

A REMINDER ON RECOGNIZING ETHICAL PROBLEMS ARE PRACTICAL: DISTINCTIONS IN TEACHING THEORY AND PRACTICE¹

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INTRODUCTION

If, as a practitioner,² I were to say to you that, “ethics is just a matter of common sense,” as a philosopher, while you may not agree with me, there is a good chance you would understand what I meant by this statement. If however, as a philosopher, I were to tell a practitioner that, “ethics is transcendental,”³ there would be more than a good chance the practitioner would neither understand nor agree with my meaning.

My point, by way of introduction is although we are undoubtedly talking about the same thing, there is a discernible difference in the way in which these two groups talk about ethics. As any overseas traveler will tell you, attempting to obtain common ground on an issue while talking a different language is difficult at any time. Attempts to gain understanding when discussing a subject as complicated as ethics on this footing only compounds the inherent degree of difficulty. As such, those who choose to teach ethics to practitioners are to some extent responsible for the pedagogical problems encountered, which result from the degree to which this fact goes unnoticed or to be more specific, the degree to which it goes unattended.

As a theoretical subject, ethics has provided a challenge to academics, which is ongoing. In fact, “The whole subject,” once described by W. D. Ross, “is so difficult – in some respects indeed it is the hardest branch of philosophy.”⁴ Quite a strange statement really, for a person who was widely recognized for his astute abilities in the area of theoretical ethics.⁵ Is this a claim of modesty from a person of high caliber? Perhaps. Or does it amount to a warning for us to give up in our attempts to teach the theory of ethics to those whose main concern is of the more practical pursuits? I think not.

Simply, Ross’s statement is a reminder, albeit an important one. It clearly states a fact, i.e. ethics as a subject is difficult. To which you might

respond, 'So what? I know that.' Well, reminders work like this. They can bring familiar facts to our attention. Things we now need to notice and perhaps haven't or things like familiar facts which we might have simply forgotten. While Wittgenstein points out that "the work of the philosopher consists in assembling reminders for a particular purpose,"⁶ Professor Passmore admits, "philosophers are particularly good at forgetting familiar facts."⁷ This is because, as Wittgenstein reminds us, sometimes the most important aspects of things 'are hidden because of their simplicity and familiarity.'⁸

In this paper I will argue, first that philosophers and practitioners have a tendency to discuss ethics at different levels. This I will argue is partly due because by role they are engaged in ethics at different levels of concern. From this, problems in both meaning and understanding arise. I will attempt to identify from where some of these problems arise and what this might mean to the philosopher as teacher.

From here I will in an unavoidably descriptive manner outline a method that I have encouraged in the teaching of applied ethics to police recruits and students in criminal justice studies. The methodology that I outline is best described as a principlist approach to the teaching of ethics. It does not profess to answer all the questions required in teaching ethics across the curriculum and indeed, it may not answer any. However, what I have attempted to do is point out some facts that are familiar within the specific area that I have the privilege to teach.

TENSIONS OF THEORY AND PRACTICE

The tension between theory and practice remains a fundamental pedagogical concern. By its very nature Philosophy (*per se*) has been seen to hold an academic detachment from the practicalities of life. First stated in jest about Thales "when he fell into a well as he was looking up at the stars,"⁹ in modern times, Albert Einstein has become "the archetypal absent-minded professor, a white-haired, eccentric scientist whom the uninitiated [see] as the role model for mad professors everywhere."¹⁰ The modern philosopher, as teacher, remains at risk of being held 'guilty by association' due to the personification of this myth.

Nowhere is the tension between theory and practice more likely to occur than in the area of vocationally orientated study. By role, practitioners require practical relevance to be evident in educational programs. The current 'popularization' of ethics as a subject, its intrinsic difficulty,

and the fact that regardless of its form (applied or theoretical) it remains a branch of philosophy, leave it prone to attack from all sides. Philosophers therefore need to be aware that the teaching of ethics (in any form) holds both a social and professional obligation. The former can be met by ensuring its appropriateness in application, the latter by negating or at least attempting to minimize the perpetuation of the myth of academic detachment.

This, you might say, sounds more like a warning than a reminder. But some reminders, especially those that strike us about the foundations of our own inquiries and pursuits, can be the most powerful. In fact, they can at times be quite abrupt. Abruptness is something I wish to avoid, as I merely wish to point out some ‘familiar facts,’ which are important aspects in the teaching of ethics. So “a natural way of dealing with the enthusiasm of philosophers,” Passmore suggests, “is to pull them up with a reminder.”¹¹ As hinted at in the introduction, one of the causes of problems encountered in the teaching of ethics is the risk we run when we fail to identify the different ways in which we speak about ethics. This is not because students have no experience of moral problems, nor is it because they have no knowledge of moral matters; on the contrary, they have both. The problem lies in the fact that we are both used to engaging in discussion on these matters at different levels. Attempting to discuss ethics from these different levels gives rise to a degree of confusion in both *meaning* and *understanding*. Or simply stated, between what is *said* and what is *heard*.¹²

But how is it possible when attempting to teach those who already possess *experience with moral problems* and *knowledge of moral matters* for these confusions to arise? And how, if we are addressing the same subject can we come to be discussing it on different levels? I will first try to identify the cause of these problems and then to lay out a method which has proved beneficial in the teaching of students in criminal justice studies and police recruits.

