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What Makes Ethics Practical

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Around the time I began teaching in training programs for Chinese officials, the Chinese government put into effect its plan to establish new schools of public management and policy. Launched in 2001, these schools were a clear departure from existing programs in public administration. The older programs—introduced into China in the 1920s and 1930s, abandoned when the PRC came into existence, then reintroduced in the 1980s—had made a place for themselves within the social sciences and were more inclined to explore theories of public administration than inculcate practical skills. They trained people for academic careers. The new schools are designed for a different constituency. They set a minimum requirement for entry of four years of occupational experience, and they anticipate that students will return to the workplace. They also follow a different pedagogy: the State Education Commission requires that, where appropriate, courses will use the case method of teaching. And the curriculum includes a credit-based internship. The explicit goal is to improve managerial and leadership skills in the public sector.¹

In shaping the new curriculum, Chinese educators looked to foreign, especially U.S. models, such as the Harvard Kennedy School, rather than their own mandarin tradition. On ideological grounds, repudiation of anything closely tied to Chinese imperial history is understandable. Yet the mandarin tradition was much richer than any ideological account

This paper began as a talk to faculty members at the University of Warwick, May 9, 2006. I am grateful to John Benington of the Institute of Governance and Public Management for hosting that event. Conversations with Mark H. Moore over the years have guided my thinking on many of the issues addressed. For comments on a recent draft, I am greatly indebted to Archon Fung, Kenneth P. Winkler, and David B. Wong.

¹ Caroline Haiyan Tong and Jeffrey D. Straussman, “A Master of Public Administration Degree with Chinese Characteristics?,” *Journal of Public Affairs Education* 9 (2003): 105-115.

would suggest. Indeed, the combination of ethics education (in the Confucian classics) and practical training (in the central bureaucracy or as provincial administrators) was unique in the world, at least among major civilizations. Chinese scholar-officials were imbued with the responsibility to protect moral values in the political realm, serving as the conscience of rulers—counseling them through moral suasion; remonstrating with them to rectify defective policies; chastising them for personal failings—as well as managing the daily affairs of government. Individual emperors, of course, were not always pleased to receive such advice and admonitions; scholar-officials who took their work seriously often did so at great personal risk. (A telling depiction of the scholar-official’s situation is a 17th century woodblock at Harvard’s Yenching Library showing an “evil king” with a gleeful expression, standing next to a large urn containing a “good advisor” who has been sliced up and pickled.)²

To many, it is obvious that a *modern* education requires western models. Yet the place of ethics in western schools of public management and policy, such as the Kennedy School, is not a settled matter. When I began teaching ethics at HKS more than twenty years ago, I wondered at the time—and ever since—whether my training in Anglo-American analytic philosophy had prepared me adequately for this task. In fact, the encounter with mid-career practitioners, in successive classes and different venues, required a good deal of re-assessment and self-education and—not the least of it—education by my students, as I gradually came to appreciate that decision making in practical settings is more complicated and more challenging—as well as more interesting—than is usually represented in philosophical accounts. A different subject matter, in turn, requires a different pedagogy.

One way of formulating the question about pedagogy, and about the adequacy of philosophical training, is as a dispute about *applied* versus *practical ethics*. My purpose in this essay is to develop the idea of practical ethics, by identifying its basic features. Along the way, I will comment on some differences with applied ethics, which is the common term for standard philosophical approaches. Within the confines of an essay, the treatment will necessarily be incomplete.

² For a discussion of the history and legacy of Chinese scholar-officials, see Kenneth Winston, “Advisors to Rulers: Serving the State and the Way,” in a forthcoming volume on the professions in China, edited by William P. Alford, William C. Kirby, and Kenneth Winston.

[I] Practical ethics is ethics of—and for—practitioners.

In brief, my aim is to elaborate a conception of ethics (and ethics teaching) that follows John Dewey's admonition for social inquiry generally: It should be guided by problems of life and practice, rather than academic disputes or disciplinary methods.

In this view, ethical inquiry begins not with an abstract ideal or an intellectual puzzle but an existential situation, a problem in need of remedy. It grows, as Dewey says, "out of actual social tensions, needs, 'troubles,'" guided by the imperative to bring about a more desirable state of affairs. Thus, the connection between inquiry and practice "is intrinsic, not external." When inquiry becomes detached from problems in need of remedy, it encourages unending disputation, adding intellectual uncertainty to practical disorder. What's needed is the rigor that comes from working up a diagnosis adequate to bringing about effective reconstruction.³

Problem-centered inquiry is integrative as well as normative.⁴ It brings to bear all relevant intellectual resources, and it postulates a state of well-being, which serves as a standpoint for assessing success or failure. The well-being in question is a function of the experience of actual people, not a reflection of the peculiar preferences or intuitions of the inquirer. What matters are values in the world and the conditions under which they are fulfilled or frustrated. The public practitioner, accordingly, is committed to addressing real-world problems in terms that make sense to the people whose problems they are, and is committed to public action regarding those problems—except where inaction would be preferable to action for addressing a situation effectively. Much follows from these commitments, as we shall see.

Some philosophers agree that ethics has to do fundamentally with problem-solving. This is the stance, for example, of Onora O'Neill in her book *Faces of Hunger*. Yet, what she actually does is not to analyze the problem of hunger (or any other real world problem) but to elaborate what one might describe, at best, as the normative dimension of a possible analysis. Whether the analysis would remain in place once the problem was actually addressed is entirely uncertain. As a philosophical exercise, O'Neill's book is engaging and vigorously

³ Dewey, *Logic: The Theory of Inquiry* (New York: Henry Holt and Co., 1938), 499.

⁴ Philip Selznick, "Jurisprudence and Social Policy: Aspirations and Perspectives," *California Law Review* 68:2 (1980), 215.

argued, but “hunger, famine, poverty, justice, and development all get crowded off the scene in a book that is really about the superiority of duty-based moral theories over utility-based and rights-based theories.”⁵ Other philosophers avoid identifying actual problems and instead attempt to derive from the abstract idea of problem-solving certain principles allegedly necessary for a human being to be a moral agent at all. The result is that the distinctive exigencies of practical decision making are ignored, and the relations between principles and actions misconstrued.

Closer to my approach is the path taken by current advocates of casuistry, who reflect on the merits of acting one way or another in particular situations. Richard B. Miller describes casuistry as a problem-solving endeavor “seeking to interpret and resolve practical issues of the day.” He explicitly contrasts this informal skill with “applied ethics,” which fails to attend to “the richness and complexity of everyday life.” On this point, I believe Miller is exactly right. Where I depart from him is in this: Many of the “problems” he discusses turn out to be problems with rules—for instance, that they are unclear or conflicting and so need to be elaborated (“specified”) to find application. I do not question that moral rules are typically inadequate or incomplete, but making them “adequate,” by specification or otherwise, is an abstract, intellectual exercise. It comes at the end of reflection, after all the important normative work is done, and represents only a cryptic and congealed distillation of that work.⁶

As Nietzsche might have said, the ultimate test of a philosophy of practice is whether practitioners can live by it, in their concrete existence. The requirement of concreteness, however, puts the teacher of ethics in a peculiar position, since the teacher does not make real decisions or solve real problems. Being at a distance means the teacher of ethics is not confronted with certain ineluctable features of decision making, including the necessity to act and the contingencies of effective action. The further removed the teacher is from actual problem solving, the more abstract the discussion of ethics becomes. How then can the teacher of ethics be of any use to practitioners? I believe the teacher is helpful only if

⁵ Robert K. Fullinwider, “Against Theory, Or: Applied Philosophy—A Cautionary Tale,” *Metaphilosophy* 20:3&4 (1989), 228, referring to Onora O’Neill, *Faces of Hunger: An Essay on Poverty, Development and Justice* (London: George Allen and Unwin, 1986).

⁶ Richard B. Miller, *Casuistry and Modern Ethics: A Poetics of Practical Reasoning* (Chicago: University of Chicago, 1996), 3-8. On “specification,” see especially Henry S. Richardson, *Practical Reasoning about Final Ends* (New York: Cambridge University Press, 1994).

adopting the point of view of the good practitioner, and engaging in a pedagogy that attends to the full panoply of factors involved in decision making in the world, including the special features that come with action in the public realm. Only *thick descriptions* of situations and *close analysis* of them is adequate to what practical ethics is all about.

Elements of a thick description.

A critical feature of the practitioner's world, in any realistic account, is the disorderliness of the moral life. This includes disorderly features of the working environment and disorderly features of moral consciousness.

For example, what happens in the world is as much subject to chance, to fortuitous happenstance, as to human control. (Machiavelli refers to this as *fortuna*, although his concern often is the lack of fit between what people get and what they deserve.) The fortuitous—accident, illness, natural disaster—is not inexplicable, but explanation typically comes after the fact. Meanwhile, expectations are violated, established patterns are upset. Even when practitioners manage to dominate events, what actually happens depends on the activities of numerous parties whose intentions are not the same and may not harmonize. Thus, the ability to foretell, let alone direct, the outcomes of purposeful action is irregular at best. The result is a constant instability in human affairs, or at least the potential for it, testing the limits of human powers. Acts of leadership, for this reason, invariably tempt fate.

This disorderliness is exacerbated by certain tendencies in human nature: the endless cravings, in Machiavelli's language, that make people forever discontented and, in a world of scarce resources, lead them to enmity and war.⁷ Nor need the consequences be so dire. Practitioners make decisions not only with imperfect information in a constantly changing world, but under the pressure of agendas infected by self-interest. Self-interest is not the only source of conflict between individuals, but it is one of the most pervasive. And when self-interest is not a factor, the deep passions—envy, loyalty, ingratitude, pride, ambition, vindictiveness—so often impervious to reasonableness, still have their effect and intensify the unmanageability of human affairs.

⁷ *Discourses on Livy*, ed., Bernard Crick (London: Penguin Books, 1983), Book I, section 37, 200.

Finally, the practitioner's world is one of multiple sources of obligation. In the absence of a reliable, unitary framework of moral analysis, practitioners live with a fragmented moral consciousness, reflecting the fragmented character of human life. In an early essay, Thomas Nagel identifies disparate types of human value and observes that they often come into conflict, sometimes irreconcilably. He explains this variety in terms of the human ability to adopt multiple perspectives—individual, relational, impersonal, and so on—each of which generates its own set of demands, without being subsumable under a single set of comprehensive principles.⁸ Without employing Nagel's categories, I shall emphasize three distinct sources of obligation in the experience of practitioners. I refer to them as personal integrity, common morality, and professional ethics.

[1] **Personal integrity.** As I construe this term, how one should act is in part a function of who one is, or trying to become. Integrity is not only about logical consistency or the avoidance of hypocrisy, that is, divergence of act and belief, of conduct and professed values. It is the conscientious working out of what one regards as an admirable human life.

Individuals have their own, often idiosyncratic, idea of which kind of life would be worth living, and attempt to realize it either alone or in groups. The components of an admirable life do not turn only on moral considerations, but moral matters loom large. People hold themselves to certain standards, and judge themselves accordingly, without necessarily implying disapproval of those who act otherwise. Wearing a headscarf in public places and adhering to certain dietary restrictions are examples. Such standards figure into an ethic of personal grace or purity.

We admire people of integrity, even if they are not necessarily models for others. If they falter in the effort to live by their own ideals, we may share their distress. In this way, we recognize that people have a moral interest in integrity—which accounts for the sense of obligation people have in striving for it. Personal integrity, in this sense, is a basis for self-respect. It may also be a psychological foundation of moral competence in relation to others. The kind of self-knowledge and emotional stability involved in working out a life ideal enables one to relate responsibly to others: to trust and be loyal, to cooperate. In that regard, personal and social morality are deeply connected. But the claims of integrity, as I understand

⁸ Thomas Nagel, *Moral Questions* (Cambridge, Eng.: Cambridge University Press, 1979), 128-141.

them, are independent of any such connection. When the playwright Arthur Miller was called before the U. S. House Committee on Un-American Activities in the 1950s and asked to identify the attendees at meetings where he was present, he said that, whatever his duty as a citizen, his conscience would not permit him to do so. (He spoke only about his own participation in these meetings.) In contrast, other writers felt that their personal self-regard required them to name names.

