

The Conceptual Analysis of Margaret Walker's System of Ethics

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Abstract

This is the foundational analysis of Margaret Urban Walker's *Moral Understandings: A Feminist Study in Ethics*, published in 1998. The central concept of Walker's work is the development of the expressive-collaborative model of ethical discourse. The expressive collaborative model is a participatory model that engages people of all different kinds in a deliberative process that develops shared morality for a community. She develops this model as an alternative to the theoretical-juridical model, which she identifies as having shaped the prevailing dominant moral understanding. This study examines the foundations of Walker's system of ethics using the framework of epistemology, identity politics, and rights and obligations. Upon clearer understanding of the expressive-collaborative model, its application is sought in the educational administrative context and its limitations unearthed.

Dedication

Dedicated to my late friend David W. Dametto

Acknowledgement

My many, long, and deeply meaningful conversations with my late best friend David W. Dametto were the reason I got excited and inspired to explore the discipline of ethics. From those initial moments on, I have been lucky to have had the support, guidance, and encouragement of many people.

My present advisor, Professor Coral Mitchell, was the first person to introduce me to the work of Margaret Walker. For that, and for helping me on every stage of this project, I am deeply indebted to Professor Mitchell. Her convictions about the value of this work have been unflagging. By being simultaneously my most sympathetic and most demanding reader, Coral has read insightfully through several drafts of this work, each time pointing out to me serious problems that needed to be fixed, but doing so with such encouragement and enthusiasm that I was able to drag myself back to the keyboard to make another stab. My advisory committee too, comprising of Dr. John Novak and Dr. Renee Kuchapski, has been instrumental in adding clarity to my thought and helping me understand some of the more subtle points of philosophical foundations.

For background lessons on philosophy, I owe my gratitude to Dr. Jonathan Neufeld. The ease with which he explains complex ideas, is something that has not only benefited me, but also, I hope, to have successfully emulated in my own work.

On this written document itself, Ken McClelland and Kelly Powick have endured my long monologues that were sketchy at best. Furthermore, they have read early drafts that were unclear, much longer, and much less fun to read, than this one. Thanks to them, the reader's burden is eased.

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CHAPTER ONE: CONTEXTS OF THE STUDY

Introduction

The purpose of this study is to conduct a conceptual analysis of the system of ethics as presented by Margaret Urban Walker (1998), in *Moral Understandings: A Feminist Study in Ethics*. This kind of examination is important because the ability to include ethical dimensions in our contemplation is what makes us distinct from other animals. This ability does not, however, necessarily translate into deliberations on day-to-day ethical concerns. Instead, ethical decisions seem often to be derived from intuition, personal preferences, or dictums that we take for granted. In other words, generally speaking, little thought may be invested in trying to identify where ethical theories come from, how they become part of our contemplative repertoire, and how they grow to represent dispositions of collective peoples. Walker's work deals directly and specifically with such questions.

How various theories that affect our lives become legitimated and adopted in practice is an important consideration for all concerned because, in the absence of scrutiny, these theories become disconnected from real lives and consequently lose their practical import. However, if we remain tuned to our perceptions, interpretations, and understandings of the world around us, we can come to understand our expectations more accurately and honestly, and these in turn can help redefine that which is appropriate and acceptable in particular times and places. MacIntyre (1976), for instance, wrote, "Moral concepts are embodied in and are partially constitutive of forms of social life" (p. 1). As a further example, what it meant to be virtuous (agathos: ' (" 2 I) and just or fair (dikyocin: * 46" 4b<O) in Homeric times was altered in later Greek society. Likewise, the

prescriptions of how to conduct ourselves have continued to change as advancements in knowledge of the world have continued to inform or reform contemporary society.

This intelligent conduct between human beings and their environment results in the discovery and (re)construction of newer truths about the world, which in turn refine perceptions, expectations, and the moral landscape. This dynamic is an unending one and hence it becomes imperative that periodic investigation and analysis of previously held truths be undertaken to explore their resonance with present conditions. This nature of investigation also permits an infusion of legitimate theories into daily practices. Granted, not all legitimate theories are equally valid, but which paradigm is more valid is a matter of individual preference, often evoking passionate responses as individuals debate this important question: How do we decide what is valid, worth preserving, or, simply put, *good*? This question is the course of investigation pursued by Margaret Walker (1998) and is also the impetus for this study.

Social and Theoretical Context

Ethics as a concept is used frequently in daily deliberations as a way to help us make better judgements and to help direct our social, personal, and professional lives. The word ethics comes from the Greek word *ethos*, which originally meant the “accustomed place” or “abode” of animals. It was then applied to human behaviour, and its meaning transformed to “habit,” “disposition,” or “character” (Alder & Canin, cited in Beckner, 2004, p. 6). Within the scope of this study, ethics is a second order “study of moral philosophy” (Walker, 1998, p. 3).

Sometimes the term “ethics” is explicitly evoked as a behavioural criterion, but more often it runs implicitly in personal judgements. When certain ethical positions

operate implicitly, their foundational roots, assumptions, and contexts are seldom, if ever, examined for validity and appropriateness. In the absence of explicit thought by a moral agent, there tends to develop what might be called a moral vacuum and this is the condition that allows experts to lay conscious claim to the moral terrain. Moreover, on occasions when moral lethargy is prominent, or situations in which we are bombarded by other cognitive distractions, it seems much more convenient to leave this complex matter of ethics in the hands of those few who have been socially granted expertise in the area. This is not necessarily bad in itself, but it has the unfortunate consequence of foreshortening the potential breadth of moral discourse so as to privilege the interests and interpretations of these few individuals. Similar outcomes of privileging result when old theories are applied in contemporary situations, even though the climate or context may have changed substantially from the times of their origins.

The point can be illustrated historically. MacIntyre (1976) writes that in the Middle Ages the ethical orientation was to base moral doctrines on divine command. This attitude took a dramatic shift as the understanding of the world changed during the Enlightenment era. At that time, the moral prescripts moved from having a religious tenor to encompassing more utilitarian and objective or impartial principles. Thus, as part of the Enlightenment project, moral agents were expected to operate on objective and purely rational temperaments (Stocker, 1976). As such, objectivity and rationalism were expected to make the world a better place by overcoming the limitations imposed by nature. Although religious strategies had served a valuable role in the past, they could no longer be relied upon to advance the project of improving upon the limitations of nature,

and they began to fall out of favour. In this manner, religious temperaments were supplanted with rational and objective temperaments, in homogeneous communities.

This pattern of human orientation remained in vogue until social conditions changed significantly during the 20th century. Two important changes were: (a) people from various cultures migrated to common lands, bringing with them different dispositions and expectations, and (b) views held by previously disenfranchised people within the land began to gain legitimacy. This change in the composition of society introduced diversity, unlike any in previous eras, in the understanding, expectations, and cherished values of people. In other words, homogeneity of the ideologies in a small community does not persist forever: instead, ideologies change in localized geographical areas over time.

To complicate matters further, sensibilities and, consequently, moral dispositions vary from one community and society to another within the same time period. Think, for instance, of how different people in different regions of the world living at the same time believe in different gods, hold different things in esteem, and have different cherished values. Within acceptable limits, each sensibility serves its community members adequately, and communities and societies can be described as being ideologically homogeneous. Individual differences may occur occasionally but such differences can be reasons for isolating and ostracizing individuals. That is, the core sensibilities, the religious dispositions, and the concerns that preoccupy (or culturally inscribe) the inhabitants of a given community are common (or vary only slightly) in any given localized geographical area. Different homogeneous or communitarian ideologies are separated through nation and state boundaries, and incompatibilities between

neighbouring nation states can lead to conflicts and struggle for domination, with the current Middle East situation serving as a bitter example.

Educational Context

With such deep social changes come new understandings of the role and practice of education. Historically, education has been used as a social instrument to cope with change and also to bring about change in society. Both of these uses position education as a means to an end, not an end in itself (Dewey, 1916/1966). The industrial use of education is a good example of the dichotomy between means and ends. In some prescripts of this particular ideology, education was to be a means to train “learners” to become productive members of the economic enterprise, all in the name of increasing the productivity of communities/societies based on an industrial ideology. In such situations, *an end* (societal productivity) exerts a kind of dictatorship over *the means* (education) of its own development, lacking the flexibility for further growth (Dewey, 1916). The social implications of education remain absent in this perspective because education is not seen as a social good (an end in itself) but as a tool of industry (a means to an end). Nevertheless, even in this context, education remains a moral activity because it casts impressions and moulds young and open minds. What makes the historical perspective particularly interesting is that the social expectations and uses of education require it to respond to the challenges of an ever-changing social landscape.

There is a plethora of literature in the field of education that deals with the ethical practices prevalent in contemporary times (e.g., Bass & Stogdill, 1990; Bhindi & Duignan, 1997; Reitzug, 1994, *inter alia*), and, in particular, with the ethical difficulties that are present in administrative practices (e.g., Kanugo, 2000; Marshall, 1992; Singh,

1995). What the literature does not do, however, is to examine how various ethical theories come about and gain legitimacy. Two points in particular are of interest here. First, any ethical system that fails to take into account the inherent diversity of people is bound to fail in practice. That is, to cover the landscape with a homogeneous moral blanket in a society that is replete with diversity is stacked against success. Moreover, knowledge of diversity alone does not guarantee success unless those differences are reflected in actual practices or living prescripts of the ethical theory or system. An example of this was evident in the woeful educational experiences of the Aboriginal people in Canada. The chief justice of Canada, The Right Honourable Beverley McLachlin, tackled this issue in her Baldwin LaFontaine lecture delivered at Dalhousie University on March 7, 2003. In her talk entitled "Civilization of Difference," McLachlin acknowledged the inherent differences in people, the different ideologies of practice between the natives and the immigrants from Europe, and the failure of the Eurocentric educational system to serve the natives.

This example leads directly to the second point of interest. Power dynamics within the educational context exert forces that obfuscate the sources of rules of engagement. Who makes the rules of engagement? Who creates curricula? What sensibilities take part in educational negotiations? Bennis (1994) and Heifetz (1994) are just two scholars who have pondered these issues. Their primary concern is that only when sufficient attention is paid to differences within the educational context can we hope to rescue education from being used as a utilitarian tool in the hands of political power.

Within an educational context, then, one is left with the question of how to make sense of the current moral terrain. Margaret Walker (1998) provides a compelling analysis of the contemporary situation, and her analysis serves as a useful template with which to examine educational practices. She theorizes that current ethical practices fall under what she calls the “theoretical-juridical model.” The theoretical-juridical approach emerged at a time when communities were collectives of like-minded people who ascribed to or had similar sensibilities. It is rooted in an assumption that moral codes stand outside geo-physical locations and apart from cultural conditioning. According to Walker, this worldview assumes that “it is the nature of core moral knowledge to transcend culture, history, and material conditions, both individual and shared” (p. 9). From this perspective, moral behaviour, moral reasoning, and moral discourse are part of a dominant moral code that embodies universal principles and standards that apply to all people in every jurisdiction at all times. The model also assumes that individuals who hold elite moral or administrative positions (such as school administrators) serve as arbiters and overseers of the moral order. In other words, a person’s cultural, historical, geo-physical, political, or social location is (more or less) irrelevant when it comes to determining moral standards and moral codes. People are expected to behave in accordance with the principles that have been set and that are administered by the elite corps.

Given the tremendous movement of people across and within political, physical, and other delineating boundaries, however, this assumption now stands on shaky ground. Migration patterns, intermingling communities, and cross-cultural assimilation have painted the social world in a variety of colours, and the different hues extend into the

moral spectrum. This kind of heterogeneity has ushered in new worldviews, and specifically new moral orders, that are demonstrably different from one another. Consider, for example, the different moral perspectives held by Christians, Muslims, Native Canadians, and Buddhists, to name but a few. Other regional and non-religious distinctions also hold true. As people holding different worldviews and moral understandings co-mingle, yet more constructs emerge, many of which are hybrids of their contributing constituents and do not precisely or neatly reflect those of their ancestors. What this means is that a small geographical area now often represents great variety and disparity in moral sensibilities, dispositions, and beliefs. Yet, while the composition of moral communities has vastly changed, some of the determining or dominant structures of a moral society have rigidly resisted change.

As a response to this diverse context, Walker (1998) proposes an alternative perspective. Her “expressive-collaborative model” acknowledges difference and promotes intelligent participation by the members of a moral community. The expressive-collaborative model is based on the assumption that moral codes do not stand apart from cultural orders or social locations but are intimately and deeply connected with the ways in which members live out their lives in relationship with one another. Walker puts it this way: “morality is a dimension of actual social lives that inheres in a society’s ways of reproducing its members’ senses of responsibility” (p. 203). This assumption implies that moral standards and codes can be living, dynamic constructs that are negotiated in and through the patterns of obligations, rights, and responsibilities that emerge and evolve as people figure out how to live well with one another and how to walk softly on the planet. From this, Walker proposed the expressive collaborative model to replace the theoretical-

juridical ethical model. Her new model de-centres moral authority and places responsibility for the enactment of moral reasoning and the development of moral understandings in the hands of the members of the moral community rather than in the hands of the moral or administrative elite. Moral discourse and ethical reasoning of this nature accommodates diversity and derives its strength from the positive influences represented by diversity and variety.

The Problem Context

Margaret Walker's (1998) ethical system, which includes an examination of the traditional theoretical-juridical model of ethics and its replacement with the expressive-collaborative model, needs conceptual analysis in order to establish the practical applicability of her model. In other words, how robust is her model? In present times, there is no shortage of ethical examinations. Old theories are constantly being reinterpreted within the present context, and philosophy bookshelves in bookstores are filled with the debates and interpretations. Each theory attends to present-day problems in a unique way. Some manage to do this more successfully than others. In this climate of competing theories, what makes Margaret Walker's theory compelling, comprehensive, or worthy of adoption in practice? This is the question that fuels this investigation. The purpose of this study, then, is to understand Margaret Walker's (1998) system of ethics from three particular angles: epistemology, identity politics, and rights and obligations.

Personal Context

Having read many texts on formal logic and formal ethics, I found myself asking questions that were of the nature, how do we know these things to be true? How do we apply this knowledge into practice? What about people who don't know these theories?

Are their contributions irrelevant, their understandings incomplete? If so, how is it that some of them manage to live their lives happily and successfully? My explorations remained unfulfilled as the texts failed to answer my questions. In 1999, when I discovered Margaret Urban Walker's *Moral Understandings: A Feminist Study in Ethics* (1998), my frustrations were given a succinct and eloquent voice in her preface to the book. In it, she described her journey from excitement to perplexity to discouragement while acquiring a formal education in philosophy. Sparked by a seminar with Carol Gilligan in 1986, Margaret Walker undertook a serious study of feminist thought. Only then were her lived experiences given validation. A long journey of exploration began for her, culminating in this book.

Walker's (1998) text expects the reader to be "more than casually familiar with feminist and other politically critical or postmodern discourses" (p. x). This disclaimer turned out to be more than a recommendation: My first few readings, or misreading, as they turned out to be, are testament to this. A lot of what is proposed and presented in the text relies heavily on other works of feminist literature that justify Walker's position. My not having the necessary background made my reading of the book particularly difficult. Add to that the complexity of the terrain covered and the language used, and the task was even more arduous. Yet the rewards of having struggled over the text for the past 5 years have, I hope – no, I am sure – yielded meaningful and happy results. What is more, my supervisor and I have made a concerted effort to apply Walker's expressive-collaborative model of ethical discourse in the educational context of administration.

The Context of “*Moral Understandings*”

When *Moral Understandings: A Feminist Study in Ethics* was published in 1998, Margaret Walker was an associate professor of philosophy at Fordham University. Since 2002, she has held a permanent appointment as Lincoln Professor of Ethics, Justice, and the Public Sphere at the School of Justice Studies, College of Public Programs at Arizona State University. Currently she is serving a 1-year appointment as a Lawrence S. Rockefeller Visiting Fellow at Princeton University’s Center of Human Values. In the past she has been honoured with invitations to serve as a scholar, speaker, or researcher in the top universities in North America, Europe, and Australia. *Moral Understandings* was Walker’s first foray into moral inquiry and she has subsequently authored or edited three additional books related to the study of ethics. Presently, she is working on her fifth book, *Fixing Responsibility: Essays in Moral Repair*. It is “a study in the expressive and reparative roles of reactive attitudes and varied responses to wrongdoing, in personal and political relations” (Walker, in press).

Morality, according to Margaret Urban Walker, is a collaborative effort in which we jointly reproduce or shift our moral understandings in countless daily interactions. But not everyone has the same power to set or change the moral terms. *Moral Understandings* explores morality as the practice of a responsibility expressive of our identities, values, and connections to others. Walker argues for an informed and politically critical ethics that reveals, rather than ignores or conceals, the moral significance of social differences. (Back cover of *Moral Understandings*, 1998)

According to Frankena (1973), there are three types of thinking that fall under the domain of ethics or moral philosophy.

1. Descriptive empirical inquiry, historical or scientific, is engaged by historians, psychologists, and anthropologists. The goal here is to describe the phenomena of morality or to work out a theory of human nature which bears on the ethical question (p. 4).
2. A normative ethical inquiry yields assertions such as *stealing is bad*, or *it is always wrong to hurt somebody*. Normative ethical statements emerge when an ethicist contemplates on the nature of ethics and the problem at hand, and then forms some prescriptive judgement or conclusion.
3. Analytical ethical inquiry is also termed as *critical* or *meta-ethical* thinking. The kinds of concerns here are, what does it mean when terms such as good or right are used? How can ethical statements be established or justified?

