ETHICAL RULES AND PARTICULAR SKILLS

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Abstract:
In this paper I explore what the P4C philosophical novel can contribute to deciding how we should use ethical rules in moral education. As I see it the philosophical novel urges us to regard ethical rule-following with some suspicion. Instead we are directed to appreciate the particular contexts and circumstances of ethical thinking, saying, and doing. But if we don’t teach ethics by the rules, then what is the alternative pedagogy? One possibility is to cultivate ethical expertise by analogy to an epistemic skill model of practical activity, as some moral particularists have urged. Employing a skill model has significant implications for teaching ethics in a wide range of institutional settings where general rules and principles typically prevail.

Key Words: Ethics Education, Ethical Rules, P4C Curriculum, Epistemic Skill Model

Reglas éticas y habilidades específicas

Resumen:
En este trabajo exploró que la novela filosófica P4C puede contribuir a decidir cómo debemos usar las reglas éticas en la educación moral. Tal como la veo, la novela filosófica nos lleva a considerar la utilización de una regla ética con cierta sospecha. En su lugar, tenemos en cuenta los contextos particulares y circunstancias del pensamiento ético, diciendo y actuando. Pero, si no enseñamos ética a través de reglas, entonces cabe preguntarse, ¿cuál es la alternativa pedagógica? Una posibilidad es cultivar la experticia ética por analogía con un modelo de habilidad epistémica de actividades prácticas, tal como alguna moral particularista ha sostenido. El empleo de un modelo de habilidad tiene fuertes implicancias para la enseñanza de la ética en una amplia gama de entornos institucionales en los que las reglas y los principios generalmente prevalecen.

Palabras Llave: Educación Ética, Reglas Éticas, Currículo FpN, Modelo Epistémico de Habilidades.

Regras éticas e habilidades específicas

Resumo:
Neste trabalho exploro a ideia que a novela filosófica P4C pode contribuir a decidir como devemos usar as regras éticas na educação moral. Tal como a vejo, a novela filosófica nos leva a considerar a utilização de uma regra ética com certa suspeita. Em seu lugar, temos em conta os contextos particulares e circunstâncias do pensamento ético, dizendo e atuando. Mas, se não ensinamos ética através de regras, então cabe se perguntar: qual é a alternativa pedagógica? Uma possibilidade é cultivar a expertise ética por analogia com um modelo de habilidade
epistêmica de atividades práticas, tal como alguma moral particularista tem sustentado. O emprego de um modelo de habilidade tem fortes implicações para o ensino da ética numa ampla gama de entornos institucionais nos quais as regras e os princípios geralmente prevalecem.

Ethical Rules

A common pedagogical strategy used in the moral education of children is to teach the ethical rule or principle. This is perhaps so ordinary as to be unremarkable. “Respect your elders”; “Never lie”; “Be kind to animals”; are the kinds of rules that are easy to recommend (and post on bulletin boards). They span behaviors as well as dispositions or traits of character, e.g., “Be a kind person.” So rules can also be used to satisfy the demand articulated by some state mandated character education programs to expressly cultivate moral character in each grade level. Nonetheless, most of us believe that moral education is more than just learning how to follow ethical rules or principles, no matter how initially plausible these rules may be. This leads me to ask a few questions about how best to cultivate ethical expertise. Are the teachers of rules right about using rules for young children but not for more skillful ethical reasoners? If so, how does the pedagogy proceed from rule-following to a more nuanced appreciation of ethical thinking, saying, and doing? Or perhaps the rule-following strategy is wrong from the beginning.