Because of the moral interest in integrity, we often, where possible, create a protected space for claims of conscience, such as objection to participation in war. When people act in an official or public capacity, however, claims of conscience are not immune to challenge. Even the most carefully thought-out judgment of an individual could be mistaken, and in any case has no automatic authority for others. As Charles Peirce observes, individuals are as much repositories of error and ignorance as they are sources of novel ideas. And, in the public sphere, novel ideas are on probation until agreement is reached with other reflective inquirers. Through reciprocal correction of expressions of moral sentiment, in civilized deliberation, agreement might be achieved. Even then, the agreement is subject to revision in light of further reflection or discoveries.⁹

The practitioner's first task, accordingly, is to distinguish private beliefs about right and wrong from the reasoning that carries weight in the public realm. Abraham Lincoln grasped this point, when he based his opposition to slavery not on personal conviction but on the Declaration of Independence. Lincoln understood that, in a democratic polity at least, practitioners do not have the luxury of idiosyncratic belief. Principles that are important, even foundational, to oneself do not necessarily have a claim on anybody else. The good practitioner, rather, has a duty to act in accord with practices and principles that are explicable and authoritative. Acceptable grounds of decision are beliefs and values that citizens generally are committed to, or could be after collective deliberation. That is what civility in a democracy requires, and Lincoln exhibited this virtue by appealing to the ideal of equality expressed in the Declaration, the nation's defining statement of common moral principle.

⁹ Peirce's view mirrors Aristotle's: "When great issues are at stake, we distrust our own abilities as insufficient to decide the matter and call in others to join us in our deliberations." *Nicomachean Ethics* III.3, 1112b10, tr. Martin Ostwald. Peirce, *Values in a Universe of Chance*, ed., Philip P. Wiener (New York: Doubleday & Co., 1958), 40.

Even though he saw implications in that document that not everyone saw, the logic of his appeal was public, not private.

The relation between personal ideals and public good is contingent at best. Perhaps indeed the only compelling judgments about the public good are just those that emerge from deliberation with others. Of course, this makes the achievement of collective agreement more problematic, since public deliberation often diffuses power, generates conflict, and requires accommodation, even as it does so in the name of fundamental political values.

[2] **Common morality.** Certain principles appear to be binding on all persons simply in virtue of their humanity, and regardless of anyone's personal conscientious beliefs. We lack a consensus on how robust the list of common principles is, but (nearly) everyone agrees there is such a list. I shall refer to these principles as *moral conventions*. The most prominent examples today are provided by the discourse of human rights.

Moral conventions are formed gradually out of hard-won experience. They are collective considered judgments, the outcome of reflection and mutual deliberation over time—and sometimes across cultures—which confer on them a certain presumptive authority. This presumption places a burden on anyone who proposes to violate them. Michael Walzer describes a set of conventions with this status, known collectively as the rules of war. These conventions honor a certain idea of human dignity, acknowledged even in the midst of some of the most horrible things done by one human being to another. Walzer does not derive these conventions from abstract philosophical principles, but discerns them through close study of actual controversies, specific war-time cases—events that evince human compassion as well as hostility, solidarity as well as depravity.¹⁰ The rules of war are an apt example of what I have in mind because, while pervasive and entrenched, they are not undisputed. Deliberation continues. Today, reflective people wonder, especially, whether the existing conventions are adequate to the new reality of non-state terrorism (or asymmetric warfare, as it is called).

Moral conventions are continuous with social customs and manners, but also distinguished from them by their overriding importance, since they regulate more constant and fundamental interests of human beings—less like matters of dress and personal ornamentation, more like physical and mental health. (Moral conventions should also not be

¹⁰ Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 2nd ed. (New York: Basic Books, 1992).

conflated with coordination rules, such as rules of the road.) It is sometimes said that rules of etiquette and other social rituals differ from moral principles in being artifacts of history and social circumstances, contingent on existing desires and interests, whereas moral principles are noncontingent, inescapable, and unchanging. In using the term moral conventions, I am suggesting a different picture. When we examine the actual history of allegedly inescapable and immutable principles, we discover that they undergo transformation over time, in response to political and social developments, technological change, and evolving needs.¹¹

To underline the distinction between personal integrity and moral conventions as sources of obligation, let me allude again to the status of religiously-informed conscience in public decision making. Mario Cuomo, former governor of New York, wrestled with this issue in his famous 1984 speech at the University of Notre Dame. The problem begins, he observes, “when religious values are used to support positions which would impose on other people restrictions [for example, regarding abortion] they find unacceptable.”¹² As a public official, Cuomo recognizes his duty to abide by the law (which permits abortion in some circumstances), as well as the responsibility to craft a public policy for a pluralistic society (where conscientious citizens differ radically in their views on this issue). Is there, then, no space for his own deeply-held convictions? He believes there is, if he is able to present his stance as an elaboration of a widely-held value. Accordingly, he reaches for a moral convention—respect for life—that can provide common ground. He knows the convention can be specified in different ways, so his way is only one among those possible. But the convention is compelling in itself and provides a basis for mutual deliberation, and therefore the possibility of moving the argument in his direction. Education, advocacy, living one’s life so as to set an example—all of these provide opportunities for furthering the deeply-held conviction, without imposing it on those who find it unacceptable.

[3] **Professional ethics.** The greater part of our moral life is made up of institutional roles and relationships. These are settled patterns of interaction crucial to the quality of collective life. Institutional roles are not just functional but normative: a source of new

¹¹ John T. Noonan, Jr., describes such changes in Catholic moral teachings regarding usury, marriage, slavery, and religious freedom. “Development in Moral Doctrine,” *Theological Studies* 54 (1993), 662ff.

¹² Mario Cuomo, “Religious Belief and Public Morality: A Catholic Governor’s Perspective,” September 13, 1984, 7.

motives and new duties for the individuals who occupy them. Even when practitioners act single-handedly or assume ultimate responsibility for a decision, what they do is usually not done in isolation. They are employees of an agency or members of a team—sometimes complex and hierarchically organized—and have to think about the effects their acts are likely to have on the agency or team itself and its ability to continue its mission. (These relations, of course, easily generate demands of collegial loyalty and pressure not to “over invest” in ethics.) While a code of occupational ethics does not constitute a complete moral identity, it looms large in a practitioner’s moral consciousness.

The meaning of professionalism is not entirely settled, and certainly not fixed, but typical accounts begin with the observation that a profession consists of an organized group self-consciously responsible on a long-term basis for protecting and promoting an important public value. In furtherance of this value, group members develop requisite technical competence (expertise), requiring complex judgment (not fixed rules). Training for competence, in turn, involves a system of credentialing, based on collective standards of knowledge and judgment. (Professional colleagues, one could say, are the best judges of the quality of one’s service.) Typically, this system includes a claim of exclusive jurisdiction over the relevant domain of expertise, and constitutes the group as a distinct social class with a shared identity. Personal motivations aside, the principal measure of success for members of a profession is not financial return but excellent performance in achieving the identified public value.

These matters are complicated, to be sure. Consider the U. S. Supreme Court’s continuing promise, etched in granite: “Equal Justice under Law.” Whatever else one makes of it, the phrase suggests that justice is the guiding aspiration, and legal institutions, informed by legal expertise, are the necessary means to achieve it. This means/end formulation indicates that expertise and professionalism are not the same. Experts may organize themselves into guilds, but they do not necessarily adopt the civic commitment that marks professionalism.

The features I have identified need not be regarded as definitive, but they establish reference points for assessing the status of practitioners in the public realm, about which I shall say more below. The point to emphasize here is that the good practitioner, like other professionals, typically serves clients—who, by definition, require advice or assistance of the

sort the practitioner is able to provide. In offering advice, the good practitioner takes the standards of the profession, technical and ethical, as appropriate guides for decision, rather than personal values or beliefs. To say that personal morality is set to one side is not to say that professionals agree necessarily about the nature of their work. To the contrary, members rarely agree, entirely, on the regulative ideals of their profession, let alone the specific practices and rules they entail. This happens, in part, because professions are made up of such heterogeneous activities that cultivation of a single working ethos makes little sense. More importantly, even members engaged in the same kind of activity may hold very different conceptions of their overall mission. Still, what guides one's advice is some conception of the professional ideal.

An illuminating example is the current quandary in the U. S. (also emerging in other countries like India) about the use of lethal injection in executions. The ethics codes of all relevant medical associations—including anesthesiologists, correctional physicians, and nurses—prohibit their members from participating in executions. Yet it is clear that proper use of lethal injection requires close supervision by these very same medical professionals. Without them, the procedure is easily (and has in fact often been) botched, resulting in the infliction of excruciating pain to prisoners. Taking note of these facts, a number of federal judges have proclaimed that anything other than a medically-supervised procedure is a violation of the Eighth Amendment's prohibition of "cruel and unusual punishment." What is a doctor to do? Here we have a perfect illustration of the tensions that can exist between personal conviction (whether for or against the death penalty), common decency (making available to prisoners the only humane way of being executed, even if one personally regards execution as inhumane), and professional ethics (with one's colleagues attempting to uphold the professional dedication to preserving life where there is hope of doing so). Some physicians have no personal qualms about the death penalty but believe that the social bargain between physicians and the public requires adherence to the ethics code. Others oppose the death penalty—because it is "inhumane, immoral, and pointless," in one view—but believe the prisoner deserves a humane death, minimizing pain and suffering.¹³

¹³ Atul Gawande, "When Law and Ethics Collide—Why Physicians Participate in Executions," *The New England Journal of Medicine* 354:12 (2006), 1221-1229. See also Deborah W. Denno, "The Lethal Injection Quandary: How Medicine Dismantled the Death Penalty," *Fordham Law Review*, v. 76 (2007), 49-128.

We can wonder whether personal ideals are ever reconciled, even in theory, with conventional or professional duties. Whatever the answer, reconciliation cannot be presumed in the lived experience of practitioners. The lived experience is of fragmentation. With this fragmentation, “the types of value that move us are disparate,”¹⁴ and the result is an inevitable clash of duties—even while we may strive as best we can to make them harmonize, or at least not get in each other’s way too much. From a theoretical perspective, the choices of practitioners in the face of this fragmentation are unabashedly ad hoc, but none the worse for that, I would say. The practical question is not whether it is possible to construct theoretical resolutions. Even the most sophisticated theory does not eliminate the moral residue left, ineluctably, by unfulfilled (or incompletely filled) duties. General rationales, including cost/benefit analysis, simply cover over the moral residue, without making it go away.

In the face of this fragmentation, the teacher of ethics attempts to help practitioners see the possibilities for good in what is conflictful, fleeting, uncertain, and partially out of control. The teacher resists an easy cynicism and encourages conscientious risk-taking. Given the complexity faced by the practitioner, the teacher is helpful only if taking all relevant factors into account. Otherwise situations are underdescribed for purposes of normative assessment. Without knowledge of constraints and opportunities, deliberation is either sterile (having no real application) or artificial (producing solutions all too easily). What’s needed is *practical* reasoning.

[II] Practical ethics is strategic ethics.

In the absence of integrated, comprehensive principles, of the sort that moral philosophers often seek, it is tempting to say that power or other nondiscursive factors have the final word in the public realm. As though to say: Reasoning runs out, and then one has to act. That would be one way of giving content to the idea of the practical in practical decision making, but it is not the route I follow.

Grappling with the limits of rationality and the realities of power is important, but the complexity of decision making in public life is not a reason for setting ethics aside. There cannot be a profession of politics unless power and the pursuit of interests are guided by

¹⁴ Nagel, 138.

ethical considerations. But what does it mean to be *guided* by ethics? Does it mean that matters of principle are always decisive? Or, are they just one consideration among others? How then are sound decisions made? To speak of intuition in this context is not helpful, especially if the term is unanalyzed. It suggests a capacity to make decisions without reference to principles altogether. Nor is it necessarily helpful to say that good judgment is learned through experience, for example, through the deeds of exemplary individuals or trial and error in one's own actions. That's fine as far as it goes, but more needs to be said about the craft of the ethical practitioner. The idea of craft, I believe, helps us to understand guidance. An inexperienced cook follows a recipe closely; an experienced cook exhibits culinary craftsmanship.¹⁵

What we need for practitioners is a conception of ethics, and an understanding of guidance, that is appropriately practical. To capture this understanding, I prefer the term *strategic ethics*, which conveys the idea of making a decision or devising a course of action in ways that engage the practitioner's capacity for contingent judgment, informed by principles fitting in circumstances of conflict, uncertainty, and risk. I am aware that the term strategic ethics can be misleading. I am not proposing that ethics, when it is practical, is instrumental to other (non-ethical) purposes. Nor that, in conducting oneself so as to best realize the ideal, one has to recognize, realistically, that one will fall short. There is a tension between the ideal and the real, but that's not the point here. Rather, with practical ethics one follows a different path in determining what the ideal (or the relevant principle) is. Why does that happen? In general, there are three connected reasons why practical ethics is strategic: [1] the imperative of effectiveness, which introduces considerations of feasibility; [2] the interplay of means and ends, which requires constant mutual adjustment between them; and [3] the stickiness of context.

