

# Chapter 11

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## *Education*

Democratic Education

Ethics in Higher Education: Red Flags and Grey Areas

Ethics and Educator/Student Relationships

Professors, Students, and Friendship

Autonomy and the Very Limited Role of Advocacy in the Classroom

As was the case with journalism ethics, issues in education ethics can perhaps be clarified if the role of the profession can first be delineated. Again, though, this is no easy task. The aim may be fairly narrow—to equip students with the intellectual tools needed for life, for example. The aim may perhaps be broader—to fulfill an important role in the machinery of democratic society, for example, by educating the citizenry who in turn operate the government; after all, a government of the people, by the people, and for the people would work best if the people were intelligent, enlightened individuals. (This is indeed part of the basis for public education.) A further complication, however, is that the aim may vary according to such factors as the level and type of education; it is reasonable to think that the aim of elementary education is quite different from the aim of higher education, though it is also reasonable to think there must be some morally relevant similarities across all levels.

Amy Gutmann examines democratic aspects of education and makes several observations. The first is that teachers' unions can be effective mechanisms. Unions can help to alleviate certain problems that inhibit effective teaching, such as overpopulated classrooms, inadequate preparation time, and even inadequate salaries (since this can motivate teachers to take on second jobs). In short, unions can help promote the autonomy of teachers, and this in turn can help the education profession in general to achieve its broader goals. A second observation is that authority will be a central issue, and in a democracy, it makes sense to spread authority around and utilize a democratic approach even within individual schools. This would mean allowing teachers to have significant input into educational policy and curriculum decisions especially. Of course, a genuinely democratic approach within schools would allow even students to have input, and while such input may be appropriate, Gutmann points out that it must be limited. Underlying these ideas is a particular conception of professionalism—"democratic professionalism"—which Gutmann describes and then utilizes throughout the article.

One practical step that would facilitate ethical practice in schools would be the development of a code of ethics. Diane M. Felicio and Jean Pieniadz highlight certain codes that have been developed in the field and indicate some of their positive aspects. They argue, however, that there is room for significant improvement, largely because the codes contain rigid rules that lead to very rigid interpretations; in education, the situations that arise are usually novel and are best dealt with through insightful interpretations of codes. The codes should therefore be constructed with this in mind. The suggestion made by the authors is that the use of feminist ethics would be effective in this endeavor. A code based on considerations of feminist ethics, they claim, would allow those interpreting it to account for the prevailing circumstances of any given situation and to make decisions that are more appropriate in those circumstances. Further, a code based on feminist ethics would be more responsive to some of the central ethical concerns in education, such as potential exploitation of relationships (including student-professor and employee-employer relationships), and potential discrimination (even if unintentional) that can result from the failure to understand the diverse backgrounds of students and employees. After making their case, Felicio and Pieniadz provide examples of what certain aspects of a feminist-based code would look like.

Margaret Brockett then focuses on the specific issue of relationships and examines how ethical problems can arise based on circumstances such as unequal power. She points out the various roles that educators can play when dealing with students. These roles include teacher, mentor, advisor, counselor, and perhaps even employer (if the student is, for instance, a research or teaching assistant for a professor). Students, especially college students, also can assume various roles. Teachers expect students to read, reflect, question, research, and do other things in order to learn. Using a certain notion of professional

practice and the idea that student learning is paramount in education, Brockett offers suggestions for guarding against potential problems arising from educator-student relationships.

Within the context of student-educator relationships, Peter J. Markie looks at the question of friendships between college professors and their students. It may be thought that such friendships are not problematic; after all, a professor who is friends with a student is likely to make a greater effort to ensure that the student is learning. It also may be thought that friendship is not a matter of control—that people just do (or do not) become friends—or that individuals should have the freedom to be friends with whomever they want. Markie disagrees, claiming professors have an ethical obligation to refrain from becoming friends with their students. More precisely, he characterizes it as a *prima facie* obligation, which (recalling Ross's moderate deontology) means that it is held unless overridden by a stronger obligation, one that is of more ethical significance. This obligation is not, as some may think, based on the possibility of exploitation that accompanies relationships between parties of unequal power. Rather, it is based on the claim that engaging in a friendship with students is likely to limit a professor's ability to carry out other obligations she may have. Perhaps most importantly, a professor must treat all students equally and impartially, and engaging in friendships with some risks treating the others in ways that are not equal. The risk follows from it being human nature for friends to make special allowances for friends, and the problem is that professors are not permitted to make special allowances for some students.

In the final article, Joel Kupperman discusses a different aspect of student-professor interaction, this one confined to the classroom. College courses, especially in the humanities and social sciences, often address issues that are contentious and tend to be hotly debated in society. These may involve political, social, moral, or psychological issues, and professors generally have certain views about the contentious matters in question; it is, after all, part of their job to think through and develop views. The question is whether professors should emphasize their views in the classroom, where students are typically considering the contentious questions and arguments in detail for the first time. Kupperman argues that professors are obligated to refrain from advocating their own views when teaching. His claim is based on the view that the aim of higher education is to develop and protect students' autonomy, or at least this is a principal goal of the profession. Kupperman's point is that this aim is best achieved when issues are presented to students in a neutral fashion. In the article he spells out the details of his argument, clarifying important points along the way and indicating some limitations on this obligation of professors.

AMY GUTMANN

## Democratic Professionalism

At all levels of government, citizens have a legitimate interest in teaching children a civic culture; democratic politics is the proper means for shaping that culture; and primary schools are the proper institutions for teaching it. But schools that serve simply to perpetuate the beliefs held by dominant majorities—whether at the federal, state, or local level—are agents of political repression. Education is not democratic if citizens do not collectively influence the purposes of primary schooling nor if they control the content of classroom teaching so as to repress reasonable challenges to dominant political perspectives.

The picture of educational authority divided among federal, state, and local levels of government is therefore too simple for a specific reason. Without institutionalized challenges to political authority, governmental control over primary schooling could easily establish, as John Stuart Mill feared it would, a “despotism over the mind.”<sup>1</sup> At all levels of American government, political control over schools is challenged—and often shared—by other authorities: parents and parent-teacher associations, teachers and teachers’ unions, accrediting associations, private foundations, civic groups and lobbying organizations (other than teachers’ unions). Although all of these groups help shape what happens in American schools, the challenge posed by teachers and teachers’ unions is by far the most significant in upholding the principle of nonrepression against democratic authority. The division between democratic and nondemocratic control over primary schooling depends most crucially on the educational role we attribute to teachers and teachers’ unions.

What role should we attribute to teachers? We might conceive of their role as supporting a complementary division of labor between popular authority and expertise: democratic governments perpetuating a common culture, teachers cultivating the capacity for critical reflection on that culture. In short, teachers serve to shed critical light on a democratically created culture. On this conception, the claim to educational expertise by teachers is both relative—to the role played by democratic governments in cultivating a common culture—and partial—it does not comprehend all of what matters in primary education. The professional responsibility of teachers is to uphold the principle of nonrepression by cultivating the capacity for democratic deliberation.

The principle of nonrepression therefore not only constrains democratic authority, it also supplies democratic content to the concept of professionalism among teachers, requiring biology teachers, for example, to resist communal pressures to teach creationism instead of evolution, and social-studies teachers to develop their students’ capacity to criticize popular policies from the perspective of mutually shared principles. More generally, nonrepression obligates teachers—at the same time as it authorizes them—to further democratic education by supporting the intellectual and emotional preconditions for democratic deliberation among future generations of citizens. Prominent among those preconditions are two that Dewey defended as prototypically democratic—the recognition of common interests among citizens, and the related commitment to reconsider our individual interests in light of understanding the interests of others. To further these preconditions of democratic deliberation among their students, teachers must be sufficiently connected to their communities to understand the

<sup>1</sup>Mill, *On Liberty*, ch. 5, para. 13.

commitments that their students bring to school, and sufficiently detached to cultivate among their students the critical distance necessary to reconsider commitments in the face of conflicting ones.

Understood as the degree of autonomy—or insulation from external control—necessary to fulfill the democratic functions of office, professionalism completes rather than competes with democracy. On this prescriptive understanding of professionalism, the most prominent professions in our society have too much autonomy. Doctors and lawyers often claim, in the name of professionalism, authority over the rest of us far in excess of what their professional expertise warrants. Too much autonomy leads to “the insolence of office.”<sup>2</sup> Too little autonomy, on the other hand, leads to what one might call “the ossification of office,” from which, by almost all accounts, the teaching profession in the United States suffers. The rewards of professionalism—the pleasures of performance, high salary, status, and the exercise of authority over other people—are offered to a far smaller degree to far fewer teachers than in any of the other major professions in our society. The medical and legal professions suffer from a surplus of all but the first reward, while the teaching profession suffers from a deficit in all four categories.

