquor (toddy) shop at the other end. So the nurses refused to spend the night in the health centers, though sleeping quarters had been provided there, as they were terrified of being haunted by either ghosts or by drunken men!

The fact that the local people, and specifically the multi-purpose workers, were not involved or consulted during the planning stage certainly contributed to this comedy of errors.

Clearly, affected communities and individuals can provide valuable inputs, but it might also be desirable to give due weight to the opinions of professional experts, especially if they recognize that one of their primary functions is to interact with other stakeholders, and to appropriately empower them.

However, what weighting, and to what end, needs to be decided on a case-by-case basis, and might well generate a lot of disagreement about what is the best way forward.

Discussion on the Theoretical Framework

As discussed earlier, much of the literature on evaluation shows a mature acceptance of the ambiguities and uncertainties inevitable in determining ethical values. There is also some attempt to analyze the causes of such ambiguity. Nevertheless, there appears to be an urgent need to expand the evaluator's understanding of why ethical uncertainties exist.

There is a temptation to stick to describing the ethical issues and dilemmas associated with evaluations, and not get into the theoretical framework. However, a discerning mind would most likely find this unsatisfactory. Also, it would encourage many others to adopt the unfortunately popular tendency among western-influenced thinkers and professionals (including I) that the legitimate ethical values are those propagated by liberal democracies, including those of equality among, and equal rights for, all humans; freedom of speech, thought and action; participatory and decentralized decision-making, etc., and though political correctness requires that we acknowledge and pretend to seriously consider other ("primitive, uncivilized, regressive") ethical values, ultimately the "liberal democratic" values must prevail.

The fact that many of us find this, even as we read it, quite unexceptionable sends out alarm signals and makes it all the more urgent to reiterate how tentative is the basis for any value system, including the liberal democratic one, and how it is therefore incumbent upon us to develop the ability to recognize, accept and learn to live with multiple value systems and inherent ethical contradictions and ambiguities. Thereby the critical need for a philosophical discussion on ethical certainty, or the lack of it, even if it is somewhat abstract.

Evaluation guidelines define ethical objectives so generally that it does not really help a thinking person to resolve ethical conflicts. Ethical conflicts rarely arise in determining whether safeguarding human rights, promoting equality among humans, preventing pollution, safeguarding natural habitats, promoting good health and ending poverty are "good" things. Conflicts arise when we try to determine what these mean – for example, does human equality mean treating everyone as an equal, but then what about meritocracy? Should people earn more, advance professionally, or even be preferred as evaluators just because they are smarter and more competent? And what about the fact that this competence and intelligence could be an outcome of genetic and environmental factors which is mostly beyond their control, so that they cannot claim credit themselves?

Unfortunately, evaluation literature attributes ethical uncertainties mainly to variable social and cultural contexts and to varying political systems. In actual fact, apart from these, the fundamental reason for such ethical uncertainty might well be the inability of epistemologist and moral philosophers to establish ethical certainty even within the relatively pure theoretical world of moral philosophy, even after disregarding political, cultural and contextual influences.

Issues Relating to Ethical Knowledge

The absence, in discussions relating to ethics in evaluation, of the recognition that ethics is inherently uncertain,[20] seems to result in the presence of an underlying belief among many evaluators that although there are cultural and social differences that must be recognized and accommodated, the fundamental ethical values are unquestionably those that are propagated by western liberal democracies. These include equality and equal rights for all humans, freedom of speech, thought and action, participatory and decentralized decision-making, among others.[21] This, to say the least, is misleading. Perhaps the fundamental reason for such disagreements is that moral philosophy has not been able to identify any substantial (non-trivial) unquestionable moral value. Philosophers, including moral philosophers, disagree among themselves on most ethical issues: what are the fundamental principles of ethics, from where, and how, are these derived or arrived upon, and how can we be certain which specific actions (thoughts, attitudes) conform to or violate these ethical principles? In short, we do not have access to undisputed ethical knowledge or ethical certainty.

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20 For a relatively simple explanation of the complexities of ethical uncertainty, read Shermer 2004.

21 This is not to say that western democracies necessarily practice these values, but such hypocrisy is common to all manner of regimes across the globe.

This is not a problem restricted to ethics. The discipline of epistemology, despite 3,000 years of enquiry, debate and fervent effort, has not been able to identify a single method by which non-trivial, universal and certain knowledge can be arrived upon, not just for ethics but for anything.