[1] **The imperative of effectiveness.** Practical ideals are different, in part, because efficacy is an ethical duty. That means the criteria of acceptable action include what is feasible and what can be accomplished. One must think not only about what would be good to do but what can be done and what is likely to happen. Thus, what one should do depends

¹⁵ I do not attempt a full account of the idea of craft in this paper. A good starting point for reflection is Aaron Wildavsky's *Speaking Truth to Power: The Art and Craft of Policy Analysis* (Boston: Little, Brown & Co., 1979), especially 385-406.

crucially, among other factors, on what others are doing or can be counted on to do. These considerations are appropriate determinants of a practitioner's end-in-view. Mark Moore captures the importance of efficaciousness when he observes that the reasoning of a practitioner "ha[s] to be grounded in the current realities of the situation, and not make unsupportable assumptions about how the world would change on its own, or heroic assumptions about what [the practitioner] could do to change the world. ... That doesn't mean it couldn't be ambitious, or risky. It is just that the risks ha[ve] to be calculated. Moreover, riskiness necessarily discount[s] the value of any strategy ... being pursued."¹⁶

Ends-in-view, in John Dewey's language, guide the emergence of specific activities and provide criteria for evaluating their success. These ends are focal points of human striving. But the ends we are interested in are not just abstract creations of the imagination; they must take concrete form and prove themselves workable in society. The factors that enhance, or impair, the effectiveness of particular acts or policies or institutions determine whether or not an existing social problem can be addressed—and how.

On a grand scale, a straightforward example is James Madison's argument for democracy in a large country. A representative, rather than participatory, form of government is not second-best, in Madison's view; it is the most compelling ideal under certain demographic, geographical, and cultural conditions. On a smaller scale, consider rules regulating police officers' use of deadly force. An initial (abstract) formulation of the ideal might be: minimize the risk of taking human life. This would support the rule that deadly force should be employed only as a last resort. However, the operative rule in most U. S. police departments is different, even when "last resort" language is used. And that's because of the need to take certain practical considerations into account. These include: (a) whether the rule can be readily followed in the kind of rapidly-evolving circumstances that officers encounter on the street; (b) whether the rule allows for officers' legitimate concerns for personal safety; and (c) whether the rule is consistent with a routine process of accountability. These practical considerations are not compromises with the "true" rule of conduct derived from abstract principles; they are valid criteria for determining which rule it is reasonable to

¹⁶ Mark H. Moore, "On Creating Public Value" [draft, September 2003], 5 n.11.

adopt in the first place. The reasonable rule is: Deadly force is permitted when an officer is threatened with serious bodily harm.¹⁷

One might characterize this reasoning as adjusting multiple principles to one another, but that would distort what is going on. Practical ethics is not just about moral principles and cultural ideals; it is also about forms of social organization, or the critical interplay between principles and forms. One criterion of the reasonableness of a principle is that it can be sustained in institutional and professional settings. Proper design is not simply instrumental, figuring out means to predetermined ends. It is itself a carrier of moral value, where each institutional form “is a kind of constitution establishing a framework for the future dealings of the affected parties.”¹⁸ It matters greatly, therefore, which form it is.

To regard capacity and the likelihood of outcomes as determinants of practical ideals is to say that *ought implies can*. Practical ethics requires decision making that takes into account the powers, opportunities, and constraints, as well as the interests (including moral interests) of human agents in particular circumstances. The good practitioner thinks strategically in constantly adjusting the fit among these considerations, attempting to integrate them to form operable plans of action. This is not to say that judgments of capacity and estimates of likelihood are static or fixed. Leadership makes a difference; for example, when one is able to mobilize support from initially indifferent or even hostile parties, or elicit help from outside agencies, to achieve one’s objectives.

[2] **The interplay of means and ends.** Practitioners are concerned, then, not just with what to do but how to do it. And how something might, or might not, get done is crucial in determining what to do. The proverbial “ten smart people” might be dazzling in their ability to devise solutions to problems, but clueless when it comes to the organizational infrastructure that decides whether any proposed solution is viable. In general terms, the practitioner’s responsibilities, whether in designing institutions or formulating policies or

¹⁷ For a more extended discussion, see Kenneth Winston, “Teaching With Cases,” in *Teaching Criminal Justice Ethics: Strategic Issues*, eds., John Kleinig and Margaret Leland Smith (Cincinnati: Anderson Publishing, 1997), 161-181. Roger Wertheimer discusses practical considerations in setting rules on the use of deadly force in “Regulating Police Use of Deadly Force,” *Ethics, Public Policy, and Criminal Justice*, eds. Frederick Elliston and Norman Bowie (Cambridge: Oelgeschlager, Gunn & Hain, 1982), 93-109.

¹⁸ Lon L. Fuller, *The Principles of Social Order: Selected Essays*, ed., Kenneth Winston, rev. ed. (Oxford: Hart Publishing, 2001), 286.

giving advice, cannot be carried out without a simultaneous focus on ends and means—not only because both have moral effects, which is true enough; not only because what is an end in one context is a means in another (for example, good health is an end in itself but also a condition of human flourishing, which is a factor in determining what counts as good health); but also because ends and means invariably interact and involve each other.

I have commented elsewhere on the importance of attending to these interactions in thinking about the implications of current efforts to transfer governmental tasks to private firms, i.e., “the market.” It is commonly assumed, for example, that public practitioners can use market mechanisms to pursue their goals, without changing these goals in the process. The interaction of means and ends suggests otherwise. Two things may happen: practitioners may focus on only some ends, thereby neglecting others, or they may fail to grasp how new ends intrude through the market itself. A mechanism such as contracting out does not, typically, improve citizen participation, let alone transparency or responsiveness. Demand-side financing (as with education vouchers) may improve accountability but impair collective self-government. In general, markets are not value-sensitive unless they are made deliberately so. That is the rationale for building “social markets,” in which specific political values—racial and gender equality, workers’ rights, habitat preservation—are incorporated into market calculations.¹⁹

Or, consider the example of Oxfam America’s recent decision to change its operational focus. At a sufficiently abstract level, one could say Oxfam retained its original goal—the alleviation of poverty—and simply altered the means for achieving it. Wanting to attack not just the symptoms of poverty but its structural causes, the organization moved from a primary focus on capacity building by means of grassroots partnerships in developing countries, to a global campaign targeting government policies and corporate practices in the developed world. This shift entailed a new strategic conception—now “rights-based” rather than humanitarian—as well as new offices in the nation’s capital, staffed by people with very different skill sets, invested in gaining access to officials in the U. S. government. Once we examine this shift in detail, it becomes clear that Oxfam America’s original mission was more

¹⁹ Kenneth Winston, “Moral Competence in the Practice of Democratic Governance,” in *For the People: Can We Fix Public Service?*, eds., John D. Donahue and Joseph S. Nye Jr. (Washington, D.C.: Brookings Institution Press, 2003), 182.

fine-grained: not simply the alleviation of poverty but doing so in a specific way, through active participation and empowerment of local populations. This end was largely lost, or at least compromised, when the organization began devoting more of its resources to lobbying members of Congress. Oxfam America became a different kind of organization.²⁰

[3] **The stickiness of context.** The imperative of efficacy means that ends-in-view are different because context makes a difference. Practical ethics has no grip outside of historical, political, institutional, and moral settings. Ethical decision making is a function of contingencies. Determining feasibility, for example, encompasses both administrative and operational factors. Relevant considerations are the availability of resources; the prevailing division of organizational functions; and the pressures presented by powerful actors, especially those with control over critical assets. At a given moment, circumstances will set constraints and provide opportunities. (We should keep in mind that constraints can be enabling, not just limiting.)

Reasoning that turns on contingencies is not any less reasoned for that, but it takes a different shape. Many considerations come into play, legitimately, that would not appear in abstract statements of ideals or values. Moreover, application to specific circumstances is not an afterthought or an exercise subsequent to working out guiding principles. Specific circumstances are integral to figuring out, in the first place, which principles are reasonable, as the example of the deadly force rule demonstrates.

Tocqueville observes somewhere that one of democracy's virtues is that its mistakes are retrievable. But that's not entirely correct. Limited control, combined with limited foresight, means that acts often have unintended consequences and turn out to be mistakes, yet are not easily altered. Since the sequence in which things happen is often crucial to outcomes, alternative courses of action are sometimes irreversible (increasingly so with time), precisely because they were not initially chosen—and mechanisms of self-correction are absent. In some instances, particular acts or policies, once initiated, are self-reinforcing; they

²⁰ For details, see Esther Scott, "Oxfam America: Becoming a Global Campaigning Organization," KSG Case Program C16-04-1738.0. The reasons for Oxfam's shift are not very persuasive, in large part because an "insider strategy" involving wedge issues decidedly to the left of the political spectrum makes little sense in the context of U. S. domestic politics. Meanwhile, the organization risks its moral standing and alienates much of its donor base.

generate commitments and investments of social capital that are perpetuated even if they are suboptimal.

The importance of sequencing and cumulative effects is evident in Harry Truman's decision to use atomic bombs to end the war against Japan. (Truman's decision remains one of the most popular cases in my Ethics, and the discussion is especially rich when there's a good mix of Asian students in the class.) By the time Truman is poised to authorize use of the bombs, his moral space is sharply constricted. Perhaps most important, the end of the war in Europe created a climate of impatience, not to say fatigue, and thus great pressure to end the war in the Pacific as soon as possible. This impatience was likely behind the urgings of various parties, within and outside the U. S. government, that Truman "clarify" the conditions of surrender. Meanwhile, the Japanese made it clear that, even though they knew defeat was inevitable, they were ready to make the war extremely costly to the Allies, as shown in particular by the ferocious battle on Okinawa, to deter the Allies from invading the home islands. Beneath this effort lay the desperate hope that the Japanese leaders could engineer a kind of negotiated peace, which would allow them to retain the apparatus of the imperial political system (not just the emperor, as some commentators would have it). In Truman's view, such a peace would have undermined the strategic objectives of the war, which were, primarily, to bring about a democratic and demilitarized Japan. This much, and more, can be said without mentioning such factors as the sheer inertia produced by various prior commitments, if not to use of the bombs, then to steps that made sense only in contemplation of their use.

Truman's is an instructive case, for one thing, because it is not obvious where one should be standing to make a reliable judgment. Is it crucial to have been near enough to the event to take account of the felt urgencies of the moment? Or is it better to be standing at a distance, with more factual knowledge at one's disposal and more opportunity to reflect—but with the inevitable taint of hindsight? One bit of knowledge (or anecdote) that surfaced when Japanese documents became available illustrates the possible role of accident in the way events unfolded. At the late-night Cabinet meeting on August 9-10, Japanese military leaders continued to resist the idea of surrender. They downplayed the importance of the Hiroshima bombing, with the Minister of War denying that the city had been struck at all. During the meeting, however, the news of Nagasaki arrived, as well as a report that "the Americans

appear to have a hundred atomic bombs ... they could drop three per day.” Where did that report come from? It turns out that a U. S. pilot was shot down on August 8 and, lying to his interrogators, said the U. S. had a hundred more bombs, and the next target would be Tokyo. This news was relayed immediately to the Cabinet and apparently had an effect, although whether it was decisive we do not know.²¹

[III] Prudence is the master virtue in practical ethics.

Max Weber asks: “In which area of ethics, so to speak, is [politics] at home?” He suggests that the animating passions of politics—the pursuit of “ultimate ends”—must be tempered by an *ethic of responsibility*, which constrains the commitment to grand principle by sensitivity to consequences for specific persons. So, while politics is born from passion and nourished by it, it becomes a mature human activity when disciplined by practical judgment. Responsible public servants have a feel for the particularity as well as the complexity of political action. They pay more attention to individuals than to abstractions. They appreciate the fallibility of human planning and the inevitability of unintended consequences.

Weber admired the person of principle, the person who says “Here I stand. I can do no other.” But it is one thing to see in this pronouncement a demand to respect the imperatives of personal integrity, another to see it laying down a valid claim on the conduct of others. The ethic of responsibility rejects personal conviction as a measure of the rightness of action, and cautions against centering one’s thought on matters of abstract principle. (To paraphrase Emerson’s typically pithy comment on language: All principles are vehicular and transitive, and are good, as ferries and horses are good, for conveyance, not as farms and houses are good, for homestead.²²) To be strategic in ethics does not mean that practitioners pick and choose which moral responsibilities to attend to, or which constituencies to be accountable to. Moral duties, as I understand them, are not a matter of strategic choice.

²¹ For a brief account of the Japanese cabinet meeting, see Colin Dueck, “Alternatives to the Bomb,” in *Ethics and Politics: Cases and Comments*, 3rd ed., eds. Amy Gutmann and Dennis Thompson (Chicago: Nelson-Hall Publishers, 1997), 23. The pilot’s story is recounted by Nicholas Kristof, *The New York Times*, August 6, 1995, 11.

²² Ralph Waldo Emerson, “The Poet” [1844], *The Essays of Ralph Waldo Emerson* (Cambridge: Harvard University Press, 1979), 238.

Rather, to think strategically is to figure out what one's moral duties are in light of the ineluctable contingencies of action. These are matters of discovery, not invention.