First, the subject of ethics by its nature can be approached from two levels. As I see it, this has always been the case¹³ and will always be so. It needs to be. In their most broad description these levels are referred to as intuitive and theoretical. And are commonly distinguished as *normative ethics* and *meta-ethics*. For the purpose of this paper I will refer to them, respectively, as ‘practical’ and ‘theoretical’ ethics. Let me deal with the theoretical then the practical.

Theoretical ethics is the sort of ethics that philosophers are engaged in. This is not to say philosophers never experience ‘practical’ ethics, only

to say that in their professional role, when they are dealing with moral philosophy, they are engaged in ‘theoretical’ ethics. This is what they do. But it does not aim at telling us what to do. In this form ethics is factual, scientific, analytic. Its aims are to better understand the meaning of concepts such as ‘good,’ ‘bad,’ ‘duty,’ ‘obligation,’ ‘right,’ ‘wrong,’ and the sort. By its very nature it is a conceptual study, logical in its manner. Within the moral realm it deals with what *is*.

Practical or intuitive ethics is more about the sort of moral issues all of us (to varying degrees) are concerned with. It deals with the way we feel about, evaluate, prescribe and act on moral issues. It’s about how we act in relation to moral issues when we are confronted with them. It can be critical of current moral standards or directive in telling us what is good, bad, or otherwise. Value-laden and normative in its manner, it can prescribe our duties and moral obligations. It deals with what we *ought* to do. The distinctions arising from the (factual) what *is* and the (value-based) what *ought to be* of ethics, have been at the center of long-standing philosophical debates. The most popular are Hume’s ‘*naturalistic fallacy*’¹⁴ and G. E. Moore’s ‘*open ended argument*.’¹⁵ These philosophical debates are both classic examples of ‘theoretical ethics’ at work.

But to jump straight in from this and separate those involved with ethics into two camps, for example the ‘academic world’ and the ‘real world,’ would be an oversimplification of the issue. Claims like this usually require at least two forms of response. Either I clarify what I mean by such a claim, or I look for the nearest exit. Opting for the former, I shall now attempt to clarify what I mean.

In a forum such as this, it seems fitting in acknowledging the Rochester Institute’s commitment to the teaching of ethics that I call on Wittgenstein’s ‘motor metaphor’ to explain my point. In paragraph 132 of the *Investigations* he writes, “the confusions which occupy us arise when language is like an engine idling, not when it is at work.” From this we can draw the **common sense view** of ethics as an engine at idle. With little exertion it continues to run, ‘turning over’ it chugs along. Maybe melodic, but not methodic, for an engine at idle does no work. From this however we need to be careful we don’t immediately draw the inference that the **philosophical view** is that of an engine at work. Meta-ethics in its true sense is more akin to an engine operating at high revs, ‘red-lining’ if you will. I am not suggesting that philosophers run the risk of intellectual ‘valve bounce,’ ‘blowing up,’ incurring a ‘mental meltdown,’ or indeed any other form of ‘cognitive collapse.’ The point here is, running an engine at either extreme is a problem. Engines are designed to work

and they work best when they are operating at their most efficient range, when they are ‘cruising’ or ‘on song’ so to speak. This is where they are ‘at home.’¹⁶

Operating at these two extremes is what (in part) gives rise to the myth of academic detachment. When a philosopher chooses to specialize in the area of moral philosophy they develop their own vocabulary, methods and concerns. These, as in any area of specialization, are inevitably directed towards the development of a ‘body of knowledge.’¹⁷ In moral philosophy this involves a search for the solving of ‘the moral problem.’¹⁸ To the philosopher the problem is a theoretical one. Hence what occurs is a conflict between competing theories to provide an answer to the theoretical ‘moral problem,’ but on this, moral philosophers notoriously disagree.

For the practitioner (or ‘common folk’) however moral problems are not theoretical. In fact I would argue that when dealing with moral problems in the course of daily activities little if any reference is made to the theory of morality. Sure people are torn this way and that when dealing with moral problems but what they use to deal with these is not reference to meta-ethical theories. Sorting out conflicts at the common sense level practitioners make reference to what Sidgwick calls ‘moral maxims.’¹⁹ At the common sense level there is no shortage of these, for example, tell the truth (don’t tell lies), aim at the general happiness of those around you (do unto others); the list is endless. They are usually expressed in terms such as justice, fairness, honesty, equality, etc. These simple, singular terms, or what Michael Smith calls (moral) platitudes, are what the practitioner uses as planes of reference in making judgments of what they ought to do.

