Ethics in Education

"Applied ethics" sometimes strikes people as puzzling nomenclature. What is ethics if not practical?

The term was introduced some decades ago to distinguish the concerns of those dealing with a range of concrete problems—usually related to business or the professions—from more theoretical concerns pursued in philosophy departments.

Since Griffith is not organised by departments, it was natural to promote the ethics curriculum as an interdisciplinary school. Fossicking about the university to identify existing courses, we found three full-blown ethics courses and another four that had some ethics content. They were scattered across computing, justice administration, business, nursing and the like and had no common rationale. On reflection we decided that adding four new core courses to the existing array would enable the university to establish a coherent undergraduate major. Students opting for the major may choose among six electives, while others taking ethics as an elective may choose from ten courses.

Ethics is traditionally about good conduct and responsible choice. Any ethics curriculum must, in addition to its information and skills components, project aspirations for choice and models for conduct. Without aspiration and models, the curriculum would be sterile.

But there's the rub. Doesn't everyone have their own ideas about what constitutes good conduct? What warrant do a few academics have to tell students how they ought to behave?

Disquiet about the objectivity of values plagues contemporary ethical theory. Wave upon wave of subjectivisms have washed through philosophy and cultural studies: libertarianism, preference utilitarianism, situationism, hedonism, relativism, emotivism, nihilism, existentialism, and postmodernism, to mention the more prominent schools of thought. In each case a founder claims decisive insight into the human situation, and is embraced as a charismatic teacher by disciples who spread his (sic) wisdom. Often this claim is coupled with a claim to have "refuted" all other ethical philosophers.

The spectacle of each philosopher besting other philosophers in ritual combats undermines confidence in the validity of the enterprise, even among philosophers. Such doubts have led to "end of philosophy" thinking, as espoused by Jacques Derrida and Richard Rorty.

In marked contrast to this acquired helplessness, the practical world is dense with value certainty. World politics of the post-war period were conducted under aegis of the certainties of capitalist, communist, and Third World societies. Refining our focus, we find ethnic groups and numerous minorities asserting their collective values against the surrounding dominant culture. Direction is imposed on the conduct of individuals and communities by schooling, work place, commercial and government institutions, and law.

Contrary to conservative alarm about the tide of ethical relativism (endorsed in Manning Clark's dictum that ours is the "first generation that doesn't believe anything"), we encounter everywhere in practice a plenitude of value certainty.

The author, Hiram Caton, is a professor in the School of Applied Ethics at Griffith University. The school commenced teaching its undergraduate major in 1993 and will commence its Masters in mid-1994.

Heroic individuals wandering aimlessly in the void of choice are the exciting creatures of philosophical imagination. Just as Hume left his finely wrought scepticism behind on departing his study, so the virtuosi who invent moral scepticism are not arrested for crimes committed under the influence of their imagined exotic predicaments. Even William Burroughs eventually wearied of the decadent life in Tangier.

So the deepest writings on philosophical ethics in the post-war period fall into the category of literary exotica

alien to the moral experience of most persons and, I dare say, all institutions. They lack application. Individuals who encounter ethical dilemmas, or find themselves accused in law, operate in well-determined choice frameworks. It bears repeating that even criminal organisations practice an ethics of sorts. It is warped, but it is not nihilism and certainly not relativistic.

Our problem accordingly wasn't to identify a valid ethical aspiration, but to select one that would serve the full range of our undergraduate, postgraduate, and in-service teaching.

We did not have far to seek. The Fitzgerald investigation into police corruption made Queensland ethics conscious. Reform became the watch word of all political parties and the Goss government was pledged to administrative and substantive reforms. They include merit protection in the public service, the establishment of surveillance and investigative agencies (the Health Rights Commission, the Criminal Justice Commission), freedom of information and whistleblowing legislation, a code of conduct for public servants, and renewed emphasis on multiculturalism, anti-discrimination, and equal opportunity.

Reform dramatically altered perceptions of the relevance of ethics to public life. Before the Fitzgerald Report, ethics was visible in the negative shape of scandals that seemed to be beyond the capacity of citizens to control. After Fitzgerald, ethics assumed the positive shape of accountability, professionalism, and integrity. An added bonus is that since all political parties endorse reform in principle, there is a tangible public ethics consensus in Queensland, at least for the moment.