The source of the first (and most serious) deficit—too few pleasures of performance—is surely not that teaching is an inherently unsatisfying or a socially unimportant profession. Even with its present problems, a majority of teachers say that they chose their career for its inherent satisfactions: they had a strong desire to teach, to serve society, or to be part of what they consider a worthy profession.<sup>3</sup> Yet most teachers who begin with a sense of intellectual mission lose it after several years of teaching, and either continue to teach in an uninspired, routinized way or leave the profession to avoid intellectual stultification and emotional despair. A variety of recent studies support Seymour Sarason’s findings that the structure of schools made the daily work of most teachers so routinized that “without exception, those who have been teaching for five or more years admitted that they no longer experienced their work with

the enthusiasm, excitement, sense of mission, and challenge that they once did.”<sup>4</sup>

The salaries of teachers are also low, so low that many must moonlight in the summers when they (and their students) would be better off were they able to use summers to continue their education, to plan next year’s courses, or to relax and thereby avoid the primary occupational hazard of teaching, early “burn-out.” Teachers’ salaries are far lower than those of comparably educated professionals. Relative to other salaried workers, teachers’ salaries have increased very little in recent years, although much more has been demanded of them: to cope with the effects of racial tensions and economic blight in our inner cities, an increased divorce rate among parents, the rise of drug use and unwanted pregnancies among teenagers, and so on. Current salary levels attract more than enough applicants to fill teaching positions, but the quality of applicants is, by all accounts, low. The relatively poor pay of teachers discourages the best college students from entering the profession, and the slow rate of salary increases encourages the best teachers to leave. Low salaries coupled with little autonomy on the job all but guarantee low social status.

The ossification of office, like the insolence of office, therefore has structural sources: little control over work, low pay, and low social status. The teaching conditions in most public primary schools make it all but impossible for teachers to develop a positive sense of professionalism: “an ethical code, a social bond, a pattern of mutual recognition and self-discipline.”<sup>5</sup> Instead, most public schools encourage ossification by discouraging intellectual creativity:

In the worst schools, teachers are demeaned and infantilized by administrators who view them as custodians, guardians, or uninspired technicians. In less grotesque settings, teachers are left alone with little adult interaction and minimal attention is given to their needs for support, reward, and criticism.<sup>6</sup>

<sup>2</sup>Walzer, *Spheres of Justice*, p. 155.

<sup>3</sup>John I. Goodlad, *A Place Called School: Prospects for the Future* (New York: McGraw-Hill, 1984), p. 171.

<sup>4</sup>Sarason, *The Culture of the School and the Problem of Change*, p. 163.

<sup>5</sup>Walzer, *Spheres of Justice*, p. 155.

<sup>6</sup>Lightfoot, *The Good High School*, p. 334.

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Even in many of the best schools, the work load of full-time teachers is so great as to require them continually to compromise their judgment of what constitutes good teaching. Far more than doctors or lawyers, teachers make compromises in their professional standards for causes that are often entirely beyond their personal control: too many students, too little preparation time for teaching, too much administrative work, too little money to support their families. Some of these causes, however, may be within the collective power of teachers—organized by teachers' unions—to change.

### *Teachers' Unions*

Democratic authority stands between teachers and the insolence of office, but it also often promotes the ossification of office, by saddling teachers with heavy teaching schedules, crowded classrooms, low salaries, little time for collegial consultation, threats to their intellectual independence in the classroom, and/or rigid rules governing what and how to teach. The failure of democratic communities to support conditions under which the teaching profession would suffer neither from the insolence nor from the ossification of office legitimates the organization of teachers into unions. The principle of nonrepression defines the democratic purpose of teachers' unions: to pressure democratic communities to create the conditions under which teachers can cultivate the capacity among students for critical reflection on democratic culture. It does not follow that all claims to educational authority or challenges to democratic control by teachers' unions are legitimate. We still need to ask how much authority unions should be granted over what school policies.

There is surely not a single correct answer to this question, but the democratic conception of professionalism provides principled guidance in avoiding two theoretically elegant but politically dangerous answers, which reflect alternative visions of democracy. One vision, of what one might call "directed" democracy, sanctions the authority of unions over democratic communities to the extent that unions better represent educational expertise, even if unions thereby control the form and content of public schooling. The other vision, of "strong" democracy, sanctions all policies that result from negotiations between demo-

cratic communities and unions, even if the policies leave teachers with little or no autonomy in the classroom. The democratic conception of professionalism offers a critique of both visions and an alternative. The alternative is that teachers' unions be granted enough educational authority to overcome ossification of office but not so much as to convert teaching into a profession that, like medicine or law, is characterized by insolence of office. Union claims of educational expertise cannot in itself carry sufficient moral weight to override democratic authority. Being an expert in education is neither a necessary nor a sufficient condition for claiming authority over education in a democracy. The more compelling claim available to teachers' unions is that greater professional control over schooling is a necessary condition for upholding the principle of nonrepression. When democratic control over primary schools is so absolute as to render teachers unable to exercise intellectual discretion in their work, (1) few independent-minded people are attracted to teaching, (2) those who are attracted are frustrated in their attempts to think creatively and independently, and (3) those who either willingly or reluctantly conform to the demands of democratic authority teach an undemocratic lesson to their students—of intellectual deference to democratic authority. A democratic conception of professionalism supports those union claims to educational authority necessary to cultivating a democratically tempered sense of professional mission among teachers.

The strongest rationale for the earliest demands of teachers' unions—for greater teacher participation in the administration of schools and the determination of educational policies—was this need to cede teachers more control over their work. When most of these demands were denied, the newly formed American Federation of Teachers directed its efforts toward establishing rights of collective bargaining with school boards, rights that they used to demand better pay and pensions for teachers on grounds that "their professional and social standing is far too low to enable them to produce effective results in teaching."<sup>7</sup> This rationale for better pay still makes sense. Paying elementary and secondary teachers more is a necessary (but not

<sup>7</sup>Spring, *American Education*, pp. 215–16.

sufficient) way to raise their quality, not because income is the sole measure of the status of teachers, but because the average salary of teachers today is so low as to discourage college graduates who have other options from choosing teaching as a career.

The pressing need to pay all teachers more is not good grounds for unions to oppose policies that would pay some teachers more than others on the basis of their better teaching. The institution of merit pay is another way of mitigating the ossification of office among the best teachers. If teaching is a profession, it must have a set of standards by which teachers can be judged better and worse. Unions can play an important role in preventing merit pay from becoming a political tool of administrators by elaborating those standards and insisting on their use in the evaluation of teachers. But to oppose merit pay on the grounds that all teachers should be paid more or that no teachers should be subject to external evaluation is a form of professional insolence: an attempt to shield teachers from legitimate external evaluation. As long as the standards used to judge some teachers better than others are relevant to their social functions, the institution of merit pay can support the professionalism of teachers. Unions threaten to abuse their authority when they oppose the institution of merit pay, although they use it well in demanding better pay for all teachers.

Raising teachers' salaries—across the board and on the basis of merit—is an obvious (probably even a necessary) means of supporting the professionalism of teachers, but certainly not a sufficient means. Democratic education depends not only upon attracting intellectually talented people with a sense of professional mission to teaching, but also upon cultivating and sustaining that sense during their careers as teachers. Unions therefore do not fulfill their democratic function just by demanding more money for teachers. They must also demand that schools be structured so as to sustain teachers in cultivating the capacity for critical deliberation in their classrooms. The limitations on democratic authority over schools suggested by this professional purpose are significant. To support professionalism among teachers, democratic communities must delegate a substantial degree of control over what happens in classrooms. Although a school board may establish the

curriculum, it must not dictate how teachers choose to teach the established curriculum, as long as they do not discriminate against students or repress reasonable points of view. Although a school board may control the textbooks teachers use, it may not control how teachers use those textbooks (within the same principled constraints). The rationale for so limiting democratic authority is straightforward: if primary school teachers cannot exercise intellectual independence in their classrooms, they cannot teach students to be intellectually independent.

Too much independence, however, can be as bad as too little. If one thinks only of the best teachers, those with high intellectual standards and humane values, it may be hard to imagine the dangers of granting teachers too much "academic freedom." When one thinks less selectively of public primary-school teachers, who now number about 2.5 million, the dangers of too much freedom are less difficult to discern. In the early years of public schooling in New York City, teachers resisted pressure by the Public School Society to abolish corporal punishment. After several unsuccessful attempts at abolition, the Public School Society managed to convince teachers not to cane children on the head.<sup>8</sup> Although the United Federation of Teachers in New York City has never championed the cause of corporal punishment, it has championed—and won—a form of tenure for teachers that makes it extremely difficult for schools to dismiss incompetent or ineffective teachers: "principals . . . shift a teacher to another school rather than go through the time-consuming dismissal procedure, which involves formal charges, substantiated evidence, and professional witnesses."<sup>9</sup> The union's tenure rules have protected not only good teachers against punitive transfers or dismissals, but also incompetent and ineffective teachers against legitimate sanctions by local school districts. If there is a solution to this problem, it does not lie in giving school boards the authority, claimed by the demonstration districts in New York City in the late 1960s, to dismiss teachers without cause or review. A solution

<sup>8</sup>Carl F. Kaestle, *The Evolution of an Urban School System: New York City, 1750-1850* (Cambridge, Mass: Harvard University Press, 1973), pp. 180-81.

<sup>9</sup>Ravitch, *The Great School Wars*, p. 318.

is more likely to lie in the institution of impartial review procedures, dominated by neither union nor school board.

Although professionalism among public-school teachers does not require absolute authority within the classroom, it requires more authority outside the classroom than most teachers now have. Good schools treat teachers with what Sara Lightfoot calls "respectful regard." Principals of such schools invite teachers to participate as members of a profession—not only individually in the classroom but collectively in the school as a whole—in shaping the curriculum, disciplinary codes, graduation requirements, and their own working conditions.<sup>10</sup> Teachers in good schools exemplify an important aspect of the democratic ideal of professionalism: the primary reward of their work is not high pay or social status, but the pleasures of performance and the satisfactions of social service. Their work is demanding but undemanding, other-regarding but not other-directed.