At the same time, strategic ethics entails a certain understanding of virtue in the public realm. Strategic ethics is not a function of personal virtue but of moral competence in dealing with complex institutional and political exigencies—not attributes or dispositions of individuals in isolation but of capacities adequate to producing certain effects in the world, including the means by which one gains influence over others. In the world as it is, the good practitioner exhibits, above all, the virtue of prudence, taking into account things as they are—the limitations of regimes, the faults of human beings, the disorder of society and economy, the quest for power—in order to act effectively for good. Secondary qualities include the so-called executive virtues: self-command, decisiveness, fortitude, spiritedness, persuasiveness, skill in negotiation, and so on. “Leadership” is often used as an umbrella term for these attributes.

Abraham Lincoln again provides an example. Although Lincoln proclaimed his opposition to slavery from early on (“if slavery is not wrong, nothing is wrong”), he refused to align himself with the abolitionists. Up to and into the Civil War, his effort was to prevent the extension of slavery to new territories, not to abolish it where it already existed. Accordingly, in setting out the position of the Republican Party in 1858, he declared: “If there be a man amongst us who does not think the institution of slavery is wrong ... he is misplaced, and ought not to be with us.” However: “If there be a man amongst us who is so impatient of it as a wrong as to disregard its actual presence among us and the difficulty of getting rid of it suddenly in a satisfactory way ... that man is misplaced if he is on our platform.” Lincoln realized that commitment to abstract principle is not the sole determinant of action. He had also to take account of hard facts and constitutional strictures. This was not abandonment of principle but a more complicated account of the considerations that must guide practical action—no less moral than the abolitionists and perhaps more so.²³

This account reflects the classical understanding of prudence as practical wisdom, in contrast to the tradition since Kant. For Machiavelli, as for Aristotle, prudence is the master virtue, regulating the good practitioner's regard for every other virtue and moral principle.

²³ Bernard Crick, *In Defense of Politics*, 2nd ed. (Chicago: University of Chicago Press, 1972), 159-163.

This includes skill in managing competing claims and the ability to tolerate moral ambiguity. The commitment to core values is balanced by an appreciation of recurrent perplexities and tensions. Though usually identified with patience and self-restraint, prudence does not exclude boldness; it is not risk-averse, although perhaps only on occasion audacious.

In exercising prudence, the practitioner learns more from cumulative experience than philosophical reason. What is it about cumulative experience? Aristotle says, in ethics, we ought to attend to the sayings and opinions of older, experienced people, that is, people of practical wisdom. These are people with a finely developed sense of what matters, and why it matters. Practical wisdom is neither a science nor an art; it is not a matter of logical demonstration or of purely technical skill. It is the capacity to judge reliably in particular situations so as to act for the good. “[B]ecause experience has given them an eye, they see aright.”²⁴ The person who judges reliably has an apt temperament and is not distracted by pain or pleasure or unruly passions. More importantly, experience is required because “matters concerned with conduct and questions of what is good for us have no fixity, any more than matters of health.” Particular cases “do not fall under any art or precept but the agents themselves must in each case consider what is appropriate to the occasion,” as happens also in medicine or navigation. (Along the same lines, Confucius [*Kongzi*] says: “In his dealings with the world, the *junzi* [exemplary person] is not invariably for or against anything. He is on the side of what is right.”)²⁵

The need for experience is, most strikingly, what separates practical ethics from any theoretical enterprise. And this again points up the epistemic problem of the ethics teacher. If cumulative experience is critical to mastering one’s subject matter, the teacher must be (or have been) a practitioner. The art of teaching encompasses the ability to convey how contextual factors, local knowledge, and tacit understandings make a difference in ethical diagnosis. Even then, the classroom experience would necessarily be of only limited benefit. Since practical experience comes only through practical experience, the development of an appropriate ethical sensibility cannot be gained simply by classroom learning—although

²⁴ *Nicomachean Ethics* VI.11, 1143b13, tr. W. D. Ross. See also 1140a25-1140b19 and 1104a4-9, for the comments that follow. I should note that, in appealing to Aristotle, I am not attempting to expound his meaning, so much as marshalling support from a source that many of my readers are likely to regard as an authority. And so for the use of other philosophers.

²⁵ *Analects*, tr. Simon Leys (New York: W. W. Norton & Co., 1997), 4.10.

much can be done by way of partial imitation of the real world, through case discussion, group exercises, and simulations.

The emphasis on particulars can be taken too far, but Aristotle's observations point up the special problem in teaching ethics to young graduate students. Their lives are not yet informed by the judgments of individuals with experience in the relevant domains of activity. For them, especially, history is better than philosophy for gaining practical wisdom.

A different method for utilizing resources beyond personal well-formed opinions, and thereby learning from cumulative experience, is to rely on established institutions and practices, up to a point. Organizational routines, and the concomitant division of labor, provide an obvious way for decisions to be made, particularly when it is not entirely certain what the decision should be. People not only do not want to re-think every issue on every occasion; they cannot possibly do so. (This is another bit of stickiness.) Relying on existing institutions is not necessarily inferior, as a method, and meanwhile they could be a product of common agreement. On the other hand, the very fact of their existence can frustrate or undermine the pursuit of practical ideals. Existing rules are only as good as the normative work that led to their formulation. They may embody past problem-solving whose rationale has long since become obsolete.

The good practitioner does not dispense with rules entirely, but remains alert to the ways that rules can lead one astray. Too fastidious a commitment to rules produces the conundrums that arise from procedures generally. While process values—order, fairness, accountability—are of great importance, they are also at times obstacles to timely and effective action. Stephen Bailey calls this the paradox of procedure, and he warns that the practitioner who cannot recognize and deal with this paradox will be trapped by it. “For in the case of procedures, he who deviates frequently is subversive; he who never deviates at all is lost; and he who tinkers with procedures without an understanding of substantive consequences is foolish.”²⁶

Rule-centeredness has its reasons. In some areas, strict adherence to written rules helps to preserve important values: for example, when clarity and determinacy give citizens advance notice regarding conduct likely to incur severe penalties. Even then one can soften

²⁶ Stephen Bailey, “Ethics and the Public Service,” *Public Administration and Democracy*, ed., Roscoe C. Martin (Syracuse: Syracuse University Press, 1965), 486.

the effects of strictness, to a degree, by elaborating the rules, identifying aggravating or mitigating factors that will affect liability. But in situations of complexity, or of flux, where flexibility and adaptiveness are critical to acting effectively and well, the pathologies of rule-centeredness become evident. To avoid the rigors of a rule, especially where a literal reading would lead to injustice, different techniques are available. One is attending to the fact that a rule, typically, is an indicator of a purpose, or a set of them, whose dimensions may not be immediately obvious but which ought to guide any understanding of the rule's meaning and scope. Another strategy is to shift to higher ground, as it were, and invoke an applicable standard, that is, a norm of more general application, especially one embodying discretionary terms like "decent," "reasonable," and the like. In practice, the significance of these discretionary terms is not that they leave judgment unguided; rather, they invite reliance on tacit understandings and expectations in deciding specific cases.

Discretionary terms also allow for assessing the relevance of multiple considerations not readily formulable in a rule. An illuminating example, with implications for the pedagogy of practical ethics, is provided by educational institutions that have honor codes requiring self- and peer-reporting. At the U. S. Naval Academy, for instance, midshipmen face a difficult conflict of loyalties when they encounter misconduct by fellow students. Either they report the misconduct and thus display their loyalty to the institution (which the Academy's rules require), or they choose not to report and thus remain loyal to their colleagues (which prevailing social norms require and, not coincidentally, the Academy itself encourages). These conflicting norms could create excruciating dilemmas for midshipmen, but two mechanisms are available that mitigate the rigors of the rules and thus alleviate the pain.²⁷

First, in implementing its requirement, the institution actually gives midshipmen a choice of three courses of action: report the misconduct, counsel the alleged offender and then report the misconduct, or simply counsel the alleged offender to prevent future misconduct. Interview data reveal that the last option, simple counseling, is considered preferable by most midshipmen, because it allows them to avoid betrayal of either the institution or their peers. However, that does not settle the matter. A midshipman can still be called to account for the way he or she responds to a known honor offense. So, one has to be prepared to defend one's

²⁷ I follow the descriptive account by Jana L. Pershing, "To Snitch or Not to Snitch?," *Sociological Perspectives* 46:2 (2003), 149-178, but bring out a dimension of rule-following that she misses.

choice of response. That defense typically turns on several factors, such as whether the malefactor is a plebe (first-year student); whether there are reliable signs, during counseling, that the individual has learned from the mistake (or from being found out); and whether, overall, the individual appears to be a person of good character and shows general promise as an officer. In other words, rule-violation is not the real issue but is, rather, the occasion for making a more crucial determination of what kind of person (and possible colleague) someone is. Developing the ability to assess these factors and respond appropriately is part of the learning experience at the Academy.

This is one way of educating for judgment.²⁸

[IV] Practical ethics avails itself of what makes sense to people.

Good practitioners integrate ethical concerns with technical expertise. For the sake of discussion, I assume we understand what technical expertise consists in. Is there also expertise in ethics? That is certainly the view in the academy, where philosophers study *applied ethics* and often regard themselves as having special competence in practical matters. They even believe sometimes that their judgment on issues of public policy is superior to that of practitioners. An illustration of this self-assessment is the resolution on the Bush administration's preparations for war in Iraq adopted by the eastern division of the American Philosophical Association, in December, 2002. The academic ethicists declared they had a "special obligation" to speak out—a professional duty based on their expertise.

Does an academic degree in ethics enhance one's competence as a moral agent or moral advisor to governments? Detachment from the world provides opportunities for systematic and dispassionate inquiry. But the skills that academic ethicists are trained in—textual exegesis, conceptual analysis, logical evaluation of arguments—are neutral skills that presuppose no moral virtue or special moral insight. Meanwhile, they lack training in history, in empirical analysis, in policy design—all of which are essential in practical decision making—not to mention the wisdom that comes from experiential learning. Academics are

²⁸ Pershing discusses at length cases of midshipmen who chose not to report misconduct. In describing these cases, she avoids the language of justification and excuse, used by the midshipmen themselves, and rather talks about their "techniques of neutralization" by which they "deny responsibility" for situations they find themselves in. With these terms, Pershing inserts her own judgment that the midshipmen are simply offering rationalizations for their unjustified and inexcusable failure to act. Perhaps her judgment is correct, but to establish it would require moral analysis.

not faced with the exigencies of acting effectively in the world, which—beyond a grasp of the logic of arguments—requires careful diagnosis of the political environment, imagination in formulating possible forms of intervention in the world, and factually-grounded judgment for assessing the prospects of success.

Many philosophers will not be troubled by these observations, because they regard themselves as engaged in an entirely different enterprise, addressing a different set of questions. They do not aim to figure out what someone in public life ought to do, or ought to have done, in particular circumstances. Indeed, they deliberately abstract from decision making in particular circumstances, to examine the implicit or background theories that are thought to support—or *could* be thought to support—judgments in specific cases. These theories are examined for themselves, and often lead in a natural way to somewhat esoteric but connected studies of the meaning of moral terms, types of moral motivation, and methods of justification for moral claims. It is in the pursuit of methods of justification, especially, that some philosophers articulate and deploy “grounds” of moral judgment. The idea is that ordinary moral thinking is unsystematic and lacks a reliable method. The philosopher’s contribution is to render moral reasoning orderly and determine what considerations warrant one specific judgment or another. Which grounds of justification are rationally defensible? In this view, the claims of philosophers are actually proposals of criteria of correctness in judgment. Where an act is declared, by an ordinary person, to be right (or wrong), the philosopher’s account identifies the right-making (or wrong-making) feature of the situation, that is, the standard by which rightness (or wrongness) is, or can be, assessed—perhaps the will of a superior power, or maximization of utility, or a principle of reciprocity. Whichever view is favored, these philosophers believe that judgments in specific cases are no better than the theory that supports them. The disciplinary impulse is at work, and provides its own vindication by producing an ultimate test of morality. Theory is indispensable to moral action.

Practical decision making, however, is not a theoretical enterprise. Academics and practitioners are indeed preoccupied by different questions. Where the moral philosopher asks “What is the true theory of morality, and what does it justify?,” the practitioner asks “What is it reasonable to do in these specific circumstances?” The reasonable depends on

what makes sense or what commands some loyalty.²⁹ Ethical deliberation, when it is practical, occurs within received modes of thought and understanding. The meanings by which practitioners (and citizens generally) comprehend their experience are what matter, including their views about what is decent and fair and right. Practitioners orient themselves by means of common sense beliefs and maxims, settled conventions, exemplary models of ethical conduct (or anti-models), and analogies to familiar situations about which people agree. (The relative objectivity of a moral accounting depends on the availability of a common or overlapping understanding and an authoritative idiom to express it.) Within this frame, novel ideas meet considerable resistance, not just from entrenched interests and settled structures but from familiar and accepted ways of thinking. The warrant for taking accepted ideas as touchstones is both epistemic and ethical: epistemic because novel ideas are conjectural and untested, ethical because novel ideas destabilize existing expectations and patterns of cooperation.