We interfaced the curriculum to this public milieu by adopting its temper, themes, and concerns. The third year course, Human Rights and Ethical Institutions, examines the rationale and operation of human rights agencies since their upgrade by the Commonwealth government in 1985. The course also underscores the global scope of human rights.

The United Nations and its agencies have been the main forums for international ethical standard-setting since 1945. Cold War rivalries limited this capability until the 1980s, when they took on new authority. Australia has been in the forefront of the UN initiative to integrate rights declarations into national law. The High Court's Franklin River Dam ruling was the first use of Australia's endorsement of the UN Optional Protocol as the ground for a judicial decision. The recognition of native title in the Mabo decision likewise brought Australia into line with international best practice in respect to indigenous peoples. Canada, Denmark, Sweden, Russia, Brazil and the U.S. had already ceded substantial public lands to indigenous peoples.

But what about police corruption? Our School of Justice Administration offers a bachelor's degree to students intending a career in police service; the curriculum includes a police ethics subject. We also devote a week to police ethics in our introductory subject, Topics in Ethics. The teaching team was surprised by the strong student response. Listening to their seminar discussions, we realised that the police ethics is a microcosm of professional ethics, and moreover, a microcosm packed with vivid imagery to assist student understanding. Let me elaborate on this intriguing connection.

The Fitzgerald Report identified "police culture" as the main obstacle to assuring that the service adheres to law and directives. The culture is comprised of the network of personal loyalties and unwritten rules and practices that make up the solidarity of the service. Similar "operating systems" are found in most work situations. Among police there is no more basic rule than, 'cover your partner'. Of course, this is also a formal instruction. But written rules are only occasionally consulted in practice and in any case they cannot govern the motivation or priorities of individual officers. Conduct flows from experience, training, and habit. Experience of the many hazards of police work make mutual support and solidarity not so much the first commandment but the "gut feeling" or "instinct" of police officers. Alas this instinct has as its corollary, 'never rat on your mates'; and that in turn creates the environment in which corruption can thrive. The remedy applied in Queensland (as elsewhere) is to institute a countervailing rule. Police are required to report the illegal actions of fellow officers; they are liable to criminal prosecution if they do not.

The introduction of such reforms has contributed to professionalisation and increased ethical vigilance. The old idea that the service is a sort of private club of the like-minded, sharing common risks has been largely displaced from the Queensland police culture. The informal self-understanding now matches the declared description of the corps as an impartial service in which duty is uppermost. Whether this change is durable remains to be seen. Statements by the Police Commissioner and Police Minister on occasions of conflict suggests that police solidarity remains robust and assured.

Although police solidarity is distinctive, the ethical dynamics of solidarity replicate in most professions. Our examination is based on the large and lively ethico-sociological literature. We cover the standard topics: licensure, control of entry by professional associations, individual and group self-regulation, relations with clients, the achievement of monopoly through licensure and privileging legislation, ideals of service, the concept of an implied contract between a profession and the public, and fee setting.

The ethics theme selected from this rich material is the interplay between ideals of service and self-interest. Professional service ideals place great weight on competence, since claim to a particular expertise is constitutive of the professions. The ideal implies a duty to vigilance of standards. However, self-regulatory bodies typically take

corrective action only when a preponderance of evidence of gross malpractice or incompetence is presented. Client advocate groups often claim that self-regulation is rendered ineffective by professional self-interest. They point out that it is not in the interest of doctors or lawyers to impose corrective action except in egregious cases.