Left to operate in their own environments, the practitioner and the philosopher deal with moral problems and the conflicts that arise, from their respective points of view. Until recently the occasions on which a philosopher and practitioner might meet were few and far between. However, with the growing popularization of ethics as a subject (especially in the area of vocational training) these opportunities are more common. The inclusion of ethics in the curriculum of most tertiary courses ensures the path of philosopher and practitioner will cross. At this point, when the practitioner and the philosopher meet, is when a special form of conflict arises. Unlike the conflict encountered when competing philosophies meet, this form of conflict needs to be treated by the philosopher (as teacher) in a different manner.

In order to explain what I mean by this, let me call upon a commonly used example to illustrate my point. If an SS officer, brandishing a Luger pistol in my face said, "Tell me where the Jews are hiding," then cocking his pistol and pointing it at the head of my son and wife respectively says, "or I will shoot him – then her. If you still refuse to tell me, then I'll shoot you." I think (at least from my present position) I would tell him what he wanted to know. I know (also from my current position) I would live the rest of my life with an uncomfortable level of torment. This makes me believe that moral problems, (as terrible as some of them might be), are not philosophical problems, they are practical ones. The overriding philosophical problem regarding the ethics or morality of these types of problems is that of providing a rational explanation for the decisions taken. This however is not a moral problem, it is an intellectual one.

It is important here, for the philosopher to be reminded (from a pedagogical perspective) that it is the way in which they deal with these kinds of problems, that differs from the way in which the practitioner deals with them. More precisely, the way in which we (respectively) seek to explain these problems gives rise to the special form of conflict to which I refer, for both the philosopher and the practitioner see these problems as a matter of 'common sense.' However, equipped with a finely tuned and in most cases, an extensive array of intellectual armament, the philosopher is ready to explain away or deal with these problems, unlike the practitioner, who's 'platitudinal plane of reference' and common knowledge leaves them ill-equipped to articulate what they mean based upon what they *know* from experience.

These different 'degrees of readiness' unfortunately, give the appearance of a practitioner faltering with the practical problems, which a philosopher finds all too easy to deal, in theory, with. As a form of conflict, Gilbert Ryle reminds us, that this is "not to be seen as a conflict between competing theories but rather as a conflict between theory and platitudes, between what certain experts have thought out and what every one of us cannot but have learned by experience, between a doctrine and a piece of common knowledge."²⁰ Remembering this when teaching ethics across vocational curriculum is fundamental, for it is here that problems of academic detachment arise.

Faced now with what appears as a 'familiar fact' the philosopher (as teacher) must find a way by which to assist the practitioner to both articulate and inform what in practice seems to be a matter of 'common sense.'²¹ As a teaching problem this is very much a matter of methodol-

ogy. The usual manner in which this problem is approached is by means of the ‘case study approach.’ While I accept the general success of this method of teaching I think it needs to be approached and used with some degree of caution.

Case studies in any form can be based on real-life examples or they can be purely hypothetical. Regardless, both are subject to forms of distortion, which need to be guarded against if the philosopher is to assist the practitioner. The most common form of distortion to which I refer is the tendency to exaggerate the complexity of moral problems, which the case studies are meant to illustrate. Nowhere is this more evident than in the use of so-called ‘thought experiments.’ The term alone carries an intrusive element against which most practitioners would be on guard. Any concerns they may have are quickly confirmed when they are confronted by ready-made problems that are not easily solved in discussion forums. To distort the complexity of moral problems in the teaching environment is a practice that ought to be avoided at all costs. Commencing a course in ethics with a moral problem that can’t be solved, regardless of one’s intentions, is to ‘fly in the face’ of the spirit of teaching and ‘rubs against the grain’ of the ethics of philosophy itself. Resorting to cases which can’t be solved because of impossible assumptions²² or worse still, for entertainment value, does little to assist the student’s development. To overburden the reasoning power of students by the misuse of case studies does nothing to inform the basis from which they make their moral judgments,²³ to say little for the damage it does to the reputation of philosophy as a means of learning.

So how can the philosopher and the practitioner better meet in an effort to address the importance of ethics especially in the area of vocational training. My suggestion, which is based to some degree on the success achieved in various courses of study with criminal justice and police students, is for the philosopher to meet the student on a common ground. This common ground of “agreement,” as Wittgenstein suggests must first be established in the use of language.²⁴ For in order that the philosopher is able to assist the student, they must first and foremost be in a position to understand each other.