Applying Frankena's (1973) categorization of ethics suggests that Margaret Walker's (1998) critique of moral philosophies targets each of these three dimensions of ethical study, counters them with her own model, and describes the parameters within which her model can flourish. However, since she does not make prescriptive claims, her style and technique can best be approximated as meta-ethical. From this position, Walker challenges normative ethical assertions that are arrived at through theoretical reflective inquiry on ethical matters. These assertions are themselves incomplete because they do not necessarily include various temperaments and dispositions that *really* (rather than hypothetically or reflectively) exist in contemporary societies.

Walker (1998) bases her model of ethics on four assumptions. First, she assumes that “[m]orality itself consists in practices, not theories” (p. 14). Without completely denouncing the necessity to theorize about morality, Walker contends that “theories of morality should not be confused with morality, the human social phenomenon the theories are about” (p. 15). She also distinguishes between different disciplinary approaches. For example, unlike theories of scientific explanations, which desire simplicity and elegance above all (see Occam’s Razor¹), she argues that a theory of morality, which is fundamentally a theory of practice, does not (and cannot) favour any principle for its own sake. Her point is that practices are messy and complex, and to think that theories of practice are going to be simple and elegant is a fallacy. Walker says, “I take morality to consist in complex practices of certain kinds in complexly differentiated social orders and individual varied lives” (p. 15). With inquiry aimed at examining real practices, her moral theorizing differs from other conventional moral theories in that she “directly interrogates some of the most morally troubling aspects of human social life: domination, oppression, exclusion, coercion, and basic disregard of some people by others” (p. 15).

Her second assumption is that “[t]he practices characteristic of morality are practices of responsibility” (Walker, 1998, p. 16). This assumption, according to Walker, entails a need to examine closely questions such as, “what is the characteristic of moral practices, what is done in them, and what is done by means of them?” (p. 16). Her proposal is to locate morality in the “practices of responsibility” (p. 16) that extend not only to the moral community members but also to the moral facilitator. That is, any party who is part of the moral conversation or moral charting needs to

¹ For Occam’s Razor, see <http://pespmc1.vub.ac.be/OCCAMRAZ.html>

define the scope and limits of [their] agency, affirm who in particular [they] are, show what [they] care about, and reveal who has standing to judge and blame [them]. In the ways we assign, accept, or deflect responsibilities, we express our understandings of our own and others' identities, relationships, and values. (p. 16)

Walker (1998) expects that a keen and critical analysis of embedded practices can expose false claims (and claimants) for attempting to garner undue advantage by some community members who might be propelled by a desire for power. A continual examination of practices can engender continual refinement and regeneration of practices of responsibility. She contends that the most effective way to seek what is valued and who holds power is to track the *trail of responsibility*.

The third assumption for Walker (1998) is that “[m]orality is not socially modular” (p. 17). What she is trying to convey with this phrase is that moral practices and moral identities are entwined with social roles and institutions in specific ways and that it is therefore impossible to decouple moral knowledge from everyday practical sense or reason (i.e., social context). Furthermore, since social segmentation and hierarchical power relations are *de facto* norms rather than anomalies, “the commonplace reality is *different moral identities in differentiated moral-social worlds*” (p. 17, italics in original). From Walker’s perspective, past approaches of philosophical inquiry, which fall under the theoretical-juridical template, have universalized and homogenized “‘the’ moral point of view or position of ‘the’ moral agent, and traffics in claims about ‘our’ concept of responsibility, sense of justice, intuitions, or obligations” (p. 17). In other words, in conventional moral philosophies, the particularities of human social context and identities

are discarded, and dominant identities of those in power or under special privilege is imposed on the masses, no matter how diverse they might be.

Her fourth and last assumption emerges as a consequence of the previous three. Walker (1998) states it this way: “Moral theorizing and moral epistemology need to be freed from the impoverishing legacies of ideality and purity that make most of most people’s moral lives disappear, or render those lives unintelligible” (p. 18). What this assumption implies is that Margaret Walker is a pragmatist at heart – a feminist pragmatist, but a pragmatist nonetheless. What she acknowledges here is that morality is something alive, imperfect, and full of complexities of actual social lives, not some ideal or Kantian noumenal. With these assumptions, Walker makes the case for retiring theoretical-juridical ethical investigations in favour of the expressive-collaborative model of ethics “that focuses on understandings of responsibility” (p. 14).

Authority features prominently in Walker’s (1998) critique of moral theorizing. Certain philosophies, she observes, rise to an authoritative stratosphere from where they hide the particularities of their authors. In fact, however, philosophers “are participants in a particular set of institutional arrangements and social practices in which they have come to know ‘what to do’” (Walker, p. 29). This requires that we understand, both historically and conceptually, the role of philosophers and their contributions as they have affected the present course of development.

Walker (1998) argues that although there exist a variety of theoretical approaches in the western intellectual tradition, a common characteristic amongst all of these traditions is that they comprise a “very compact core of highly generalized propositions” (p. 2). Often these generalized propositions are theoretical and obtained by “dwelling in a

sphere of reflective knowledge” (Walker, 2001, p. 7), disconnected from (or not necessarily connected to) the lived experiences of individuals or societies, and in this regard, they are theoretical for Walker. Furthermore, because of the authority that these moral propositions project or convey, and because of the scientific objectivity that they purport, the “propositions act as principles to tell people what they ought to do” (Walker, 2001, p. 2). In this regard, they are juridical. Another feature of the propositions presented is that they are comprised of main principles (or even a single principle, like the categorical imperative for Kant, the principle of utility for the utilitarians, or the principle of justice for Rawls), that are formulated from an original position that is the privileged domain of moral philosophers alone. In this regard again, then, the propositions are biased in ways that are not apparent from the outset. This is what Walker means by a theoretical-juridical model (TJM) of ethics.

According to Walker (1998), templates emerging from TJM have been prized as “rigorous theoretical moral philosoph[ies]” (p. 2), and are what have been practiced in western traditions following Kant’s treatment of human ethics. Walker explicates moral theory, as influenced by the TJM, as representing

a consistent (and usually very compact) set of law-like moral principles or procedures for decision that is intended to yield by deduction or instantiation (with the support of adequate collateral information) some determinate judgment for an agent in a given situation about what is right, or at least morally justifiable, to do. (p. 36)

These theories construct an ideal that a well-equipped moral agent can achieve, and from the specific moral ground, justify a position and pave future action. Furthermore, these

positions often lend themselves to certain codified language that is compact in description and comprised of a consistent (set of) procedure(s). Moral theory, under Walker's TJM, has as its central aim the discovery/construction, testing, comparison, and refinement of moral theories... which exhibit the essential core of pure or proper moral knowledge, in distinction from merely collateral practical, psychological, sociological, anthropological, historical, etc. (i.e., merely factual, nonmoral) information. (p. 37)

This temperament and understanding continues to find heightened support in many social communities. Within a certain segment of the population whose privileged members serve as leaders and managers, these sets of objective (or seemingly objective) moral philosophies provide the shelter of authenticity and authority, and they retain their appeal because of efficient implementation. These details have been voiced quite comprehensively by Mitchell and Kumar (2001) and Kumar and Mitchell (2002). The purpose of this study is to closely examine Walker's (1998) problem with the philosophies that fall under the theoretical-judicial template with reference to epistemological concerns, identity politics concerns, and patterns of rights and obligations.

Conceptual Context

In this study, the analysis of *Moral Understandings* will be focused by the conceptual triad of *epistemology*, *identity politics*, and *patterns of rights and obligations*. This framework reflects the key concepts that Walker contemplates in her studies of past moral philosophical inquiries and in her own model. The remainder of this section offers some foundational characteristics of the three pillars of the framework.

Epistemology

Etymologically, epistemology comes from the Greek word, “epistēmē,” meaning “knowledge”; the suffix “ology” means “the study of” (Angeles, 1992, p. 89).

Epistemology, therefore, is “the study of knowledge” or “theory of knowledge.” It is a branch of philosophy that concerns itself with the nature, origin, scope, and biases of knowledge. More precisely, it interrogates the origins of knowledge or theories by asking, for example, what is the source of their origin? How do beliefs, values, and reason factor into the formulation and understanding of knowledge? Answers to these questions give us the sense of what is *true*.

A deceptively simple way to define knowledge would be say it is “true, justified belief” (James, cited in Rohmann, 1999, p. 118). That is, one knows something when one believes it to be true and when the belief is justified, and it, in fact, is true. But a definition of knowledge is often contingent on the worldview held by the person defining the truth. This claim implies that an objective, all encompassing "Big-T" truth that is accessible by human beings does not exist, nor has the quest for such a truth led to codes of conduct that have remained infallible. Therefore, an objective definition of knowledge is unattainable. As a result, individual interpretations have informed understandings of knowledge throughout history. Plato, for instance, regarded knowledge as the opposite of opinion (*Republic*); Marx considered it a construct of economic relations (*Das Capital*). But what is more illuminating in the study of epistemology is that there exists an ongoing doubt about the possibility of obtaining knowledge (Rohmann, 1999). Much of epistemological study concerns itself with this foundational doubt.

The second epistemological question of how the mind obtains knowledge has also been approached from varying interpretations (Rohmann, 1999). Historical answers to this question can be sorted into four major categories. All four are discussed by Rohmann (pp. 117-118) and are presented herewith. One view suggests that knowledge comes into the world naturally. For example, Plato's descriptions suggest that knowledge comes from the transcendental world (the world of perfect forms) into the material world (the world of inexact forms). That is, there exists a perfect form in the "world of forms," which manifests itself into the material world as and when it chooses through the agency of a special human being: the philosopher king. Hegel's argument in *Phenomenology of Spirit* (1806) follows a similar trajectory, whereby he presents knowledge as evolving through the dialectic process of human engagement with history. It is, in Hegel's terms, the *Geists'* evolution. The important commonality here is that knowledge exists and reveals itself over time, cumulatively, naturally, matter-of-factly. The collective desire of peoples or nations – the *Volksgeist* – is merely an aspect of Geist. It evolves over time, and just as a child learns about itself over time, Geist learns about itself over time through this process. In this regard, knowledge manifests itself *through* us (humans), and we have a less grandiose part in its discovery than we might like to think.

The second view suggests that knowledge comes to us by way of our intelligence and reason. This view is evident in the works of Aristotle (384-322 BCE), Rene Descartes (1596-1650), and Bertrand Russell (1872-1970), to name but a few of the philosophers dispersed throughout the western intellectual tradition who have represented this camp (Rohmann, 1999). From this perspective, knowledge comes into the world through a systemic process of comprehension, reflection, abstraction, analysis, and

drawing conclusions to create new understandings. Worthy of note here is the emphasis on the cognitive processing of sensory input that makes knowledge accessible to human beings. This should not imply that aesthetic and other qualitative human dimensions are unimportant; it is just that knowledge (in *prima facie*, that which is worth considering knowledge) is discovered through the intellectual faculty of reason. Rohmann presents the argument this way: Despite the fact that human beings are blessed with a substantial amount of reason, they are animals nonetheless. As such, their reason gets clouded by passions and instincts that sometimes run counter to reason. In this regard, only God is capable of pure and incorruptible reasoning. Therefore, to doubt everything, most of all one's instincts, is the way to discover true knowledge. This process became the means with which Descartes set to weed out of the thicket all that was not reason.

The third view of acquiring knowledge suggests that we create knowledge out of our experience, which is dependent on our psychological, historical, cultural, and social conditions. Knowledge, therefore, can never be absolutely objective. Examples of philosophers who fall within this category include Nietzsche, Marx, Dewey, and the phenomenologists of the past two centuries (Rohmann, 1999). These philosophies of knowledge oppose the notions that (a) knowledge is transcendental or super-natural and that (b) knowledge is objective and therefore accessible through reason and intellect. This view of knowing perceives knowing to be a dynamic entity that emerges when people engage *with* and *within* their environments.

The fourth view is a relatively new area of inquiry that has emerged as a result of research on the ways in which neurons acquire and store information. The scholars in this camp include Lakoff and Johnson (1999), Rumerlhart (1986), and Dennett (1995), to

name just a few. The answers furnished by these scholars do not necessarily comment on the *motives* of knowing but focus on the *physiological how* of knowing. Therefore, it is not uncommon to see scholars in this group belonging to any of the aforementioned categories of epistemology. That is, this category does not hold exclusive relationship with any of the other epistemological categories.

Epistemological questions that interrogate the source of knowledge guide Margaret Walker's (1998) work on ethics. One of her main goals is to explicate how collective knowledge constructions and knowledge politics have shaped moral philosophies, both of past traditions and her own. That is, she concerns herself with the question, "how does one know?" The answers emerging from this question guide Walker's examination of the nature of knowledge that informs moral theories, which in turn affect moral choices. This constitutes a central theme in Walker's discourse.

Identity Politics

A further question that concerns Walker (1998) deeply is that of "who we are" Her thesis is that personal identities and the politics through which identity is shaped play a prominent role in moral deliberations. Etymologically, identity comes from the Latin root word "idem" meaning "the same." One interpretation of identity, then, is all those elements of people that make them identical to one another or to members of a group of people. In Walker's context, however, another meaning is implied: Personal identity refers to all those social constructs and those other aspects of human nature that have been previously neglected by moral philosophies, with gender, race, ethnicity, and culture being model cases.

The foundational claim of the identity argument is that race, ethnicity, and culture are central to moral identity (Hinman, 2001), and due attention to personal identities recognize and value the situatedness of a moral agent. Walker cannot lay claim to the latter discovery. Identity arguments have been discussed extensively in the political and moral spheres (e.g., Foot, 1978; Stocker, 1976), but what is distinct about Walker's interpretation is that the final outcome of an ethical deliberation is contingent on the emotive and cultural aspects of an individual. Understood in this manner, identity plays a more prominent role in non-normative ethical deliberations (descriptive ethics and/or meta-ethical inquiry) than in normative ethical principles. That is, ethical prescriptions that treat human identity as unimportant, naturalistic, or sub-rationalistic, such as those prescribed by Kantian, or theological ethics, devalue or diminish personal human contexts and subjective, cognitive, psychological, or physiological elements (Stocker, 1976). The first task is to understand how identity affects moral decisions and non-normative ethical inquiries. This kind of understanding can account for and accommodate human (embodied) elements that are ignored in Kantian and Utilitarian ethical models. The purpose of the identity argument, then, is to allow room for those moral theories that embrace diversity and a plurality of views.

The polarity between instrumental and non-instrumental understandings of subjectivity's role² in ethical decisions guides Walker's (1998) exploration of ethical territory. She is quite sympathetic to the personal contexts that play a part in the moral contexts of ethical deliberation and final decision making.

² The terms, *subjectivity* and *objectivity* are used throughout the text with their descriptive meanings in mind. I recognize that they carry with them philosophical connotation, but that is not the topic of exploration here.

Rights and Obligations

When knowledge politics and identity politics intersect, the question of what rights and obligations are granted to individuals becomes important. For instance, if my knowledge inclines me to choose option O amongst various ethical options available, I might still not be able to put that option into practice if the environment (or hierarchy, system, or social location) does not grant me the license to make that choice. In other words, the choice of option O is contingent not only on my knowledge and my preference, but also on the circumstances and constraints imposed on me by virtue of my position, sex, race, or any number of sociological, economic, and legal factors. These restrictions frame and delimit my rights, and they also exact a price that I must pay in order to exercise my rights. That is, certain obligations accompany the rights.

The history of rights and obligations has been the jurisdiction of political and legal theorists. That each political school of thought has favoured some segments of population over other(s), while not always overtly stated, is at least implicitly understood. Michael Ignatieff (2000) provides a compelling example of the relationship between language and the moral order by calling attention to the misuse of the word *rights*. Generally, the term is used to draw attention to individuals' wants, needs, and desires, but he points out that it also grants similar privileges to *all* members and parties of a particular social group. Seen in this light, the use of rights should become a means to flatten the playing field rather than to embed privilege. According to Ignatieff, however, some enthusiasts have accorded particular rights to certain groups or individuals who have some specific characteristic such as language, colour, or position. He argues that this misuse of the notion of rights disguises desires or intentions and conceals privileges.

This issue raises two questions of the sorts of rights that (a) administrators implicitly believe to be theirs and (b) community members believe are theirs. For example, administrators at times have assumed that, in the name of organizational efficiency and effectiveness, they can undermine the clarity of communication through a process of strategic deception or omission (Nyberg, 1994). This is used as an implicit right and is equally applicable to school administrators as well as the administrators in any other domain.

Walker's (1998) concern is that the lack of transparency of ideological beliefs has led people astray. She argues that the concealed terms of engagement are not only unethical in themselves, but they also cause moral confusion and apathy in people. She is not so naïve as to denounce limited rights by any means; actually, she is in favour of making explicit and visible the intent, process, and mode of ethical activity, which would automatically place restrictions on the rights of people and groups.

Walker (1998) also argues that the price one has to pay in order to exercise one's rights is so high at times that the choice is merely theoretical and therefore useless. This idolatry of theoretical over practical choices, consequences, and implications constitutes an unethical mode of engagement that disempowers, marginalizes, or excludes individuals, thereby silencing or stifling their moral impulses. To examine rights and obligations, then, is to examine who has the right to do what and at what cost. Exposing these undergirdings of ethical theories allows the reader to draw his or her own conclusions as to the strength and weaknesses of the options and choices inherent within the theories. An example helps clarify matters here. Consider the history of Native people within North America. Their system of ethical reasoning differs from Eurocentric ways

(Pierotti & Wildcat, 1999). However, while they have the right to arrive at decisions based on the evaluative system they subscribe to, their decisions have no practical import because they have not been granted rights that are recognized by the systems of government prevalent in the land. Their ethical system has therefore been silenced, their rights have been limited, and the obligations owed to them have been defined by the dominant ethical system that is not their own. Theoretically, their rights are inscribed and given merit, but in a political act of sleight of hand (or sabotage) they are granted no real space to engender and act on these rights.