To begin we might survey what Lipman et al., explicitly say about ethical rules in the P4C curriculum. The authors remark that one aim of the philosophical novels is to develop ethical understanding. And this means to develop in students “ethical sensitivity, care, and concern.” Further, “… as ethics is presented in the context of philosophy for children, it is concerned not to inculcate substantive moral rules, or alleged moral principles, but to acquaint the student with the practice of moral inquiry.” Accordingly, we should replace the teaching of moral rules with something

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1 See, for example, the approach used to teach character education in New York State called Positive Behavioral Interventions & Supports (PBIS): http://www.pbis.org/ (accessed May 12, 2013).
2 Matthew Lipman, Ann M. Sharp, and Frederick S. Oscanyan, Philosophy in the Classroom, 2nd. Ed. (Philadelphia: Temple University Press, 1980), 66. In this same text, Lipman, et al., also state the following: “The aim of ethical inquiry is not to teach children certain particular values; it is rather an open-ended, sustained
more pedagogically “messy.” This includes using the philosophical novel as a vehicle to introduce the “complexity and ambiguity of moral situations” as they occur in the practical lived experience of the characters in the novel.\(^3\) What matters here is less like doing the right thing on a particular occasion, and more like creating a whole person who can claim to possess a kind of global integrity with respect to her values.\(^4\) These may be displayed in her consistently thinking, saying, and doing over a longer span of time. For example, in Chapter One, Episode 1 of *Lisa*, Lisa wrestles with her love for the taste of chicken and her awareness that she is eating an animal that is in some respects like her. Because Lisa does not approve of “killing birds and animals,” she recognizes, and worries about, a kind of inconsistency between her thoughts and actions.\(^5\)

What contribution does the philosophical novel make to developing ethical integrity in the whole person? According to Lipman et al., the value added feature from the novels is context. The novel is perfectly suited to illustrate the “multi-dimensionality of moral situations and choices . . . and the consequences of these choices” as the characters experience the ethical dimensions of their lives.\(^6\) Ethical concepts such as, fair, right, good, are not introduced in the novel by first defining these terms. Rather, the meanings of these concepts are explored as they occur in the concrete day to day events of the characters in the novel, as well as in the experiences of those children reading the novel.\(^7\) Likewise, when rules and standards are discussed it is not by means of abstract principles that have an inviolable status. The plausibility of such

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4 About integrity, Lipman, et al., also state: “We are saying then that children whose lives display wholeness and coherence and integrity are children to whom the distastefulness of say, a lie, will come as no surprise, insofar as it represents a dismemberment of that integrity. Children whose habits and beliefs have been coherently integrated are the best guardians of their own virtue. If, then, we value virtue in children, we should do everything possible to encourage the development of the integrity of their selves.” *Ibid*, 181.


6 Lipman, et al., *Philosophy in the Classroom*, 176.

rules and principles are examined in their application to practical living. A nice example of this occurs in Chapter Five of the novel, *Lisa*.

When Harry asks his Dad, “Is it ever right to lie?” he hopes to get a simple, “yes” or “no” answer. Harry is disappointed in this expectation. Instead his Dad supplies him with some criteria for deciding whether or not a lie is wrong in a particular case. The story of the three-headed giant introduces some features of context that matter to this determination: (a) “whether the thing you say is true or false”; (b) “what you’re trying to do by saying it”; and (c) “whether what you say is hurtful to anyone”. 8 Harry’s Dad qualifies these criteria by saying that if a person knows that an utterance meets all of these conditions, then “you [can] be pretty sure” it is morally wrong. If it meets only some of these 3 conditions, “you just have to guess.” Probably this remark means to use some judgment, depending on the circumstances. Later, Harry and his friends have a chance to apply these criteria to determine whether or not Mark has been inconsistent when he answers the same question differently on two different occasions. In the first case he lies about Maria’s whereabouts to thugs who want to bother her. And then he tells the truth about where Maria can be found when asked by her friend, Millie. 9 The relevant difference between these two cases lies in the intentions of the inquirers, as well as with the harmful consequences that might ensue by Mark’s truthfully revealing Maria’s whereabouts to the thugs.

The most interesting aspect of this example for the study of ethical rules is that Harry’s initial endorsement of the principle, “Lying is morally wrong” or the rule “Never lie” are defeasible, replaced by attention to the circumstances about particular cases. What the characters discover is that the situations of Mark’s two utterances are not the same; “They [are] miles apart.” 10 What features contribute to the cultivation of ethical expertise in the philosophical novel are judgments about what counts as like or unlike particular situations.