The ability of unions to create these conditions of "respectful regard" for teachers may be limited both by their self-understanding and by their legally sanctioned operation as collective-bargaining agents of employees with management. If the democratic ideal of professionalism suggests that school boards and principals treat teachers as partners in determining school policy, then it also suggests that unions demand fewer fixed policies regarding curriculum, discipline, and work schedules, and more participatory structures within which teachers can join administrators and members of school boards in shaping these policies. The law may create a substantial disincentive to such a reorientation of union demands. Were unions successful in elevating teachers to the status of sharing in the "management" or "ownership" of schools, courts might rescind the right of unions to represent teachers in collective bargaining over salaries and other working conditions. Although there has never been a test case with regard to public schools, the Supreme Court in 1980 ruled (in a 5-to-4 decision) against faculty members who were organizing a union at Yeshiva University on grounds that they were not employees but managers, who were "substantially and

pervasively operating the enterprise."<sup>11</sup> Were public school teachers ever to participate as extensively as college professors in shaping their work, such a decision would be a much bigger blow to unionism than to professionalism. The gain in professional autonomy and status among public-school teachers would overwhelm the loss in union bargaining rights. But the prospects of such a loss may deter unions from fighting as hard for structural changes as they do for economic improvements in the status of teachers.

Teachers' unions are ideally an interim solution to the problem of professional ossification, but the interim is likely to last a long time given the obstacles now standing in the way of teachers gaining a greater role in shaping school policy. Many of the most difficult obstacles to overcome have been erected not by local communities but by city, state, and federal governments in the form of regulations governing (among other things) curriculum, hiring and firing standards, salary and workload of teachers, the academic calendar, and the education of handicapped and other disadvantaged children. Some of these obstacles—such as the federal requirement to provide adequate schooling for all handicapped children—should not be overcome until local educational authorities can be trusted to carry out the educational purposes that the requirements are intended to serve. Other obstacles ought not to be so considered: regulations concerning minimum graduation requirements are appropriately set by more centralized political authorities and interfere very little, if at all, with the ability of teachers to exercise substantial control over their work. At John F. Kennedy High School in the Bronx, for example, "it is not the numbers of state or city required courses that cause rancor among teachers and administrators. They seem to be perceived as relatively neutral guidelines shaped by a convincing intellectual rationale. . . ."<sup>12</sup> Most good schools, like Kennedy, supplement the state and city requirements.

Other requirements, however, are unnecessary barriers to achieving an appropriate degree of autonomy for teachers. At Kennedy High School, "the complaints surrounding external regulation

<sup>10</sup>Lightfoot, *The Good High School*, pp. 334–42.

<sup>11</sup>*National Labor Relations Board v. Yeshiva University*, 444 U.S. No. 78-857, pp. 679–91 (1979).

<sup>12</sup>Lightfoot, *The Good High School*, pp. 112–13.

tend to be focused on the requirements of staff responsibilities. . . ." The city requires monthly departmental and faculty meetings, teacher supervision, and evaluation of written lesson plans. The union has successfully resisted some of these requirements; its contract gives teachers the right not to comply with requests for written lesson plans, for example. By its regulations, the city tries to prevent teachers from shirking some of their duties. By its resistance, the union tries to prevent the city from overworking teachers or imposing unreasonable requirements on them. The city's regulations call for the union's resistance, but without externally imposed regulation or resistance, teachers would be better able to achieve a sense of professional autonomy and probably would be more willing to work harder. As one teacher at Kennedy High put it: "Somehow the edict from on high makes us all respond like resistant children who would rather go out and play."<sup>13</sup> . . .

. . . We cannot return to the small schoolhouse of the nineteenth century, nor would we be wise to abolish educational administration. Large school districts have some significant advantages over small ones, such as the ability to offer a broader curriculum and therefore to meet the needs of a wider variety of students. And administrators perform some valuable functions, not the least of which include easing the administrative burdens of teachers. But the advantages of large administrations are often offset by more significant disadvantages, such as the insulation of school policies from public scrutiny, the demoralization of teachers, and the alienation of students. One way of combining the advantages of bigness with those of smallness, suggested by Ernest Boyer in his recent study of American high schools, is to organize large schools into several smaller "schools-within-a-school."<sup>14</sup> It is important to recognize, however, that the smallness of the subunits themselves would be insufficient to overcome the problems of professionalism created by large administrations, unless those subunits were also to a significant extent professionally self-governing and accountable to a public for their educational policies. So conceived, schools-within-a-

school can prevent educational bureaucracies from destroying professional autonomy while creating the potential for more local participation in the making of school policy. By empowering both teachers and concerned citizens in local communities, schools-within-a-school can preserve the democratically healthy tension between professional and communal judgment.

### *Democracy Within Schools*

The professionalism of teachers, properly defined, serves as a safeguard against repression and discrimination. But professionalism, even on this democratic definition, erects another obstacle to democratic education. The professional autonomy of teachers stands in tension with democratic education to the extent that teachers invoke their professional competence to deny students any influence in shaping the form or content of their own education. The solution to this problem cannot be to give students equal control over the conditions of their schooling. Students lack the competence necessary to share equally in making many decisions. Ceding them equal control on all issues would mean denying teachers even a minimal degree of professional autonomy. The problem of authority within schools, therefore, does not lend itself to the democratic solution of political equality. Yet neither does it lend itself to the most apparent alternative to democratic rule: professional autonomy based upon competence. Insofar as professional autonomy teaches deference to authority, it teaches a lesson in conflict with the conditions of democratic deliberation.

Whether professional authority teaches deference to authority or respect for high intellectual standards is partly an empirical question concerning the effects of different methods of teaching, partly a normative question of what professionalism requires. One way of answering the empirical question is to investigate the extent to which schools that are more internally democratic support the development of more democratic values among students. This investigation runs up against the obvious empirical difficulty of controlling in a non-experimental setting for the many other variables that also distinguish more from less democratic schools or students who choose to participate in more democratic schools-within-a-school from

<sup>13</sup>Ibid., p. 113.

<sup>14</sup>Boyer, *High School*, p. 235.

those who do not. A student from Brookline's School Within a School—where students share authority with teachers over a remarkably wide range of decisions—comments that “in SWS people care about learning. There is a real sense of community.” Although this sentiment is widely shared among SWS students, one cannot assume that it is a product of SWS schooling. SWS students tend to be “a much more homogeneous group than the diversity reflected in the school at large.”<sup>15</sup> They probably enter SWS with a commitment—or at least a predisposition—to participation.

Students who are predisposed neither to participation nor to learning present the greater challenge to a democratic conception of teaching because their negative attitude toward schooling can readily reinforce a purely disciplinary method of teaching: teachers assert their authority, first to produce order, and then to funnel a body of knowledge into students. Some teachers who are not otherwise committed to the disciplinary method use it when they teach students in the lowest academic tracks. The disciplinary method may be the easiest way to educate students who do not want to be educated. Perhaps more importantly, if education fails, disorder does not ensue (at least not in the classroom). A disciplinary approach therefore recommends itself over “nondirective guidance, which, in gist, means coping out—abdicating the teachers’ responsibilities and leaving pupils to work out their own ‘development.’” But, as Harry Eckstein points out: “One style will hardly shape democratic character; the other will not shape anything at all.”<sup>16</sup>

In practice, however, teachers’ options are not this stark even in classrooms of unmotivated students. Teachers committed to a more participatory approach appear to be more successful both in getting their students to work and in increasing their commitment to learning than teachers who take a more disciplinary approach. Participatory approaches aim to increase students’ commitment to learning by building upon and extending their existing interests in intellectually productive ways. As one teacher self-consciously committed to a participatory approach commented:

I personally feel that if a class is upset about something, that it’s almost impossible for me to have them swallow anything [else]. . . . So I have made the decision that if I see something that my students want to talk about, we will talk about it. I will leave them with the decision. Many times I can suggest to them many titles of books that are pertinent to what they are talking about. In which case they would be a lot more interested in reading that maybe, or discussing that, and I can bring that in.<sup>17</sup>

To the extent that a participatory approach builds upon students’ interests and elicits their commitment to learning, it may be considered more democratic than a disciplinary approach.

By the same criteria, school practices outside the classroom may be considered more or less democratic. The day after Martin Luther King was assassinated, one desegregated junior high school in Berkeley held an assembly exclusively under faculty initiative and planning, while a second, with a similar student body, turned over the plans for its assembly primarily to the students. In the first school, the program was largely nonparticipatory. Most of the students on stage were white and almost exclusively from the high academic tracks. The program in the second school, by contrast, “provided for more audience participation. It was universally praised as a moving experience, even by the ‘old guard’ teachers. The usually restless and noisy assembly audience was attentive and quiet even through a period of silent meditation.”<sup>18</sup> The participants, chosen by the students, were a more diverse group. Although the second school was less orderly, even its lower-track students were more engaged in its life. The students generally seemed “more independent, reflective and insightful about their education, and in many cases more directly responsive to the activities and conditions which support the fulfillment of the school’s educational goals.” But they were also (according to one sympathetic observer) more disorderly and “arrogant” than students in the first school.<sup>19</sup>

<sup>15</sup>Lightfoot, *The Good High School*, pp. 187–88.

<sup>16</sup>Harry Eckstein, “Civic Inclusion and Its Discontents,” *Daedalus*, vol. 113, no. 4 (Fall, 1984): 122.