Rights and obligations that go hand-in-hand then, need some adjudication so that community members participating in moral conversations are not dealt a hand that is too constraining. That is to say, if one is assigned duties or is obligated to do something, it has to be compensated with due rights as well. The case of forgotten African-American heroes of World War II serves as an example to clarify the matter here. In WWII, African-American men enrolled into armies and served in various infantries, in hopes that upon successful duty completion, they and their family members would be awarded equal citizen rights. Alas, upon their return, they resumed exactly where they left off – without rights of citizenship in the USA. In other words, they performed duties, but were dealt a short hand when it came time to dispense rights.

Methodological Context

This was a conceptual study of Walker's (1998) text. Concepts were explored using the framework described above. Here, I briefly describe the process I undertook to accomplish this task.

I began by closely reading Margaret Walker's (1998) *Moral Understandings: A Feminist Study in Ethics* in an attempt to extract her major targets of analysis. Numerous related concepts emerged from the initial reading. To understand those concepts, I immersed myself in her various other writings to further deepen my understanding of her moral concerns. In subsequent readings of *Moral Understandings*, I established relationships among various concepts that she proposed and developed in her book and grouped them under three major themes in consultation with my supervisor. This gave me a conceptual basis from which I could branch to other sources to understand the underpinnings of Walker's work, and to seek out grounds from which comparisons could be made. This investigation exposed me to rich writings from the fields of educational administration (Beckner, 2004; Bennis, 1994; Heifetz, 1994), feminism (Gilligan, 1982; Harding, 1993; Held, 1993), and philosophy (Frankena, 1968; MacIntyre, 1976; Ozmon & Craver, 1990; Sidgwick, 1874/1981).

Finally, for practical implementation of Walker's (1998) work, I examined the applicability of her system of ethics within the present educational context of Ontario, including both K-12 and higher educational systems.

Limitations of the Study

This is by no means a comprehensive exploration of ethics of the Western intellectual tradition. Neither is it a comprehensive study of Margaret Walker's (1998) system of ethics. Instead, it is a conceptual analysis of Walker's interpretation and configuration of the contemporary ethical terrain, based on the framework described above. It serves the purpose of examining her work for its applicability in the educational context.

Equally important to note is that the conceptual framework of this study emerges directly from Walker's (1998) text, but additional themes could have made the study of Walker's system of ethics more thorough. As well, whether the themes of *epistemology*, *identity politics*, and *rights and obligations*, are pertinent and applicable across philosophical systems outside Walker's ethics, is open to debate.

Organization of the Project

In the first chapter, I have laid out the general context of the socio-political climate. Furthermore, I present an educational context within which Walker's (1998) work is relevant. I also briefly introduce the author and outline the salient features of the book under investigation. My personal motives that have fuelled this investigation have also been presented in this chapter, along with a brief description of the methodology of the study.

In the subsequent three chapters I explore the concepts that form the conceptual framework of the study and how they relate to Walker's interpretation of past ethical models as well as her own system of ethics.

In the last chapter, the educational relevance of Margaret Walker's (1998) expressive-collaborative model of ethical discourse is explored from administrative perspectives. As well, the limitations of her model within this perspective are also delineated.

CHAPTER TWO: EPISTEMOLOGY

We can deeply love what we do not know, but we cannot deeply know what we do not love³.

(Simon May, 1999, p. 31)

In chapter 1, four epistemological categorizations were presented. These were: (a) knowledge comes to us naturally, (b) knowledge comes through the agency of reason alone, (c) knowledge is created out of experience, and (d) knowledge is a neurobiological construct. They were crude, to be sure, but they demonstrate that human inquiry has afforded answers to the question of epistemology from differing perspectives and they highlight essential differences in ways of knowing. One point of similarity, however, is that this knowing is expected to inform our intellect, affect our emotions, and sometimes change our behaviour. If ethics is understood as a process of selecting from amongst various options that which is deemed to be best suited to a situation, then, on the one hand, this knowing is an essential prerequisite for making a decision based on some (subjective or objective) standard. On the other hand, knowledge is essential in projecting potential outcomes of a decision that one makes in the present. The decision, then, becomes a function of imaginatively projecting the outcome of different actions and choosing the most desirable option. In either case, the nature of knowing affects our decisions, however implicitly, in a substantial way.

A moral decision made by an individual, through intricate cognitive processes, reflects his or her partialities or biases toward content matter. However, this decision might seem foreign to another person. This is owed, in part, to how an individual

³ Of course, we can also know something when we deeply hate it too.

understands the world to be. In other words, our understanding of the world, our knowledge of it, affects our inclinations and final outcomes. Additionally, since there is no one definite way of knowing the world that is furnished by following different trajectories (see for example the difference in approaches and results obtained through empiricism, rationalism, and materialism), these approaches often yield non-congruent results. Margaret Walker (1998) is attuned to this fact and is sympathetic towards an understanding that doubts a singular way of knowing. However, she emphasizes that there has been insufficient currency placed on empirical ways of knowing. She illustrates this by depicting the woeful treatment of women in the past. She argues that with empirically sound evidence and close study, "... it has been revealing to see which – or better, whose – responsibilities are spotlighted as representative of ‘moral obligations,’ and which (whose) do not show up at all” (p. 77). To elaborate on this point, the discussion continues under the categories: “history of omission of epistemological realities” and “new epistemological lexicon” (page number?)

History of Omission of Epistemological Realities

According to Hinman (1997), from the time of Aristotle on, the study of ethics has favoured men. Even in cases when there have been contributions by women, they have been ignored or neglected, with little in the recorded history of the western ethical tradition to acknowledge their contributions. Walker (1998) agrees that men have enjoyed a privileged stature in society and in the academy, unlike women, who have in the past been relegated to almost a subhuman status. Noble (2002) offers as evidence the case of Greek and Roman republics where only men were given the right to vote by casting a ballot to contribute their opinion(s) on state matters. In short, there is no shortage of

recorded evidence of ill- or maltreatment of women. Walker refers to this notion of ill-treatment and particularly to that of Greek society. She asks, “how did the Greeks *not know* women weren’t born to be what they were?” (Walker, p. 158, italics in original). She argues: “The Greeks knew coercion, not nature, made slaves; but they believed that nature, not coercion, made women” (p. 158). The role that women played in Greek society was that of biological functionaries to reproduce, to bear children. In this sense, there was a position “by nature” that women were expected to fill. Walker says, “[t]he Greeks supposed to have confused this sexual role with ‘a naturally given social identity’” (p. 159). Within this system, it was desirable for a female to be a wife, because as such she could fulfill her natural and social role. However, the practice of chattel slavery complicated matters because those females who were not wives of *free* men, despite fulfilling the role of being sexed females (having borne children), were not given the stature of a wife. Walker sums up the situation in this way:

... the biological fact of being female does not necessarily confer the identity of wife. In fact, it does not necessarily confer the identity “woman.” Not all females are women, in precisely the sense in which it is, necessarily, women who are wives. (p. 159)

Additionally, those women who, for any number of reasons, did not marry in Greek societies, or who did not (or could not) bear children, were also denied the status of social women. In short, women were believed to be of an ilk very different from those of their male counterparts.

These descriptions clarify two things: (a) that women’s identities were coupled irrevocably to those of the males in their family and society and (b) that biological

(natural) functions of females were irrevocably coupled with their social structures. The epistemological point is that the social world was understood to be composed in a certain way. That way was one in which women did not hold the position of equity. As a consequence, the discussion reveals that moral (or other) considerations and decisions made by authorities neglected a large (very important) segment of the population. Over a sustained period of time this neglect muted the voices of women on the one hand, and formed only a partial construct of the society and world on the other hand. Considerations of rights were thus given only to those who were part of a particular understanding of the Greek society in antiquity, namely, free men.

As if this were not enough, Walker (1998) goes on to describe that while there remained an outlet for slaves to depict their horrors and tragedies through various art forms such as drama and stage plays, no such outlet was available to women. She says,

The Greeks did not see that women weren't born for their role; or, whether or not they saw this, that women's role was something women might have reason to hate, resent, or complain of. What is it that women were born to be in the ancient Greek society, and what about this did the Greeks not notice? (p. 158)

This reinforces the point that women did not measure up on the scale that awarded rights.

Walker (1998) detects this trend in the historical discussion of Greek society undertaken by Bernard Williams (1993). Walker agrees with most of what Williams has to say about the plight of slaves in general, although, she charges his analysis to be

“oversimple” (p. 155)⁴. But what is more noteworthy in this explication is the realization that though Williams wrote his expose in the early 1990s, there still remains a large degree of obliviousness and ignorance with regard to the understanding and interpretation of women’s roles, both historical and present, and a lack of imaginative empathy for women as fellow human beings. In this way, the conceptions of oneself, one’s own society, and one’s understanding is simultaneously flawed, incomplete, and constantly changing. That is, even in present times, there remains a residue of partial thinking, wherein a segment of the population is not given their due consideration in various forms of deliberations, because they do not represent (or embody) certain aspects – whether those aspects be gender differences or ideological differences.

Walker (1998) illustrates this essential point of ideological partiality by describing what an ideal autonomous man looks like to three great contemporary thinkers of our times. For John Rawls (1921-2002), it was the “life of rational planning” that was ideal for his autonomous man, equipped with his theory of justice; for Bernard William (1930-2003) it was the “constitutive project” that was prized for his ideal autonomous man; for Charles Taylor (1931-) it is the “strong evaluative” component that equips his ideal autonomous man. Walker’s reservations against accepting the premise of these philosophers is based on the fact that in each case, autonomous “... man is disembodied, disembedded, unencumbered, affectless, isolated, detached, unpleasantly self-interested, defensively self-protective, abnormally self-reliant, and narcissistically self-reflective...”⁵ (p. 131). Walker presents the counterarguments to this position from (a) communitarians,

⁴ Williams account of Greeks’ chattel slavery, although persuasive to Walker, fails to include the idiosyncrasies it ascribes to the description of slaves to women, who were relegated to slave-like status owing to their physical or biological character. For detailed exposé see Walker, pp. 153-157.

⁵ Other philosophers contend that the descriptions of autonomous ideal man are a methodological ploy, no sexism or racism is intended. But here, I am primarily reporting what Walker is saying.

who posit that *no* such actual man can really exist and (b) feminists, who argue that “this could only actually be some *man* (a male individual quite particularly placed) in the social life of a society like ours” (p. 131). In other words, there are aspects of all kinds of man [*sic*] in us. By favouring one conception of an autonomous man, these philosophers align themselves with one particular way of understanding a person, or they implicitly convey that certain virtues ought to trump other virtues, whenever they are in conflict. What is more, the selection of their favoured virtue is picked from a pool of virtues that is by no means exhaustive – it does not include virtues that feminist movements have been lobbying for, such as preservation of relationships, nurturing, *inter alia*. Walker (2001) calls this an “epistemological burden” (p. 1).

It is clear from her exposé of each of these three philosopher’s positions that she is more in agreement with feminist interpretations. A possible solution to the problem, according to Walker (2001), is the suggestion to

unburden ourselves of some of these, in my opinion, untenable metaphysical and epistemological burdens, and instead burden ourselves with what I call an *empirically obligated theory*, that is, one that tries to understand morality as a human practice embodied in social forms of life, yet one that tries to understand how, nonetheless, morality is normative for us; how it makes demands on us, how we justify and strengthen our sense of that demand, and the legitimacy and authority behind it. (p. 1, emphasis added)

What Walker is arguing for here is acceptance and validity of the practically lived lives of actual people, rather than *Gedankenexperiment* (purely hypothetical mental

experiment) and a reconnection of philosophy, and moral philosophy in particular, to lived experiences. In this regard, she is following the lineage of empiricists beginning from John Locke and David Hume. That is, Walker subscribes to the idea that knowledge of the world is accessible via human experiences. She derives this sense from Gilligan's groundbreaking work, which influenced many fields of study. Gilligan published *In a Different Voice* in 1982, in response to Kohlberg's discrete stages of moral development. In it, she declares that moral history has been the history of patriarchy, with no room for race, ethnicity, and gender. It has been a history of hierarchy, where men have held positions of privilege and power. Voices of women and those on the margins have been left out of mainstream conversations of and about ethics.

When Gilligan used female participants to investigate psychological stages of moral development, she found major discrepancies in relation to the results garnered from male participants. Her study brought to light the absence of women's voice in moral and ethical stages of development. That is, the knowledge construction, the practice of knowledge creation, with which Walker (1998) is primarily concerned, was dismissive or unaware of women's perspectives. Gilligan posited that to rob someone or some segment of the population (women in this case) of their inherent voice(s) is to dehumanize them. The questions posed during Gilligan's research provided evidence that moral conversations and philosophies lacked representation of values that were inherently personal and meaningful to females. If this internal voice is persistently or chronically muted, it severs the internal world of a person from the external reality. The implication here is that communication lies at the heart of social and personal moral behaviour and voices are the means through which we connect deep-seated inner aspects of self to the

external world. The upshot of this is that by listening to voices of others we get access to the outside world and connect it to the inner world. Accordingly, to have a voice is to have a relational strength, to participate. It is relationships that bring the breadth of experience into the human psyche and instill the capacity for moral conversations.

This is crucial in the participatory model of ethical deliberation that Walker (1998) is trying to construct. If there remains a gap between what was really happening (the inner world of the self) and what was said to be happening (some philosopher's concept of what ought to happen), the participation in moral code development is for appearance's sake only. In other words, ethical conversations were premised on the notion of a separate self. It is this autonomous self that Walker (1998) noticed in the works of Rawls, Williams, and Taylor. It is this limited understanding of human species that worries Walker. She is in favour of understanding the real psychological differences between men and women; those that are empirically sound. She calls such an honest engagement "an empirically obligated practice" (Walker, 2001, p. 7), by which we can get our facts (insofar as facts can be gotten) through empirical means that validate experience. According to Walker, all else is the "sphere of reflective knowledge" (p. 7) and the emergence of this autonomous man is a result of speculation and reflection on pure practical reason or other a priori knowledge, supersensible intuition of the Good, which has its roots as far back as Plato and as late as G.E. Moore in the 20th century. We can see this even with constructions like the transcendental presupposition of the speech situation in Habermas, or Rawls's hypothetical original position, or the necessary conditions of agency as such. There is a whole list of these historical and contemporary

constructs, and what they have in common is their effort to point out an access to knowledge that does not require empirical grounding. (p. 7)

Walker (1998) understands the complexity and difficulty of such an undertaking. She envisions the kind of defence that moral philosophers might present: It is not a philosopher's role to step outside the reflective sphere and muddle with social operations, because reasoned reflection is their pathway to objectivity and distance. According to Walker (2001), however, "they do indeed reflect on something" (p. 7) and that object of reflection is their own personal lives. She contends that philosophers, and indeed all of us, converse from where we are socially, economically, and culturally located. She admonishes us to make amends and show transparency of our process of moral construction by adopting a "constructive methodology, which is to say we should just come clean about what we are doing" (p. 7). Through this honesty alone we can understand "a gender bias in certain models of moral action" (p. 5) and then we can deal with it more transparently or accountably.

Walker's (1998) epistemology, then, concerns itself with ways to know, is cognizant of what we know, and understands where and how the impurities of biases (and social locations) may influence knowledge construction. In keeping with feminist epistemological concerns, it values human relations, modes of conduct, and dispositions that are sensitive to various facets, including the influence of gender differences on epistemological understandings that construct our social world(s). This forms the foundation upon which Walker (1998) constructs her expressive-collaborative model of ethical discourse.

New Epistemological Lexicon

Walker (1998) contends that the feminist idea of knowledge is quite unique. It understands knowledge to be “an intersubjective product constructed within communal practices of acknowledgement, correction, and critique of claims to know” (Code, 1991, cited in Walker, p. 57). When we dispense with divine doctrines and throw out rational, objective claims to knowledge and morality, we face a situation where there are no moral facts to be discerned that stand independent of our efforts to live in ways that we and others can endorse. There is, in other words, no moral “here” or “there,” independent of and legislative for our practices, moral valencies, and reflections on them, no chance of discovering some moral truth that is just given. And yet we do owe each other a certain *mutuality* and *reciprocity*. Walker’s (1998) epistemology attends to this issue by performing two functions: (a) it answers the question about “what kinds of things people need to know to live according to moral understandings that prevail in (any of) their (possible multiple) communities or societies” (p. 59) and (b) it supplies “critical strategies and standards for testing whether standings about how to live that are most credited in a community or society deserve their authority” (pp. 59-60). The first of these concerns (what people need to know) has two distinct parts: (a) *what* people need to know about and (b) *how* they need to know about it. Like Walker (1998), I will explicate the second question first, since it deals with the process and describes how we arrive at new understandings. As to the second question, the critical self-examination of the process inherent within Walker’s ECM continually (re)examines the authority of what is established at a specific time in a specific place.

How to Know?

It is essential to remember that, according to Walker (1998), knowledge is not divinely given or comes into the world naturally, nor is it laboured through some hypothetical reflective process by philosophers. Instead, it is created through an active process, collaboratively by the members of the community or society in question. With this background, Walker proceeds to describe how to engage in the process and its salient features.