To illuminate these tensions, we try to give students a sense of the pressures impinging on professionals today. This helps to clarify the startling blunders that make headlines, such as amputation of the sound rather than the diseased limb. At the same time we point out that professional ideals generate the image of a moral universe from which chance is banished by the supposed omnipotence of professional skill.
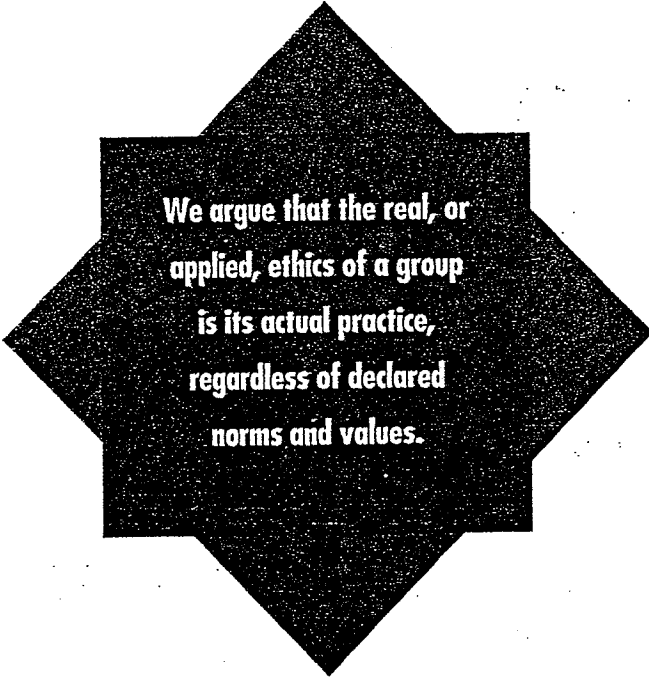
No bank tells its potential clients of its investment losses or ledger blunders in the previous financial year. No hospital informs patients of the health risks of the hospital environment, or how many cases of Golden Staph occurred last year. The literature of medical ethics is vast. Yet there is nothing to instruct the judgment of the physician or patient in those circumstances when skill fails miserably. Bad luck simply isn't an acknowledged category of ethical experience. But it is there nonetheless. In practice, physicians fall back on the fatalism of "accidents happen." Patients, morally unprepared to be a statistic, may retaliate by complaining to the medical board or by seeking compensation. Experience suggests that the board will share the fatalistic view and will take action only in egregious cases, eg. when a leg rather than a finger was incorrectly amputated.

We argue that the real, or applied, ethics of a group is its actual practice, regardless of declared norms and values.

Substance is given to this idea by detailing how specific characteristics of human interaction generate localisms that shape the interpretation of norms. Solidarity, personal loyalty, commitment, communication, external challenge, resource availability, and skill levels are some of the factors discussed. Thus, although large private and public enterprises operate under uniform rules, local variations abound. Some may even violate applicable legislation. Consider too rivalries between agencies of the same organisation, competition for rank and status, old boy/girl networks. None of the ingredients of institutional practice are mentioned in the rules. Codes of conduct don't discuss them. Yet they are at the heart of everyday practice and they impart to any organisation its momentum and orientation. Our "multicultural" point is this: the appearance of an official monoculture in a profession or organisation is an illusion. There are many local cultures, each establishing the immediate relevant context for individual conduct.

This idea imparts a distinctive approach to the universalism at the centre of our curriculum, human rights. The Universal Declaration of Human Rights has been followed by a long list of rights enumerations— rights of children, women, indigenous peoples, prisoners, refugees, subjects of human experimentation, and so on. Thus the rights framework provides a context for virtually all notable contemporary advocacy and also for some important schools of ethical theory. Feminist ethics, for example, is dedicated to the proposition that sexual inequality is incompatible with the integrity of women. The feminist ethical literature traces the roots of inequality beyond law and institutional structures into the fabric of social expectations, unique life experiences of women, cultural constructions of gender, and marriage and family. Feminists compile agendas for legal and institutional change designed to rectify inequalities and discriminatory attitudes. Banning sexist language, controlling sexual harassment, criminalizing domestic violence, maternity leave without prejudice to employment status, and programs to enhance the representation of women in employment exemplify the reshaping of purportedly neutral institutions to create space in which women may enjoy equal dignity.

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Our point is that the denial of chance implied by claims of professional competence is at odds with frequent failures of expertise in today's hi-tech environments. In the absence of an ethical response to such failures, scandal, bad faith, and recriminations become the default solutions.

Police and professional ethics illustrate a major theme of our curriculum, that regardless of the purported universality of proclaimed norms, in practice ethics is always context specific. In ethical theory today this theme is known as universalism vs. communitarianism, featuring conflicts between ethnic and other minorities with the universalism of liberal values and institutions. This is an important conflict, but we prefer to subsume it under the multiculturalism theme because our point is different.

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Indigenous peoples, racial and ethnic minorities, and people with disabilities promote change agendas that are templates of feminist ethics. They generate narratives of suffering and victimisation that prime minds with right-eousness, sympathy and hope. The vision of justice is projected under the colours of rights and compensatory changes.