<sup>17</sup>Mary Haywood Metz, *Classroom and Corridors: The Crisis of Authority in Desegregated Secondary Schools* (Berkeley: University of California Press, 1978), p. 37.

<sup>18</sup>*Ibid.*, pp. 231–32.

<sup>19</sup>*Ibid.*, p. 228.

The choice of a participatory approach may not bring all good things in its wake. Ideally, students in the second school would also be orderly and humble. A participatory approach gives priority to cultivating self-esteem and social commitment over humility and order, a priority presumed by the democratic goal of educating citizens willing and able to participate in politics. But because not all good things go together in education any more than in life, this priority is not absolute; it should be overridden when disorder and arrogance are so great as to threaten the very enterprise of education within schools.

Existing studies are by no means definitive in their findings of the educative effects of more democratic methods. More empirical data would help us judge the effect of democracy within schools on cultivating participatory virtues—a sense of social commitment, political efficacy, a desire to participate in politics, respect for opposing points of view, critical distance from authority, and so on. Were teachers to discover that more democratic methods better stimulated the development of these virtues, they would still have to consider how much emphasis to give to developing them. The purposes of primary education—even the democratic purposes—are not exhausted by the successful cultivation of the participatory virtues. The disciplinary virtues—the imparting of knowledge and instilling of emotional along with intellectual discipline—are also among the purposes of democratic education, and apparently they are not always most effectively taught by the most democratic methods, especially among those students least committed to learning. The question of how much democracy within schools is democratically desirable remains doubly difficult to answer, therefore, because we have incomplete data on the educative effects of more democratic methods and because we rightly value the disciplinary as well as the participatory purposes of primary education.

Without more empirical evidence, we cannot say precisely how much democracy in schools is desirable, but we can say something significant about the way the professional standards of teachers should and should not be defined. Many teachers conceive of teaching the participatory virtues as lying beyond—or at best on the periphery of—their professional obligations, the core of their

professional obligation being to teach what I have called the disciplinary virtues. This understanding is based on two misconceptions, one related to the means and the other to the ends of democratic education. Students generally learn best when they have a prior commitment to what they are being required to learn. Many, perhaps most, students enter school lacking such a prior commitment. Permitting students to participate in determining aspects of their education generally serves to develop a commitment on their part to learning. Among the least motivated students, however, a participatory method can entail compromising what many teachers consider the demands of professional competence. In the study cited above, teachers committed to the participatory approach occasionally allowed their lower-track students to engage in some classroom activities that were “not officially acceptable” (but harmless) in order to elicit concentrated effort for those academic activities the teachers deemed educationally most important. The additional work and concentration that such teachers thereby elicited from lower-track students was, according to Mary Metz, “modest, not miraculous.” Yet the participatory teachers, Metz comments, “got their students to work seriously for a larger proportion of their time in class than did teachers who officially required them to work all the time but were pushed by constant disruptions into using up their resources for control on matters other than directly academic effort.”<sup>20</sup> Metz’s study suggests that more democratic methods may be a means of motivating students to develop even the disciplinary virtues.

The ends of democratic education are, of course, not limited to teaching disciplinary as distinct from participatory virtues. Even the ability to think critically about politics is an incomplete virtue from a democratic perspective. If primary schooling leaves students with a capacity for political criticism but no capacity for political participation or sense of social commitment, either because it fails to cultivate their sense of political efficacy or because it succeeds in teaching them deference to authority, then it will have neglected to cultivate a virtue essential to democracy. Although we lack enough evidence to say how much internal democracy is necessary to cultivate participatory

<sup>20</sup>Ibid., pp. 115–16.

virtues among students, the low levels of political participation in our society and the high levels of autocracy within most schools point to the conclusion that the cultivation of participatory virtues should become more prominent among the purposes of primary schooling, especially as children mature intellectually and emotionally, and become more capable of engaging in free and equal discussion with teachers and their peers.

How much internal democratization of schools is desirable in a democracy? Dewey conceived of an ideal, democratic school as a "miniature community, an embryonic society,"<sup>21</sup> but he never specified which structures of a democratic school correspond to those of a democratic society. If the Laboratory School at the University of Chicago under Dewey's leadership from 1896–1903 is evidence of the structures he would support, then Dewey's characterization of school as a miniature democratic community is misleading. Dewey treated teachers at the Lab School as colleagues: they met with him weekly to discuss curriculum and other educational matters. Teachers also had a free period daily to discuss their work with other teachers. Students did not have the same freedom, authority, or influence as teachers over the curriculum or the structure of their schooling, but they too were encouraged to engage in far more collective deliberation and decisionmaking than is common in most primary schools. Classes at the Lab School often began with "council meetings" in which teachers discussed past work and planned future work with students. The youngest students were given the daily responsibility of collectively distributing and carrying out important tasks. Judging by its efforts to teach participatory virtues, the Lab School was more democratic than all but a few American schools. It was an embryonic democratic society because it elicited a com-

<sup>21</sup>"The School and Society," in Dewey, *The Child and the Curriculum* and *The School and Society*, p. 18.

### Discussion Questions

1. According to Gutmann, what is the primary role of a teacher in a democratic society? To what extent do you agree with her view?
2. Gutmann lists some reasons that teachers sometimes lose their desire to teach. What are these reasons and why do they erode a teacher's enthusiasm for teaching? Do you think her explanations are plausible?

mitment to learning and cultivated the prototypically democratic virtues among its students, not because it treated them as the political or intellectual equals of its teachers. The most internally democratic schools typically balance the participatory and the disciplinary purposes of education, leaving some significant educational decisions—such as the content of the curriculum and the standards for promotion—largely (but often not entirely) to the determination of teachers and administrators.

That an ideal democratic school is not as democratic as an ideal democratic society should not disenchant us either with schooling or democracy, since democracies depend on schools to prepare students for citizenship. Were students ready for citizenship, compulsory schooling—along with many other educational practices that deny students the same rights as citizens—would be unjustifiable. It would, on the other hand, be remarkable if the best way to prepare students for citizenship were to deny them both individual and collective influence in shaping their own education. The most democratic schools, like Dewey's Lab School and Brookline's "School within a School," do not look like miniature societies, at least not like miniature democratic societies: teachers have much more authority, both formal and informal, than democratic legislators have, or ideally should have. But these schools do come close to living up to the educational standard dictated by democratic values: democratize schools to the extent necessary to cultivate the participatory along with the disciplinary virtues of democratic character. If, as Dewey argued, a democratic society requires that citizens have "a personal interest in social relationships and control, and the habits of mind which secure social changes without introducing disorder," then a substantial degree of democracy within schools will be useful, probably even necessary (although undoubtedly not sufficient), to creating democratic citizens.

3. What is the reason so many schools and teachers have increasingly turned to the formation of teaching unions? What function should unions fulfill in the lives of professional teachers?
4. To what extent should democracy operate within schools, according to Gutmann? Suppose someone claimed that schools operate best, and even fulfill their democratic function best, when they are highly centralized—run by administrators with little or no input from teachers and students (since such input can inhibit efficiency). Could this claim be at all successful?

## Ethics in Higher Education: Red Flags and Grey Areas

DIANE M. FELICIO AND JEAN PIENIADZ

### *Traditional Codes*

Although there has been little systematic analysis of the ethical dilemmas faced by academics (sexual harassment being one notable exception), various professional organizations (some devoted to specific professions and others devoted to higher education more generally) have compiled and published ethical codes. On their own, traditional ethical codes tend to define some ideal notion of professionalism (e.g. “devotion to excellence,” see NEA code below) and/or list a set of behavioral dos and don’ts with little, if any, discussion about how to negotiate new, unusual or exceptionally complicated circumstances (e.g. see the APA code below). For example, in its code of ethics for the education profession, the National Education Association (NEA) (1975) states,

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts

responsibility to adhere to the highest ethical standards.

Likewise, the American Association of University Professors (AAUP) has published a statement on professional ethics that was meant to “serve as a reminder of the variety of responsibilities assumed by all members of the profession” (1987: 49). The ethical statements outlined address issues of academic freedom, student/teacher relationships, collegial and institutional obligations and community activism.

Within U.S. psychology, members of the American Psychological Association (APA) are expected to abide by the “Ethical Principles of Psychologists and Code of Conduct.” This code lists guidelines relevant to teaching, research and clinical practice. There are seven general principles: competence, integrity, professional and scientific responsibility, respect for people’s rights and dignity, concern for others’ welfare, and social responsibility, followed by a set of more specific behavioral standards. For example, under fairness in teaching, the code states, “When engaged in teaching or training, psychologists present psychological information accurately and with a reason-

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able degree of objectivity" (APA, 1992: 1607). The Australian, British and Canadian codes make very similar statements.

The Canadian Psychological Association (1995) code of ethics utilizes four main principles to be "balanced" in ethical decision-making, and when principles conflict, there is a recommendation to order them. This recommendation comes even as it is acknowledged that ethical dilemmas are complex and it is impossible to "firmly" order such principles. Nevertheless, these principles, in their order of importance, are: (1) Respect for the Dignity of Persons, (2) Responsible Caring, (3) Integrity in Relationships, and (4) Responsibility to Society.

The codes outlined above can be constructive and have proved useful; dignity, freedom and self and other-awareness are goals that should presumably be a part of all ethical codes. Still, the idea of a "code" of ethics in academia warrants careful consideration because of the absolutism implied in any set of rules pertaining to right and wrong. Indeed, it may be naïve to assume human beings do not already operate by an unspoken set of absolutes in their everyday lives, in almost all small and large decisions they make from one moment to the next. As Burstow (1992: 48) notes,

Codes are imperfect. They overstate. They understate. They distort. They leave out. They address only issues that are already part of our consciousness. They are necessarily limited by the modes of thought of the era. They reflect systemic and personal biases. They say nothing about situations that have never arisen.