My reference to Wittgenstein should not be taken as a leaning towards an anti-intellectual position;²⁵ far from it. I am merely ‘pointing to’ the methodology employed throughout the *Investigations*, specifically, the way in which Wittgenstein is attempting to teach as he goes. Importantly he recognizes this as ‘the experience of being guided’ – a co-operative effort – encouraging us to ‘imagine the following cases’ where

someone leads you by the hand where you are unwilling to go, by force. Or: you are guided by a partner in a dance; you make yourself as receptive as possible, in order to guess his intention and obey the slightest pressure. Or: someone takes you for a walk; you are having a conversation; you go where he does. (PI 172.)

This is the method employed in the *Investigations*, one in which ‘you are now *thinking* of a particular experience of being guided.’²⁶ In order for philosophers to provide students with the particular experience of being guided in ethics courses, it is essential for them to be able to engage at the same level. Once established this engagement must, at least in the initial stages, be viewed as only an agreement of common language (form of life)²⁷ and not of opinion. And at times, (as a closer inspection of Wittgenstein’s above examples suggests), this experience in guiding may require varying degrees of assisting, urging, prodding, driving, pressuring.

But regardless of the degree to which this guiding occurs, it is an intellectual one. In order that this level of engagement can be allowed to occur, it is necessary to view case studies as the means by which this intellectual engagement can take place; the vehicle from which any discovery will be observed. As a form of introduction into the subject of ethics, these cases must therefore be based on reasonable assumptions, with problems that are easily understood, familiar and relevant to the practitioner.

Starting with hard cases or the front-end loading of vocationally oriented ethics courses with theory, for that matter, is not the place to start. As Plato advises in the *Sophist*, “Mankind have agreed of old, that if great subjects are to be adequately treated, they must practice on slighter and easier matters before they aspire to the greatest of all.” (*Sophist*, 218)

This is what I take Dewey to have meant by the need for ‘starting with games.’²⁸ The practitioner must feel at ease to explore ethics within the learning environment in much the same manner as one would expect them to do throughout the course of their lives or daily activities. Allowing them to call on their own experience, reason through the issue at hand and call on assistance when required. As a starting point, this is an assumption, which allows the philosopher to show the practitioner that they recognize them as a morally responsible agent. A person whose ability to distinguish what is right and wrong, good and bad has already been established. Confirming that the role of the philosopher is not to tell the practitioner what in fact they ought to do. Rather, the case studies which

teachers select will allow a means by which a joint exploration of morally relevant issues might best be explored and discussed.

In adopting an Aristotelian approach to methodology, I advocate the medium of contemporary film as an appropriate and most conducive method by which to commence this joint exploration. As a modern form of imitative representation (*mimesis*), the modern film acts as means by which real life events can be portrayed. Like other forms of literary art, the modern film, in all its grandeur and exaggerations, is also sufficiently unlike the real life events which it represents that it can be used as an appropriate springboard from which to enter into ethical discourse. This is not to argue for the educational value that modern film might provide, but more for the means by which it can be used in professional ethics courses. For it is on this point that Aristotle disagreed with Plato as to whether poetry ought to be allowed into the ideal state. Aristotle's argument was not that it had any specific positive educational value but that it could be shown to lack the detrimental effect that Plato assigned to it.

Plato denied that [literary] art could satisfy our sense of perfection, since (as he argued) it is essentially imitative and particularized. Nothing but philosophy can offer us an 'ideal representation of fact' and only philosophy, therefore, can cultivate our sense of perfection. But literary theorists (and artists) have long shown the value of taking that which is known to us and making them, not necessarily better, but bigger than life.²⁹ This, as in the classical tradition of tragic drama and poetry,³⁰ acts on us by way of the emotions and the imagination; two faculties which both the practitioner (student) and philosopher (teacher) have in common.

So for Comte, as an example, [literary] art is able to have its moral effect by conjoining practitioner and philosopher on the common ground of intellect. Simply because it is at once imaginative and emotional, it is also both theoretical and practical – theoretical, in that it 'has its basis of thought,' and yet practical in so far as it can serve the end of moral improvement. As such it can be used as a process to negate the myth of academic detachment stimulating feelings in those who are perhaps too intellectually inclined, encouraging contemplation 'in natures where sympathy predominates,' encouraging 'the philosopher to leave his abstractions for the study of real life,' and elevating the practitioner 'into a region of thought where selfishness has no place.'³¹ Contemporary film, with the variety of subject matter it encompasses, provides an ideal vehicle from which both the philosopher and the practitioner are able to con-

verse at the same level and then set off to explore the moral realm together.

As an introduction into police ethics there is no shortage in the selection of films from which to choose. Police drama, while not necessarily a certainty at the box office, does seem to have an enduring appeal to movie and television producers alike. Some of the titles which we have used are “*High Noon*” – starring Gary Cooper; “*Dirty Harry*” – Clint Eastwood; and some more recent non-police titles such as “*Air Force One*,” to name a few. I must admit however, the level of interest in students does vary depending on the film chosen. This has more to do with variations in effect due to obvious distinctions such as black and white versus color, and boredom created by repetitive theme songs like the one that haunts “*High Noon*.” The worth of this as a pedagogical process however can be measured, to some degree, by the fact that, regardless of title or time (of production), the effect is generally the same.