Through the description of the process and nature of moral participation in the ECM, Walker sets out the parameters within which moral conversations can occur. She explains that this component of the ECM describes “‘how’ we show our moral competence in entering and defending claims, how the terms and standards for claiming and justifying are kept in place or altered, and what reasonably confirms or undermines their authority” (Walker, 1998, p. 60). The self-reflexive component of the model situates objectivity in its right place, from where it lends a healthy contribution in descriptive aspects of ethical inquiry. Because of this, Walker describes the ECM to have “interpersonal and constructive” (p. 60) character in pursuing moral deliberations. Since this dialogue (or plura-logue) happens among people, the moral life is viewed as a “continuing negotiation *among* people, a practice of mutually allotting, assuming, or deflecting responsibilities of important kinds, and understanding the implications of doing so” (p. 60, italics in original). This representation of morality serves descriptive as well normative ethical functions: descriptive in the sense that it reveals “what morality ‘is’” and normative in the sense that it “suggests some important things morality is ‘for’” (p. 60).

The ECM is not so exaggerated as to suggest that it is an ideal in its present form for eternity. Walker (1998) submits, “Like all such interpretive devices, this model is a creature of its specific historical time and social place, and of my interests in advancing it” (p. 60). Yet she believes that the contemporary context compels us to dispense with hegemonic claims of moral authority in political, economic, and educational settings. The “monologic” picture of internal reflections (single logic that alone trumps all other competing logical positions) that traditionally has guided (and falls under the TJM) is dispensed with, in favour of the ECM’s empowerment of all community members, including previously excluded social communities. The purpose is to give these previously excluded groups voice to share their own legitimate concerns. This is akin to participatory democracy and requires the creation of moral safe ground(s) where conversations can ensue. In this regard, the ECM differs from the TJM in that reality is no single philosopher’s domain to which he has some special or privileged access and claim. In this manner, Walker strips philosophers and leaders of their unquestioned moral authority. Instead, every community member is “empowered to speak their own voices, out of their own bodies, lives, and communities, not as impersonators of the privileged” (Scheman, 1993, cited in Walker, p. 61). Walker regards people differently knowledgeable in different things, but not devoid of moral reasoning. She acknowledges, “differently placed people know different things in fact” (p. 6) and her ECM provides a forum where this knowledge is revealed.

In this safe space, many resources are provided to increase the possibility of consensual agreement, and for community members to contribute to the development of collective moral ideals. These include: “shared vocabularies and grammars of moral

discourse that give us things we can say, and an understanding of when to say them ('kind,' 'ungrateful,' 'fair,' 'wrong,' 'irresponsible,' 'promise,' 'honor,' 'lie,' etc.)" (p. 61). But these conditions are not sufficient to ensure success in moral deliberations, and educational resources must be provided for (potential) moral agents to learn the rules of engagement. Stressing the need for equilibrium in the ECM, Walker says, "moral agents must learn a logic of interpersonal acknowledgement in moral terms" (Cavell, 1979, cited in Walker, p. 65).

The expressive-collaborative process aims to cover the moral terrain by including individuals from all segments of the society equipped with all manner of dispositions in the moral discourse. This level of inclusion brings with it the probability of multiple motivations, desires, and dreams jostling for position in the deliberative community. Not all of these motivations, desires, and dreams can be fulfilled, and so the problem lies in the ability to facilitate the process so that people (including administrators) meet their goals without using the process for their own personal gain. Walker (1998) argues that this ability lies in the quality of integrity:

I want to get at how integrity is reliability not only at the outset, in the having of firm and coherent convictions and publicly expressing them, but also after the fact, in various reparative responses, sometimes including changes of moral discourse. The point coming and going is our being reliably responsible in matters of our own and others' goods, as well as keeping clear and vibrant the shared understandings of them. (p. 117)

Walker goes on to contend that reliability does not mean rigidity and that people "may be *differently reliable*, depending on what is at issue" (p. 117, italics in original). Integrity is

achieved when the premise upon which reliability stands is reexamined to reflect new sensibilities, understandings, and commitments that emerge in each iteration of moral deliberation or moral development. A “differently reliable” balance is respectful of, and responsive to, the lived experiences of diverse community members.

In short, then, Walker’s (1998) ECM treats change (of attitudes, of knowledge, and of identities) sincerely and not only embodies it in its counter-interpretation but also embraces it with the provision of continual refinement and amendment through an iterative process of moral formulations. It is clear that the process for moral development that Walker (1998) proposes needs to be safe, open, rigorous, self-testing, transparent, and repetitive, but what is deliberated within that process? This question leads directly to the next section.

What to Know About?

This is a difficult question to answer because it is an attempt to pin down a moving target. That is to say, Walker’s (1998) system of ethics assumes that individual temperaments, understandings of the world, and moral impulses, amongst other things, change over time. From an isolated place in history and time, for an individual to peer into the future and predict what must be followed and discerned, as *content* of ethical deliberation, would be disingenuous. The temporal particularity of a person, philosopher, or system limits the extent of application of any such prescription. However, what is possible is a delineation of the parameters within which ethical conversations can ensue.

Walker (1998) contends that a useful way to discover the working moral knowledge in a society is to examine “what it is useful to look for and look at in identifying a society's prevailing moral understandings" (p. 60). She expects this type of

examination to yield a clearer sense of the dominant moral knowledge that underpins the moral discourse. Walker presents her case in this way:

The distribution of caring labours disproportionately to women in our society, more disproportionately still to women who are relatively poorer and nonwhite, and the low(er) social status of caregiving activities and caregivers, are no longer hidden in plain sight.... If gender is a feature of status revealed in who gets to do what to whom, it also shows in who is expected or permitted to do what for whom. (p. 78)

That is, Walker proposes to trace channels of responsibilities to get a snapshot of the current social moral terrain. This, I think, also gives an indication of what ought to be included in the moral discourse (the subject matter of the process) and helps to erect structures within which moral conversations can begin. That is, if by charting responsibilities in a social community we can discover the moral picture of the community at that time, then it stands to reason that in moral conversations (or deliberations) due attention should be paid to ways of understanding responsibility. Responsibility, then, defines the boundaries within which moral conversations can proceed.

In fact many philosophies and philosophers have provided such boundaries. These boundaries tend to describe and nurture those aspects of human conduct which are assumed to be starting points of moral impulse. In discussing one such compelling argument, Walker (1998) presents the work of Robert Goodin (1985), who developed the “vulnerability model” to address the problem of giving a principled moral justification of certain familiar partialities and special obligations. According to Walker (1998),

Goodin's model succeeds in dispensing with the idea that morality arises out of some form of extended egoism or pure voluntarism. However, his ethic is based on the principle that "we are responsible for protecting those vulnerable to our actions and choices" (Walker, p. 80). Goodin calls it the *principle of protecting the vulnerable*. Vulnerability for Goodin means "susceptibility to injury" or "being under threat of harm" (cited in Walker, 1998, p. 83). It is one form of an "ethic of responsibility." His claim is that moral justification comes from the relationship of vulnerability. That is, there exists "special" relationships, like those based on specific connections, interactions, or agreements, that give rise to moral obligation. In this sense, there is a notion of moral responsibility. It is important to note here that this moral responsibility comes from the idea that if a person, A, is vulnerable to person B, then it is the responsibility of B to be morally responsible for A.

Walker (1998) only partially agrees with Goodin's analysis. She acknowledges that Goodin's model "locates an important *regulative guideline* implicit in many of our assignments of responsibility" (p. 79, italics in original). In this manner, Walker agrees with Goodin's attempt to focus moral conversations on the social practices and responsibilities of individuals across communities. Walker awards Goodin the credit for making a reasonably successful attempt to rescue origins of morality from unknowable, pre-cognitive interpretations of intuitionism and voluntarism. Prior to such attempts, moral systems were more or less "unsystematic" or "unanchored and uncritical" and left many cases of moral origins unexplained or ill-explained (Walker, 1998, p. 81).

Walker does cast doubts on some other motives of Goodin's ethical model based on the principle of protecting the vulnerable (PPV). Goodin claims to explain away

morality that emerges out of special relationships (like those between parents and children, between friends, between partners) and acts between those participants who are bonded through the principle of vulnerability. She presents Goodin's motive as an attempt to "convince us of the viability of PPV in dealing with the still debated problem of special relationships and partialities," as well as for "us to acknowledge the systematic power and larger scope of the concept of moral responsibility" his principle defines (Walker, p. 82). That is, upon accepting PPV, a sense of moral responsibility develops within the moral agent by which he/she performs kind acts (like saving a drowning stranger) that explains moral acts not bound by previously defined special relationships.

Walker (1998) presents two arguments against Goodin's claims: First, "Goodin makes aggressive claims about the implications [of his principle of protecting the vulnerable] with respect to individual and collective obligations to unknown and unknowable strangers" (p. 82). That is, the power dynamic between individuals connected to each other through vulnerabilities is disproportionately biased in favour of those who have the power over those who are vulnerable. In everyday situations, these are the relationships of parents over their children, school teachers and administrators over the students, and men over women. Second, "Goodin claims that his responsibility ethic is a kind of consequentialism" (p. 82). With the second claim, Walker sees residues of utilitarian and other consequentialist paradigms whose concerns are "not simply how strong an impact my actions might have on particular people, but how those impacts affect *aggregate* outcomes for some specified class of persons" (p. 91, italics in original). An approach that concerns itself solely with the consequences of an action misplaces the "importance of acceptable means and reliable character in stabilizing the relations of trust

on which these relationships are founded, and on which much of their value depends” (p. 91).

In short, Walker (1998) disagrees with both of these claims. Instead, Walker presents her own starting position from where moral understandings develop and those which have to be part of human conversations. These are based on respectful human interactions, which are characterized by the moral knowledge development process, in the previous section. Walker begins by showing limitations of Goodin’s (1985) position and urges the need for charting “geographies of responsibility” (p. 99) from within which structures of standing assumptions can be mapped. These would help in understanding “the distribution of responsibilities – how they are assigned, negotiated, deflected – in particular forms of moral life” (p. 99). In developing a case for it, Walker begins with Goodin’s position.

The assumption in Goodin’s (1985) work is that vulnerability gives rise to morality. In special cases, such as those between parents and children, indeed that might be the case, but according to Walker (1998) these should be called “dependencies in fact” (p. 84). Walker writes,

The reason the principle that “we are responsible for protecting those vulnerable to our actions and choices” seems to describe so well the special obligations of promisors, parents, employers, professionals, and friends ... is that these cases involve much more than vulnerability-in-principle, i.e., vulnerability to someone or other. These cases involve what might be better called *dependency-in-fact*, vulnerability to someone in particular, where one who, as it were, “holds” control of the vulnerability

stands in a particular sort of relation to the one who has the vulnerability.

(pp. 83-84)

In other words, to whom, if any, a person is vulnerable is determined by “quite specific forms of *connection*” (p. 84, italics in original). Vulnerability, then, becomes a function of connection. These connections are role-bound, either socially shared or institutionally determined. These connections set the stage of what is permissible to be included in the ECM for moral negotiation(s). “Dependencies-in-fact” generate moral obligations on specific persons in accord with the principle of protecting the vulnerable (Walker, p. 96).

This interpretation of reality poses a great problem as to the extent and nature of one’s responsibility towards those with whom there is no obvious connection or relation. It is best understood with a hypothetical case that is presented by Goodin (1985). He argues, “If a drowning stranger has only me in the vicinity to depend on, this (in most cases) places me under an obligation to attempt or initiate her rescue” (Goodin, cited in Walker, 1998, p. 82). Of course, one would attempt a rescue, but as Walker points out, this case is intended as a moral paradigm of obligatory rescue. However, crucial to note here is that it is pared down to “simple saving” and is devoid of real-life complexities that often muddy the case and obfuscate the obviousness of the situation. Walker explains that it takes a number of features to confer the obviousness of the case:

(a) clarity of the situation; (b) openness to unilateral action; (c) limitation of options; (d) obvious and direct relation between action taken and probable effects of so acting; (e) absence of equally exigent (or even competing) demands on behalf of other (perhaps equally deserving) persons; (f) high likelihood of success; (g) low likelihood of undesired

consequences; and (h) no significant costs, moral, material, or practical, to Passerby or to others dependent on his or her resources. (pp. 84-85)

The obviousness of the situation which might propel one to jump to the rescue of the unknown child becomes less obvious under closer scrutiny. This does not mean that these considerations are worth ignoring, rather that they be understood in appropriate manner. Walker (1998) suggests that we are apt to act in a situation, such as this, guided not by rational and systematic cognitive deliberation that weigh in the above questions, but by a sense of responsibility. In other words, it is an unending obligation of responsibility that is the driving force behind morality, which guides moral choices. Understood in this manner, the role of institutions, organizations, and prominently placed individuals (those with power) have a responsibility to ensure equitable rights are awarded to other individuals.

Vulnerability of a child, as is argued by Goodin (1985), also fails to measure up under close scrutiny. For Goodin, it is “the child’s vulnerability, rather than voluntary acts of will of the parents in begetting it, which has given rise to the special responsibility of parenthood” (Goodin, cited in Walker, 1998, p. 87). Goodin goes on, “The special needs of the infant are determined by nature. How they are met is ordinarily determined by society” (Goodin, cited in Walker, p. 88). This forms the basis for Goodwin to assert that parents are thus the obvious choice. For Walker, as indeed for most of us, the idea that needs are determined quite independently of the means and social norms within which they originate is a fallacy. Take, for example, a case wherein a single mother fails to earn an adequate wage for her employment (through no fault of her own). Can the mother be “obviously” expected to take care of the child? The “obviousness” of

Goodwin's argument fades in the face of social and personal reality. Therefore, logical deductions, however compelling, that fail to account for social prevailing norms are destined to fail. The idea of *vulnerabilities-in-principle* that define "the field of responsibility" (Walker, p. 86) are not so clear under the concept of actual lived lives. Collectively, Walker calls them *geographies of responsibilities*.

The principle of vulnerability, then, is a problematic concept that preserves (and promotes) dominant hierarchies. This happens because the exercise of responsibility by those whose actions affect the vulnerable becomes a personal choice, which can be motivated (or corrupted) by any number of psychological and subjective factors that do not fall under critical examination. A better conception is one that emerges from understanding that morality begins with a sense of responsibility. It forces the ethicist to confront the dependencies-in-fact and the vulnerabilities-in-principle alike.

Periodic (or continual) reexamination of the moral codes prevalent in a society constitutes that element of Walker's (1998) ECM which is self-evaluating and critical of its own practices. In this regard, the ECM is alive and responsive (responsible) to a contingent, ever-changing world.

Conclusion

This discussion of epistemology refines my understanding of what epistemology is and how it is socially constructed. Walker's (1998) epistemology is a means with which a community constructs knowledge in a shared fashion. All parties, irrespective of their gender, race, colour, ethnicity, political stripe, are party to the process. In fact, they are encouraged (perhaps even obligated) to participate in order to take ownership of and responsibility for the outcomes of the process. Corrupt and ill-intentioned contributions

from participants must pass through the filter of empirical evidence. Those claims or claimants that do not make the grade are left off further process. That is, claims made to steer moral discourse in a specific direction have to be grounded in lived lives (experience) and evidenced through some empirical measure. Furthermore, according to Walker's expressive-collaborative model, the fundamental principle of which everyone has to be mindful is the idea of responsibility. This means that, irrespective of one's proclivities, the end result of the deliberative process is something that everyone has to take responsibility for, and it is with this in mind that contributions to the deliberative process are brought.

Much moral epistemology takes as its topic of how, or how best, "the" moral agent knows, reasons, or decides what to. If moral orders are often, in fact, complex networks of different positions, people need to understand who they are, and where they are, in these orders, to see what in particular they are responsible for, and to whom. A basic and urgent work of moral theorizing, then, is seeing more clearly how the mesh between social positions, identities, and responsibilities works, and whether it works for some and against others. (Walker, 1998, pp. 99-100)

This directly leads into the question of who the moral agents are, how their subjective aspects are shaped, what rights they are given, and what obligations they are expected to carry out. These are discussed in the next two chapters.

CHAPTER THREE: IDENTITY POLITICS

I am who I am.

- Rev. Bob Rossow

In the first chapter, identity politics is discussed in general terms to establish the grounds and meaning of personal identity. Identity politics is closely related to personal identity. The manner in which personal identity affects and is affected by various interactions of and by people falls under the jurisdiction of identity politics. What is noteworthy here is that the identities of *all* the parties involved in moral decisions exert influence (irrespective of whether they are positive or negative) on the deliberative process as described by Walker (1998).

Walker (1998) implicitly assumes that the reader is familiar with known debates surrounding the subject of identity and the tension the notion of identity evokes in philosophies that fall under the theoretical-judicial model. She restricts her discussion to how identity politics plays out in ECM. I begin by highlighting salient aspects of identity politics in the TJM philosophies and how they differ in the ECM. This will offer a clearer understanding of how identity shapes moral discourse.

Identity Description

Historically, personal identity has been muted from moral deliberations – at least from certain idealized vantage points. Moral theories have asserted the need for the moral agent to be impartial, and personal identity has traditionally played a more inconspicuous role in moral deliberations. The danger, it was thought, was that if particularities of individual identity were to be allowed to factor into moral theories, the theories would not be objective, clean, or just, for theories are supposed to get under the surface aspects

of human beings and crystallize purely rational aspects of human behaviour. That is, the premise of moral theories that fall under the TJM is that the moral agent ought to be impartial, which is consistent with Hinman's (2001) interpretation. To illustrate this point, I discuss two philosophical perspectives from the TJM, namely, utilitarianism and deontology, and then draw contrasts with Walker's (1998) ECM.