Although we believe certain "extreme" behaviors can be accurately judged as having crossed a clear boundary, we also believe that questions regarding most everyday situations and dilemmas in academe more often fall into an ambiguous or "grey" area, and can rarely be resolved with any fixed rule. Nevertheless, we acknowledge that (with all their imperfections) some aspects of codes work well, and a multifaceted feminist analysis may compensate for some of the limitations that characterize more traditional codes.

### *Enter Feminist Ethics*

Our proposed guidelines were built on the assumptions initially forwarded by the Feminist

Therapy Institute's (FTI) Code of Ethics for psychotherapists (Feminist Therapy Institute, 1995). We decided to use FTI principles to frame our code for several reasons: (1) the FTI code is more proactive than reactive regarding feminist considerations in ethics, and allows for the proper consideration of "grey" areas while maintaining appropriately high standards (Lerman and Porter, 1990); (2) in our view, the distinction between education and psychotherapy is not as clear as is often assumed. Although there are differences between the two (e.g. the focus in therapy is on mental health whereas in education it is on, among other things, intellectual development), important similarities remain. For example, the power differentials that exist between therapist and client also exist between professor and student; and (3) while there have been some articles written about ethics in higher education, there has not been a thorough analysis of feminist contributions to this literature. Further, sufficient attention has not been awarded to matters related to, for instance, race, class and sexuality, how these factors intersect with age and academic rank in determining the parameters of ethical dilemmas, and/or the ways oppression and privilege determine how these dilemmas are characterized. Moreover, contributions that have been by and about women have focused mainly on issues related to sexual harassment (male to female) and sexual discrimination (Crocker, 1988, Davis, 1990). Although this work has led to significant breakthroughs for students and faculty, there has been an absence of organized feminist commentary on other, equally compelling ethical dilemmas faced by academic professionals (e.g. competence, professional boundaries, reporting peer misconduct).

Other shortcomings in the literature stem from this last one. For example, there has been a consistent separation of philosophical/abstract/inductive debate from "quandary"/practical/deductive debate and problem-solving where ethical matters in education are concerned. We feel that this separation would not be typical of some feminist debates, and is not helpful in resolving ethical dilemmas or thinking about codes of ethical behavior for educators. A separation such as this one perpetuates an approach to reasoning and problem-solving which characterizes traditional or male-dominated educational systems which value

divergent over convergent thinking, or differentially value abstract principles over individual personal experience. In our view, feminist approaches to ethics in higher education would promote (1) an analysis of the sociocultural contexts in which ethical decisions are made, (2) an analysis of power and its use, (3) an examination of the unequal application of ethical standards to men and women, people of color and members of other under represented groups, and (4) an examination of the environments and conditions which make education difficult or impossible to obtain for oppressed people (i.e. exclusionary practices and/or unsafe conditions).

Why call it "feminist"? What distinguishes a feminist code from other codes? In brief, as the FTI code was being constructed, feminist values were explicitly incorporated into all aspects of its development (Gartell, 1994; Lerman, 1994). According to Brown (1994), feminist therapists, clients, students and other colleagues contributed to the document in its various draft forms. Lerman noted that input was given on conceptual issues as well as on issues related to emphasis (see also Rave and Larsen, 1990). Yet, perhaps the most unique component of the FTI code is its focus on oppression and liberation. This is a political code, with the goals of feminist social change and the equalization of power at its core. And, in contrast to more traditional codes with their focus on protecting against adversarial conflict, the feminist therapy code is based on a partnership model of service delivery. As noted by Brown, "The code assumes the human relationship between therapist and client, along with the role-bound dance that is psychotherapy or other professional service delivery. . . . While clearly defining the power of the therapist, feminist therapy ethics also subvert the notion of the therapist as the sole source of power or value in the therapeutic exchange" (1994: 208). To the extent that higher education offers another form of "professional service delivery" in a forum that involves a multiplicity of power relationships, the FTI Code is suited to the ethical dilemmas confronted by faculty and academic administrators.

Although we are recommending that colleges and universities develop ethical codes, we recognize that many faculty and administrators are already bound by the ethical codes of their respec-

tive professions. There may be legitimate concern that, with time, higher education will become constrained by too many competing rules and regulations. Which code do I follow? Which code am I most responsible to? Which code do I apply and when? Again, it is not our intention to limit academic freedom. In our view, different codes serve different purposes in the same way that different tools are needed for different tasks. The more tools you have (and know how to use) the more likely you are to reach thorough completion of a project. You will probably not need every tool for every project, and more complicated projects will likely require more tools. Similarly with ethical codes. Having an ethical tool box has the potential to encourage creative thinking and problem-solving. We see an academic code as picking up where codes that are specific to individual professions (and not teaching and learning) may fall short.

### *Feminist Ethics Applied*

Feminist therapy ethics take into account the following questions and considerations, the specific referents of which we have adapted for *academic* settings and relationships (see Burstow, 1992; Feminist Therapy Institute, 1995). Again, although the code raises some of the same questions as more traditional codes, it is set apart by the integration of feminist politics, philosophies, and theories. Articles by Murray et al. (1996) and Kitchener (1992) also serve as useful companion pieces to this discussion.

#### BOUNDARIES

1. Faculty and administrators are aware of their inherent power and model responsible use of this power. For instance, Friedman (1985) described an epiphany she had about her role as a feminist educator and the responsibility that comes with being an "authority" figure in the classroom as well as a facilitator and nurturer of independent thought. In her analysis, she noted the importance of being clear with students about each of these roles and modeling them in ways that are consistent with feminist values and ideals (e.g. with attention to the intellectual as well as the emotional).

2. When faculty and administrators work with students, the students' safety and empowerment is

their first obligation, and this obligation takes precedence over obligations to the workplace, or to other causes or special interests.

3. Educators have a right to the primary benefits inherent in the educational process (income, the joys of the emotional rewards of helping others and oneself learn, etc.). However, any significant benefit which does not intrinsically arise from the job being done by the educator/administrator may signify a violation of a boundary. Examples of such violations could include a professor becoming sexually involved (i.e. a type of overlapping relationship) with a student (DeLozier, 1994), accepting expensive or ongoing gifts, having a student do a "job" for a professor which has nothing to do with her/his learning contract, deliberately frightening, punishing or otherwise traumatizing a person in a less powerful role in order to exert control, or professors "dumping" personal problems on students, etc.

4. Educators and administrators are aware of the benefits, complexities and potential harm of self-disclosure and ensure that self-disclosure is conducted responsibly, with a focus on information that will facilitate, and not unduly constrict or otherwise damage the educational process. Feminist educators have wrangled with this dilemma as it relates to expressing their own feminist values in the classroom (Schriedewind, 1983) as have lesbian educators with regard to "coming out" in the classroom (McNaron, 1982; Rensenbrink, 1996).

#### DIVERSITY AND OPPRESSION

5. "... we are acting unethically when we engage in behavior or make, or condone, remarks that are sexist, racist, classist, homophobic, ableist, ageist, or religiously oppressive" (Burstow, 1992: 48). As educators we are obliged to acknowledge the ways in which different systems have oppressed people, especially with regard to educational opportunities and empowerment regarding individual thoughts, feelings and expressive processes. Further, as educators we are obliged to routinely evaluate our interactions with students and assess the presence of any biased attitudes, beliefs or practices. It is our responsibility to offer educational materials that are inclusive, respectful of diversity and not pathologizing of difference. It is our responsibility as educators to discuss with students their under-

lying racist, classist, heterocentric and other assumptions which are harmful to women in particular, and to human beings in general.

#### ACCOUNTABILITY AND COMPETENCE

6. Dishonesty or misrepresentation constitutes unethical behavior (e.g. saying that we are experienced in an area for which we have little or no experience). Such dishonesty is usually self-serving, rather than serving student needs.

7. As educators we recognize the need for ongoing professional development self-evaluation, continuing education, skill building and training. We are obliged to seek supervision or consultation or decline to work, teach or do research when we are aware that we are not serving well the people we purport to serve.

8. As educators we engage in and model ongoing forms of self-care as a way to increase our energy for, and focus on, the people we are intended to serve, teach or supervise, as well as to demonstrate our willingness and ability to acknowledge our own needs and vulnerabilities.

9. As participants in a complex system of rules, relationships and hierarchies, we actively question practices that appear inappropriate or abusive to students or employees, and intervene as early as possible to facilitate effective and respectful resolution.

#### SOCIAL CHANGE

10. As service providers, we engage in activities that will change rules, laws, regulations, institutional policies and damaging sociopolitical agendas that interfere with effective and productive teaching and learning. We are obliged to make efforts to enhance the lives and, in particular, the educational experiences of the people we are intended to serve in the higher education system.

#### Conclusion

This feminist academic code was intended to de-emphasize retribution and protectionism and promote conscious and open discussion of the personal and political aspects of professional behavior. However, regardless of its intent or usefulness, any discussion of an ethical code may be dismissed or overtly thwarted by some members of the academic community because of the perceived

threat to academic freedom. As Britzman (1991: 64) has noted,

Unpopular narratives unleash ambiguous effects. A story may be deemed unpopular if it goes against the grain of the acceptable in ways that either offend sensibilities or challenge the comfort of clear boundaries. The unpopular disorganizes questions of morality, civility, and of subjectivity. . . . In any case, unpopular things call into question what is taken as already settled.