Both students and teachers, approach the set objectives with a noticeable degree of enthusiasm. I feel sure that what is at work here is the imaginative factor. A full exploration of the way in which this works is far beyond the limits of this paper. Suffice it to say, a sense of wonder is no doubt at work in both the philosopher and the practitioner³² acting on both in a reciprocal manner, which bears a striking similarity to the affect produced by two separate works of Aristotle, for in the *Metaphysics* wonder provokes us to understand, while in the *Poetics* understanding provokes us to experience wonder. Both of these works are important when considering pedagogical issues relevant to professional ethics courses.

Regardless, both the student (practitioner) and the teacher (philosopher) must move on from here. The importance of vocationally orientated ethics courses is that the student must be able to effectively transfer what they have learned into practice. In applied ethics this is where the philosopher can rightly claim to have made a difference. So, having joined the student on the meeting ground of intellectual commonality the philosopher must now guide the student in a joint effort towards what Michael Oakeshott³³ described as a higher, more soundly based ‘platform of understanding.’ In order for the philosopher (as teacher) to do this, they must have a framework within which to guide their delivery. In addition to this, if the philosopher hopes to assist the practitioner to think or at least analyze set cases in the same way, then the philosopher must outline and deliver this conceptual framework so the student may work with it as well.

The method used by our teaching team is largely problem based and case study driven.³⁴ The problems that confront the student are largely examples of morally ambiguous, questionable, and even reprehensible behavior. Most are recent cases taken from reports of actual incidents directly related to the actions of police. Few of these cases are what might be regarded as cases of moral edification.³⁵ There are two reasons for this. First, as in real life, positive stories of the good practitioners do tend to be reported less frequently than questionable activities. Second, although some readily advocate the use of moral edification³⁶ as a means of teaching ethics to police, I am not convinced this is an effective way to approach the teaching of ethics at all.³⁷

The framework that we use to analyze these cases is based on a four-step approach, which in a somewhat rough manner follows that of Schopenhauer's *Fourfold Root of Sufficient Reason*.³⁸ The approach to the cases is the same as the one we employ in the use of films to introduce them to the subject. But as they are now in a position to look more closely at the specific practice of the occupation upon which they are entering, the steps taken by the student are looked at a little more closely.

In *Step 1*, we encourage the students to *make their own judgment* on the case in question. Suggesting to them to simply "take note of how you feel after reading it, good, bad, right or wrong." This encourages the student to start from their *intuitive* response to the moral problem presented. Heightening their awareness of their 'gut feeling responses' to moral problems is important to both the student and the teacher in developing reflective thinking. It is also important if one intends to better inform the basis from which these *intuitive* responses originate.

From here the students are encouraged to list all the issues in the case, which they feel are morally relevant. In narrowing down their list they are asked to align the issues that can be identified as actions or decisions with the respective characters in the case from those that are clearly consequences of those actions and those that are information of fact. What we are encouraging here is twofold – first, that they have the ability to identify morally relevant issues when they see them, and second, to focus their attention on the importance of human action in morality.

Step 2 is probably the most difficult area for both student and teacher, for here we ask the student to *gather what relevant evidence they can to determine the truth of the judgment* they have made. Of course any philosopher worth their weight will know the difficulty of assessing moral judgments in terms of their truth or falsity.³⁹ But the point here is not to

explore this issue (in any of its many forms)⁴⁰ for it would take us well off the track. What comes to light here is the difference in views of the students. The teacher needs to be able to identify that if the students differ on what the issue of the case is, then this is usually a difference on priority. This is usually nothing more than the weighting or importance they place on the issues identified.

However, a more important point arises here. Students, at least initially, feel strongly on the stance they have taken on the judgment they make. Differences in opinion here must be managed properly if true discussion is to take place. The philosopher ought not fear moral diversity, even in a learning environment. Students should be encouraged to hold the stance they have taken and attempt to explain why they think this is in fact the issue. At this time what may surprise the philosopher is the overreliance on platitudes to support and explain the stance a student has adopted. But patience and understanding is what is required here. For it is about this time that the students (or at least some of them) are likely to realize that while they know what they mean they are simply unable to articulate it. This can be a frustrating experience.