Identity in Utilitarianism

In keeping with reflective practices prevalent in the TJM, William Godwin (1756-1836) proposed "the famous fire cause"⁶ dilemma to highlight the role of identity. In it, readers are asked to consider whom they should save from a burning room if they could only save one person and if the choice was between Archbishop of Cambray (Fénelon) and a common chambermaid?

From a consequentialist view, one has to speculate on the outcome because the validity of an action is determined based on the outcome the action produces. From an *act utilitarian* perspective, which is a particular kind of consequentialism, one is forced to evaluate whose life is worth more. That is, whose rescue will benefit *more* (or harm *fewer*) lives, Archbishop of Cambray (Fénelon) or his chambermaid?

In this case, one might rationally decide to save Archbishop Fénelon, as his death is bound to sadden or ill-effect more people and therefore offset the ratio of happiness to sadness. But according to Hinman (2001), moral decisions in such situations are not necessarily made using algorithmic evaluations that compute the happiness or sadness of the maximum number of people. Instead, decisions are made on personal grounds and perhaps irrational motivations. Therefore, the second version becomes more interesting, when the dilemma is presented as: How would the choice differ if the chambermaid

⁶ For details, see: <http://setis.library.usyd.edu.au/stanford/archives/fall2001/entries/godwin/>

happens to be the reader's mother or father? Godwin (year) presents the dilemma as if both individuals caught in the fire were men, the Archbishop and his valet:

Suppose the valet had been my brother, my father, or my benefactor. This would not alter the truth of the proposition. The life of Fénelon would still be more valuable than that of the valet; and justice, pure, unadulterated justice, would still have preferred that which was most valuable. Justice would have taught me to save the life of Fénelon [the Bishop of Cambray] at the expense of the other. What magic is there in the pronoun "my," that should justify us in overturning the decisions of impartial truth? My brother or my father may be a fool or a profligate, malicious, lying or dishonest. If they be, of what consequence is it that they are mine?

(Godwin, cited in Hinman, p. 6)

Essentially, then, the moral agent is expected to make evaluations exclusively on rational grounds, being true only to the central principle of utilitarianism: *optimization* of the ratio of happiness over pain of the most number of people.

Hinman (2001) goes a step further and speculates what would happen if a rule was created and followed in accordance with *rule utilitarianism*. The rule, "everyone must save one's close relatives," provides the basis in this case to save one's mother (or father) with the rationale that if everyone were to rescue their close relatives, people would be less unhappy. Hinman indicates that even such a rule would fail to resolve the situation satisfactorily. Imagine the reaction of your mother when she learns that she was saved because you followed some rule, not because you simply loved her.

In both versions of the dilemma of utilitarian logic, the fact remains that a moral agent is reduced to, or expected to be, "an impartial calculator" (Hinman, 2001, p. 5).

Identity in Deontology

If one were to apply deontological principles to the fire case dilemma, a similar decision is arrived at despite following a different trajectory of logic. According to Kant's deontology, morally sound and dutiworthy actions are those which are arrived at by following the categorical imperative, irrespective of the moral agents' particularities. If I were an unaffected party, I would want my Archbishop to be saved, rather than his chambermaid, consequently, now that I am the rescuer, I would want to save the Archbishop, so that others would model my behaviour in similar situation and save the Archbishop. Therefore, rescuing Archbishop Fénelon is the dutiful thing to do. *All* moral agents are expected to be rational and unaffected by their own particularities and idiosyncrasies. To be so affected would fall outside the categorical imperative. In this case too, then, intimacy that gives rise to the personal motivation to save the chambermaid (one's mother) has no room in rational calculation.

Identity in the ECM

From this understanding, Walker (1998) extrapolated that in TJM philosophies, [the] picture of applying principles to cases is modeled on the deductive relation of validity that holds between some premises and a conclusion, when the conclusion is true if the premises are. This relation either holds or it doesn't; when it holds, it holds under the impact of all further additions of information. (p. 69)

That is, the particularities of the people involved seldom, if ever, factor into theories and therefore have no impact on moral contemplative (or evaluative) outcomes. This premise itself differs substantially from the one Walker advocates in the ECM. In order to situate identity in the ECM, it is essential to understand how decisions are made by *people with specific identities*. Walker (1998) continues:

In narratives, however, what comes later takes on particular meaning in part because of what precedes it, while what came earlier may finally look very different depending on what happens later. Determining responsibilities in the concrete usually involves grasping histories of trust, expectation, and agreement that make particular relationships morally demanding in particular ways. (p. 69)

This description is quite revealing about identities since these kinds of narratives in moral discourse situate real people as central characters, not abstract theories. As a result, there remains room for the particularities of identities to factor into the moral deliberative process. Consequently, in Godwin's dilemma, the reader's decision to save one's mother (or father) is validly understood. But more importantly, in the deliberative process of the ECM, particularities are not only worth preserving for understanding the moral terrain (epistemology), but also must be taken seriously in terms of our responsibility to make moral philosophizing more applicable to the practical realm of individuals.

Hinman (2001) poses two additional questions that are of interest here and that emerge directly from Godwin's dilemma: (a) what should one do? and (b) why does one act in a certain way? The former is the question of behaviour and the latter is the question of motivation. On the one hand, motivational understanding of Godwin's choice

illustrates that sometimes what is morally required in a situation is acting out of a particular moral motivation. On the other hand, behavioural understanding of the dilemma provides boundaries of rights within which considerations of partiality may play a role. That is to say, in acting on the basis of particularity, people should not violate the rights of others. In this case, the right of Archbishop Fénelon to be rescued should not be violated, insofar as this can be called a right.

This tension between impartiality and particularity is central to Walker's (1998) discussion of identity. She doubts if there can be impartiality in practice and argues that it lingers in the reflective realm only. Whether we like it or not, particularity is integral to the way society functions. If the ECM has to have practical import at some time, it must be practical for that time. Therefore, by acknowledging the import of particularity and understanding the practicality of the situation, deliberative community can be watchful so as not to impinge on someone else's human rights.

Walker (1998) favours particularity, but not insofar as it impinges on inalienable rights⁷. I have pointed out in the epistemology chapter (see chapter 2) that the choices that are determined from an objective (impartial) ground, and that fail to account for the social locations of individuals – the case of the single mother providing for the child – remain theoretical. They tug at, or disrupt connections between human beings and moral philosophies, silencing people's moral impulses. However, Walker does not reject all objectivity altogether. The ECM requires disclosure of intent, motives, as well as taking into account the particularities of all moral agents. That is, the ECM requires description of all those identities which might be central to moral discussion.

⁷ These are discussed under Chapter Four: Rights and Obligations.

Identity Dynamics

Indeed, we assume multiple identities – some more permanent than others. They convey not so much our role in a particular situation, as what particular aspects of ourselves affect or influence that situation. An individual's multiple identities complicate the matter further because they add a dimension of ambiguity. That is, with what histories and in what situations one finds oneself is a hard thing to predict. To have a foreknowledge of what a situation will call for is at best a guess. To account for it in advance is a mammoth task, best left out of purely rational moral theories. It is for this reason that identity was ignored in TJM philosophies.

In actuality, though, identities continue to exert influence, mostly implicitly, on various social practices and various deliberative processes. In this section, I present some of the ways in which they continue to play a role and how Walker's (1998) ECM proposes to tackle this matter.

An assumption that is central to TJM philosophies is the idea that by ignoring identities the moral field is evened out for everyone. That is to say, if identities introduce or highlight particularities and the favours to be awarded, then by excluding identities in theory development, partialities specific to identities will also vanish. However, the works of feminists such as Gibbon (1999), Held (1993), and Lather (1991) have exposed flaws in the assumption that ignoring identities can produce just, equitable, and moral outcomes. Hinman (2001) eloquently describes the identity dynamics when he says that “impartiality is really just the partiality of the powerful”⁸ (p. 11). The historical discussions of Greek society in the previous chapter also highlight this inequality and power dominance of men over women. Recall that only free men held positions of any

⁸ Perhaps not always, but enough times, so as to warrant this assertion by Hinman.

consequence, and women were relegated to a subhuman class. In other words, the identities of certain people factored into their social and political lives, which had an impact on their lived lives and as a consequence on moral conduct. For women this was an utterly demoralizing state of affairs.

What is peculiar about identity dynamics is that the identity of those in positions of power remains transparent or invisible. The people of the dominant class do not see the particularities of their position and their identities in a situation. In other words, if a situation suits me or is beneficial to me, then I am inclined not to see the role of my privileged identity that got me there. Hinman (2001) writes, “for the dominant group in a society, their particular identity is transparent” (p. 12). Even more interesting is the fact that members of nondominant groups experience their identities as particular, as something specific to them in a group.

Illuminating from a feminist perspective, Walker (1998) is well aware of identity dynamics. She stitches the concepts of identity, relationships, and values with the thread of narrative to produce her concept of strains of responsibility. She writes, “*narrative* understanding of the moral construction (and reconstruction) of lives is central to understanding how possibilities are kept coherent and sustainable over substantial stretches of lives, that in important – but not imperial – ways, remains people’s own” (pp. 109-110, italics in original). That is to say, in order to take ownership in the moral development process, people’s lives need to be understood, valued, and given room for expression. For Walker, it is not only identity, but also the relationships of people and the value system they bring as a result of their identities and relationships that are crucial in

the development of morality. I will restrict my discussion to identity alone, to show how it enacts in the social and moral arena.

The “narrative of moral identity is a persistent history of valuation that can be seen in a good deal of what a person cares for, responds to, and takes care of” (Walker, 1998, p. 112). These elements are established by each person (explicitly or implicitly) either through conscious thought, habit, or social interaction. These elements help to set priorities among values and help focus attention on some things more than on others. When the content of what one cares for, responds to, and takes care of is determined socially or by a group, a person’s culture gets defined and symbiotically affects group identity or cultural identity. Likewise, when this definition is furnished naturally (as the case with sex differences between men and women, or skin colour, or certain visible features), gender, race, and ethnicity get defined. Because of the social locations of people, or groups of people, these individuals and groups of people value different things: “Some devote primary energy and attention to friends or family, others to institutional roles, political movements, or creative pursuits” (Walker, p. 112). To dismiss, to ignore, or to be neglectful of this powerful influence of identity is to marginalize people who do not fit the implicitly assumed identities.

To have an understanding of how identities affect the individual, which in turn exert influence over a moral deliberative process, is to possess a more comprehensive understanding of the social and personal world. Walker (1998) writes, “... there are no real ideal cases so long as identities are parts of a functioning social order in which identified and identifiers are ongoing participants” (p. 168). The assumption that there are fixed immutable identities and that under ideal conditions the whole notion of personal or

socially located identities can be dismissed gives rise to the condition wherein dominant groups try (sometimes forcefully) to alter or correct (improve) people's innate aspects (particularities) that identify who they are. In milder forms, people are cast aside or understood in very particular ways (e.g., he is religious, or she is strict). That is, individuals are "scripted" in ways, often misrepresenting their actual identities. The concept of scripted identities is a powerful metaphor in Walker's work, because it captures the essence of the subtle interplay that exists between identities of dominant and marginalized groups. An aspect of that can be understood in the following way: Quite often, those who through privilege fail to clearly identify themselves are nonetheless clearly identified by those who are less privileged. But does this mean that those who are less privileged have clearer identities themselves? Or are their identities merely an externalized wish or yearning to have what someone else has (the privileged individual), but does not see? Seen in this light, identity aspects exert their influence unbeknownst to the individuals themselves, and can potentially be corrosive.

Transparency of identities, then, means two things: (a) honesty of disclosure of each moral agent's identity and its corresponding biases and (b) recognition of other individuals' identities (that may be different from ours). Both of these aspects are difficult to scrutinize and the process is inexact for sure. It is for this reason that Walker (1998) makes a case for the establishment of an environment that is safe (non-oppressive and non-coercive) and permissive of moral deliberation emerging from narratives steeped in subjective elements that have traditionally (in the TJM) been dismissed. She writes:

Learning what people's behaviour and expression shows about them will be learned in learning the relevant concepts ("angry," "convinced," "self-

important,” “curious”) and in learning what to expect of, and how to respond to, people in the states the concepts mark. Our forming articulate beliefs about the states of people’s subjective lives are just some among the responses (in actions, words, or feelings) which constitute our recognition of their “human souls,” their subjective lives and personalities.

(p. 183)

This understanding becomes crucial not only in sustaining or allowing an identity to flourish but also for identity evolution.

Identity De/Formation

In the ECM, there is an understanding that while *general guidelines* and *cautionary prescriptions* (learned over time and transmitted across generations by social expectations and cultural heroes) add to a person’s experiential knowledge, each person ends up developing a unique moral point of view. Consequently, members bring to the moral community a subjective view of what morality is, what the moral process ought to be, and what they want their role to be in the process. This diversity of approaches to moral examination makes each community member and situation unique. The uniqueness of a particular situation rightfully demands close scrutiny and moral interpretation. This examination requires human understanding and empathy, which are by definition subjective in nature. Hence, the role of subjective identity appears to be essential, but the question for the community to address is to what extent articulated subjectivities fall within the parameters of communally established guidelines.

Walker (1998) states, “Necessary identities are created and maintained in complex social arrangements and their allied epistemic regimes. Necessary identities

require a certain kind of social reality with a certain distribution of credibility; each fills gaps in the other” (p. 169). This implies that in the ECM there exist, however implicitly, principles of *understanding* and *tolerance*. That is to say, in the ECM, while there is always room for increased tolerance for differences of ideologies, identities, and methodologies, these are only admissible in the ECM process if they are credible or valid. Once again, Walker insists that credibility needs to be established through an “empirically obligated theory” (Walker, 2001, p. 1).

Alas, despite the checks and balances, some undesirable identities get formed, not based on some arbitrary theoretical perspective, but within the lived context. These undesirable portrayals oppress and disadvantage certain segments. Walker’s (1998) ECM helps detect these undesirable or unnecessary identities. She proposes that if we attune ourselves to the voice of community, we can detect the presence of these undesirable categorizations or labels, based on protests of the community members. Walker writes:

The more obvious the coercion required to sustain an identity (and keep people in it) is, the less necessary that identity (for those people) appears. In turn, the more visible the coercion is to everybody, and the more audible the complaints against it by those coerced, the more obvious the coercion is likely to be. (p. 168)

Indeed, not all unnecessary identities are created by coercion. Walker states:

In general, the less force that must be exerted against a person’s formed will and express intentions; the more shielded or secluded the arenas of force; the more routine and global the total system of enforcement and restraints; and – crucially, in the event that the others fail or do not apply –

the more effectively silenced or presumptively discredited are the victims, the less obvious or more deniable coercion will be. (p. 168)

Walker (1998) resists providing an (or the) authoritative verdict on these identities. Instead she wants her discussion to be treated as an illustration of how things are in particular times in particular places from her unique vantage point. I present this preface to the following discussion because I want to draw the reader's attention to the fact that Walker recognizes (or at least leaves room for) alternative views to be presented. Walker develops her argument by depicting the human body as a canvas upon which the soul paints character, which in turn evokes a moral response from the person seeing that face, image, and body. Walker calls this "moral graphics" (p. 178). Then she brings into question what it is in seeing that evokes moral response. Walker uses Wittgenstein's concepts of physiognomies to strengthen her claim that we *learn* the meaning of mapped images on the human face, as well as we *learn* to project them ourselves, so that others can understand us. To pay attention to the human picture is to reorient ourselves to the human condition and hone in on the source of morality. Walker explains:

Understanding what bodies picture, and how, is a question of being party to certain *representational practices*, whether in the medium of words or in other media. These practices involve both ways the body can be pictured to project the soul differently (or even to project a different kind of soul), and the ways body themselves can, by being made to look different or having their looks marked as different from some other bodies, picture differences in or of the soul. (pp. 186-187, italics in original)

According to Walker (1998) three broad categories of representational practices that deform human identities are: (a) stereo-graphy, (b) porno-graphy, and (c) necro-graphy.

Stereo-graphy refers to body-pictures that fuse representation of a group of human beings to one kind of bodily configuration or style of expression and comportment, and so identify those human beings exclusively or peculiarly with a certain kind or version of soul. (p. 187)

That is, gross generalizations lead to stereographical images, that “straightjacket” (Kumar & Mitchell, 2004) people, not as individuals, but under the umbrella of some demeaning term. Walker gives an example from classical literature, how, say “Arab” in Albert Camus’s *Stranger*, is supposed to conjure up an image of a being no longer particular but abstract and highly generalized. Such an image, Walker argues, we as a society can live without.

“Pornography – by a simple definition, [comprises] explicit sexual depictions intended to arouse the reader or viewer sexually...” (Walker, 1998, p. 189). Again generalization has been made on sexual grounds: Highly distributed pornography through new technological means depicts women as sexed objects, not very different from the “sexed female” of Greek society. Walker cites Scheman (1993), with regard to the portrayal of women as sex objects through pornography: “Women’s bodies may be interchangeable, but not by us. Rather our bodies establish the terms under which we’ll be exchanged, they establish our worth, our identity” (p. 190).

Harsh images of Nazi camp atrocities that surfaced after the Second World War are examples of necrography that, too, human societies can do without and should strive

to eliminate. What is troubling is that these hideous acts keep surfacing repeatedly as in recent depictions of the treatment of prisoners of war in Iraq and massacres in Rwanda and Bosnia.