Thinking practically about ethics means grounding public morality in social life, rather than the exercises of a self-reliant intellect. Practical deliberation occurs within an ongoing normative order, implicating existing currents of thought and sensibility, including authoritative precepts and techniques, institutional forms and ideals. Of course, ethical reflection must get beyond the merely habitual. If customary norms were merely habitual, that is, followed unthinkingly, withheld from scrutiny, never reflectively re-affirmed, their authority would be weak. Further, commonly accepted ideas sometimes embody unexamined prejudices or elements of false consciousness that need to be discarded or surmounted. But appealing to received modes of thought does not preclude reflection and reformulation. Conventional morality includes not only first-order substantive norms but second-order criteria for their acceptance. Second-order conventions stipulate the ground rules of moral judgment. They range from obvious criteria like sincerity and consistency of reasoning to less frequently articulated but no less important conditions like grounding one's judgments on well-founded statements of fact and taking account of the claims and expectations of others (thereby moving from an individual to a general point of view). These criteria, it should be emphasized, are not some philosopher's theoretical construction. They are settled,

²⁹ Bernard Williams, *Ethics and the Limits of Philosophy* (Cambridge: Harvard University Press, 1985), 116.

authoritative, and integral features of conventional moral discourse, learned ineluctably in conforming to the morality of a particular society. They make possible the criticism and correction of first-order norms that figure into everyday moral deliberation.³⁰

This is not to say that all second-order criteria are perfectly clear and obvious to everyone. One way to understand the project that at least some philosophers are engaged in is to regard them as expounding existing conventions, in particular the implicit or latent—or, if you prefer, the deeper and more central—conventional understandings of what makes a judgment a moral judgment. That, at any rate, is how I interpret the work of so-called contractualists, who regard mutual accountability among free and equal persons as offering the best construction. These efforts are highly speculative and controversial, but they are attractive because they capture, in sophisticated form, an idea of moral equality that is deeply embedded in everyday self-understandings. (Moral philosophy is most insightful when grounded in good moral sociology.)

It is in this context that I take Bernard Williams's claim that *legitimacy* is the first problem of public action.³¹ Ideas or commitments, if they are practical, gain whatever authority they have by connecting to the self-understandings by which people lead their lives, including first-order and second-order conventions. To be sure, these meanings are not always consistent. The existing normative order may express an ideal in one sphere, for example, that is in tension with its denial in another sphere. Consider the remarkable fact that, in the U. S., we have the highest prison incarceration rate in the world, often in brutal conditions, while the Whole Foods grocery chain, which caters to upscale consumers of organic produce and free-range chickens, no longer sells live lobsters because keeping them in cramped tanks for long periods is inconsistent with a concern for animal welfare. Reflective practitioners interrogate these moral tensions, without necessarily attempting to resolve them. Resolution is the product not of personal conviction but the evolution of existing conventions and institutions.

³⁰ H. L. A. Hart, *Law, Liberty and Morality* (New York: Random House, 1963), 71. Ronald Dworkin elaborates Hart's line of argument without the claim of ineluctability, thus in more purely conventionalist terms, in *Taking Rights Seriously* (Cambridge: Harvard University Press, 1977), 248-253.

³¹ Bernard Williams, *In the Beginning Was the Deed: Realism and Moralism in Political Argument* (Princeton: Princeton University Press, 2005), 77.

The imperative of legitimacy is a key reason that practical ethics cannot be applied moral philosophy. Good practitioners work within ideological and political parameters—the *public conscience* of their time, as I prefer to call it—including widely shared moral values and dominant constructs of the right way to be, say, a Marxist or a democrat. These values and constructs constitute a major component of the normative environment within which the practitioner works. Some parts of the normative order, of course, are more or less determinate than other parts; some are more or less authoritative. Ethical ideas can be inchoate and emergent; they can also become obsolete, with altered values, new forms of organization, and new scientific or technological developments. (For a recent example of dramatic change in moral norms, consider the consequences of scientific findings on second-hand smoke. Cigarette smokers have come to be regarded not only as foolish for engaging in self-destructive behavior but also a gratuitous danger to others.) Whatever the specifics, reasoning occurs within the taken-for-granted legitimacy of certain values and certain relationships; moral coherence cannot be imposed by fiat.

A practitioner must be able to judge whether a particular act or policy is correct. But the criteria of correctness are, as it were, exogenous. Since a practitioner works in a political and institutional context, the criteria of correctness come from the practitioner's environment, which can include values based on religious faith or ethnic loyalty or national pride. Especially in democratic polities, these criteria rightly figure in to determining which act or policy is correct, whether or not they accord with the dictates of abstract philosophy or the practitioner's personal values. The exogenous character of criteria of correctness enables us to see why professional life constantly raises challenges to personal integrity.

The principles that legitimate a practitioner's decisions are neither timeless nor necessary. They are always evolving, although they may achieve a steady state over a considerable period. Moreover, reasonable disagreement never entirely disappears even during stable periods. In other than exceptional times, certain views will prevail and define the boundaries of authoritative deliberation. Further, legitimacy is a matter of degree and does not require meeting the most stringent standards; an act can be legitimate, for example, without being just (or fully just). Even more, contingent facts play a crucial role in judgments of legitimacy. For example, if it is judged that there is no feasible alternative to a course of action, or no acceptable alternative for a person in a particular position, it gains in legitimacy.

To take one instance: We may believe that legislators ought to cast their votes on the basis of a thorough assessment of the merits of proposed bills. Only the merits, we might say, provide relevant reasons for a decision. But consider the legislator who says of a particular bill: It is the right thing to do, it is in the public interest, but “they’ll kill me in my district if I vote for it; I can’t.” Can the legislator be denied the relevance of thinking about the next election? Assume, if you need to, that in the previous election the margin of victory was only a thousand votes.

Or, suppose the question is how to design a social security program. Let’s posit two simple options: conceive of it as a social entitlement or as an insurance plan. If citizens in a particular polity are more responsive to considerations of individual fairness than arguments based on obligations to fellow citizens, a reasonable scheme would build on the idea that hard work and regular contributions are the proper bases for receipt of benefits. (The existence of a range of opinions means there will be a basis for critique, but certain views will be dominant.) Ideas of fairness and civic obligation do not stand alone, but other policies they connect to would also be evaluated in terms of self-understandings.

In general, the reasonable depends on what others already believe, what they regard as authoritative or settled. At any given moment, there is an ongoing moral conversation, much of which we take for granted in practical decision making—not simply because we lack the time or ability to sort through everything (determining what we can still affirm after serious reflection) but because the ongoing conversation embodies the yardsticks of practical thinking. This is not to say a practitioner’s decisions will necessarily be popular or willingly complied with, but legitimacy requires that, in the event of substantive disagreement, a background norm or institutional process grants the practitioner authority to make such a decision. Perhaps the public does not believe it is wise or fair; they could still believe it is within the practitioner’s domain.

It is worth emphasizing that nothing I have said is intended to obscure the difference between what is legitimate and what is right. They remain analytically distinct. What is right cannot be determined by appealing solely to widespread opinions or settled customs, since, no matter how compelling, they could be wrong. At the same time, any human source could be wrong; that is what fallibility means. (Even the pronouncements of divine oracles are interpreted and assessed by human beings.) So, the question remains whether there is reason

to regard collective opinions as carrying some authority, in the way moral conventions appear to do. We might recall that Aristotle's confidence in "the many" is premised on the emergence of collective wisdom out of public deliberation (under certain conditions), where each limited individual contributes to produce qualities none alone possesses.³² This confidence is reinforced by three considerations: *intellectual*—the conviction that the whole of truth is never contained in a single point of view; *professional*—that warranted standards of conduct emerge from collegial reflection on shared practices; and *democratic*—that humility with regard to truth claims is entailed by respect for others.³³

[V] Practical ethics is a branch of professional ethics.

Public practitioners engage in a wide variety of activities, in many kinds of organizations. Some have positions at the highest levels of government, or serve in various ancillary capacities such as policy advisor, communications director, budget analyst, or legislative aide. Others work in international organizations (as project supervisors or economists for the World Bank, say), or in the not-for-profit sector (as community organizers or fundraisers), or in the for-profit sector (as consultants or government affairs officers), and so on. Clearly, these roles are quite diverse, and it may seem foolhardy to attempt to encompass them all in a single classification. Yet, together they make up the clientele of schools of public management and policy.³⁴

And schools of public management and policy (PMP) are professional schools. Perhaps that is an accident of history, or an incidental result of university organization. Still, the graduates of PMP schools share certain crucial characteristics with graduates in law and medicine. Insofar as PMP schools are professional, it is not merely because they offer technical training for a powerful elite, but because they cultivate the self-conscious aim of promoting and protecting an important public value, specifically, improving the practice of public institutions, for which the technical training is instrumental. To aim at improving public institutions requires an idea of what shape public life should take; in the broadest

³² Aristotle, *Politics* III.11, 1281b1ff., tr. Benjamin Jowett.

³³ I owe this formulation to Lon L. Fuller.

³⁴ In some instances, a practitioner's client is also a practitioner with a client, for example, an advisor to a legislator who has a constituency. This complication does not affect the general points I make here.

sense, therefore, it is a political undertaking. The core value is the public good, the realization of which requires skill in policy making, management, and leadership.

With this conception, we can say that practitioners in the public realm resemble professionals in some respects and not in others: more so, for example, regarding the exercise of complex judgment in serving clients, less so in possessing a distinctive social identity. Most problematic, perhaps, is the system of credentialing, and the concomitant claim of exclusive jurisdiction. While PMP schools promote themselves as essential for gaining the right sort of competence, it has to be conceded that many people do quite well in the public sphere without such training.

Professional integrity: the two masters.

However conceived, professional skills are sufficiently complex that clients are not always well positioned to judge the quality of the service they receive. Or, to the extent they do judge quality, they are more likely to use desired outcomes as their measure than the expertness of the advice itself. Thus, an asymmetry of knowledge and judgment lies at the core of the professional/client relationship, and the proper use of this power is a central issue in professional decision making. This is especially important when one realizes how much indeterminacy there is in professional knowledge, even in the major professions. Renee Fox comments on the plight of young professionals who are unable to distinguish between their own imperfect mastery of what they were taught in school and imperfections in the knowledge itself.³⁵

For professionals in the public realm, a different kind of problem commonly arises. Serving a client means viewing matters in terms of the client's objectives. That includes speaking to the client's common sense and grasp of reality, reasoning within ideological and political frames of reference, taking into account which possibilities of action are feasible and likely to succeed—while attempting to promote and protect public values. The difficulty is that promoting public value by working for a client is a double-edged sword: an opportunity but also a danger. It is an opportunity because a working relationship is typically a necessary

³⁵ Renee Fox, "Training for Uncertainty," in *The Student Physician*, ed., Robert K. Merton (Cambridge: Harvard University Press, 1957), cited by Robert J. Nash, *Real World Ethics: Frameworks for Educators and Human Service Professionals*, 2nd ed. (New York: Teachers College Press, 2002), 88.

condition of effectiveness. Only with access to clients, and the ability to sustain respectful relationships with them, is one likely to accomplish something in the world. But dependence on a client introduces potential pitfalls. The proximity to power and the desire for influence can cloud the mind and divert the practitioner from what is right. The result can be corruption of judgment.

Many academics feel a strong aversion to client relationships, which are considered very sticky, morally speaking. The sociological literature, in particular, is given to debunking professions by regarding members as concerned more with their own fate than society's, more interested in monopolizing an occupational niche than providing a public service. This disdain is combined sometimes with a general distrust of government work. For example, in a classic discussion of the role of intellectuals, Robert Merton distinguishes "bureaucratic intellectuals" from "unattached intellectuals" and emphasizes the frustrations felt by the former group—whose normal state, by implication, is unattachment—struggling with the compromises and accommodations required by involvement in public decision making.³⁶ Similarly, political scientist Douglas Amy says that independent policy analysts, especially academics, "being freer from client and peer pressure," are better able to integrate ethical considerations into their policy advice.³⁷ These observations strike me as like trying to clear one's lungs without drawing a breath from the ambient air, to borrow an image from Dewey. Too much disdain for the exigencies of practical decision making is disabling, even if it is also true that the ability to exercise sound professional judgment may require special measures, to preserve precarious values against opportunism and self-seeking. The point I would emphasize is that autonomy of judgment does not necessarily require occupational autonomy. For some practitioners indeed a formal relationship to government is essential to the professional role. But dependence on the government for employment is separable from control over professional issues: setting standards, identifying best practices, and being able to act on that basis.