Any code of ethics must allow for an examination of the assumptions used in establishing the rules of professionalism. A feminist analysis, and thus the code outlined above, reminds us that it is important to critique the identities and positions/roles of those creating such codes, and to reconsider attitudes, beliefs and perceptions taken as "settled."

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### *Discussion Questions*

1. Felicio and Pieniadz are advocates of a code of ethics for the education profession. Some professors might see such a code as a threat to their autonomy. Why might this be? What could be said to alleviate this concern?
2. The feminist approach called for by the authors makes use of the Feminist Therapy Institute's code of ethics for psychotherapists. In light of the similarities and differences between psychology and education, is this appropriate in your view?
3. Discuss some of your views about the sample code that Felicio and Pieniadz construct using elements of feminist ethics. What is good about this code? What is not in addressing some of the ethical issues that arise in education?
4. Could the sample code described by the authors perhaps be supported by any moral theory (or theories) other than feminist ethics?

## Ethics and Educator/Student Relationships

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MARGARET BROCKETT

I WISH TO DISCUSS the professional-client relationship in education in light of, first, respect and formal relationships involving brief encounters between people of unequal power, and second, recognition and informal partnerships involving mutual disclosure over a period of time. The first consideration takes account of the fact that roles of power, by definition, involve unequal relationships. The nature of professionalism embraces a concept of expertise that comes from a specific knowledge base and set of skills, not easily attained but learned through extended periods of study and practice under the direction of recognized professional people. Professional/client relationships

are thus inherently unequal. The second consideration takes account of the fact that educators and students alike seek respect and recognition from one another even as they are engaged in the matter of learning.

How are these relationships played out in the academy? This paper will reflect first on the moral bonds within the academy before considering the different roles and responsibilities of educators and students and the types of relationship that are involved. Finally, making an assumption that readers of this text are interested in professional education programs, some parallels will be drawn between the experiences of students in professional

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programs and those of clients in other types of professional/client relationships.

Arthur Dyck suggests that the moral requisites of a community are the moral bonds between individuals and groups or, in other words, the preliminary rules without which there are no rules.<sup>1</sup> He identifies two, the commitment to living and the commitment to nurture. What commitment to living is made by members of the academic community and what responsibilities and rules evolve from that commitment? In many institutions, the commitment would be to life long learning; their objectives would include teaching and evaluating for the purpose of encouraging self directed life long learning. Other institutions make their commitment to academic excellence and have objectives related to teaching and evaluating with research and scholarly achievement as their goals. Teaching and evaluation are responsibilities that are common to both. The commitment to nurture "life and well being depends also on developing and exhibiting the inhibitions *or restraints* and proclivities *or inclinations* that make communities possible. . . . The responsibilities to improve one's own moral character and to aid others in doing so" (italics added).<sup>2</sup> Dyck believes that developing *self love* and *empathic understanding of others* are key objectives of nurture. I suggest that none of these commitments can be realized on the basis of short term, impersonal formal relationships. The confidence with which new students enter into the academic community is contingent upon respect for the type of learning that they have apprehended in the institution's reputation. For students to acknowledge their limitations and interdependence on others, long term, personal and informal interactions characterized by mutual recognition and trust are required.

Many students in institutions of higher education have little experience of learning beyond the traditional didactic model in which contact between the educator and a large group of students is limited to the lecture room. The only sort of relationship possible is formal and impersonal. The power differential between the educator and

the student is obvious. Respected educators in these classrooms adhere to the clearly defined curricula and rules set out by the institution and have refined but direct methods of communicating information. They evaluate students' achievements on their ability to recount the facts and arguments presented in lectures and required texts. Respected students are those who perform well in defined areas of study. Little allowance is made for students or educators who do not meet the grade or who have special needs. When educators and students are unhappy with the other's performance or evaluations, their recourse is to take their complaints or appeals to the formal authorities. In this learning environment academic performance and access to graduate programs is judged solely on the basis of objective evidence and demonstrated competence.

With the explosion of information available to students world wide through technological advances there has come an appreciation that traditional teaching methods are inadequate. They do not enable students to turn information into knowledge that can be applied beyond the academic institution. But research students are expected to follow strict protocols and to exercise creativity and individual problem solving skills while students of the professions are called upon to apply their theoretical knowledge to practical problems in the workplace. Where formal education was once the door to learning skills in the workplace, the academic institution has, in many instances, become the overseer of that learning. Educators have taken on new roles as tutors of individuals and small groups, mentors and advisors, supervisors of research and professional practice. Each of these new roles carries additional responsibilities for nurturing the moral and professional development of students that goes beyond meeting academic objectives and evaluating performance against set standards. Faculty members in such programs cannot sit in ivory towers and ignore the professional workplace. Many of their colleagues are practising professionals and hold cross appointments between the academy and service organizations.

Students, too, have taken on new roles and responsibilities. They are expected to be critical learners and reflective students, to observe and question, to synthesize their learning and demon-

<sup>1</sup>Dyck, A. J. (1994). *Rethinking rights and responsibilities: The moral bonds of community*. Cleveland: The Pilgrim Press, pp. 124-25.

<sup>2</sup>*Ibid.*, p. 317-8.

practical skills. The responsibility that goes with these roles involves them in giving constructive feedback to their educators and peers and examining their own behaviours towards others.

At the same time, educators and students are members of the academic community. They are responsible to a variety of authority figures representing the rules of the institution, the financial supporters of research grants and professional regulation. The educators must be able to fulfil their formal responsibilities to these bodies while building relationships of trust and mutual recognition with their students. This involves a number of challenges that demand ethical flexibility. Evaluation is, perhaps, the most challenging.

Evaluation of student learning has traditionally taken the form of written, and occasionally oral or practical, examinations in which students respond to theoretical questions that are supposed to elicit the facts and arguments retained from the course content. The answers can be deduced from what has been learned and are either right or wrong. The focus is on the content and measurements are objective according to defined standards. In his seminal work, *The Modern Practice of Adult Education*, Malcolm Knowles was among the first educators to see *evaluation as a process* "more sensitizing than measuring, more concerned with setting directions of growth rather than defining terminal behaviours."<sup>3</sup> The process of evaluation has become common in many professional programs while the outcomes are still required as benchmarks of performance. The scene is set early on in the process of orientation to the course when the educator and the students discuss the desired outcomes and the means by which they will be achieved as well as the ways in which they will be judged. At the same time, the educational methodology has changed in recognition that learning is the responsibility of the student facilitated by the educator.

Informal or formative evaluation is given based on observations of behaviours that demonstrate acquisition of particular knowledge and skills, including the ability to collaborate in group learning. Such evaluation is largely qualitative and timely. It describes ways in which the evaluator has

been affected by a behaviour or measured observation. For example, an educator may interrupt a student who he or she perceives to be dominating a discussion and let the student know that he or she would like to hear the opinions of other students on this particular topic. The student who is aware and familiar with this sort of evaluation will recognize that his behaviour has limited the educator hearing from others and try to modify his participation.

Formal or summative evaluations will be undertaken at specific times required by the institution or program and are usually quantitative in that they are objective and scientifically rigorous. The results can be compared with recognized normative behaviours. For example, the road test is the final evaluation of a person's driving skills. The driver is taken on a formal drive around a neighbourhood during which an examiner observes the driver's situational behaviours on the basis of established criteria and then determines if that person should be given a licence to drive.

The challenge arises when the same educator is both the facilitator and the examiner. Qualitative and quantitative evaluations are independently legitimate and valuable but each loses its moral integrity if it is used for [the] other's purpose. So, in the illustration of the student who is dominating the class or group discussion, if the educator tells him to be quiet because he is talking too much, the educator is making a judgment compared with the behaviours of other students—the students may not agree with that judgment but other students may be deterred from giving their opinions to the disadvantage of the class. In the case of the road test, it would hardly serve public safety well if the educator/examiner allowed a student driver, who has not met the standard, to have a licence because of some perceived need of the student. Ethical flexibility makes it imperative that educators and students alike appreciate the different types of evaluation and their purpose, that they recognize the place of each and the need to differentiate on the basis of the relationship that is involved. Qualitative evaluation is appropriate where there is a relationship of trust and mutual recognition of the persons involved and an acknowledgment by both parties that, at another time, their responsibilities may require a suspension of that relationship. Where there is no long

<sup>3</sup>Knowles, M. S. (1970). *The modern practice of adult education*. New York: Association Press, p. 280.

term relationship, where trust is not given or has been betrayed, quantitative judgments must be made in which the educator and student respect their difference and acknowledge the rules under which they operate. So, the student who rarely attends class or who has little insight and appears not to learn from informal qualitative evaluations or constructive feedback can only be judged on the basis of a formal evaluation. The rules of formal relationships are there as a fall back position of authority in situations where either educators or students prove to be untrustworthy or fail to recognize one another and yet standards must be upheld.

How then can the relationships between educators and students assist the learning of students in the professions? Again, professional/client relationships take two forms: 1) those that involve brief formal contacts where expertise is respected, the outcomes are well assured and the interventions are consistent with professional standards and fall within the fees structures of financial or government agencies; 2) those that involve complex problems and necessitate long term relationships and mutual recognition, where the outcome is uncertain but the process is one which serves the best interests or well being, agreed between the parties. Such interests are not necessarily financial interests. In either case, the student can learn a great deal by relating his experiences as a student to those of the professional client.