Like other philosophers, Walker (1998) accepts that these stereotypes are “*false beliefs*” and “*erroneous generalizations*,” and yet, “proposed generalizations are notoriously resistant to the impact of disconfirming instances” (p. 193). She proposes that the way to overcome these is to engage the public at large.

A public voice is “louder,” more audible or audible to more people, than private complaint. It is more durable and tangible too, able in some forms (for example, written ones) to persist as documentary evidence. More than this, a newly public voice of subjected people is itself already a change in the configuration of epistemic community, of who can say and claim to know. (p. 167)

Clearly, Walker (1998) places the responsibility for unnecessary identities on oppressors and oppressed alike. Everyone is to share the blame – those who demand and promote unnecessary identities, those who participate in it, and those who do nothing about it. And yet she is cognizant of the fact that some generalizations, especially those that fall under unnecessary identities, are scripted externally. That is, people themselves do not write their social identities; they get written for them – perhaps by those few in powerful positions who can. In Walkerean spirit, then, I wonder, are we all so morally bereft, both the haves and have-nots, that we seek to paint on to others’ identities that which we are unable to paint for ourselves?

Conclusion

Walker's (1998) discussion of identity is a very sophisticated one. I was completely puzzled when I first read this text. I had a hard time understanding where and how she sees identity playing out in the expressive-collaborative process – on one hand she advocated particularity, understanding, and tolerance – and on the other hand she wrote a whole chapter on unnecessary identities. Upon closer examination, I discovered that her discussion of identity is peppered throughout the text. What is more, she expounds on the role of subjectivity and identity as and when needed, and then deals with unnecessary identities in a separate chapter. This style, and it is a style more than anything, had me running in circles. But I have identified the gist of the discussion on identity from Walker's text:

1. Identities are shaped in part naturally and in part by the environment.
2. Identities are reflected in the decisions we make or options we take.
3. Identities are fluid and one wears many identities.
4. When we do not script our own identities, our identities get scripted by others, and sometimes even when we do not so desire, our identities are socially scripted for us.
5. It is our collective responsibility to see that unnecessary identities are not propagated in our midst.

In a pluralistic world, these are good guides to live by. It is with these that one can practice: (a) principle of understanding, (b) principle of tolerance, (c) principle of standing up against evil, and (d) principle of fallibility. Perhaps it is with this attitude that we can learn to live well.

CHAPTER FOUR: RIGHTS AND OBLIGATIONS

History is herstory too.

Anonymous

The history of rights is relatively new. About 500 years ago, rights were invented to award the gentry limited privileges, so as to safeguard them from the ruler of the land taking away (claiming) anything that he wanted. Over time, these rights were extended to the commoners, and in doing so the potency of rights was elevated. Eventually, rights were a means with which *everyone* could be granted at least minimal privileges, irrespective of their particular identity or location in a society. It is from this basis that Ignatieff (2000) posits that rights apply to all individuals. Ottensmeyer and McCarthy (1996) define rights as follows:

When we say that a person has moral (or legal) right in a given situation, we mean that it is ethically (or legally) permissible for him or her to act in a certain way or to insist that he or she be treated in a certain way without obtaining anyone's permission to do so. (cited in Beckner, 2004, p. 26)

In other words, rights are justified claims to the protection of people's important interests. When upheld, rights become a means to grant human dignity to everyone.

From this understanding of rights, it follows that they apply to all people of all ideological stripes. Rights act as great equalizers and help flatten some of the hierarchies within society. The circumstances under which rights are evoked or applied stand independent of the position of the individuals involved. Burrow (1975) sheds further light on the matter:

When we appeal to rights we are appealing to a presupposed moral schema or set of rules. We assume and implicitly demand that others share our assumptions, that there is a particular system of moral rules binding on persons, such that it is true that a person ought to be free, ought to be self-governing, ought to be educated and so on. (cited in Beckner, 2004, p. 27)

In certain social settings, however, the term “right” can be morphed to imply or suggest privileges of a certain few owed to them because of their personal or social particularities. The broad spectrum sketched out by these two diametrically opposed understandings and implementations of rights constitutes the story of the rights revolution. Ignatieff (2000) contends that the rights revolution in Canada has been a story of the inclusion of previously excluded groups obtaining rights on the one hand, and on the other, an ongoing attempt to protect certain groups from the effects of democracy. Therefore, Ignatieff positions rights simultaneously as a means by which previously disenfranchised groups are granted privileges and accommodations that help them succeed in their particular social context, and also as a means to “set limits on what majorities can do” (p. 2).

The delicate balance between the duality of purposes of rights is what Margaret Walker (1998) implicitly discusses in *Moral Understandings*. Walker never explicitly uses the terms “right” or “rights,” however, the privileges and lack of privileges of (previously) excluded segments of the population take centre stage in her critique of moral understandings that form the basis of the TJM. As an example, she draws attention to the ill-treatment of women throughout history⁹. One of the reasons for the lopsided treatment of women, she suggests, occurred in part because women did not have

⁹ For details see the discussion of Greek society in chapter 2.

sanctioned privileges that could be evoked to draw attention to their ill-treatment. In ancient Greek society, for example, even a slave had an official possibility of exiting slavery through manumission and therein (re)earning his rights. A woman, owing to her womanhood, could never escape her biological reality and as a consequence could never earn her rights. This example suggests that although rights may be privileges, they are far more than just that. The parlance of rights, Ignatieff (2000) asserts, extends beyond their instrumental purpose; “they are expressions of our moral identity as a people” (p. 2). Based on these assertions, it is not hard to conclude that morality and rights are inextricably linked. Any moral understanding, then, has to contend with the notion of rights. This chapter will briefly explore how Walker’s (1998) work informs the “rights talk” and how, in turn, rights inform Walker’s work.

Walker’s (1998) discussion of rights is couched in the concept of responsibility. The connection between rights and responsibility is expressed in the work of Ignatieff (2000). He poses the question, “Is there too much talk of rights in intimate life and not enough talk of responsibility?” (p. 90). He develops his answer by examining the rights of children and weaker segments of the society, to realize that

Rights are not enough. The welfare state is not enough. Indeed, sometimes we enact rights in the statute books and the result only weakens our responsibilities. (p. 96)

As a consequence, he explores the issue in a nonpartisan fashion to arrive at the conclusion that rights and responsibilities are coupled together. He says that it is “the link between rights and responsibilities that makes a rights culture consistent with public

order” (p. 102). Ignatieff’s understanding of rights and responsibilities is also evident in Walker’s (1998) position on the subject, explored in the next section.

How Rights are Understood

Walker’s (1998) position suggests that rights are denominations of a currency that one earns the privilege of using when one fulfills obligations owed to the other parties involved. The nature of the responsibilities among the parties involved dictate the entitlements one has to use. These entitlements form the basis of rights. Walker says,

A narrative of relationship is a story of the relationship’s acquired content and developed expectations, its basis and type of trust, and its possibilities for continuation. A response may be owed to others because of some prior history of actual contact and understanding makes it reasonable for them to depend on me for something and reasonable for me to know of their reasonable expectation. (p. 111, italics in original)

That is to say, if an ethical engagement is a story of a relationship between people, then the terms of the relationship for its continual survival are based on (a) meeting the required obligations because of the nature of the relationship, and (b) fulfillment of the emergent (and developed) expectations by each of the parties involved. In practical terms, for instance, this implies that if I meet the expectations of doing my studies well (for example, doing this project as expected by my committee members), then I will earn the privilege of getting a reward (a good grade, in this case). Alternatively put, the same sentiment is expressed as: I have the *right* to expect a good grade, *provided* I do a good job on the work that I am expected to do. My rights emerge from my duties, or my rights are contingent on the obligations I fulfill. The difference in expression of the same

sentiment here is subtle but crucial in understanding the notion of rights through Walker's work. It is not just a difference of phraseology; rather, in Walker's conception, it is more appropriately reordered as *obligations and rights*, instead of *rights and obligations*.

The advantage of understanding the symbiotic relationship between obligations and rights, in this particular way, is that the correlativity between rights and obligations remains central in discussion, negotiations, and practice of one's rights and/or duties. That is, rights ground obligations and vice versa. Walker's (1998) discussion of Greek society is demonstrative of the absence of this relationship during antiquity. In her description, women continued to perform their biological and socially assigned duties, and yet they were not compensated with the corresponding rights. This particular imbalance of rights and obligations was the source of those past injustices. In my interpretation of how ECM deals with rights, they are awarded to individuals or people in exchange for duties or obligations they carry out. Historically, Walker says,

It's a bad lot to be a slave because one is forced into it and subjected to force within it.... Slavery was a status with clearly coercive modes of entrance Many females were slaves. (pp. 158-159)

That is, Walker's contention that slaves were devoid of rights and subjected to harsh treatment and that women enjoyed no better condition than that of the slaves, provides the basis for the conclusion that rights of women have been neglected. As to whether rights can be awarded retributively to women of today remains unanswered.

Another advantage of conceptualizing rights as emerging out of responsibilities is that all the characteristics of responsibilities ascribed in the moral deliberation of the

ECM come to the fore and restrict impingement upon rights. That is, the extent to which rights can be used to garner or protect one's (selfish) interests is restricted. The requirement of Walker's (1998) ECM to trace responsibilities and vulnerabilities serves as a prerequisite to any discussion around awarding rights and ensures that rights are not given away arbitrarily or irresponsibly.

Implied within Walker's (1998) ECM, is a tight coupling of rights and responsibilities, although she does not explicitly say so. From this interpretation, two noteworthy points emerge: (a) human beings have rights that emerge out of owed responsibilities, and (b) derived interests of human beings are not protected by rights. This suggests that the notion of rights is based on justification, not logical entitlement. For example, I am entitled to be provided with a safe place to sleep (core right), but I am not entitled to be provided a mansion for this purpose (derivative right), on the basis of my rights. I can still own a big mansion, but I will have to earn it by making due payments.

In Walker's (1998) expressive-collaborative processes of moral deliberation, the obligations that one (or one's community) has towards others are identified. In exchange for carrying them out, certain new additional rights are awarded to that individual (or community). The question that emerges from this description of rights is, what is the need for such elaborate schema to ensure that due rights are available to all, and yet not used for personal (undue) gains?

This question finds answers from the background understanding of rights at large. Individual particularities and individual understandings, although significantly affecting moral decisions, fail to translate into action until that individual is sanctioned to enact

those decisions. In this regard, rights are implementation tools of moral decisions. That is, unless one has the *right* to exercise one's knowledge and present one's view, the individual is deprived of ratifying moral decisions, whatever his or her position (epistemological, social, or cultural) might be. To rectify the sources of such injustice, people have performed incredibly defiant acts. Ignatieff (2000) recalls the memories of men in Attica prison in upstate New York, who staged an uprising to protest the living conditions in the prison. One of the prisoners, prior to dying, remarked, "We have resolved, after long and bitter experience, that if we cannot live like men, then we are prepared to die like men" (p. 3). In total 43 prisoners died in the protest. This example serves to show that there are some things that people value more than their own lives: these are rights. Ignatieff remarks that the demand for rights is the demand to live in truth; to end the regime of lies, to live, finally, without fear and shame. And yet the irony of rights is that when people win or secure some rights, they do not necessarily want others to have them. This irony, however, would not be allowed under the ECM because of its dominant position of obligations.

People who do not have rights are viewed by people that do, as "other," or different. The reaction of the minority owing to the felt difference falls under different categories and accordingly different group rights are demanded, often (but not always) to eliminate the difference. In addition, when majorities enact their will that is not necessarily just, or sensitive to the needs of the minorities, the latter must be equipped with a capacity to appeal and be provided a process through which to appeal. Walker's (1998) ECM aims to provide such a process where these kinds of appeals could be brought forward. People demand different rights precisely because, as I have shown in

the previous chapter, people are different, and owing to this difference, they know and need different things. Walker's statement, "differently placed people know different things in fact" (p. 6) implies just that, but also hints at what might be owed to each individual that is different from the rest, owing to their uniqueness.

If one (or a process) is sensitive to differences in people and their different ways of knowing, one can appreciate the roots of demands for rights by differently placed people. Will Kymlicka (1995), who is considered a world authority on minority rights issues (Hinman, 1997; Ignatieff, 2000), characterizes four distinct strategies under which groups wanting rights fall. These strategies seek to gain rights for their people to maintain their distinctiveness and yet to be equal in their social status. These strategies are tightly coupled with the sense of one's own identity.

1. Separatist strategy: Minority groups that subscribe to this strategic practice seek to preserve identity by maintaining a separate existence. That is, members of the group, in attempts to preserve the distinctiveness of their (sub)culture, maintain an identity that is quite separate from the mainstream or dominant identities. These in turn place different challenges on their respective lives. Consequently, group demands for rights are often substantially different from other (majority) groups. This particular reaction emerges out of the need for the members of the society, differently placed and differently oriented, to safeguard and defend their unique ways of living, knowing, and existing. Examples of Orthodox Jews and Amish people serve to illustrate the separatist strategy.
2. Supremacist strategy: Minority groups that subscribe to this strategic practice seek power and superiority over all other groups. They hold a zealous belief that the

group members are entitled to rights because of their particularities (often the source of which is divine), which place (or maintain) their higher hierarchical location in the social order. Jim Crow laws in the United States, which tried to retain white supremacy, emerge as an extreme example of this case. Ironically, even the supremacist strategy uses the rights arguments to defend the rights of their people to be distinct, but this distinction is based on acquiring power or dominance over other groups.

3. Assimilationist and integrationist strategy: Minority groups that fall under the assimilationist tradition seek to cultivate a common identity. That is, identities are considered an admixture of other constituent identities, and the rights that emerge out of such a philosophy are subjective interpretations of a common identity. Often the metaphor of “the melting pot” is used to refer to the assimilation strategy. The United States’ cultural milieu is a good example of this approach.
4. Pluralist strategy: This strategic position seeks to preserve particularity in a shared framework. That is, the distinctiveness of the understandings, identities, and rights of minority groups are not only acquiesced but actively endorsed by the supporters of this strategy. In a pluralistic society, the ideals of impartiality are rejected, and group identities are strengthened. Ignatieff (2000) sees this social and political experiment being played out in Canada, and he ascribes to it the metaphor of “the patchwork quilt” (pp. 55-85).

People adopting these different strategies of securing (more) rights, at times, find themselves at odds with each other, or at an impasse, and are likely to conduct themselves differently, in order to obtain rights. Seen in this way, rights become the

object over which polemic debates are waged and fierce battles are fought. Some of the attempts to gain rights are fuelled by intentions to improve the standing of people of a community; others are fuelled by intentions to enhance one group's dominance over others. Gay and lesbian groups trying to win the right of marriage is an attempt by those groups to improve their standing – the right to be granted equal privileges. However, when wealthy people and corporations lobby for tax cuts at the cost of social programs in the communities, rights are used as a cloak to conceal the group's motives to increase their supremacy over other groups.

The context of the situation, then, becomes as important (if not more so) as the right itself. However, there are certain rights to which one is entitled regardless of the context in which one finds oneself. For instance, even prisoners are entitled to the right to be treated humanely, yet that does not mean they are entitled to luxurious comforts. The former is the baseline minimum; the latter is negotiated within legal and other juridical boundaries, often exchanged with a set of obligations. This leads directly into how rights are negotiated in ECM

How Rights are Negotiated

A chief component of Walker's (1998) ECM is the process of negotiation. She says, "moral life [is] a continuing negotiation *among* people" (p. 60, italics in original). These negotiations serve to bridge the gaps of moral disagreements and to negotiate rights and duties that are served out in the process of negotiations. Describing the process and characteristics of negotiation, Walker says,

It permits us to know for what and to whom we will have to account when we have done or failed to do something, and what makes sense as a moral

reason or excuse. It equips us to reckon failures and derelictions, to understand what can be repaired and what compensated, to assess the costs of choices in morality's own currencies of integrity and appropriate trust. It gives specific form to reactive attitudes of blame, indignation, shame, forgiveness, remorse, gratitude, contempt, and others. It tests the fittingness of what we feel and the tractability of mutual misunderstandings. (p. 62)

Essentially, then, Walker suggests that the process of negotiation in the ECM has the capacity to resolve conflicts and differences much more amicably than other possible strategies, such as derision, conflict, or war. The *fittingness* that Walker mentions here suggests that the process of negotiation is an attempt to find a common ground upon which the participants can agree. No singular dominant ideology gets to trump the negotiating process. Rights and obligations, too, are spelled out in the deliberative process. The reciprocity of the relationship is expressed in this way: If A performs some duties or carries out her obligations, then she is entitled to corresponding rights. If B is the benefactor of the actions of A, then B has the obligation to do something in return. The content of what and how these reciprocal actions and rights are performed is part of the ECM.

Walker's (1998) symbiotic conception of obligations and rights is crucial in the evolution of a common understanding of a community. Walker says, "mutual moral understanding both presupposes and seeks a continuing common life" (p. 63). When individual differences, owing to particularities, different ways of knowing, different expectations, and different reasons for wanting different privileges are negotiated in

terms of who gets to do what, to whom, at what costs, in advance, a new moral code embodying common understanding emerges. The democratic process of individuals and groups participating in the ECM ensures the construction of this common life.

Kymlicka's (1995) categorization provides a framework that helps to position Walker (1998) in the rights debate. Walker's expressive-collaborative process aims to include individuals from all segments of the moral community. This level of inclusion brings with it the probability of multiple motivations, desires, and dreams jostling for position in the deliberative community. More importantly, it also demands a commitment to preserve particularities of identity, ideology, and expectations. These differing particularities exist because distinctions between people (and their sensibilities) are *allowed to exist*. That is, they are given the right to exist. From this it can be inferred that Walker endorses the preservation of differences and the inherent character of rights.