³⁶ Robert K. Merton, "The Role of the Intellectual in Public Bureaucracy," *Social Theory and Social Structure*, rev. ed. (New York: Free Press, 1957), 207-224.

³⁷ Douglas Amy, "Can Policy Analysis Be Ethical?," in *Confronting Values in Policy Analysis: The Politics of Criteria*, eds., Frank Fischer and John Forester (Newbury Park: Sage Publications, 1987), 59.

In sum, the professional role for public practitioners involves both dependence (in the form of a client's favor) and independence (in the commitment to sound professional judgment, technical and ethical). The good practitioner is someone able to integrate these dual responsibilities, and only if that effort is successful is professional integrity maintained. Professional integrity consists in balancing the two masters—being responsive to a particular client while maintaining a fiduciary duty to appropriate independent standards. Is that a sustainable posture? It is a posture, at least, that some practitioners have managed to sustain for extended periods. One of my favorite examples, to be elaborated on another occasion, is the tenure of C. Everett Koop as U. S. Surgeon General from 1981 to 1988. When President Reagan nominated Koop for this office, he was both supported (by conservatives) and opposed (by liberals) largely on the basis of his extensive involvement, over more than three decades, in the anti-abortion movement. Neither side gave much thought to Koop's deep sense of professionalism and his commitments to the scientific and health care communities, which turned out to be decisive determinants of his actions as Surgeon General. In line with the traditional mission of the Public Health Service, Koop believed his principal task was to educate the public about the promotion of health (for example, on the deleterious effects of second-hand smoke) and the prevention of disease (for example, on the use of condoms as a protection against AIDS). In a characteristic statement—one of many that sent tremors through the Reagan White House—Koop said: "Total abstinence for everyone is not realistic, and I'm not ready to give up on the human race quite yet.... I am the Surgeon General of the heterosexuals and the homosexuals, of the young and the old, of the moral and the immoral."³⁸ Yet Koop balanced his professionalism with a firm commitment to his (and Reagan's) conservative principles, which never wavered. What he demonstrated were the qualities of a person of judgment, not an ideologue; he was a moralist, but neither rigid nor self-righteous.

The "two masters" formula does more to define the problem inherent in a practitioner's role than to solve it.³⁹ But the example of Koop suggests a possible resolution

³⁸ P. D. Yancey, "The Embattled Career of Dr. Koop," *Christianity Today*, October 20, 1989, 18.

³⁹ I am indebted to Philip Heymann for the formula and the caution. See *The Politics of Public Management* (New Haven: Yale University Press, 1987), 72. For further discussion, see Kenneth Winston, "Advisors to Rulers: Serving the State and the Way," note 2 above.

of the professional conundrum—not that practitioners themselves must be autonomous but that they require the existence of an autonomous group that sets standards, monitors their work, and reminds them of their corruptibility. The good practitioner, we could say, mediates between the needs of clients and the demands of appropriate independent auditors. This is compelling, up to a point. We should not forget that the free-standing observers themselves face problems of corruptibility, whether as academics or professionals or political advocates (the possible sources of corrupted judgment are different in each case). More importantly, because of the luxury of their own independence, the unattached auditors may fail to give due weight to the complex responsibilities involved in serving two masters and mistakenly (or at least unhelpfully) evaluate the practitioner’s work by the standards appropriate to their own. The unattached are prone to the error that balancing two masters means moral compromise. Rather, since both masters make legitimate demands, “balancing” defines the ideal. It is no more the case that professional standards should dominate, assuming they are unitary, than that political considerations should dominate.

A professional who wishes to act with integrity will want to be accountable to others, but it matters importantly who the specific others are. Given the existence of contested conceptions, professionalism does not guarantee ethical agreement. But personal autonomy in moral matters—if it means independent judgment and only self-accountability—can lead to moral isolation, idiosyncrasy, and arrogance.

[VI] Practical ethics is about improvisation, not system building.

In the *Discourse on Method*, Descartes contrasts works produced by several persons and those produced by a single hand. He thinks the latter are more likely to be well constructed. For example, ancient towns that have developed haphazardly into great cities are usually badly arranged, whereas the symmetrical metropolitan districts that a city planner has laid out display the power of rational thought. His point, needless to say, is to draw an analogy to two kinds of knowledge. The first has emerged little by little through the accumulated opinions of many different persons; the second consists in “the simple and natural reasonings” of a single person of ability—who, Descartes believes, is likely to be nearer to the truth.

For centuries, philosophers have found Descartes' image attractive. Yet Descartes himself thought it does not apply to the moral life, which closely resembles the haphazardly evolving city.⁴⁰ The moral life is a life of many accumulated opinions, reflecting the experience of many generations. Its parts are interrelated in complicated ways, and are always evolving. Further, Descartes supposed that individuals do not always understand why accepted beliefs have assumed the particular shape they have, and that a certain caution—and respect for what has sustained itself over time—is called for. He would have concurred, I believe, with Emile Durkheim's later assessment along similar lines: "We can be assured ... that we will find more wisdom accumulated in [our inherited moral beliefs] than in the mind of the greatest genius." While the science of ethics will someday have advanced enough "for theory to be able to regulate practice ... we are still far from that day, and in the meantime it is wisest to stay with the teachings of history."⁴¹

Deference to the past can be overdone, of course, but the craft of practical decision making requires prudence in everything. If moral order were unitary and practitioners occupied an epistemically ideal situation for warranting their beliefs, we might entertain the hope of generating a consistent set of true moral propositions to determine conduct. Even then, we would have to say that moral truth emerges only at the ideal limit of inquiry. As I have suggested, these conditions do not obtain for practitioners, and perhaps not anyone. In the philosophical literature, it is common to focus moral analysis on a single ideal such as liberty or equality, or to attempt an abstract reconciliation of the two, and examine them in isolation from the background of interconnected norms and institutions and interpersonal relationships that give them concrete meaning. The analyst forgets that moral values are more than conceptual artifacts. In any event, no moral standard has a canonical form, that is, an established, invariant, necessarily preferred formulation.

⁴⁰ Rene Descartes, *Discourse On the Method of Rightly Conducting the Reason and Seeking Truth in the Sciences*, tr. Laurence J. LaFleur (Indianapolis: Bobb-Merrill, 1950), 7-14. Wittgenstein may have had Descartes in mind when he wrote: "Our language can be seen as an ancient city: a maze of little streets and squares, of old and new houses, and of houses with additions from various periods; and this surrounded by a multitude of new boroughs with straight regular streets." *Philosophical Investigations*, tr. G. E. M. Anscombe (New York: Macmillan, 1953), paragraph 18.

⁴¹ Emile Durkheim, *Ethics and the Sociology of Morals*, tr. Robert T. Hall (Buffalo: Prometheus Books, 1993), 134.

Descartes' understanding of the moral life also underpins the work of 20th century "intuitionists" like W. D. Ross. Ross says: The most reliable moral convictions are the cumulative product of the reflection of many generations, "which [reflection] has developed an extremely delicate power of appreciation of moral distinctions."⁴² The resulting convictions are not intuitions in the ordinary sense; they are *considered judgments*, that is, judgments rooted in practical experience and history, not apprehensions of pure reason or deductions from a conception of human nature. (And there's no basis for assuming we are at the end of history.) Rawls explains that considered judgments are convictions that have passed independent tests of reflectiveness—rendered under conditions "in which our moral capacities are most likely to be displayed without distortion."⁴³ What are those conditions, exactly? Are they merely states of mind—when only the "calm passions" hold sway and the influences of bias and self-interest are held in check—or do they also include active social learning, especially within the relevant domain where judgment is to be exercised? The view I have adumbrated suggests that sound ethical judgment requires close observation and practice, being initiated into particular ways of feeling and acting and responding, mastering standard techniques, and eventually innovating within acquired understandings. Let's call this the development of *operational ethical judgment*. In this frame, principles are more resources for judgment than prescriptions for conduct, more like diagrams than blueprints. Lawyers whose professional life consists in immersion in the details of specific cases commonly observe that clarity comes with close examination of facts. Once a case is mastered in detail, perception—that is, the perception of the professional—is more trustworthy than any particular rule of conduct. This is not to deny that lawyers generalize, but their generalizations are contingent, drawn from a rich understanding of cases, rather than theoretical, emerging in the effort to make thought systematic.

Philosophers, however, often respond to the snarls and tangles of the moral life by trying to fashion a systematic theory, with core concepts and basic principles. Adam Smith captures this impulse when he says that the main point of philosophy is to take the "multitude of individual sentiments, relationships, transactions and conversations" and form them into a

⁴² W. D. Ross, *The Right and the Good* (Indianapolis: Hackett, 1988 [1930]), 41.

⁴³ John Rawls, *A Theory of Justice*, rev. ed. (Cambridge: Harvard University Press, 1999), 42.

system, “to introduce order into this chaos of jarring and discordant appearances.” Philosophy thereby allays the tumult of the imagination to achieve a “tone of tranquillity and composure.”⁴⁴ The quest for orderliness is often encouraged by ethics teachers who assist students in developing a personal morality; each student is meant to fashion a distinctive yet comprehensive orientation to the world. Perhaps we could understand such a project in relation to the struggle for personal integrity. Yet it appears to ignore the fact, as William James observes, not only “that we are born into a society whose ideals are largely ordered already,” but that the casuistical tasks they require are already far better elaborated and refined than any individual could hope to do single-handedly.⁴⁵ Even if a “single person of ability” did manage to devise an impressive structure of thought, why should it carry any weight in the public realm? Any inclusive, integrated scheme may represent no more than the temporary, unstable victory of the intellect over good sense, which shows itself concretely.

System building is a highly specialized task, which is why the project is typically an academic enterprise. Ronald Dworkin expresses his preference for the academic over the practical, when he says “academic elaboration reveals the true nature or character of a moral theory.” This is so because the academic is not concerned with “the practical adjustments required to make a theory manageable and efficient in politics and daily life but rather with the question whether we can accept a theory in the first place.”⁴⁶ Why would we place confidence in an impractical and unmanageable theory “in the first place”? Underlying this confidence is a two-stage picture of moral reasoning. First one works out the ideal theoretical solution to a problem. This stage, as Frances Kamm puts it, tells us “what solution is ethically correct, independent of what distinctions those involved in carrying out the decision can grasp, independent of what the law actually says, independent of resources actually available, etc.” If there were no such ideal solution, she adds, “there would be no right direction in

⁴⁴ On Adam Smith’s view of philosophy, see Emma Rothschild, “Dignity or Meanness,” *The Adam Smith Review*, volume 1, ed., Vivienne Brown (London: Routledge, 2004), 150-164.

⁴⁵ William James, “The Moral Philosopher and the Moral Life,” in *The Writings of William James*, ed., John J. McDermott (New York: Random House, 1967), 622-623.

⁴⁶ Ronald Dworkin, *Law’s Empire* (Cambridge: Harvard University Press, 1986), 286. Sally Falk Moore observes: “Making the bits and pieces ‘systematic’ is the after-the-fact work of professional specialists, or the before-the-fact work of political ideologues....” *Law as Process: An Anthropological Approach* (London: Routledge & Kegan Paul, 1978), 9.

which to try to move people.” The second stage is attempting, as best one can, to realize the “ethically correct solution” in the real world. It is anticipated, naturally, that one will find many obstacles to success in this effort.⁴⁷

Beyond distinguishing two stages, Kamm’s method in the first stage is to settle on correct principles by engaging in close examination of hypothetical, rather than real world, cases. Hypothetical cases are preferred not only because they are less likely to involve “detail inessential to a theoretical point” but because the principles that emerge from examining hypotheticals express an underlying, and perhaps previously unconscious, mental program. Why the discovery of such a mental program should be compelling remains unclear. At any rate, I agree with Norman Daniels’ observation that real world cases, unlike hypotheticals, “keep us rooted in the context of moral decisions we are practiced in making.”⁴⁸ To place trust in intuitions or sentiments detached from real contingencies is, I believe, to alter one’s moral perception of the world. The pedagogy of practical ethics does not preclude the use of hypotheticals, in the sense of imagined variations on an actual case. But such hypotheticals must remain rooted in the experiential reality of the original case, employing it as a touchstone for any novel formulations.

I conclude that, in practical ethics, the only right direction in which to try to move people is one that takes account of available resources, what people grasp, the law, etc. Only a non-theoretical approach is adequate to the fragmentary, ad hoc, contingent character of practical decision making. The good practitioner embodies *esprit de finesse* rather than *esprit de systeme*. As John Forester says: “Academics can theorize, but practitioners must improvise.”⁴⁹ Improvisation means acting reasonably in the circumstances, with the

⁴⁷ Frances M. Kamm, “Ethics, Applied Ethics, and Applying Applied Ethics,” in *Applied Ethics and Ethical Theory*, eds., David M. Rosenthal and Fadlou Shehadi (Salt Lake City: University of Utah, 1988), 186. See also Kamm, “High Theory, Low Theory, and the Demands of Morality,” in *Theory and Practice*, eds., Ian Shapiro and Judith Wagner DeCew (New York: New York University Press, 1995), 104.