So Step 3 requires the teacher to enter the discussions in an effort to assist the student to reason through the moral matters the evidence points to. While this may require sorting the evidence out it will normally be a matter of clarifying the moral issues. Here, as Singer⁴¹ argues, the expertise of the moral philosopher comes into play. The philosopher should be on their guard, however, not to be making out as an expert, rather a source of assistance for the students. The tutorial forum, especially when driven by case studies, is dependant on discussion, and as Passmore again reminds us, that discussion is “A co-operative attempt to study a problem in such a way as to gain a greater understanding of it, and of the arguments which can be brought for and against particular solutions of it.”⁴²

This suggests that discussion is a method, which needs to be contrasted with other forms of discourse such as conversation, debate, and disputation. Mainly, it is joint effort in learning. And here we need to remind ourselves this is not the time to point out faults in argument or rush to do so at the expense of the confidence of the developing student. Reminding ourselves here, the role of the philosopher is to guide and assist, not to destroy. Accepting this the philosopher now has the opportunity to point the student towards some ethical theory. But this also needs to be done with a degree of caution, because, as I have already

pointed out, in the area of ethical theory even moral philosophers are notoriously divided.

At risk of oversimplifying the explanation provided for students we relate moral theory first as a criteria for assessing the rightness and wrongness of an action. Making clear that the criteria by which we make these assessments have their origin in moral theory. A short explanation and some readings to support this is usually all that is required at first. Although I think it is important for the teacher to inform the student that sometimes an act can be ‘the right thing to do’ according to one criteria, and yet be ‘the wrong thing to do’ based on another criteria.

The second way in which these criteria arising from theory can be used is as a source by which to inform the decisions and moral judgments one makes. This helps the student to identify the source of tension often encountered in making difficult moral decisions – where, when attempting to decide what one ought to do, one can be pulled in one direction and another, or in more difficult situations one might be pulled in all directions. This also helps the student to realize that there are times when reasonable explanations can be found for why things can tend to go awfully wrong – helping them to see the importance of ethical theory in the deliberations they are likely to be called upon to make on entering their chosen vocation. This makes the exploration of ethics in vocationally orientated courses very much about judgment and justification.

Step 4 is where we introduce the student to the need to express the criteria which they have found in their introduction to moral theory with reference to general moral principles. These, especially in the context of criminal justice and police studies, allow the student to readily identify a connection with other subjects in the curriculum, highlighting the need for them to be able to systemize their thoughts in a logical manner. Fortunately, both moral theory and the general principles underlying them have long been recognized in the law.

In the context of policing, where ethical implications arise from the judgments and justifications relevant to the application of law, this is of fundamental importance. When handled properly by the philosopher this can make the application of abstract principles appear to the student as an almost pragmatic matter.

The generality of these principles allows them to be applied in such a way that it almost drives the reasoning process of the student. In the initial phases of class discussion, this may, as Stephen Cohen⁴³ suggests, be counterintuitive. Again this is where the philosopher might best assist the student with some intellectual self-negotiation. With reference to eth-

ical theory the philosopher can assist the student to find a higher degree of consistency between what they believe, what they know from experience, and what they can then articulate about this interrelationship of self.

Some may argue here that exploration into logic, epistemology, and other areas of philosophy would help the student in professional and applied ethics courses. Well, of course it might just do that. Here, one last but very important reminder needs to be given. Students in professional and applied ethics courses are not enrolled as students of philosophy. They are usually in a subject that makes up a small, although important, part of a larger course.

While it may be nice to think that as a result of having been exposed to a well run professional or applied ethics subject, they might then take up philosophy, this will remain an issue for them. In the main, the student's concern is to take something useful away with them that might help them to better apply their skills and intellect in their area of chosen practice. If philosophy can give them anything, I believe it is a more generally informed, systemized, and rational scheme of thought with which they can deliberate and reflect on the judgments they are likely to make within the area of their chosen professional practice.

CONCLUSION

In conclusion, I see the teaching of ethics as a joint intellectual activity, where the philosopher, in a speculative enterprise, attempts to assist the practitioner to better cope with the moral problems which they are likely to encounter in the realities of professional experience. Notions of professional autonomy and moral responsibility dictate that these problems will be confronted, acted on, and answered for, by the practitioner alone. The teaching of ethics across the curriculum is largely about a "method of discovery" conducted as a joint enterprise, but on a temporary basis. Lectures, tutorials, and classroom encounters all come to an end. The practitioner leaves (or returns) to deal with the complexity of morality on their own.

With this in mind, if I was to attempt to paint a picture of how a philosopher might best address the method of teaching ethics across the curriculum, I could do no better than to draw on what is commonly referred to as the aircraft analogy of Alfred North Whitehead. Here he suggests;

The true method of discovery is like the flight of an aeroplane. It starts from the ground of particular observation; it makes a flight in the thin air of imaginative generalization; and it again lands for renewed observation rendered acute by rational interpretation.⁴⁴

Whitehead is reminding us here that the student starts off from a basis of pre-systematic experience, then (in company with the philosopher) flies into the air of systematic generalization, and a short time later comes to rest on some post-systematic runway.