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9 Ibid, 39.
10 Ibid
But what has happened to the ethical rules that we are so fond of articulating to children in ethics education? Have we given these up entirely to be replaced by judgments about particular cases of lying, for example? There is considerable disagreement among philosophers about the answer to this question. For the moral particularist, taking context seriously contributes to genuine skepticism about general rules and principles.\textsuperscript{11} For example, David McNaughton says:

Moral particularism takes the view that moral principles are at best useless, and at worst a hindrance, in trying to find out which is the right action. What is required is the correct conception of the particular case in hand, with its unique set of properties. There is thus no substitute for a sensitive and detailed examination of each individual case.\textsuperscript{12}

The teacher of ethics need not enter into the metaphysical debate about whether or not the “shape” of the moral domain is constituted by general principles, or irreducible particular cases constituted by “unique set[s] of properties.” But she may

\textsuperscript{11} When moral particularists refer to the uncodifiability of moral generalities, what they mean is that there are no finitely specifiable necessary and sufficient conditions linking moral and non-moral properties. For example, if Lisa is cruel, then she might be so by virtue of any number of facts about her thinking, saying, or doing. She might be cruel by insulting her teacher, teasing a friend who is sensitive, not inviting a member of her class to a party, causing pain by kicking a dog, or permitting a dog that is in pain to continue to live, and so on. The non-naturalist will argue that there is no useful way of specifying the conditional, “If M, then N” where ‘M’ is any moral property and ‘N’ is any non-moral property.

The more radical moral particularist argument about context implies that there is no useful, finitely specifiable conditional of the form, “If N, then M.” Here the illustrative examples suggest that even the presence of typical good-making properties like pleasure, and typical bad-making properties like pain, when embedded in certain kinds of contextual circumstances, will not imply their predictable moral valence. The pleasure felt by the student who performs community service may be a good in this particular case, but the pleasure experienced by the sadist who tortures, contributes essentially to its moral wrongness. The way in which pleasure contributes to the other contextual features in each case can switch the moral valence or evaluation of the act performed. This is sometimes referred to as “holism” with respect to moral reasons. Similarly, we might say that a stripe of red paint in one composition makes a painting aesthetically good. But the contribution that this particular brush stroke makes in one painting does not necessarily carry over to other paintings. Adding the same stripe of color to another painting might create an aesthetically awful creation. Its aesthetic goodness or badness depends on all of its features, taken together, in the same way that all of the contextual non moral features (including pleasure or pain) taken together contribute to its moral status. One way of putting this point is to say that the moral domain is “shapeless with respect to the non-moral.” For accounts of moral particularism see, for example, Jonathan Dancy, \textit{Ethics Without Principle} (Oxford: Clarendon Press, 2004); and, Brad Hooker and Margaret Olivia Little, ed., \textit{Moral Particularism} (Oxford: Clarendon Press, 2000).

still benefit from the methodology suggested here, described as a “sensitive and detailed examination of each individual case.”

**Epistemic Skills**

According to Margaret Olivia Little, the methodology that guides our examination of particular cases is a skill model of moral discernment.¹³ Like any practical skill where we develop expertise such as, driving, parenting, or diagnosing disease, developing ethical expertise takes time. Understanding moral categories like cruelty or kindness is best described as latching onto paradigmatic instances of these when they are experienced in concrete circumstances.¹⁴ Little remarks, “... it takes experience and subtlety to understand the difference between being kind and being nice, between false and genuine charity, between tough love and abandonment.”¹⁵ As competence is developed in recognizing the straightforward paradigmatic instances of moral concepts, we further learn “how to go on” by extending these paradigms to other more complex and varied contexts. In doing so, we employ the epistemic skills of judging patterns of similarity and relevance between like cases of kindness, fidelity, or cruelty.¹⁶