There is also the problem of the ambiguity of language and the arbitrariness in allocating meaning to words. There is a perceptive cartoon, that first appeared in Punch, where a young boy, observing a cow, asks his grandfather what it is. The grandfather replies "that's a cow". The boy thinks for a moment and then asks "why?", leaving his grandfather speechless.[22]

Though various efforts have been made to resolve this dilemma and establish the possibility of knowledge that is both novel and infallible, thereby being universally and unquestionably acceptable, there has been little success. Kant (1922) suggests that there is synthetic *a priori* knowledge that is based on "blind intuitions" emitted by "things in themselves" that inhabit the outer world. These blind intuitions are perceived by us. Our minds, according to Kant, have an ability to interpret these blind intuitions in a uniform manner, ordering them temporally and spatially. This ability is common to and identical in all human beings, thereby providing knowledge that is universal.

Though Kant's ideas had a great impact on philosophy, not much changed in the real world. His solution lacked mass appeal, at least partly because he was hard to understand. Bertrand Russell reportedly once remarked: "The greatest advantage Kant had as a philosopher was that he did not have to spend half his life understanding Kant!"

Sources of Ethical Systems

As an outcome of this inability of epistemologists to discover the path to certain knowledge, we still do not know anything new with certainty. Consequently, there is no agreement on what the optimal ethical system and moral code is, and on what is the source of ethics. There are multiple ethical systems being believed in and practiced across the world, each emanating from a different source. Many are faith-based, derived from one or more of the various religions or handed down by ancestors, revered individuals (like Gandhi, or Mandela, or Martin Luther King, and many others) or even from parents and teachers. Some ethical systems are conformist, catering to the urge of individuals to conform to the values practiced by communities and social groups within which they live and function. Others are reason based, giving arguments for why certain things are ethical and others not, and requiring you to further use

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22 Legend has it that this cartoon appeared as an examination question in philosophy, at Cambridge University, with the exhortation: "comment"!

your reason to determine which specific actions, thoughts and attitudes conform to or violate these ethical principles.

There are many academically respectable ethical systems, with very few practitioners. There are the rationalists, like Immanuel Kant, who believe that what is moral must be determined rationally, and that an action is ethical only if it is done for its own sake and never if it is done with some other motive, whether the motive is to give or get pleasure or whatever else. Then there are the intuitionists, like G.E. Moore, who talks about ethical intuition and likens it to the esthetic sense, where there is direct apprehension of esthetic value. You look at a person, a painting, a scenery or hear some music, and directly recognize its esthetic worth without deducing it from anything else. Similarly, according to Moore, you directly and intuitively perceive the ethical worth of an action (thought, attitude). Unfortunately, esthetic judgements are notoriously subjective, as there is mostly no universal agreement on what is beautiful and, inevitably, no agreement on intuitive ethical judgements either!

There are also those who suggest that morality is little more than a practical code developed by social groups to mandate behavior and attitudes considered optimal by them under specific circumstances. Sometimes social conditioning remains the predominant influence.

Alternatively, it is suggested that ethics emanates from emotions more than it emanates out of reason. A remarkable and comprehensive account of these approaches to ethics is found in anthropologist Edward Westermarck's epic: *The Origin and Development of the Moral Ideas* (1906).[23] To quote from its introduction:

> Though rooted in the emotional side of our nature, our moral opinions are in a large measure amenable to reason. Now in every society the traditional notions as to what is good or bad, obligatory or indifferent, are commonly accepted by the majority of people without further reflection. By tracing them to their source it will be found that not a few of these notions have their origin in sentimental likings and antipathies, to which a scrutinizing and enlightened judge can attach little importance ... It will, moreover, appear that a moral estimate often survives the cause from which it sprang. And no unprejudiced person can help changing his views if he be persuaded that they have no foundation in existing facts.

Perhaps the most widely followed ethical systems are the faith-based ones, though their statistical predominance, even if true, neither gives

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23 Westermarck, Edward. *The Origin and Development of the Moral Ideas.* In two volumes. First edition published in 1906. Second Edition 1912. Copy accessible at: https://tinyurl.com/y2x6zu75

them added credibility nor any inherent superiority. Among reason based ethical systems, arguably the most popular is hedonism, which defines moral actions as those which give happiness and pleasure, and specifically utilitarianism that defines a morally optimal action as one that gives the greatest amount of pleasure to the greatest number of people. Though no reliable world census exists, intuitively one feels that most people in the world believe in one or the other, and often both, of these systems and codes.