⁴⁸ Norman Daniels, “Kamm’s Moral Methods,” *Philosophy and Phenomenological Research* 58:4 (1998), 949. Kamm briefly sketches the idea of an internal mental program in *Morality, Mortality, Volume I: Death and Whom to Save From It* (New York: Oxford University Press, 1993), 7-9.

⁴⁹ John Forester, *The Deliberative Practitioner: Encouraging Participatory Planning Processes* (Cambridge: MIT Press, 1999), 236. Forester draws the term “improvisation” from Martha Nussbaum, “The Discernment of Perception: An Aristotelian Conception of Private and Public Rationality,” *Love’s Knowledge: Essays on Philosophy and Literature* (New York: Oxford University Press, 1990), 54-105. Nussbaum in turn finds the term in Thucydides and Aristotle.

resources (mental, material, and moral) at one's command. This is not second-best decision making; it is the only kind appropriate to the situation.

As a method, moral improvisation is more inductive than deductive. It begins with ongoing practices and judgments in particular cases, and moves beyond them only to the degree needed for resolution of the problem at hand. The idea is to uncover and refine the moral perceptions, sentiments, or conventions that are salient for the practitioner. These serve as *provisional fixed points*, to borrow Rawls' term, and can be employed in the formulation of heuristic principles of modest generality. If the practitioner goes no further than middle-level principles, it is because the point, after all, is to make sound decisions in particular cases, not to construct doctrines. Ideas are in the service of problem-solving. As Hanna Pitkin says of Machiavelli: "His constant questions is 'What shall we do?' and therefore, secondarily, 'What went wrong last time?' or 'What has succeeded for others in the past?'"⁵⁰ Moral analysis is concrete and directed.

A strain of thought in modern sociology, from Weber, is that the effects of contingency on public action have been sharply reduced by the bureaucratization of decision making. A more refined analysis, however, sees much variation. The virtues of bureaucratic decision making are evident for certain matters—setting interest rates, directing traffic, or mailing checks in specified amounts to eligible recipients. In these instances, there is little need for improvisation. In other matters, relevant information is imperfect or context-specific, and decision making is not easily codified or routinized. In such cases, practitioners cannot be technocrats and still expect to be effective. The quality of their decisions, for example, often depends on the intensity of their interactions with the beneficiaries of the services they provide, whether it is designing a school curriculum, approving loans to small businesses, or handling situations of individual conflict. The improvisational practitioner exercises discretion by paying attention to particulars and devising strategies that will be heterogeneous across contexts. As the saying goes, one size doesn't fit all.⁵¹

⁵⁰ Hanna Fenichel Pitkin, *Fortune is a Woman: Gender and Politics in the Thought of Niccolo Machiavelli* (Berkeley: University of California Press, 1984), 164.

⁵¹ Lant Pritchett and Michael Woolcock develop this theme in discussing policy making in developing countries. The examples are theirs. See "Solutions When *the* Solution is the Problem: Arraying the Disarray in Development," *World Development* 32:2 (2004), 191-212. For the obvious worry about abuses of discretion, the answer lies in forms of accountability that are not cashed out simply in terms of following rules.

Realizing that rules or rule-formulations are always tentative and imperfect, improvisation is more problem-centered than rule-centered. What's required for sound rule-application is a set of second-order competences: fact-sensitivity, responsiveness to context, steady focus on guiding purposes, and so on. Practical decisions cannot be made mechanically; they require complex judgment. The good practitioner, then, engages in a kind of holistic assessment of situations: the holistic assessment of the experienced craftsman. This is not a skill like bicycle riding. For one thing, it is much more conscious and reflective—in a word, conscientious—when it is done well. Conscientiousness, in some situations, requires a great deal of analytical work. Still, the end product of reflection often eludes easy articulation. Thus, with holistic judgment, we understand how an insistence on reason-giving can go awry. The practitioner who is pressed to “state your reason” for doing one thing or another may identify some salient feature of the situation. But the one feature will have been selected because the practitioner needed to say something. It does not follow that the identified feature will be salient in a different context. No general rule is implied.⁵²

For some, reliance on improvisation and common sense judgment seems pernicious. It lacks sufficient method and leaves too much of an opening for everyday heuristics (shortcuts), resulting in moral error. They insist on something more finely reasoned. But if common sense seems insufficiently methodical, the finely reasoned may overestimate the possibilities of rigor and determinateness. Abstract reasoning has its own pathologies, especially in ethics. Common sense judgment at least appreciates real complexity and results in nuanced evaluation, even if accompanied by a certain intellectual disorderliness.

I mentioned that the reflective practitioner depends on provisional fixed points. Like a spider whose legs are the points of contact with its web, one's ability to maneuver depends on where one can place one's feet. These touchstones are considered judgments, the thoughts and sentiments in which, after due consideration, one has the most confidence. Confidence does not mean warrant. We should not assume we necessarily understand why a particular ideal or principle or sentiment has a hold on people—including ourselves—at a particular time and place. Conscious justifications often underdetermine the felt sense of rightness; we

⁵² Kamm reaches a similar conclusion using an aesthetic example. She says the identified feature (golden highlights in Rembrandt's “Nightwatch”) contributes to the quality of the object only in the context of the particular painting. Kamm, “Ethics, Applied Ethics ...,” 181n.

act sometimes on what may seem, after reflection, insufficient reason. We sense our lack of understanding when the justifications we use to defend a belief seem inadequate or unconvincing, and not just to the people we are addressing. And sometimes we explicitly recognize the social dependence of our considered judgments, or at least can tell a story to that effect. Articulating a considered judgment is like discovering oneself to be in a certain condition, and sometimes it is a surprising discovery.

By definition, perhaps, considered judgments are accompanied by the thought that they embody one's best effort at judgment, under suitable conditions, although the question whether conditions are (or were) suitable is never definitively answered. One does the best one can, even while one's judgments are always subject to revision. Nothing is immune to critical examination. The question is: Which judgments do we have confidence in? We have the most confidence, presumably, in those judgments that are most difficult to give up or revise. Which is not to say that one's convictions are warranted simply because one cannot help believing them; again, considered judgments are not self-validating. Rather, there's simply no alternative to believing what one most strongly believes. (But note Nietzsche's caution: "A very popular error: having the courage of one's convictions. Rather, it is a matter of having the courage for an attack on one's convictions.") Further, the judgments we have most confidence in are not necessarily the more general or foundational. Indeed the higher the level of generality, the more difficult is due reflection because the less clear are a principle's implications. Statements of principle are commonly accompanied by ideological baggage.

The outcomes of reflection are variable in quality, depending on circumstances. Under favorable conditions, reflection can lead to reformulation, which I distinguish from systematization. Reformulation of moral norms or concepts takes many forms, such as extending the scope of a principle by analogy (from civil rights to gay rights or rights of the disabled), or assimilating conduct to an existing category (sexual harassment as a form of discrimination), or changing the context of understanding (the plight of the poor and ill in developing countries framed as a national security issue for developed countries). In general, in practical ethics, one utilizes available intellectual resources, not just to be persuasive but to establish one's moral ground. As Bernard Williams says, the right question is "how a

concretely experienced form of life can be extended, rather than considering how a universal program is to be applied.”⁵³

[VII] Practical ethics is comparative.

With its emphasis on operational experience and tacit knowledge, the argument to this point seems to suggest that practical ethics is necessarily local. However, practical ethics tracks the needs of practitioners, and increasingly practitioners face ethical challenges that cross familiar geographical and cultural boundaries, finding themselves attempting to mediate between settled (familiar) understandings and alternative (unfamiliar) ways of life. Accordingly, in today’s world, it is especially important that moral learning transcend local conditioning. Practitioners need to understand the point of view of others, and be prepared to give weight to what is sound in alternative perspectives. Those who do are that much more competent and resourceful in addressing the problems they face. To paraphrase John Stuart Mill, a person who knows only one way of doing things does not really know that. Without a grasp of how things could be different, the one way appears to pose no difficulty of understanding or justification.

Cultural diversity adds to the fragmented character of human life. The abundance of values—and fulfilling ways of life—means there is a large area of indeterminacy in moral reflection. Even when reasonable standards of knowledge and deliberation are met, people may judge differently. Thus, the sources of obligation are disparate not only within individuals, since they lack a standard for rendering all moral values commensurable, but also between individuals. This disparity is intensified in cross-cultural situations, although I assume it is no different in principle from the disparity that occurs often enough between persons in the same culture. When people from different ethical traditions confront one another in a practical context, what may we reasonably expect? We are familiar with situations of asymmetric power, where effective control lies in the hands of one party or group, and thus does not involve mutual deliberation. But is deliberation across ethical traditions possible? To what extent can we succeed in justifying our conduct to one another? If we do not reach agreement on specific principles, can we at least converge on a framework

⁵³ Williams, *Ethics and the Limits of Philosophy*, 104.

for identifying acceptable principles? If we employ only familiar conceptual frames to examine others, we may end up learning more about ourselves than about them.⁵⁴

As we consider these questions, we should keep in mind that culture is not a very perspicacious concept. It is contested and often manipulated for political ends. Its use often depends on certain background images that surreptitiously introduce unwarranted assumptions. One is the image of the seamless web—culture as a unified, integrated, comprehensive system of values, beliefs, attitudes, and practices, which strongly constrain its members. In this view, individuals acquire their culture through socialization and express it in their conduct unproblematically. Values and attitudes are non-reflective and customary, rather than reasoned and deliberately chosen. (Durkheim’s work offers a classic expression of this picture.) Along with the seamless web is the image of culture as an exclusive social club. In this image, which has less to do with internal coherence than distinctiveness from others, the world is divided into sharply defined, unitary, enclosed realms of meaning and value. Each person is a member of one club or another, and each club has its own rules and its own standards of interpretation and justification—internal to itself and inaccessible to other clubs. Moral concepts illuminate the meaning of conduct within the club’s boundaries but are opaque to those outside.

These images exaggerate the coherence and constraining power of culture. They fail to recognize the multiple ways in which the goods of life can be ordered, even within a single society. We have only to observe that every existing system of morality has its dissenters. As William James says, there are “innumerable persons whom [the reigning morality] weighs upon, and goods which it represses; and these [people] are always rumbling and grumbling in the background.”⁵⁵ To avoid these blind spots, it is tempting to adopt a third image of culture, lying at an opposite extreme from the seamless web and the social club, which is culture as tool kit. In this view, culture is fragmentary across members and inconsistent in its expression. It is a set of resources that can be consciously mobilized and put to strategic uses. The tool kit includes symbols, stories, values, rituals, and worldviews “which people may use

⁵⁴ These paragraphs draw on my article “On the Ethics of Exporting Ethics: The Right to Silence in Japan and the U. S.,” *Criminal Justice Ethics* 22:1 (2003), 3-20.

⁵⁵ James, 621-624.

in varying configurations to solve different kinds of problems.”⁵⁶ In this view, cultural expertise is the ability to exploit the tool kit to construct effective strategies of action or persuasion, the way (to offer my own example) the U. S. civil rights movement in the 1950s and 1960s framed the case for political equality in language drawn from the Old and New Testaments, even though the discourse of rights was foreign to these sources.

The tool kit image captures the sense of moral fragmentation I have been emphasizing, but it does so at the apparent cost of turning values into rationalizations of ends pursued for other reasons. I prefer to regard cultural, including moral, traditions as more like schools—learning environments, each of which makes available the resources for moral understanding and criticism, including self-criticism. (I take moral conformity itself to be a reflective practice that generates criteria for its own assessment. Of course, to say that resources are available is not to say they will be used, or used well.) With the capacity to reflect and follow lines of reasoning and make new discoveries, about ourselves as well as others, we enlarge our understanding and our moral space—although success in this endeavor may require a more encompassing idiom. Patterns and continuities exist, yet they are also transcended and new configurations emerge. In this way, we allow for the possibility of a common educational experience across societies. The interesting question is: Which others should we take seriously? What matters, initially, is not whether we share or morally approve of others’ practices but whether the practices are morally coherent or intelligible. This, too, is an evaluative judgment, but less demanding than approval.

We should not underestimate—although equally not overestimate—the difficulty of taking others seriously. The question is about the basic transparency of human beings to each other. We want to resist the impulse to transform partial and perhaps complementary perspectives into irreconcilable standpoints, yet we do not want to deny real differences. It is all too easy to go wrong in either direction, assuming that others are just like us or, alternatively, completely opaque to us. No matter how successful we are in understanding alternative normative orders, there will be cases where we regard a society as admirable, highly cultured, sophisticated, or advanced (whichever term one is inclined to use) and still regard some of its practices as unacceptable, if not repugnant.