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¹⁶ Ibid, 177. Little describes the idea of epistemic skills in the following way: “What it takes to make judgments of justification are, broadly put, epistemic skills. It is a skill to read the world—to know what, in the face of an infinite amount of change, would for a given purpose count as a sufficiently relevantly similar world, to know when a pattern is robust, to know how to navigate through patterns of competing influences, to determine which possibilities are epistemically relevant alternatives, to know when you know enough and when you don’t, to know when you have entered a context in which previous experience no longer points the way. Such skills, like any others, are not exhausted by knowledge of some codifiable set of propositions (think of knowing how to drive): knowing how, as the saying goes, cannot be reduced to knowing that. We make judgments here, then, as we do anywhere—by consulting our experience of patterns and our sense of current conditions, and invoking our competency with the relevant epistemological concepts such as relevance, robustness, similarity.” See, Little, “Moral Generalities Revisited,” 297.
According to Little, we are not merely left with judgments about particular cases. Ethical rules and principles still have a role to play as rules of thumb and as aids for the ethical novice. For example, an ethical novice may benefit from the rule, “Always tell the truth,” as she struggles to gain competence with the concept of fidelity. But Little warns that we should not confuse the heuristic value of general rules and principles with their truthfulness. Learning the rule itself is no substitute for learning and acquiring the skills of moral discernment.

But the usefulness of such principles to novices does not mean reliance on them is the model for experts. With moral wisdom, as with any skill, it is a sign of maturity to be able to let go of the guidebooks, cookbooks, and primers, and to exercise directly one’s ability to judge.

Recall one question I asked at the beginning. Are the teachers of rules right about using rules for young children but not for more skillful ethical reasoners? Perhaps so if we follow the advice of Little and others about the heuristic value of general rules, and the accompanying description of the aim of moral education—to produce moral experts who know when to leave the rules behind, and to rely on judgment and moral wisdom instead.

**The Ethical Novice**

The presumption that using general rules does have heuristic value for the ethical novice is rarely questioned. Nor do we ever learn who counts as an ethical novice,

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17 Little remarks, “A heuristic, after all, is a technique for getting someone to see or interpret a situation in a certain way, akin to turning one’s head sideways to see the duck in the duck-rabbit figure—something that, to work, need not be a proposition, much less a true one.” See, Little, “Wittgensteinian Lessons on Moral Particularism,” 173.

18 Ibid.

much less how the skills of moral wisdom emerge from rule-following for one who acquires moral maturity. Maybe it goes something like this. Start with simple ethical rules, for example, “Always tell the truth.” Add to these complicating features of context. Produce a person with moral discernment and moral wisdom who knows when to leave the rules behind.\(^\text{20}\) I agree with the description of the end product but wonder about the first two steps. The description of the ethical expert as one who is “able to let go of guidebooks, cookbooks, and primers” does not guarantee that we are on the right track from the beginning. And, one might suspect that a novice cook who has been trained to follow the recipe will yield a mature cook who continues to follow recipes even in modified form. Unless the cook is guided by a specific recommendation to leave the recipes behind, why would she deviate from a workable methodology for cooking, especially if she routinely produces pretty good meals?

By describing ethical expertise as a collection of skills that require development and practice for their exercise to maturity, the answer is clear enough. Someone who is

\(^{20}\) A delightful and illustrative example of this way of reasoning occurs in the picture book, *Honest Andrew*. Andrew finds himself in an awkward position at the dinner table when his mother serves crayfish. Andrew *hates* crayfish but, not wanting to hurt her feelings, he stuffs the crayfish into the sides of his cheeks and then sneaks outside to deposit these so he can help himself to dessert. His father catches him in this deceit and takes the opportunity to instruct his son about the “Otter Motto” that has guided otter behavior throughout history—“Always tell the truth.” Very quickly we see how this general rule admits of a variety of exceptions, to the dismay of Andrew’s mother. Andrew proceeds to explain, in excruciating detail, how he feels when he is greeted by Professor Otter and asked, “How are you?” He honestly tells his woodchuck neighbor that her baby is not pretty when asked, “Isn’t she darling?” And he honestly corrects (and “sass”) his Aunt Prissy Porcupine when she remarks that he is a “big otter.” In all these cases we see that the Otter Motto “Tell the Truth” fails to usefully incorporate the contextual details about conversational etiquette, hurt feelings, and respecting your elders. Andrew and his father manage to revise the Otter Motto to become, “Always tell the truth, but be as nice and polite about it as one can.” Interestingly, the story begins with Andrew exhibiting sensitivity to the circumstances of his truth-telling when he quietly disposes of his crayfish dinner. It is Andrew’s father who must learn to see that the Otter Motto admits of exceptions. See, Gloria Skurzynski, *Honest Andrew* (New York: Harcourt Brace Jovanovich, 1980).