Students in professional and applied ethics courses should be assisted and encouraged to develop their ability to act as morally autonomous agents. One of the properties that they need to possess is 'a capacity for rational and imaginative thought.'⁴⁵ This involves, among other things, a capacity to deliberate on and envisage hitherto unencountered situations, responding and reflecting in appropriate ways.⁴⁶ This requires that their ethical judgments are consistent, impartial,⁴⁷ rational, comprehensive, and above all justifiable. For this to occur, the basis from which they make these judgments needs to be well informed. The philosopher can contribute to the realization of attempts to systemize the moral thinking of practitioners so long as their ultimate appeal is to the general consciousness of what practitioner's experience in practice.

NOTES

¹A version of this paper was delivered at the 2000 conference of the Society for Ethics Across the Curriculum in Salt Lake City, Utah.

²I use the term *practitioner* here to include any person engaged in an occupation that may have reason to undertake a study in vocationally orientated ethics and as a matter of course includes those occupations acknowledged as an established profession.

³Wittgenstein, L. (1921) *Tractatus Logico-Philosophicus* The German text of Ludwig Wittgenstein's *Logisch-philosophische Abhandlung* with a new translation by D.F. Pears & B.F. McGuinness. Routledge & Kegan Paul Ltd (1961) p 147 [6.421].

⁴Ross, W.D. (1939) *Foundations in Ethics. The Gifford Lectures*. Oxford University Press. p. 311.

⁵What makes Ross's statement so profound is that he was recognized (knighted) for the extent and worth of his academic achievements, which included major translations of Aristotle's works.

⁶ Wittgenstein, L. (1953) Philosophical Investigations translated by G.E.M. Anscombe. (1967) Third Edit. Blackwell: Oxford, U.K. p. 50 [127].

⁷ Passmore, J.A. (1961) Philosophical Reasoning. Duckworth & Co., Ltd.: London. p. 10.

⁸ Investigations *op.cit.* p. 50. [129] “The aspect of things that are most important for us are hidden because of their simplicity and familiarity. (One is unable to notice something – because it is always before one’s eyes.) The real foundations of his inquiry do not strike a man at all. Unless *that* fact has at some time struck him. – And this means: we fail to be struck by what, once seen, is most striking and most powerful.”

⁹ Plato, *Theaetetus* [174-175] – reported to have been stated by the ‘witty Thracian handmaid.’

¹⁰ White, M. & Gribben, J. (1993) EINSTEIN A Life in Science (1994) revised p/b edit. Simon & Schuster: London. p.]

¹¹ Passmore, *op.cit.* pp. 8-9.

¹² Wittgenstein, *Investigations. op.cit.* [664].

¹³ This can be clearly identified in chapter 1 of Lecky’s History of European Morals (1946) and is also identifiable in the works of other recognized historians of ethics, such as; Sidgwick’s (1886) Outline of the History of Ethics & MacIntyre’s (1967) A Short History of Ethics.

¹⁴ Hume, D. (1739) A Treatise of Human Nature. (1984) Penguin Books, London.

¹⁵ Moore, G.E. (1903) Principia Ethica. 7th p/b edit. (1971) Cambridge University Press: London.

¹⁶ At p.19 [38.] of the *Investigations* Wittgenstein states, “For philosophical problems arise when language *goes on holiday*.”

¹⁷ In this context I take all theories that have attempted to deal with how we come to know what we *ought* to do as compiling the ‘body of knowledge’ known as moral philosophy. Here however, the distinction needs to be made that morality *per se* is more concerned with the justification of our actions whereas knowledge is concerned with justification of our beliefs. On this point refer to Toulmin’s (1958) classic The Uses of Argument. Cambridge University Press: London. or his (1978) Knowing and Acting. Macmillan: New York.

¹⁸ Smith, Michael. (1994.) The Moral Problem. Blackwell Publishers, Oxford, UK. pp. 11-12.

¹⁹ Sidgwick, H. (1907.) The Methods of Ethics. (Seventh Edition) Hackett Edition (1999) Hackett Publishing, Indiana. pp. 313, 380-382. Note: What one does or how one must decide at the common sense level when any two of these maxims are in conflict, Sidgwick does not tell us.

²⁰ Ryle, G. (1953) Dilemmas from the Tarner Lectures. Cambridge Press. (1960) London. p. 3.

²¹ I use ‘common sense’ in the same manner as Ryle, “where this phrase has its usual connotation of a particular kind and degree of untutored judiciousness in coping with slightly out of the way, practical contingencies.”

²²By ‘assumptions’ here I mean as starting points.

²³Nor for that matter the reputation of the philosopher as teacher.

²⁴*Investigations. op.cit.* p. 88 [241].

²⁵I take ‘anti-intellectualism’ according to Wittgenstein to be more to do with attempts to solve the problems of self than the making of moral decisions. While both the *Tractatus* and the *Investigations* have strong moral underpinnings he was not referring specifically to moral decisions when he concluded that “the solution of the problem of life is seen in the vanishing of the problem” *Tractatus* [6.521] “His position is best described” according to Sluga (1996) “as antagonistic to certain common philosophical viewpoints.” Refer; Sluga, H. & Stern, David G. (1996) *The Cambridge Companion to Wittgenstein*. Cambridge University Press, New York. p. 343.