The universal culture of rights, represented by government and other organisations, responds to these narra-tives by creating havens for the expression of ethical and cultural differences. In this way the universal culture gets honeycombed into autonomous regions where special rules apply. Such regions exemplify context specificity.

The "Balkanisation" of purportedly universal norms under the impact of practice should occasion no surprise because it has occurred wherever a universal culture has been attempted. The Catholic Church is house of many pieties; each nation has its own road to socialism, and so forth. The usual word for this effect is "pluralism" rather than "multiculturalism." By using the terms interchange-ably, we hope to underscore the importance of the phe-nomenon for understanding the operation of norms of conduct.

Throughout the phase of curriculum design we main-tained contact with community stakeholders to obtain their inputs. One former academic expressed disquiet that program went overboard with practicality. She ad-vised that while "DEET will love it," she feared that it would trap students in the public service mentality. She commended Critical Theory as a corrective.

Another stakeholder, senior in the public service, expressed enthusiasm about the overall design. But he was uneasy that encounter with the conflicts and perplexities of ethical multiculture might demoralise students quite as much as relativism. "We don't have the solution ourselves," he quietly confessed.

This and other good advice we signpost as liabilities to which we must be attentive. Relativism is sometimes welcomed as an anxiety-reducing placebo that resolves the intellectual tension of many ethics. Likewise, to em-brace the ethics of one's milieu, simply as force majeur, can be the quiet road to conflict-free conventionalism.

There probably is no "fix" for these unwanted outcomes. But then, the absence of a fix lends zest to teaching, and perhaps to learning as well.

HIRAM CATON

H.K. 1997

A successful transition of Hong Kong from a colony to a Special Administrative Zone within China should soften international attitudes toward China over Taiwan. It could also allow Taiwan to see that China is not the 'bogey man' of the world as it is often portrayed in Taipei and might encourage China to be generous and more liberal with Tibetans and their culture, within the Chi-nese state. As for the notorious Tienanmin Square massa-cre of 1989 Beijing knows the damage this has done. It knows, above all else, that if anything like it happens in Hong Kong, China will be ostracised for decades in every sphere of international activity.

To conclude, China has much to gain from a successful transition process and everything to lose by its failure. Despite intense annoyance at what the Chinese see as British duplicity at times, Beijing seems, under the present leadership, to be committed to a successful transition in 1997. As has been indicated above, much will depend on the adaptive qualities of those wishing to remain in Hong Kong post-1997 and whether they can overcome their biases and prejudices toward mainlanders and the Chi-nese Communist Party. If they wish to remain in Hong Kong they have no choice. The people of Hong Kong should therefore demand of the media, the education system, and most of all the British, the resources and the willingness to come to terms with Beijing and 1997. The Hong Kong people have shown remarkable resourceful-ness when it comes to trade. It is now in their interest to turn this resourcefulness to taking the kind of steps that lead to cultural, social and political accommodation with Beijing and mainland China in order to retain the vibrant commercial and cultural ethos of modern Hong Kong.

ROSS GRAINGER

FOOTNOTES

1 Pan, L., The New Chinese Revolution, Contemporary Books Inc., Illinios, USA 1988, pp.132-7
2 South China Morning Post Weekly, 8 January 1994, p.1.
3 Ng, M. South China Morning Post, 8 January, 1994, p.8.
4 "Does China Need Hong Kong" in Asia Inc., HK May 1983, pp.52-7.
5 Ching, F. "Eye on Asia" in Far Eastern Economic Review.; 22 April 1993, p.29
6 ibid.
7 Hsu, I., The Rise of Modern China, Oxford University Press, HK 1983, pp.192-3 & 214-15.
8 ibid., pp.348-50.
9 Greenwood, G., "Hong Kong; Running out of Time", in Far Eastern Economic Review; July 8 1993, p.17.
10 ibid.
11 ibid.
12 ibid.
13 "Time to Wake Up"; Asia Week September 1, 1993. p.22
14 ibid
15 Christine McGee, South China Morning Post October 17, 1992 p.3.
16 East Asia Analytical Unit, Southern China in Transition Australian, Government Publishing Service; Aust. 1992, pp.2-4.