According to Pritchard, these kinds of contextual details in the story do not invite children to be skeptical about truth-telling. Rather, he suggests that what we might take from this story is the idea that there are sometimes other values at stake (consideration, politeness) in addition to truth-telling that we must take into account on particular occasions. Nonetheless, one might suspect that there is something else at stake here as well—the plausibility of the general rule itself. Even though Andrew employs the revised Otter Motto to better effect when his mother serves him Salamander Stew (he politely declines his share of stew), there is still little hope that this revised general rule, “Always tell the truth, but be as nice and polite about it as one can,” will stand. For there are many other contexts where one ought not to tell the truth—to protect a friend from harm, to spare a child the complicated details of a divorce, etc. The general revised rule about truth-telling may not survive this onslaught of contextual details about person, place, time, intention, or consequences, among other features. Or, at least, the revised rule may fail to be helpfully action-guiding. See, Pritchard, *Reasonable Children*. 
practicing to become an accomplished musician or an expert golfer should practice exactly those skills that comprise the activity she is trying to master.\(^{21}\) For the musician this might be fingering, tone, and intonation. For the aspiring golfer this might include the components of the swing itself, and different strokes needed in conditions where the varieties of turf influence how to hit the ball. Even if we are instructed to “keep your head down” or “keep your eye on the ball,” we are not tempted to confuse this recommendation with the skill itself that we are attempting to learn; the golf swing. But by using ethical rules as the start position for acquiring ethical expertise the temptation to misunderstand the skills one is attempting to learn is greater. Little is correct to say that when we emphasize principles as guides to ethical decision-making, we are in danger of allowing “skills of discernment, interpretation, and judgment” to atrophy.\(^{22}\)

It seems to me that one way of guarding against this danger is to start the moral education of children by introducing contextual circumstances into ethical thinking, saying, and doing, in all of its complexity. There is evidence of exactly this strategy in the P4C novel, *Nous*, intended for primary school students in grades 3-7.\(^{23}\) Here, for example, the ethical issue of lying is explored by examining the circumstances in which a statement might count as a lie, when and how we use the concept of fairness, and when (in what situations) someone can be said to advocate cruelty.\(^{24}\) This approach to teaching moral concepts is by design. In the introduction to the teacher’s manual that accompanies *Nous*, Lipman remarks:

> It would be a relatively simple matter for the child to construct a list of actions and to memorize which are approved and which are disapproved. Unfortunately, matters are not so simple. The signal they get from adults is not merely that “X is right, but Y is wrong.” What they pick up, rather is that “X is right, except under circumstances a, b, c,


\(^{24}\) See, for example, the Discussion Plans and Exercises in the teacher’s manual to accompany *Nous*. Matthew Lipman, *Deciding What to Do: Instructional Manual to Accompany Nous* (Upper Montclair: IAPC, 1996), 3, 8-9, 130.
d...n, in which case may or may not be wrong.” And so children learn that values are contextual rather than free-standing. Nothing is good or bad, right or wrong, in independence: provision must always be made for the setting or surrounding in which it occurs. But while identification of the act may not be very difficult, it is far from easy to read the circumstances that make up the context of the act.25

So even from an early age the philosophical novel, with its attention to context and its disavowal of ethical rules, has purchase.26 What this suggests is that even for the ethical novice perhaps the rule-following pedagogy is wrong from the beginning.