Another point of interest here is that the role of the adjudicator of the negotiation process gets redefined. In the TJM, the final outcome of a conflict or an impasse rests with the administrator. In the ECM, administrators act as key figures to ensure that: (a) rights and opportunities of participants are not overlooked or restricted, (b) rights of one group do not adversely affect the rights of other groups, and (c) they do not use the process of negotiations to further their own agenda. Hence, the administrator acting from the expressive-collaborative template serves as a *facilitator* of the negotiations between members of different stakeholder groups within the moral community. In this model, organizational power is distributed across the stakeholder groups, and all individuals are assumed to be moral agents with the capacity of engaging in moral discourse. The central assumption is that moral understandings, knowledge, and actions arise from the process

of moral discourse among members of a moral community. The administrator is neither the arbiter of the rights, nor does s/he have the right to impose any one particular code on every individual in every situation. Administrative action and moral accounts are justified and justifiable when they “make sense to those *by* whom, *to* whom, and (except in special cases of immature or incapacitated agency) *about* whom they are given” (p. 70, italics in original). That is, administrators are directly accountable to those whose lives are affected by their actions and decisions, and only those individuals, in relationship and negotiation with the administrator, have the right to specify the ethicality of a given action or decision. In this sense, the rights of administrators themselves are balanced with the obligations that they have in the deliberative process. Rights are not awarded *de facto* to the administrators by virtue of being in a position of authority or power.

The role of the administrator, operating with the ECM as the guiding template, becomes a tricky business, for it requires navigating between the two poles of use and misuse of rights. In Walker’s (1998) ECM, this is tackled by requiring the administrator-facilitator to operate with integrity. This integrity is not meant to be “maximal evaluative integration, unconditional commitments, or uncorrupted fidelity to a true self” (p. 106), neither is it meant to convey “inward solidity” (p. 106) nor “global wholeness” (p. 106). Instead, integrity is meant to be a kind of “*reliable accountability*” (p. 106, italics in original) in matters of most concern to the community. That is, the administrator is not expected to be endowed with the willed aspirations of an individual or a community. Rather, s/he is expected to be responsive to important things in the local context, to be able to weigh in the moral costs of error and change. The particularity of the situation, of the demand for rights, requires the administrators-facilitators to show “flexible resiliency

at those points where lives, fortunes, and several histories meet” (p. 106). The process of the ECM, then, defines (or refines) the role of the adjudicator of the process and demands shared creation of responsibilities that in turn award rights.

In Walker’s (1998) ECM, community members’ responsibility to each other forms the fulcrum around which the negotiations of rights occur. That is to say, in order to avoid the possible pitfalls in granting some rights to one group at the cost of disadvantaging some other group, there have to be checks and balances. These checks and balances ensure that rights are not awarded at someone’s whim, generosity, or as a means of penance, nor that the rights are granted under force or coercive pressure. Instead, rights are earned in exchange for duties performed by the group for the remainder of the community, negotiated through collaboration. Without an evaluative mechanism, the danger is that a group (or groups) could be disproportionately saddled with all the duties, while other group(s) end up with all the privileges. Evaluation in Walker’s ECM is performed by tracing the lines of responsibility. That is, the responsibilities of the community members owed to one another form both the check and the measure of who can do what to whom and at what cost.

Special Rights

One other matter of rights remains unexplored: the rights of special groups, consisting of numerous collections of people. Walker (1998) has remained conspicuously unassertive on this topic, except for the case of women. I find this particularly strange since her model of ethical discourse can attend to the needs and demands of these people. To be fair to Walker, she acknowledges the applicability of her ECM to the case of other disenfranchised groups, but nothing more is said on the subject. To shed clarity on the issues in question, I discuss the particularities of indigenous people, formerly enslaved people, and immigrants. Then I will briefly identify what makes each of these groups special, situate the demands of rights of these groups, and apply a Walkerean perspective to a demand for their rights.

Indigenous people had the first rights to the land and its resources before the settlers from Europe arrived. Hinman (1997) makes the case for retribution for indigenous peoples like Native people in North America and Aborigines in Australia, amongst others, because new settlers deprived the indigenous people of their own (distinct) ways of living. The systems of governance of these groups of people were labelled “backward” and an (allegedly) superior system of governance was imposed under coercive pressure. The identities of indigenous people were robbed by eliminating their language, religion, and ability for self-determination. Even the land of the indigenous people was forcefully taken as battles were waged. The question concerning the rights of indigenous people is: what is now owed to them?

With regard to the slaves brought (primarily, but not exclusively) from Africa, what special debt is owed to those who were forcibly brought to different places and

enslaved? Are their descendants owed retributive justice? How is the debt in such cases measured? To whom and for how long should the payment be made? What kind of payment is made? These questions are central in the discussion of rights pertaining to formerly enslaved people.

Immigrants are thought of as people who leave their country, societies, and families out of their own *free will* to go to another country in search of a better life¹⁰. Are they owed something? Does the fact that they leave a part of their history and a possible future in search of a better life negate their claim on special rights?

Recently, these questions have been discussed in political and philosophical theories that deal with the ethics of diversity. Their prescriptions are often speculative and are of the kind cited here:

One way of providing special protection to groups that have been the object of persecution is to provide special legal sanctions against persecutory acts – in other words, against hate crimes. (Hinman, 1997, p. 29)

But these limited rights fail to satiate and meet the needs of the minority groups. If the thesis, that one's own culture is necessary for achieving a good that is inherently culture dependent, then minority cultures need special protection if they are to continue to exist. That is, if the distinctiveness of a culture is a desirable and worthwhile element to be preserved, not homogenized in some pale form that loses its uniqueness, then minority groups should be extended the rights they need to preserve their distinctiveness. The case of supremacist ideology, however, does not fall within this intended spirit. Chronic

¹⁰ Better life is differently defined by different people, depending on their individual and circumstantial particularities.

discrimination against women throughout history is another way to understand this issue. Men have enjoyed the dominant social placement over women. Their position *de facto* does not translate into an earned right, and so they do not qualify for special protection to retain their position. In short, Walker's general principle with regard to treatment of minorities is that minority cultures or groups must be given special protection so that all members of society have an equal opportunity to pursue their respective life plan(s).

As inclusive and tolerant as this discussion sounds, it fails to capture the full spirit of Walker's (1998) feminist roots. Unlike a male-oriented, rigid, and steadfast prescription or process, Walker's moral system allows for contingent, sensitive, spontaneous, creative decisions and actions that might award real (not nominal) rights. Such flexibility and malleability should not be confused with weakness, for it is actually a more courageous and optimistic approach to the contextual issues at hand. And yet, because Walker's ECM is a deliberative process, an ongoing attempt to (re)discover commonality in communities occurs perpetually. In this regard, Walker's position with respect to rights is that of a feminist pragmatist.

Obligations/Responsibilities

Enmeshed with the notion of rights, indeed, with every issue that Walker (1998) explores, is the concept of responsibility. It is the central theme in *Moral Understandings*, and it suggests that if rights are one side of the coin that individuals, groups, and communities fight for and demand, the other side of the coin is the responsibility that they owe to each other and other groups at large. To win certain rights, then, means, to be obligated to carry out certain duties.

A question that surfaces in this regard is, what does it mean to be responsible? This philosophical concern has been covered quite extensively by moral philosophers (e.g., Frankena, 1973) and social philosophers (e.g., McPherson, 1970) alike. I will briefly describe here what is meant by moral responsibility and how Walker's (1998) notion of responsibility fits into that debate.

The word *responsibility* has been used extensively, and there is a useful distinction between the use of the word *responsible*, to describe a character trait of a person on the one hand, and as a way of referring to an act on the other. Frankena (1973) identifies three interpretations of responsibility: One way in which responsible is used is to say that "person X is responsible," which means that person X has a certain moral character. Statements of this sort are ascriptions to a person. "Today's irresponsible youth," a newspaper headline I saw not long ago, illustrates precisely the kind of character deficiency the word "irresponsible" was hinting at.

The second way in which responsible is used is to say "X was (and is) responsible for Y (an action)." That is, X is responsible *for* some past act. A man can be of the irresponsible type (as in the first case) and yet be held responsible for some act. Commonly, part of what is involved in calling a man responsible for a certain act is that we think he is properly to be blamed for committing that act; there is a certain element of moral disapproval or legal liability. In the present context of this study, the ill-treatment of women that Walker (1998) has pointed out is in this regard an action that has already occurred. It becomes a legal liability issue, still open to moral judgement, but something that cannot be changed.

The third and final way of using responsible is to say that “X is responsible for Y, where Y is still something to be done (future action).” It is important to note here that the distinction is not merely linguistic. An act that has already been performed, as in the second case, cannot be retroactively undone; perhaps it could be compensated for, but not undone. But an action that is yet to occur has the possibility of being shaped and altered. A definitive moral judgement on the act to be performed (act Y, in this case) is suspended until the act is performed. That is, the moral judgement could go either way, depending on how one (person X, in this case) chooses to act. In Walker’s (1998) ECM, the idea of the bargaining of rights and the imposition of responsibilities is possible because the deliberative process (the negotiations) happen beforehand – before the act is committed.

The responsibilities in Walker’s (1998) work that refer to retributive justice, as in the case of special rights of women, indigenous people, and previously enslaved people, are quite different from those that are negotiated in advance for individual or group rights through the ECM.

Conclusion

Walker’s (1998) position on the rights debate is consistent with the reciprocity thesis, in that moral duty is a necessary condition of having rights. Via cases of special rights and injustices committed by way of restricting rights to certain people, Walker’s position suggests that rights logically imply duties, and duties logically imply rights.

Rights language mandates respect, and respect mandates consent. This consent is achieved through a process of negotiation within the ECM. In the process, the reciprocity of rights and duties are maintained. Who bears duties for a given right depends on the nature of the interest being protected and is negotiated through the deliberative process. It

is from this rationale that I make the claim that Walker's system of ethics is sensitive to the varying rights of different communities, despite its lack of explicit mention of rights. What is more, her ECM's reliance and focus on the notion of responsibility makes earning new rights, by either an individual or by a community (minority), an obligated process, needing proof by empirical evidence without compromise of responsibilities owed to one another.

The *obligation first* position of Walker's (1998) system of morality does not necessarily or explicitly close the door on rights-based morality; however, it does raise doubts of its viability. That is to say, the idea of having rights as a precondition to carry out responsibilities is problematic. Instead, Walker's ECM proposes the idea of having rights as rewards for carrying out obligations.

In light of the particularity of identities and the situations extended to individuals and groups of individuals, legally sanctioned rights, then, serve as a baseline, but people also want or desire more. Walker's (1998) ECM provides a mechanism to deal with those particular demands, and in return it obligates people and groups with duties that they are expected to carry out. In short, responsibility features front and centre in the demand for increased rights and the debate concerning rights. Additionally, since Walker's template could be used to meet the demands for rights by special groups, much more amicably and respectfully than prevailing options, the ECM deserves serious consideration for practical applicability.

CHAPTER FIVE: MORAL CONSIDERATIONS

It won't take a miracle, darlin'; Just keep it real

Ron Sexsmith (2001)

Often the gulf between theory and practice remains artificially preserved by a reluctance to communicate emergent ideas from one domain to the other, by a failure to understand the complexities of another, or by both of these conditions. In any event, prescriptions arising from theory, which fail to inform practice linger on the academic shelves and in libraries. At the same time, practices that are not rooted in sound theories often lack a sound foundational basis. Immanuel Kant in his lectures on morality proposed that “[m]orality is the harmony of actions with the universally valid law of free will: it is always the relation in which actions stand to the general rule” (cited by Jones et al., 1969, p. 289). From this quote, it follows that theories of morality and ethics are valid insofar as they relate to and translate into action. If Walker’s (1998) ECM stems from existing problems rooted in the TJM of ethical practice, which are presently entrenched in policies and forms of governance, then the ECM has to afford practical solutions for it to be meaningful.

The ECM takes into account the richness, the complexities, and the inherent muddiness of everyday lived lives and solicits its expression in the deliberative process. Consequently, people’s lives and future aspirations find their place in the development of a shared and vibrant living morality within diverse communities. Walker’s (1998) ECM emerges from socio-collaborative living conditions. It is a warranted expectation, then, that the ECM will find its most resonant applications in real day-to-day practices. That is, thoughts, actions, precognitive impulses, past experiences, and future aspirations all

embody the ethical practices that inform the ECM. To forego the ECM's reapplication into practice would be to drain the life out of it and relegate it to a purely theoretical sphere.

Ethics derived through whatever means exert influence and affect decisions and conduct. Educationally, too, ethics have a bearing on how we interact with knowledge, peers, and teachers, and on how we prepare ourselves for the future. In the present context wherein societal constructs have altered our expectations *of* and *from* education have also changed. Yet educational administrative practices have failed to match the pace of change of the society. Margaret Walker (1998) in *Moral Understandings* has posited a new paradigm, a new narrative, which affords a vantage point from which to examine, critique, and improve existing practices. This study has explored her treatment of ethics in some detail. In this chapter, I discuss the educational relevancies with particular emphasis on educational administrative concerns that often define the educational atmosphere in schools and other academic institutions.

Administrative Challenge

Often tough decisions concerning the governance of educational institutional practices land in the laps of administrators. Some of these decisions are routine, or of little significance, while others carry with them moral responsibilities. How an administrator responds to concerns of the latter kind remains a central concern of this study. Traditionally, many positions have been presented and many theories written and refined over the centuries, many that can be used to guide administrators in how to navigate through an ethical maze.

In recent years, considerable attention has been paid to the moral codes and ethical practices in educational administration. Most of this discourse has been firmly grounded in an unquestioned belief in certain universal moral principles – the “rights and wrongs” of administrative practice. Unfortunately, almost nothing has been done in relation to the ways in which those moral principles get created in the first place. The lack of such discourse has led to the assumption that the administrator is *the* moral agent for the community of which he or she is the leader. This hegemonic relationship has a silencing effect on other members of the moral community – teachers, parents, students, and others. These individuals may not even be aware of the extent to which their lives are being ordered by administrators and by the moral codes that may, in fact, not be consistent with their own personal realities. In this way, embedded moral codes and embedded practices remain unarticulated, unquestioned, and therefore untested, with enfolded and unfolding layers of misrepresentation and disempowerment. These unexamined practices have constituted a status quo, and these require serious scrutiny to ensure that administrative actions are just and effective. Additionally, the challenge also extends to community members, in that they serve their cause better if they are vigilant and capable of voicing their disapproval if the situation calls for it. And yet, if there is an absence of a safe environment and if conditions impose restraint on the community members to give their concerns a voice, administrators would have failed. So a further challenge remains for the administrators to create a “moral medium”¹¹ where such concerns could be brought up.

According to Walker (2001), feminists and some progressive thinkers such as Bernard Williams have argued that conventional thinking “is modeled after an

¹¹ Discussed earlier in chapter 4.

administrative point of view in which there is a code of rules that you apply” (p. 3). As Walker’s (1998) ECM demonstrates, such thinking, theory, and practice fail to embody aspects of reality that are lived by women and other disenfranchised and discriminated groups. These are not only tragic losses in themselves, but these patterns of discrimination have resulted in shortsighted policies. Speeches, marches, banners, demonstrations, and media blitzes may help raise public recognition of these problems, but long-term solutions require thoughtful consideration, inclusive practices, sanctions against those who continue to discriminate, and strong educational programs that guide younger generations to improve. Schools are central to this work, but schools also have a history of gender and racial discrimination (Nelson, Palonsky, & Carlson, 2000). One of the most productive steps we can take to extinguish this discrimination is to eliminate it from all aspects of schooling and to institute progressive approaches to education that value principles of understanding, tolerance, and fallibility. The challenge for the administrators, then, is to take the leadership role to eliminate these discriminatory practices from educational institutions.

Elimination of these trends requires administrators and leaders to be particularly vigilant and accountable, not to the philosophical theories of the TJM but to the actual practices of real people and to their relationships with them. This responsibility extends in both directions of the power hierarchy (up and down). That is, leaders are responsible for their subordinates and vice versa. When this relationship is severed, human relations suffer, and selfish doctrines take hold in societies. Unidirectional lines of responsibilities, extending from subordinates to the administrative cadre, have always been practiced and

expected. The challenge in the present context is to ensure that it becomes bidirectional or duplex in theory and practice.

According to Walker (1998), the fundamental difference between the theoretical-judicial and expressive-collaborative templates is the difference between a forced imposition of an externally determined moral code and the personal evolution of a socially and internally derived moral philosophy. From this perspective, the question of right versus wrong is not as important as the question of inclusion versus exclusion. That is, instead of asking, “Which values or on what grounds?” we should be asking, “Who gets to say what is right and what is wrong? Who gets to decide on what values will be central to the moral community?” These are the questions that leap to the top of the agenda within the ECM. But while this kind of discourse may be desirable, there is little indication in the literature that educational administrators know how to conduct such moral deliberations or to facilitate such moral discourse. This suggests that there is a clear need for some kind of curriculum that could help administrators master the dynamics of ECM. Such a curriculum exists (see Mitchell & Kumar, 2001). The challenge, then, is to put a moral curriculum in practice so as to reap the benefits of Walker’s ECM.