Disagreements Arising Out of Diversity

Even if philosophers, the hair splitters, perpetually disagree with each other, why can't the sensible discerning public, especially the professionals among them, cut through this obfuscation and arrive at some ethical unanimity and agreement? Clearly, these are not recent worries. Westermarck, in the introduction to his earlier cited work (circa 1906), states:

> Its author was once discussing with some friends the point how far a bad man ought to be treated with kindness. The opinions were divided, and, in spite of much deliberation, unanimity could not be attained. It seemed strange that the disagreement should be so radical, and the question arose: Whence this diversity of opinion? Is it due to defective knowledge, or has it a merely sentimental origin? And the problem gradually expanded. Why do the moral ideas in general differ so greatly? And, on the other hand, why is there in many cases such a wide agreement? Nay, why are there any moral ideas at all?

Disagreements about Compromises

In a simple black and white world, ethical values would be absolute and no compromises required. But in the real-world compromises are called for all the time between mutually incompatible ethical values that need to be reconciled.

Many moral philosophers have recognized that ethical dictums cannot always be absolute. Plato discussed this dilemma over 2,000 years ago. In his *Republic*, Plato quotes Cephalus defining "justice" to be always "...speaking the truth and paying one's debts". Socrates quickly refutes this definition by suggesting that it would be wrong to repay certain debts – for example, to return a borrowed weapon to a friend who is not in his right mind. Socrates' point is not that repaying debts is without moral import; rather, he wants to show that it is not always right to repay one's debts ... What we have here is a conflict between two moral norms: repaying one's debts and protecting others from harm. And in this case, Socrates maintains that protecting others from harm is the norm that

takes priority".[24] A similar dilemma is discussed in relation to an armed assassin who wants to know where a potential victim is hiding. Though telling the truth is an ethical obligation, should one disclose the hiding place and get the innocent victim killed?

In the twentieth century, G.E. Moore (1903) argued that most ethical decisions involved judging an organic whole. He defined an organic whole as a collection of parts such that the value of the whole was not necessarily a sum of the value of its parts. A common example of an organic whole was "hatred of violence" where both "hatred" and "violence" had negative ethical value, but the organic whole had positive ethical value. In this way you could also determine, for example, whether a good end justified a bad means, for the relevant ethical value was that of the organic whole comprising both means and ends.

In contrast, much of the religious ethical dictums, which for most people are the predominant determinants of moral values, reject the possibility of grey areas (or compromises) in ethics. For example, none of the ten commandants end with "except under special circumstances". Similarly, the Catholic Church protects the sanctity of confessions without any exceptions.

Hinduism is similarly conflicted, with the absoluteness of moral dictums being sacred. However, as in other religions, Hinduism also has its share of skeptics and disbelievers. The Hindu epic *Mahabharata*[25] depicts a mythological battle between the Pandavs and the Kauravs, representing good and evil, respectively. The Pandavs, who are losing, hatch a plot to demoralize the formidable Kaurav general called Drona. They spread the rumor that Drona's beloved son Ashwarthama has been killed in battle. Meanwhile, the Pandavs slaughter an elephant also called Ashwarthama.

Drona comes to seek confirmation about his son's death from one of the Pandavs, called Yudhishthira, who is legendary for never telling a lie. Yudhishthira has, in the meantime, been persuaded by his fellow Pandavs and by Lord Krishna to say "Ashwarthama is dead", and then in a much softer voice say: "Ashwarthama the elephant". Drona does not hear the second part of the statement and is devastated and loses the will to fight, allowing the Pandavs to kill him and win the battle.[26] The ethics of deliberately misleading Drona, even though no explicit lie was told, has been debated for centuries. The fact that a God, Lord Krishna, was part of the conspiracy makes the debate more complicated. In some versions of the fable, Yudhisthira has to pay for this deception by spending time in the Hindu equivalent of purgatory.

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24 https://plato.stanford.edu/entries/moral-dilemmas/.
25 Written over 3,000 years ago https://tinyurl.com/yxas5or6
26 For further details, see https://tinyurl.com/y434e37y.

In the real world, compromises are often called for. The problem is that as one moves out of the shelter of uncompromising absolutism, there is no objective and universally acceptable protocol to guide people on how to make ethically optimal compromises. Therefore, disagreements flourish.

Free Will and Determinism

There is also the additional complication relating to free will and determinism. Philosophers and psychologists have not been able to definitively establish the existence of a free will among human beings, or at least not a free will unfettered by conditioning. Empirical studies, and advances in genetics, also suggest that who we are and what we think and do is definitively influenced by our genetics and our conditioning (nature and nurture). In light of this, the whole area of ethics comes under a cloud, for you cannot apply ethical judgement to an action unless you can establish a free will behind it. In fact, unless free will can be established, ethical systems and moral codes have little relevance to real life.