**Moral Education**

What would moral education look like if we abandoned the teaching of ethical rules in favor of teaching moral discernment? Think about where ethical rules are used to teach ethics, not just to children but also to college students and young professionals. These settings include: state mandated character education programs for grades K-12, honor codes for high school athletes, ethics across the curriculum initiatives, hunter education courses, and ethics codes for professions like nursing, counseling, or teaching. Interestingly, these are all institutional settings where some form of ethics education takes place, and where ethical rules and principles typically constitute much of the content of this kind of education. But if we are serious about the aim of moral education articulated here—to teach judgment and moral wisdom—then the recommendations about how best to accomplish this should run all the way through our pedagogical practices in these institutional settings.

For example, consider one ethical principle articulated in the National Association of Social Workers (NASW) Code of Ethics: “Social workers challenge social


26 But rules are not ignored altogether in *Nous* or in the accompanying teacher’s manual. When Miss Merle teaches her students the virtues, she employs rules as one of her methods. Nonetheless, the issue about whether or not this is a good methodology for moral education is up for review, by the characters in *Nous* as well as by the children reading the novel. See, especially, “Leading Idea 2: Miss Merle’s method of moral instruction,” in Lipman, *Deciding What to Do*, 100.
injustice.”27 What this principle means is explained by reference to “issues of poverty, unemployment, discrimination, and other forms of social injustice.” But what counts as “discrimination,” is not easy to say. And it is unlikely that the concept of social injustice can be reliably unpacked by some specific set of necessary and sufficient conditions. Nonetheless, an aspiring social worker may benefit from latching onto context-rich paradigms of discrimination or social injustice. These will be cases where there is a considerable amount of shared agreement that we have here, in this situation, a case of social injustice. The initial challenge for the ethics educator is to locate these paradigmatic cases surrounded by enough contextual information to produce some general consensus about their moral evaluation. To learn how to go on from these paradigmatic cases is to learn how to recognize what features matter to our ethical evaluation in such cases, and to extend our discernment of what is ethically salient to new sets of circumstances.28 For example, if we see in the paradigmatic cases of social injustice that there is some serious loss of opportunity to live well, then we may look for the presence of this feature in other instances. By this methodology we do not actually relinquish the general principle, “Social workers challenge social injustice.” But for practitioners this will function more like a rule of thumb or a summary of individual cases, and not an action-guiding principle that can be invoked independently of the particular cases that we use to understand its meaning.29

28 Using case studies in ethics education is a rather common pedagogical device, especially in professional ethics. But the presence of a case study, by itself, does not guarantee that the kinds of epistemic skills needed to build moral discernment and judgment are utilized in the analysis of the case.
29 There is evidence that the relevance of context is appreciated in the NASW Preamble to the Code of Ethics: “The Code offers a set of values, principles, and standards to guide decision making and conduct when ethical issues arise. It does not provide a set of rules that prescribe how social workers should act in all situations. Specific applications of the Code must take into account the context in which it is being considered and the possibility of conflicts among the Code’s values, principles, and standards. Ethical responsibilities flow from all human relationships, from the personal and familial to the social and professional.” (http://socialworkers.org/pubs/code/code.asp: accessed May 5, 2013).
**Conclusion**

From the P4C philosophical novel we learn that “values are contextual rather than free standing.”\(^30\) The result of pairing this practice and methodology with a skill model of ethical expertise has wide-ranging implications for moral education. As Lipman et al., remark:

> The sensitive discrimination of similarities and dissimilarities among situations is of fundamental importance to the child’s moral development. The child must be able to take into account a large number of subtle and complex features of situations—their metaphysical, aesthetic, and epistemological as well as their moral aspects—that are present whenever we compare or contrast such situations with one another.\(^{31}\)

As the authors realized, in order to notice the “subtle and complex features of situations” the student must develop the skill to “read the situation” since, without this ability “you have nothing.”\(^32\) The P4C curriculum (novels, dialogues, and teacher’s manuals) all aim to develop this skillfulness of perception or judgment to notice the particular case, e.g., *this* is a case of cruelty, or *this* is a case where the speaker’s intention is malicious. In this sense the P4C philosophical novel is itself a model for how we should teach ethics, regardless of age.

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\(^{30}\) Lipman, *Deciding What to Do*, ii.

\(^{31}\) Lipman, et al., *Philosophy in the Classroom*, 166.