⁵⁶ Ann Swidler, “Culture in Action: Symbols and Strategies,” *American Sociological Review* 51:2 (1986), 273.

Chad Hansen suggests that sincere confrontation with a rival moral tradition destabilizes our moral confidence, when the rival has three features: [1] it is intellectually rich and a product of deep and sustained reflection; [2] it is significantly different in its conceptual structure or theoretical orientation; and [3] it satisfies a threshold condition of plausible rightness, either historically (as the foundation of a major civilization) and/or substantively (generating what one regards as correct moral judgments).⁵⁷ If all these conditions are met, one may find the rival tradition sufficiently attractive to induce a re-examination of one's own most basic assumptions and perhaps begin engaging in an attempted synthesis. If such efforts are to be more than intellectual exercises, they will have to take place within each moral community, each moved toward re-examination for reasons of its own and engaging in the kind of critical self-reflection involved in recognizing a viable alternative.

I found myself moved toward re-examination when reading Eric Feldman's wonderful study of patterns of conflict resolution among sellers of tuna in Tokyo's Tsukiji fish market. When a buyer ends up with a damaged fish, for example, the resolution is guided by a norm of risk-allocation that fosters harmonious (communal) relations among the parties. (In essence, losses are shared rather than falling entirely on one party.) This practice is in sharp contrast with prevalent patterns in U. S. fish markets where winner-take-all (or loser-bear-all) risk-allocation norms dominate.⁵⁸ What happens, however, if one of Hansen's three conditions is not met? Abdullani Ahmed An-Na'im's fascinating account of "cruel, inhuman, or degrading" treatment, as understood in Muslim countries, provides a test case. These terms—cruel, inhuman, degrading—are part of a common moral vocabulary across societies and cultures, but the criteria of their application differ, sometimes drastically, from one place to another. An-Na'im observes that, in Muslim countries where Shari'a criminal law is considered binding and is enforced, the "vast majority" of Muslims regard certain punishments—such as amputation of the right hand for theft or stoning to death for adultery—as not only warranted (there is clear Quranic text) but lenient and merciful, "in comparison to

⁵⁷ Chad Hansen, "The Normative Impact of Comparative Ethics: Human Rights," in *Confucian Ethics: A Comparative Study of Self, Autonomy, and Community*, eds., Kwong-loi Shun and David B. Wong (Cambridge, Eng.: Cambridge University Press, 2004), 79.

⁵⁸ Eric A. Feldman, "The Tuna Court: Law and Norms in the World's Premier Fish Market," *California Law Review* 94:2 (2006), 313-370. For an anthropological account of the Tsukiji market, see Theodore Bestor, *Tsukiji: The Fish Market at the Center of the World* (Berkeley: University of California Press, 2004).

what the offender will suffer in the next life should the punishment not be enforced in this life.”⁵⁹

As if that were not challenge enough to familiar views, An-Na'im goes on to assert that the practical application of the terms cruel, inhuman, and degrading in a particular society “should be determined by the moral standards of that society.” At this point, I realize that my reliance on moral conventions may not provide me with all the leverage I wish I had available to assert a contrary view (although that is not to say I feel defenseless). Instead I take solace in various qualifications An-Na'im offers to soften his claim. He notes, for example, that modern, educated Muslims are not likely to share the view of the “vast majority,” although they cannot risk the consequences of speaking out against religious authority. (Thus, a crucial vehicle of deliberative norm-formation is derailed.) He also believes that a careful reading of Islamic law shows that the offenses are very narrowly defined, require strict standards of evidence and procedure, and allow for an extensive range of defenses. Moreover, enforcement of such punishments presupposes that “decent standards of living for all” have been realized. An-Na'im concludes that these prerequisite conditions are so demanding that they are “unlikely to materialize in any Muslim country in the foreseeable future.” Fortunately!

This example demonstrates, at least, that taking others seriously does not require suspension of judgment. So, by comparative inquiry, I do not mean merely comparative, as though one were simply to take note of alternative belief systems and sort out some similarities and differences—a purely descriptive enterprise. Rather, comparative inquiry involves reflective assessment and evaluation. At the same time, no one inhabits an ideal moral space, and it is likely that many current beliefs are mistaken, as we understand even the wisest people to have been mistaken in the past. We never entirely get beyond the thought that our values constitute just one set among others, and could be displaced.

Beyond understanding others is interacting with them. In an era of interconnected economies and systems of communication, there are pressures to “harmonize” professional

⁵⁹ Abdullahi Ahmed An-Na'im, “Toward a Cross-Cultural Approach to Defining International Standards of Human Rights: The Meaning of Cruel, Inhuman, or Degrading Treatment or Punishment,” in *Human Rights in Cross-Cultural Perspectives: A Quest for Consensus*, ed., Abdullahi Ahmed An-Na'im (Philadelphia: University of Pennsylvania Press, 1992), especially 32-37. It does not help to learn that, by law and custom, stones of a certain size are chosen to enable the victim to survive for an extended period and thus to die slowly and in agony.

standards across societies. Harmonization does not necessarily mean improvement. Whether improvement occurs depends on who the dominant actors are and whether they endeavor to continue that dominance or work toward mutual agreement on fair terms of cooperation. What we should hope for is an increase in opportunities for mutual deliberation, even while recognizing that persons with the capacity to propose and honor fair terms may not arrive at the same endpoint. Mutual reflective assessment does not necessarily yield a single answer or position. As I have noted, the reasonable depends on what one already believes, and cultural starting points can be very different. The fact of reasonable disagreement is not an obstacle to right answers, only to overconfidence in one's own answers. At the same time, reasonable disagreement provides a basis for acknowledging the duties of respect and accommodation. (If universal standards emerge, it is because they are deliberately fashioned, not necessarily discovered to be pre-existing.)

To be sure, cultural starting points could be so different that the goal of reasonable deliberation would change. Rawls suggests in his late work that instead of aiming at a complete vision of a just social order (the domestic case), one should aim, more minimally, at a morally permissible politics (the international case). One would do this out of regard for other people's capacity for moral agency, their exercise of self-determination, among those who take warranted pride in their own political and cultural achievements. However, increasing interdependence is going to push the moral envelope. One of most difficult issues is gender equality; in cross-cultural experience, it is hard to avoid encounters that shock the conscience. Westerners see oppression in many practices, ranging from what appears fairly innocuous but very telling (e.g., women walking a few steps behind their husbands and maintaining a dutiful silence in public) to the apparently horrific (e.g., female genital cutting and so-called honor killings in societies where the shame of adultery or rape can be excised only by killing the women involved). From a different perspective, many distant observers view with alarm and disgust the degrading effects of so-called sexual liberation in western countries, including promiscuity, pornography, and general moral decay.

In the face of these radical divergences, I have to report that I am not in the least inclined to believe that families or groups should be at liberty to choose the kind of life—gendered or ungendered—they wish. For one thing, whether one can successfully practice a particular way of life depends on the availability of numerous forms of social support,

including education, government policy, and law. If children are educated to believe in a sexual division of labor, for example, women's general prospects in society are deeply affected. But so for the opposite teaching. Similarly, it won't do to say that forms of regulation should benefit all family members, especially women and children, because the dispute is partly about what counts as a benefit. (It takes more than a single home-owner to create a neighborhood, and it takes more than a single value-chooser to create a way of life.) An attempt at reconciliation, perhaps, could be to ensure that any particular woman is able to find a supportive group of like-minded individuals, short of the whole society. Whether that would suffice for realizing a particular way of life is mostly an empirical question. But what does one do when whole societies differ along this dimension, as do various Christian, Muslim, and Jewish societies?

The caution I would stress is to avoid the tendency to regard one's own thinking on these matters as uncovering necessities of thought, without putting that claim to the test by examining the shape of moral thought in other historical periods or other cultures. As Jeremy Waldron emphasizes, a good faith effort at cross-cultural reflection is hard work. "It is not enough that we have considered what Kant said to Fichte, or what Bruce Ackerman said to John Rawls." The doubts or objections that come from other cultures or religious traditions "will often challenge not just the content of our conclusions, but our whole way of thinking."⁶⁰ Yet without such reflection, we have no right to feel confident about the views we hold.

Conclusion.

Iris Murdoch observes: "There is a two-way movement in philosophy, a movement toward the building of elaborate theories, and a move back again towards the consideration of simple and obvious facts. McTaggart says that time is unreal, Moore replies that he has just

⁶⁰ Jeremy Waldron, "How to Argue for a Universal Claim," *Columbia Human Rights Law Review* 30:2 (1999), 313. The thesis that "western" and "eastern" cognitive processes are distinct is defended at length by psychologist Richard E. Nisbett in *The Geography of Thought: How Asians and Westerners Think Differently ... and Why* (New York: Free Press, 2003). Nisbett's conclusions, in the final chapter, seem too simple, but the experimental findings that make up the main portions of his book are compelling. See also Trey Hedden, et al., "Cultural Influences on Neural Substrates of Attentional Control," *Psychological Science* 19:1 (2008), 12-17.

had his breakfast.”⁶¹ Murdoch believes that both have their place. Perhaps that’s so, but the good practitioner is definitely on Moore’s side.

In this essay, I have attempted to articulate, without fully defending, the practical side of ethics. It remains as a research agenda (which is why this is a working paper). The main points can be summarized as follows:

[1] The principles that properly guide practitioners are drawn from the public conscience of their time. These include settled moral conventions and professional norms. Only these principles provide practitioners with an authoritative basis for the exercise of power in the public sphere.

[2] Authoritative principles guide practitioners by highlighting concerns that factor into any acceptable decision in specific circumstances. The more abstract the concern, the less guidance the principle provides. The more rule-like the formulation, the more it fails to allow for the contingencies of effective action.

[3] Because practical ethics is strategic, that is, a function of contingencies, the core of ethical practice consists not in the application of principles but in the exercise of basic competences. These competences encompass the executive virtues, of which prudence is the most central or paramount.

[4] Accordingly, ethics teaching should consist principally in development of the basic competences I have alluded to. Since these basic competences are not meaningfully codifiable or routinizable, the teacher must employ a pedagogy that conveys indirectly what counts as good practice. I have not elaborated the point here, but I believe the most effective method for realizing this aim is case discussion.

Like the improvisational practitioner, the case teacher’s day-to-day interactions are discretionary and transaction-intensive, “the effective execution of which are deeply embedded in the teacher’s (idiosyncratic) personality and professionalism.”⁶² At the forefront of this professional commitment is the aim to improve public life. From that commitment, certain things follow. For one, the curriculum should emphasize that institutional and policy design, as well as managerial performance, have direct and indirect effects on the quality of

⁶¹ Iris Murdoch, *Existentialists and Mystics: Writings on Philosophy and Literature* (New York: Penguin Books, 1999), 299.

⁶² Pritchett and Wolcott, 196.

citizenship—not just the material well being of citizens but their attitudes, orientations, and relationships to one another. The great flaw in technocratic education is the absence of this dimension of public decision making—politics in the broadest sense. Accordingly, PMP education, I believe, should have an intimate connection to the humanities and the social sciences: the former to inform learning with human concerns, the latter to keep it grounded in social knowledge (limited as that is).

Of the various social sciences, I am inclined to follow the advice of Polybius, the Greek historian of Rome, when he said, nearly two millennia ago: “The study of history ... is the soundest educational training for a practical political career.” As a close student of Polybius, Machiavelli offers the same advice. And, more recently, this tradition has continued at the Harvard Kennedy School, as reflected in the classic text by Richard Neustadt and Ernest May, *Thinking in Time: The Uses of History for Decision Makers*.⁶³ This is not history for its own sake, of course, but for answering practical questions: What is it reasonable to do in the circumstances? What went wrong last time? What has succeeded for others in the past? Can we identify models of exemplary conduct? Cases are the mini-histories that, when carefully selected and effectively taught, help practitioners develop the competences they need to act effectively and well in public life.

⁶³ Richard E. Neustadt and Ernest R. May, *Thinking in Time: The Uses of History for Decision Makers* (New York: The Free Press, 1986). Polybius’ statement is quoted by Robert D. Cumming, *Human Nature and History: A Study of the Development of Liberal Political Thought*, volume 1 (Chicago: University of Chicago Press, 1969), 139. Machiavelli talks about his contemporaries’ “lack of a proper appreciation of history” in the preface to the first book of the *Discourses*. For reminiscences and reflections on Neustadt’s achievements, see *Guardian of the Presidency: The Legacy of Richard E. Neustadt*, eds., Matthew J. Dickinson and Elizabeth A. Neustadt (Washington, D.C.: Brookings Institution Press, 2007).