For evaluators this is especially relevant when they interact with communities and individuals, for they must be aware of the possible influence of conditioning over the "free" choices that the individual or community appear to be making.

The absence of free will might also inhibit the generation of consensus and agreement on ethical values among evaluators. Though, rationally, some ethical principles might seem self-evident, conditioning might make it difficult for individuals to adopt these in practice. David Ogilvy, one of the most famous and successful advertising professionals who extensively used market research, once decried "… that the problem with market research is that people don't think how they feel, they don't say what they think and they don't do what they say".[27]

Even if it seems that people are being allowed to choose freely, can we be sure they are not conditioned to choose as they do? And how do we get them out of their conditioning? Do we propagate the opposite values, or just encourage them to think for themselves? But what does that mean? Would their thinking for themselves not itself be a conditioned thought process? Can one even begin to cut through conditioned responses and establish some independent and free thought, unless one has access to a guaranteed independent thought process? Thus, one sees the profound wisdom of Archimedes,[28] who said: "Give me but one firm spot on which to stand and I will move the earth".

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27 https://tinyurl.com/y2dlzx68
28 This quote is from Greek mathematician and inventor Archimedes regarding the Law of the Lever at some point during his life (born 287 BCE). https://tinyurl.com/y6o3pbjc.

Conclusion

In conclusion, one can think of many other ethical dilemmas that could confront an evaluator. For example, there are long-term objectives to be balanced with short-term objectives, choices to be made between the incompatible interests of two different groups of people or of people versus animals and other living creatures, conflicts between two values – e.g. happiness versus justice, practicality versus ethicality, the ethical justification of putting many before a few, custom versus ethics and many other such which we have not been able to adequately consider here.

But if we put romantic idealism aside for a moment and come down to practicalities, how does a team of evaluators assess an intervention if each evaluator subscribes to a different, perhaps even a contradictory, ethical yardstick? Clearly, among professionals working together on evaluating an intervention, there needs to be a consensus building exercise in advance of undertaking the task, where all viewpoints are taken into consideration. Inevitably, there would be some issues on which a consensus cannot be reached and here the majority and minority views must be both reflected in the outcome. Unfortunately, this is not the prevalent practice as professionals put much value on unanimity. But decisions which reflect a diversity of approach are much more convincing to a discerning public, especially because it demonstrates that multiple viewpoints were seriously maintained and considered. Perhaps this is why top courts of many countries include dissenting minority opinions in final judgements.

Apart from institutional changes and safeguards, what is needed is the strengthening of ethical resolve among evaluators. Patton (2018, p 196) quotes Marie Curie to illustrate this point:

> You cannot hope to build a better world without improving the individuals. To that end each of us must work for his own improvement, at the same time share a general responsibility for all humanity, our particular duty being to aid those to whom we think we can be most useful.

If ethical concerns have to be optimally incorporated within evaluation theory and practice, perhaps it would help if evaluators more fully understood and applied the various methods discussed in moral philosophy to determine morally optimal choices in an ethically uncertain world. This could be facilitated by a more prolific sharing of experiences and cases where diverse types of ethical challenges were faced and tackled. This chapter, therefore, has attempted to expand the understanding of why ethical certainty eludes even moral philosophers, and how they seek to make ethical decisions in this uncertain ethical reality, in the hope that this expanded understanding might help evaluators better resolve their

own uncertainties. There is extensive use of cases and examples to illustrate some of the points being made.

The ability to evolve consensus is both a natural talent and an acquired skill. Teams of evaluators would do well to identify naturally talented consensus builders among evaluators. The community of evaluators should also identify and record the sorts of ethical disagreements that emerge while evaluating development interventions, either among them or with and among other stakeholders. This would go a long way in focusing consensus building around those ethical issues that matter the most.

There is a thought that perhaps to evolve unanimity or universal consensus on ethical issues, evaluators should involve themselves with debates on moral philosophy and interact with moral philosophers. Though this is a welcome step and would certainly improve the evaluators' understanding of ethical debates and methods, it would also help philosophers to better understand the ethical issues that evaluators face. A familiarity with ethical debates might also support efforts by the evaluators to hone in on their own ethical commitment.

Until then, it is best to remember that moral integrity involves doing what one thinks and believes is right, even while being aware that one might be wrong, or at least that others have the same right to follow their own beliefs, just as we have to follow ours. However, the real test comes when our beliefs are not just different but are incompatible with those of others, and that is when we need emotional and rational maturity to develop constructive compromises that allow us to coexist harmoniously.

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