For example, one of the challenges faced in the academy is an organizational one. How can the large number of students who want and need to take a popular subject like Psychology 101 be accommodated without increasing the number of faculty and costs to the institution? I have heard of classes in excess of one thousand students crowded into auditoriums attempting to learn these subjects. This is potentially a situation of sink or swim: those students who hear and see well and who can write quickly or who have sufficient resources to purchase lap top computers, will survive; others, especially those who have physical or financial disadvantages are in danger of drowning. Does the institution restrict registration to the elite? This is unlikely in a time when access to education is an important political issue and the number of students generates increased income for the institution. The educator who respects these students

will recognize the challenge that many of them face and consider creative rather than traditional use of the resources that are available: audio-visual and technological aids for presentation; students with special needs assigned to caring teaching assistants in small groups; special arrangements and time allowances for those students who have limitations not associated with their understanding of the content when completing assignments. In their turn, students who respect one another and their educators will support and help one another in their learning and in meeting the course requirements. The busy professional person may be faced with circumstances that are not unlike Psychology 101—too many clients with immediate but routine needs, differing capacities for understanding and wildly different circumstances. The caring and respectful professional who has learned under the caring and respectful educator would do well to reflect on his own experience of being one student among many. So, the busy lawyer might develop pamphlets and preparatory documents addressing the sorts of questions to be answered when writing a will, for example, and have articling students or law clerks work with clients who need extra help. Similarly, the family doctor reflecting on his early student experiences might consider enhanced education for his or her patients utilizing the time and skills of other health care professionals.

So, given the nature of professional practice as a combination of expertise and service, it is important that students in professional programs learn what it means to be life long learners and how to use their learning in meeting the needs of others. In the context of less formal and longer term relationships with educators than is possible in Psychology 101, they learn how to relate to individual professors. The new professional person in the workplace, who has benefited from a special relationship of trust with a tutor, mentor or clinical preceptor as a student, would do well to reflect on the types of interaction that nurtured his own professional skills including those of self-evaluation and empathy. So, the nurse or therapist who has been given the opportunity as a student to recognize the struggles and conflicts that are common among professional people, be they educators or practitioners or both, will be better prepared to deal with similar challenges in the

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### Discussion Questions

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workplace. How do you make an ethical decision when your professional ideals suggest a specific course of action with a client which others, who exercise control over resources and reimbursement, might consider unwarranted and or unfair? And how do you convey bad news or the poor

results of a formal standardized assessment to the client with whom you have a long standing relationship of trust? Professional people should be able to reflect on their own analogous experiences as student partners in a professional educator relationship of trust and mutual recognition.

### Discussion Questions

1. Describe Brockett's view of community and its relevance to the educator-student relationship. What are the responsibilities of both students and educators in their roles as members of the academic community?
2. Given the inherent inequality between educators and students, what must educators bear in mind, according to Brockett, when evaluating their students? Do you agree?
3. Brockett advocates the view that academics should apply the golden rule when they establish a relationship between themselves and students. Why does she say this and why is this important? What moral theory could be used to support this view?

## Professors, Students, and Friendship

PETER J. MARKIE

"DO THEY WANT US TO BE THEIR FRIENDS?!" That's how a professor once reacted when the graduate students in his department complained about the faculty's insensitivity to their concerns. I'm not sure that the graduate students wanted the faculty members to be their friends, but would it have been inappropriate for them to want that? Is it inappropriate to praise professors for being not only teachers but also friends to their students? It is generally agreed that the best college professors are caring, sensitive persons whose concern for their students extends beyond the classroom. Shouldn't they let their interest in their students extend so far that they are open to friendships with them?

I believe that professors should not become friends with their students, and my intention here is to argue in support of this prohibition. I shall begin, though, by clarifying it.

I  
When I say that professors should not become friends with their students, I do not intend to give a piece of practical advice about how professors ought to behave to gain certain ends I suppose them to have, such as avoiding embarrassment and maintaining their colleagues' respect. Refraining from friendships with students may help some professors achieve these goals, but that is not what

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interests me. I also do not take my claim to be a description of the conventional or institutional obligations that define what it is to be a professor. To be a professor is to occupy a particular institutional role, and that role may be defined by certain duties so that claims attributing those duties to professors are analytic. I do not think the duty to refrain from friendships with students is a defining duty of being a professor, and my claim that professors should refrain from such friendships is not intended to be analytic. My claim is a synthetic proposition about the moral obligations of professors.

There is an important difference between moral obligations and prima facie moral obligations. When we have a moral obligation not to do something, it is morally wrong for us to do it. We have a prima facie moral obligation not to do something when there is good reason to think we have a moral obligation not to do it. Not every prima facie moral obligation is a moral obligation. If I make conflicting promises, I have a prima facie obligation not to violate one promise and a prima facie obligation not to violate the other, but I can only honor one of my prima facie obligations and the one with the most moral weight in the circumstances is the one I should honor; it's my moral obligation. The other is a prima facie moral obligation but not a moral obligation. When I say professors should not become friends with their students, I am in the first instance, concerned with what is prima facie morally obligatory. My claim is that it is prima facie morally obligatory for professors to refrain from friendships with their students; in other words, in the absence of moral considerations that override those that count against faculty-student friendships, a professor is morally obligated to refrain from such friendships. We shall see that the moral considerations against faculty-student friendships are very strong and so very unlikely to be overridden. In all but extraordinary circumstances professors are morally obligated to refrain from forming friendships with their students.

Exactly who counts as a professor's student? Do professors have a prima facie moral obligation not to become friends with anyone enrolled in the college or university where they teach? Some seem to endorse this extensive an obligation, but I do not. The moral considerations against faculty-student

friendships do not give us any reason to think that I, as a philosophy professor, have a moral obligation not to become friends with my neighbor who is an advanced graduate student in physiology. I am a professor and he is a student at the same university, but there is no professional relationship between us that can generate a prima facie moral obligation for me to abstain from developing a friendship with him. I claim the following obligation for professors: they have a prima facie moral duty not to become friends with those students they are presently teaching or likely to teach in the future. My argument for this claim will also support a related one: professors have a prima facie moral duty not to teach students who are their friends.

It is important to appreciate what friendship does and does not involve in this context. Three necessary conditions for friendship are crucial; an appreciation of them will help us see through some mistaken objections to the prohibition on faculty-student friendships.

First, we are friends with someone only if we share or have shared an activity with that person. We can become friends with someone we have never met, say through correspondence, but we can't become friends with someone with whom we have never done anything. The shared activity that is the basis of friendship can take a variety of forms, but as friendship develops, it will involve the mutual communication of otherwise private information. A friend knows things about us that others don't; others are at best "merely acquainted" with us.

Mutual affection is a second aspect of friendship. We may not enjoy every moment of everything we do with a friend, but we generally enjoy our shared activities, and more important, part of what we enjoy is doing those things *with that person*. We also value a friend's welfare because of whose welfare it is. Someone who adopts the attitude of universal benevolence will value our friend's good simply because it is someone's good, and a very religious person may value our friend's good because our friend is one of God's creatures. We value our friend's good because it is his or her good in particular.

A third aspect of friendship is that friends acknowledge their mutual affection through expectations and commitments. We expect our

friends to place a special value on our welfare because it is ours, and we commit ourselves to honoring their corresponding expectation. Because our friends place a special value on our welfare, we expect them to give us special guidance, and we are committed to giving guidance to them. The guidance we exchange with friends requires the very personal level of communication associated with friendship. The commitments that develop as part of a friendship have moral weight. As promises, they are *prima facie* moral duties of fidelity, and since most, if not all, involve benefiting someone who has already benefited us, they are *prima facie* duties of gratitude.

This account of friendship has some important implications. Being friends with someone isn't the same as liking that person to a particularly high degree, and it isn't the same as acting toward that person in a friendly way, by, for example, extending greetings, sharing jokes, and so on. Friendship involves mutual liking and friendly behavior, but it also involves a mutual exchange of otherwise private information, a mutual concern with each other's interest because of whose interest it is, and mutual expectations and commitments. All these elements of friendship admit of degrees. I shall not attempt to specify just how great the communication, enjoyment, valuing, expectations, and commitments must be for friendship to exist. . . .

. . . In all, then, friends share an activity that includes the mutual exchange of otherwise private information. They have a mutual affection that consists in their enjoying each other's company and valuing each other's welfare because of whose company and welfare it is. They acknowledge their affection through a series of shared expectations and commitments; the commitments are *prima facie* moral duties. The extrinsic value of friendship will vary with the circumstances, but it is plausible to believe that each friendship is intrinsically good. Now let us consider why professors should not enter into this sort of relationship with their students.

## II

We can use our understanding of friendship to see through some mistaken objections to the claim that professors have a *prima facie* duty to refrain from friendships with their students.

Some may object that professors don't have a duty, because people are never obligated not to do what they are incapable of doing in the first place, and professors and students are too unequal in their interests, abilities, and experiences to be friends. Few, if any, professors have students who agree with them on all religious and civil subjects or share all their thoughts, judgments, and acts of will. Yet, this conception of friendship is far too restrictive; seldom will any two people be so perfectly matched. The objection also gains plausibility from our tendency to think in terms of stereotypical images of professors and students. The "average" professor is middle-aged, sedentary, has one child, one home mortgage, two car payments, thinks of the period from Monday to Friday as the work week, and is interested in fine literature and music. The "average" student is nineteen, active, beginning to break free from parental authority, lacks burdensome financial commitments, thinks of the period from Monday to Friday as five days in which to find a date for the weekend, listens to top-forty radio through an ever present Sony Walkman, and reads only to pass tests. A survey of any college campus will reveal how inaccurate these stereotypes are. Professors and students share interests in intellectual pursuits, social causes, and athletic activities. All these activities can provide the basis for a friendship. The differences between professors and students are especially few in the case of graduate students and junior faculty.