²⁶*Investigations. op.cit.* p.70 [173.]

²⁷Where a ‘form of life’ is taken as a culture with a specific language, etc.

²⁸Dewey, J. (1916) *Democracy and Education. An Introduction to the Philosophy of Education*. (Twenty-Eighth Printing) The Macmillan Company, New York. chapter xiii.

²⁹On this refer Gilbert Murray’s (1897) *The Literature of Ancient Greece*. The University of Chicago Press, *third edit.* (1956) Chicago, Illinois.

³⁰Murray, Gilbert. (1927) *The Classical Tradition in Poetry. The Charles Eliot Norton Lectures*. Harvard University Press, Cambridge, Massachusetts, USA.

³¹Comte, A. (1848) *A General View of Positivism*. *transl.* by J. M. Bridges, *ed.* Frederick Harrison. Routledge, London. p. 319.

³²see Shelley’s *Mont Blanc*.

³³Oakeshott, M. (1975) *On Human Conduct. (fourth edit.)* Clarendon, (1996) Oxford. pp. 2-6.

³⁴Miller, S., Alexander, A., & Blackler, J. (1997) *Police Ethics*. Allen & Unwin, Sydney.

³⁵By this I mean the use of reports, stories, etc., as case studies, where the positive action of a moral agent is supposed to uplift the practitioner to praiseworthy actions.

³⁶Jackson, M. (1997) Teaching police officers ethics by example, not abstraction. *Australian Campus Review Weekly*. June 11-17, p. 13.

³⁷I was first convinced of the importance of this through personal discussions with Adrian Walsh. His views on this are captured in a joint paper with Peter Hobson. Refer: “The Pedagogic Value of General Moral Principles in Professional Ethics” in *Professional Ethics*, Vol. 6, No. 3 & 4, pp. 33-48; Special Issue, Selected Papers from the 1998 Conference of the Australian Association for Professional and Applied Ethics.

³⁸Schopenhauer, A. (1813) *On the Fourfold Root of Sufficient Reason. transl.* by E. F. J. Payne. (1974) Open Court Publishing, La Salle, Illinois.

³⁹Refer Hume’s statement that; “Now moral evidence is nothing but a conclusion concerning the actions of men, deriv’d from the consideration of their

motives, temper and situation. Thus when we see certain characters or figures describ'd upon paper, we infer that the person, who produc'd them, wou'd affirm such facts, the death of Ceasar, the success of Augustus, the cruelty of Nero;" in Hume, D. (1739) A Treatise of Human Nature Bk. II Of the Passions. (1984) Penguin Books, London. p. 452.

⁴⁰Emotive theories of ethics are perhaps the strongest here. Refer; Urmson, J. O. (1968) The Emotive Theory of Ethics. Hutchinson & Co., London.

⁴¹Singer, P. 'Moral Experts,' *Analysis*, XXXII, 4. (1972) March, pp. 115-117.

⁴²Passmore, J. A. (1945) Talking Things Over. Melbourne University Press. (1947) Second Edit. (revised) p. 13.

⁴³Cohen, S. (1998) General Principles and Specific Cases: Tension and Interrelation in Professional Ethics, Vol. 6, No. 3 & 4, Special Issue, Selected Papers from the 1998 Conference of the Australian Association for Professional and Applied Ethics.

⁴⁴Whitehead, A. N. (1929) Process And Reality An Essay In Cosmology. *Gifford Lectures Delivered in the University of Edinburgh During the Session 1927-28*. Corrected Edition ed. Griffin, D. R. & Sherbourn, D. W. (1979) The Free Press, Collier Macmillan, New York. [7] p. 5.

⁴⁵Freadman, R. & Miller, S. (1992) Rethinking Theory: A Critique of Contemporary Literary Theory and an Alternative Account. Cambridge University Press. Ch. 7.

⁴⁶By adopting a temporal perspective of what occurs at the point where decision and action intersect, it is possible to view the intellectual process occurring both (*ante*) before an action and that occurring (*ex post facto*) afterwards, as different forms of judgment. The former, as prospective judgment, and the latter, as retrospective judgments. By emphasizing this distinction the practitioner soon becomes aware that reflection, judgment, and the answerability of one's actions occurs in the same realm and manner in which case analysis does. Once encouraged to adopt analysis as an intellectual process by which one can identify morally relevant issues, foresee problems and gain insight, practitioner's identify more practical reasons to engage in the analysis of cases.

⁴⁷Gert, B. (1988) Morality A New Justification of the Moral Rules. Oxford University Press, New York. Ch. 5.