Strains of Responsibility

In the previous three chapters, I have discussed strains of responsibility as featured in knowledge construction (epistemology), identity formation, and rights and obligations. In this section, I pull the threads together by describing Walker’s (1998) concept of strains of responsibility as a unique form of care ethics. I do so to illustrate its

novelty and also because it is to me the single most important concept that Walker offers through the ECM.

Walker (1998) summarizes her basic claim about the structure of responsibility as such:

Specific moral claims on us arise from our contact or relationship with others whose interests are vulnerable to our actions and choices. We are *obligated to respond* to particular others when circumstance or ongoing relationship render them especially, conspicuously, or peculiarly dependent on us. (p. 107, italics in original)

This kind of ethics is simultaneously expressive, interpretive, and collaborative. If the relationships emerging out of dependencies or vulnerabilities are central in moral deliberation, the idea of being able to *abstractly* determine moral stance is unworkable or, at best, incomplete. These abstract contemplations, Walker points out, have only provided us with values, generic obligations, and generalized concepts of roles and interests. These abstractions should be taken as guidelines that will need repeated interpretation and reinterpretation for every case, each time, at hand. Outcomes emerging from within each considered circumstance could refine previously clear concepts, reorder values, and sometimes even dismiss unresponsive or irrelevant positions. Through this process, a shared rather than unilateral understanding and a new moral plateau are reached.

Towards this shared moral understanding, each moral agent participates in the ECM's deliberative process, in which shared understandings and a shared moral code for the community is developed. Without commitment and conviction towards the process of

shared creation, a moral agent may hold onto an ideal, abstracted or derived from either theological quarters or philosophical model that fall under the TJM. To avoid this pitfall and to engage in the expressive-collaborative process sincerely, Walker demands that the moral agent has to operate with *integrity*; but the meaning of concept of integrity requires clarification. Walker interprets the word integrity, as used by Gilligan (1982) and Williams (1981), to imply some kind of a *demand*. But what exactly is it supposed to convey about the moral agent? Walker is asking questions along these lines: Is integrity supposed to give answers to what is right? Is it doing what one thinks is right? Is it doing what one thinks is morally right? Is it doing what is most convenient? And she wonders if integrity means not ever having to say that you are sorry. Walker says,

There's no detaching a picture of integrity from some view about the nature of morality. I think an ethic of responsibility within an expressive-collaborative framework can acknowledge a moving horizon of commitments and adjustments, allowing individual distinctiveness of situation and commitment. It preserves liveable flexibility in tandem with reasonable reliability. (p. 109)

That is to say, if the world and our social contexts are mutable, so should be the moral agent, in order to be responsive to the changing circumstances. This responsiveness is more meaningful and is representative of a responsible attitude and approach of the moral agent(s) against any immutable stance. There is no God's eye view, no access to some imaginary position outside the realm of experience from which one can peer clearly through the complexities of everyday human life, no stance that is free of transient (and yet deeply meaningful) interpersonal relationships. Given this lack of an Archimedean

plateau, it stands to reason that unending, continual adaptation to circumstances, aided by imagination and a limited (instrumental) rationality for making sense of empirical evidence, is the most responsible position a moral agent can take. A personal sense of morality has to emerge out of this need for responsiveness to changing circumstances and then also reapply itself as a means to keep the agent responsible to others.

Walker's (1998) subtle and yet complex discussion of responsibility permeates her ECM. It is a rich construct that does away with simplistic (however powerfully compelling) methods possible for eliciting a result, as is common in utilitarian approaches. The simplistic utilitarian dictum (the greatest good for the greatest number) engages few, if any, ancillary principles. However, it makes enormous demands on supposed empirical information about people's preferences. Walker's ECM critiques this assumption by pointing out that the kind of information needed for the utilitarian way of coming to a position remains not only unavailable, but also shrouded in conceptual difficulty. And yet a utilitarian viewpoint favours technical difficulty over moral clarity in interpreting, assessing, and formulating some manner of welfare, because technical difficulties are less alarming than inherent moral complexities. According to Bernard Williams (1973), this prevailing frame of mind in the social and political spheres of utilitarian thought is "deeply foolish" (p. 137). Walker's focus on both social and personal responsibility provides a contingent, malleable, and changing framework through which both public officials and individual moral agents can examine existing moral codes and establish new ones.

Real Case Application

An educationally relevant example will highlight the use of the ECM. Beckner (2004) begins his discussion of *Ethics for Educational Leaders*:

Sue is the assistant principal of an urban high school with a large number of minority students. One of her major responsibilities is administration and enforcement of district attendance policies. Junita, the oldest of eight children in a single-parent family, is an excellent student (maintaining honor roll status) and well liked by teachers and other students, despite the fact that she is absent from school quite often. In fact, by mid-November, Junita has already accumulated twenty absences, exceeding the maximum allowed for the year by the school policy, which stipulates that a student may not miss more than 10 percent of the days a course is offered and receive credit for the course.

When called before the attendance committee, Junita politely explains that her absences are due to a full-time job that she holds to help support her family. She further explains that her mother could not attend the meeting, as required by school policy when students are absent excessively, because of her work schedule. Junita also shares with the committee her dreams of going to college to be a teacher, which is why she is working so hard to maintain her current grade point average.

(Beckner, 2004, p. 2)

If philosophies of the TJM were to be applied to this situation, the essential distilled facts would be that (a) there is a definite policy on how many classes a person

can miss before a failing grade is awarded, and (b) Junita has missed more than the maximum permissible number of classes. These two facts are sufficient to give a failing grade to Junita. In other words, the particularity of the situation is lost in favour of impartiality. Even compassionate grounds owing to Junita's harsh circumstances do not factor into the final deliberative process (the purpose of which is only to establish the facts). The justification rests not only on the established facts, but also on the fact that any particularity would set precedence in future cases where there are attendance infractions. Additionally, any deviation from the set rules would open the gates for all future cases to be judged on an individual basis. If anything, such an undertaking would hamper the efficiency of administrators or administrative bodies in enforcing the school policy. In essence, then, the TJM-guided actions influence people to make decisions that (a) favour (seeming) impartiality over particularities of the situation and identities of the people involved, and (b) favour efficiency of the process, perhaps at the cost of effectiveness of the decision. Even the most well-intentioned administrator is likely to yield to efficient decision making, at least sometimes, if one is guided (implicitly or explicitly) by philosophies that fall under the TJM.

According to Walker's (1998) ECM, the entire process would be a different one. The ECM's deliberative process does not have its goal as narrow as to only establish the facts of the case. Rather, it would also trace the various strains of responsibilities, evaluate the particularities of the situation, and negotiate the rights and the corresponding responsibilities that serve as cost for those rights. However, the most noteworthy point is that it would include Junita in the entire deliberative process. Here, an outcome of the process can only be speculated hypothetically, not wielded unilaterally without the due

process of the ECM. What particular decision would finally be reached is an outcome of a process in which Junita, as well as Sue and the attendance committee participate equally. Perhaps the decision might be the same as the TJM (although I sincerely doubt it), but the decision would be based upon many other relevant criteria that are left out in the TJM deliberations. It is, therefore, more democratic – not in the political sense, but in the philosophical sense.

Analysis of Moral Understandings

On epistemological grounds, Walker (1998) favours the shared construction of realities in the world. She considers a shared construction to be far superior to the theoretical construct(s) of knowledge. The latter, she judges, has in its course of existence, disenfranchised, marginalized, and discriminated against a lot of people. Women, for instance, have been oppressed while TJM-rooted philosophies guided the practices of public elite.

To rectify these problems, people must (a) understand reality to be a construct of lived experiences, (b) be allowed to retain their individualities and particularities, without shame and guilt, and (c) be granted rights and opportunities to express their individualities and their understandings. The template is both inclusive (of people and their understandings) and respectful of the differences of people and their dispositions. These differences give rise to different moralities. In a community, a common moral ground is negotiated through a process that forms the basis of Walker's (1998) ECM. The roles of the participants and the role of the facilitator of the negotiating process are bound (and restricted) only by the responsibilities that each person has toward others and the community at large. The expressions of individuals in the ECM are also required to be

empirically sound. That is, theories, practices, and philosophies, admissible and permissible in the ECM have to be empirically sound.

Finally, the moral codes of a society always remain open for adjustment and modification to reflect new (and perhaps refined) understandings of changing social norms and customs. In this way, it is simultaneously responsive and adaptive to the evolutionary nature of societies; never quite perfect or ideal, but always fair and equitable. For this reason, I interpret Walker's (1998) ECM to be rooted in a pragmatic tradition.

Margaret Walker (1998) speaks from a socially located place and time from which she questions the omission of rights of disenfranchised groups. Using a feminist approach, she critiques prevailing norms and practices, and in doing so, gives voice to many marginalized communities, peoples, beliefs, dispositions, understandings, aspirations, and practices. These include, but are not limited to, groups that have been marginalized because of gender, sexual orientation, race, colour, ethnicity, and religious beliefs.

Given the broad appeal and import of Walker's (1998) work, it would not be in keeping with the spirit of her undertaking to classify her work one way. After all, it is this kind of gross generalization (stereo-graphy) that she prohibitively describes as one of three unnecessary identities. But such a classification does serve a useful purpose, and she does name it in the book's subtitle, *A Feminist Study in Ethics*. Therefore, it is fair to assert that Walker's work is an exploration and critique of moral philosophies, as they have been developed and practiced since the Industrial age, from a feminist perspective.

The central idea that she furthers is that previously disenfranchised groups should be awarded an increasing (but fair) number of rights.

Limitations of Walker's Practicality

Viewed from a certain critical perspective, the underlying assumption in Walker's (1998) ECM, is that the moral base contains inherent problems unless all people represent themselves and carry the same weight as any of their counterparts in moral deliberations. In a practical sense, this level of participation is unfeasible and unmanageable. Imagine the administrative chaos of having to solicit and process input from every teacher, student, parent, and so on before reaching any decision. Furthermore, contributions from every member and segment of the school population on issues that do not concern, interest, or affect them can lead to superfluous, dispassionate, and ill-informed participation (Tong, 1986, p. 54). That is, universal participation is likely to disguise simplistic notions of the majority as a democratic act. Quite often, these participatory notions are used to forward covert majority agendas. This is the politicized version or instrumental use of the democratic spirit that Walker wants to avoid.

Closely related to this issue is the assumption that people are able to articulate their beliefs. That is, assuming that moral agents do participate in the moral deliberation, is it reasonable to expect that one can clearly and effectively communicate one's beliefs and moral foundations? Especially, considering that the roots of an individual's moral positions could possibly lie beyond the access of the conscious mind. Even if an individual were to recognize these roots, does s/he have the linguistic capacity to articulate it? Or even still, does a lexicon for describing what transpires in the subconscious exist? Habermas (1997) raises precisely these kinds of questions

concerning the use and limitation of language. To expect or assume that a moral agent has the capacity and capability to articulate the moral roots of one's position is suspect. I think Walker (1998) anticipates this objection and as a way to overcome it, obligates the moral agent to ground his or her position in empirical evidence. This seems like a good solution at first glance, but the question remains, how one gets the empirical evidence for some phenomena that an individual cannot describe at a unitary or individual level.

In an educational context, the traditional administrator holds power to bring about change in the organization that s/he oversees. In fact, the ability to wield power has been one of the traditional incentives for people to move into educational leadership (Bhindi & Duignan, 1997; Housego, 1993). With the power of moral superiority gone, there needs to be new incentives that can entice people to serve as facilitators of the process and to ensure that the environment enables community members to participate. Put another way, if moral administrators do not hold morally superior positions, then what would motivate them to facilitate the moral discourse? The effort required by moral agents in the ECM, is a great one. It is most likely, as a result, to be steeped in passion. For an administrator-facilitator to adjudicate and help reach a consensus among differing and conflicting positions, the effort is bound to be greater still. To subject individuals through the stress and other cognitively demanding challenges of facilitating, and simultaneously to be stripped of traditional power that often gives one the motivation to undertake such an assignment, is impractical. After all, this expectation, of obligations without rights, is somewhat similar to Walker's description of what transpired in the Greek society. Recall that women carried out duties and were given no corresponding rights. Is it fair then to saddle the administrators in a similar fashion? This question and doubt lingers, although a

possible solution lies in the Walker's version of responsibility. A mother provides for its child out of responsibility towards the child and the child's vulnerability in absence of her care, without getting (immediate) tangible rewards. Likewise, an administrator has responsibility towards his or her community members, and is expected to provide out of sense of responsibility, and the community member's vulnerability in absence of such provision. So why and how does one become this administrator-facilitator, is the question that continues to linger.

Personal Reflection

Prior to undertaking this study, I was filled with anxiety as to where and how to begin. Now that I am nearing completion, I find myself reflecting on what I have learned through this process. As a matter of process, simply conducting the study has eased some of the trepidation that I felt prior to undertaking an analytic or conceptual study. Experiencing the process alone has been useful, rewarding, and instructive. I think it is because I now understand, on a firsthand basis, what it means to conduct an analytic study on a specific subject matter, based on specific conceptual terms (e.g., epistemology, identity politics, and rights and obligations). Strategically, then, this approach to an analytic study is a useful starting point, especially when the conceptual terms emerge from the principal theme (ethics, in this case). This template in itself will continue to be beneficial in my research repertoire for future investigations.

Additionally, this exploration has exposed me to subject areas indexed under headings that I had yet to study systematically. These subject areas include women's studies, political theories, social theories, and the history of philosophy. Initially, the breadth of this task overwhelmed me. With only a few signposts along the way, which I

could claim as being familiar, the journey was challenging. It has been by learning to discipline my thought and habit of mind in the face of “big picture” issues that I have managed to reach the end of a long journey. These skills, too, will help me be a better investigator. I hope that this new-found confidence will remain in productive amounts to help me see complex concepts with better clarity.

At the end of this study, as I look back, I see a marked alteration in my own thinking on certain moral matters which I had previously taken for granted. I attribute this to having engaged with Walker’s (1998) text deeply as well having plunged into the deep and murky waters of western philosophy. I will illustrate this growth by providing a concrete example.

I came across Godwin’s moral dilemma of “the famous fire cause” long before I undertook this study. At that time, I was easily (and perhaps uncritically) persuaded by the author’s argument in the first version of the dilemma, which was to save the Archbishop. In the second version of the dilemma, the stark contrast between the position advocated by Godwin, and the one that I intuitively felt, both shocked me and struck me with the realization that, depending on what one values, different conclusions are reached. At first, I hoped to tame my own reaction by trying to convince myself that to act in accordance with Godwin’s justification would be in fact to be more like Mr. Spock from Star Trek (my childhood idol – character devoid of human emotions). But all such attempts, over many years, failed to sway an innate sense within me that favoured saving my own mother. This lingering sentiment failed to find legitimacy through any texts I had previously read. It was only upon encountering Walker’s work that my own sensibilities

were given validation. My escape from the *rational ought* to the freedom of the *responsible is* has been most satisfying and liberating¹².

Final Words

Our present social context is more diverse than at any other time in our history. In it, our multifarious expectations, sensibilities, values, and moralities do not neatly fit in with each other nor do they necessarily complement each other. Simple-minded, or merely efficient, principles (like Utilitarianism) do not often yield satisfying results because they fail to take into account the inherent diversities of people, their knowledge, the rights they are extended, and the obligations that are placed on them. Amidst all this uncertainty, an educational administrator who is saddled with adjudicating over conflicts and moral decisions, is often left misguided.

Traditional morality is seen to be male-centered because it has been modelled after practices that have been traditionally male-dominated, such as acquiring property, engaging in business contracts, and governing societies. The rigid systems of rules required for trade and government were then taken as models for the creation of equally rigid systems of moral rules, such as lists of rights and obligations. Women, by contrast, have traditionally had a nurturing role of raising children and overseeing domestic life. These tasks require less rule following and more spontaneous and creative action. Using women's experiences as a model for moral theory, then, would position morality as spontaneously caring for others as is appropriate in each unique circumstance. In this model, the agent becomes part of the situation and acts caringly within that context. This stands in contrast to male-modelled morality where the agent is a mechanical actor who

¹² I refrain from delving into the rich philosophical literature that explores the distinctions of *ought* and *is*, but I acknowledge its presence.

performs his required duty yet can remain distanced from and unaffected by the situation. A care-based approach to morality, as it is sometimes called, is offered by feminist ethicists as either a replacement for or a supplement to traditional male-modelled moral systems.

This study is not meant to convey or imply that traditional philosophies are useless. Rather, it offers support to the central idea of what Walker (1998) has managed to do in *Moral Understandings*, and that is, to examine closely, how theories and moral philosophies get formed, who gets to participate in their creation, and who is held accountable for its practice. In this changing world where everything seems to be in flux, including the composition of societies, an attempt to anticipate and prescribe rules of engagement by any one authority is not only unlikely, given the tract record of the past, but highly suspect and impossible. Walker's work invites us to cultivate an understanding and tolerance of one another. It is a complex challenge indeed, and by accurately describing it, Walker gives us the courage to admit that all of us are fallible. She writes, "none of us is ever right in the midst of all that needs to be looked at" (p. 214). This knowledge has to be a source of empowerment rather than seen as a weakness, for it is an invitation for the democratic inclusion of people – even those who were previously disenfranchised, discriminated against, or oppressed. Aptly, the polemic debates need to occur around responsibility and inclusion, rather than justification for marginalization.

Margaret Walker's (1998) expressive-collaborative model of ethical discourse central in *Moral Understandings* and discussed in this study, provides a framework in which these diverse voices are not only heard, but already added to the moral chorus from

which the moral community at large can benefit in contemporary times. No miracles here, just reality.

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