Others may object that professors can't be obligated not to become friends with their students, because they, like the rest of us, can't help who their friends are; we like some people and dislike others just as involuntarily as we like some foods and dislike others. This objection gains its plausibility from our tendency to think of friendship as merely liking someone to a great degree. It may well be that we can't control whether we like someone. Yet, we can control whether we share an activity with someone in such a way that the mutual affection associated with friendship develops and is acknowledged through commitments and expectations. What is important here is not so much the activity as the way people engage in it. Teaching can be done in a way that gives rise to friendship; it can be done in a way that does not give rise to friendship. The difference lies in

whether the participants just share the activity or also share themselves through the activity, for example, by exchanging personal information about their hopes, concerns, and so on. Professors can avoid becoming friends with students by refusing to let their teaching activities become the occasion for the sort of sharing of personal information, commitments, and expectations of which friendships are made. They need only maintain a professional distance from their students.

Still others may object that professors can maintain this professional distance only by being so cold and formal in their dealings with students and so insensitive to their students' needs and concerns that they cease to be good teachers. This is clearly not the case. Professors who act toward their students in a warm and friendly manner and are sensitive to their students' needs and concerns must be interested in information about them, but they need not be willing to share personal information about themselves. They must value and give special consideration to each student's welfare, but they can value each student's welfare because it is the welfare of one of their students rather than because it is that student's welfare in particular.

Finally, some may argue that faculty-student friendships are morally permissible, since every friendship is intrinsically good and a friendship between a professor and a student gains further extrinsic value by enhancing the educational relation between them. The problem with this objection is that even if every friendship is intrinsically good and a particular faculty-student friendship is extrinsically good, it may still be morally obligatory that the professor not maintain that friendship. We are sometimes morally obligated not to engage in activities even though they are both intrinsically and extrinsically good. Suppose that every act of beneficence is intrinsically good and that a particular act of beneficence open to us is also extrinsically good. We may still be morally obligated not to perform the act. The act may, for example, require us to violate some previous commitment that is important enough for the wrong of its violation to outweigh the considerations of intrinsic and extrinsic value. Professors are in a similar position. We'll soon see that they can develop and maintain friendships with students only at the cost of violating more weighty commitments they have made.

In all, then, professors are capable of forming friendships with their students, and they are capable of avoiding such friendships by maintaining an attitude of professional distance. They can maintain this attitude without ceasing to act in a friendly way toward their students and without losing their sensitivity to their student's needs and concerns. Even if all friendships are intrinsically good and some faculty-student friendships are extrinsically good, it may still be morally obligatory that professors refrain from them. It's now time to show that professors are indeed *prima facie* morally obligated to refrain from friendships with their students.

### III

Critics of faculty-student friendships sometimes argue that if a professor and a student become friends each will be likely to exploit the other. The professor may exploit the student by getting the student to help on some research project without any recompense. The student may exploit the professor by getting the professor to raise a grade when it does not deserve to be raised. This line of argument contains a serious problem. Suppose a professor and a student are friends, and one of them does a favor for the other. Is the one who does the favor simply honoring a proper request from a friend or being exploited? If it's the former, we haven't found anything wrong with their friendship. If it's the latter, then the one who is doing the exploiting is not acting as a friend, since friends don't exploit their friends, and we still haven't found a problem with their friendship *per se*. If they had really remained and acted as friends, the exploitation wouldn't have occurred. In short, appeals to the possibility of exploitation can't show that there is something wrong with faculty-student friendships that are successful friendships. I think there is something wrong with faculty-student friendships even when they are successful, and I shall try to show what it is by an alternative line of argument.

If engaging in an activity is likely to limit severely our ability to honor one of our moral obligations, then we have a *prima facie* moral obligation not to engage in that activity. Establishing and maintaining a friendship with one or more students is likely to limit severely a professor's abil-

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ity to honor his or her moral obligations. Hence, each professor has a prima facie moral obligation not to engage in such friendships. That's my argument; let's consider the two premises.

The first premise is the general principle that we are prima facie obligated not to engage in any activity likely to limit severely our ability to honor our moral obligations. This principle is behind many familiar judgments about the obligations of professionals. We believe, for instance, that lawyers have a prima facie obligation not to represent both parties to a dispute; they have this obligation because a lawyer who represents both parties will attempt to identify with the interests of each and will be unable to honor the moral obligation to give each adequate representation. Psychologists have a prima facie obligation not to become romantically involved with their clients, since to do so will severely limit their ability to honor their moral obligation to give adequate care. The argument for the general principle is quite straightforward. If engaging in an activity is likely to limit severely our ability to do what is morally obligatory, there is a good reason to think that it is morally obligatory that we not engage in that activity, namely, that it is likely to keep us from doing what we are morally required to do. Since there's a good reason to think it is morally obligatory that we not engage in the activity, we have a prima facie moral duty not to engage in it.

My second premise is that establishing and maintaining a friendship with one or more students will severely limit a professor's ability to honor other moral obligations. What other moral obligations? To begin with, each professor has a prima facie duty to give all students equal consideration in instruction, advising, and evaluation. Any instructional or advising opportunities, such as extra help after class, that a professor makes available to one student must be made available to all students, unless a relevant difference between them justifies different treatment. Any opportunities a professor makes available to some students in the evaluation process, such as a makeup exam, must be made available to all students, unless there is a relevant difference between them. This prima facie duty is a duty of justice. It is also a prima facie duty of fidelity; in the context of the current understandings between professors and students, a professor who offers a course implicitly promises

to give those who take it equal consideration. This prima facie duty, like any prima facie duty, is open to being outweighed by conflicting ones, but such an occurrence is extremely rare. In the general course of events, professors are morally obligated to give their students equal consideration in instruction, advising, and evaluation, and when they fail to do so, they not only violate a prima facie moral duty, they violate their moral duty; they do something morally wrong.

How is the activity of forming and maintaining friendships with students likely to limit severely the ability of professors to give students equal consideration? Note first that no professor will be friends with every student in a class, for even if a professor tries to become friends with every student, some students will not be interested, and a friendship won't develop. Recall some of the aspects of friendship. Friends feel a strong mutual affection for one another. Each values the other's welfare just because of whose welfare it is, and each makes a commitment to the other to give the other's welfare special consideration. Hence, professors who become friends with their students, become friends with only some of them, and thus adopt a special attitude of concern for, and a special commitment to, the welfare of some of their students but not others. They are then likely to give those students who are their friends extra opportunities in instruction, advising, and evaluation, even though being a friend is not a characteristic relevant to the distribution of these opportunities. They are likely to violate their moral obligation to give all students equal consideration.

Friends make special allowances for friends. Requests to hand in a late paper, take a makeup exam, or receive a letter of recommendation are much more compelling when made by a friend in need. When grading exams, professors will be more inclined to be sympathetic to a friend's attempts and to work harder than usual to appreciate what the friend is trying to say. They will be inclined to use professional contacts to aid students who are their friends, even though they do not use those contacts to aid other students who are not friends but equal their friends in interest and ability. Friends give advice to friends and discuss what they have in common. Professors are likely to give students who are their friends extra advice with regard to a course of study and career.

Their conversations with their friends are likely to include the subject matter of the course, since that is one of the main interests they are likely to share, and in such conversations, the professors will give their friends instruction that isn't given to the other students. These are some of the more obvious ways in which professors who become friends with their students are likely to violate their moral obligation of equal consideration.

Professors who become friends with students are likely to violate another one of their moral obligations. Professors do not simply evaluate students; they offer their evaluations to students and to others as evidence of the student's abilities. Rightly or wrongly, one of the things students want most from professors, and one of the things

professors present themselves as able and willing to provide, is a credible evaluation of students' abilities. Professors have a prima facie moral obligation to students not to act in a way that will lessen the credibility and so the worth of their evaluations. Professors who establish and maintain friendships with students violate this prima facie obligation. They bring about a state of affairs that constitutes good reason to doubt the objectivity of their evaluations, namely, that they were friends with some but not all of those they were evaluating. It is not necessary that a friendship actually cause a professor to favor some students over others; the appearance of favoritism is enough to lessen the credibility of a professor's evaluations.

### *Discussion Questions*

1. Why does Markie say that the obligation of professors to refrain from friendships with their students is a prima facie obligation? What sort of circumstances do you think would override this obligation and make such friendships permissible?
2. Markie discusses three necessary conditions for friendship. Do you agree that these conditions are indeed necessary for friendship? How well do you think he relates these conditions to the context of professor and student?
3. Markie suggests that the potential for exploitation (since the professor controls the student's grade, for example) is not a basis for a prohibition on friendships. This goes against certain lines of reasoning, endorsed by some feminist thinkers and others, that the potential for exploitation is not given sufficient consideration in most professional contexts, including education. Do you think Markie is right about this point?
4. Markie's own justification rests on a different argument, one that cites the potential for friendship to interfere with the execution of other obligations held by professors. How well do you think he establishes his first premise? How well do you think he establishes his second premise?