



Sample Dialogue: A Case of Cheating

by Gary Pavela

The best way to demonstrate the characteristics and benefits of ethical dialogue in the disciplinary setting is to present a dialogue in its entirety. The following sample portrays an extended discussion between a college dean and an upperclass student about an incident of cheating. The discussion is longer than might be anticipated, and is developed at length so a broad range of ideas can be explored. Some observers will find the student in this dialogue capable and assertive--but not dramatically so, considering the academic quality of students now being attracted to many campuses. Also, the fictional dean has clearly decided not to "talk down" to the student, and seems determined to treat him as a full partner in a challenging inquiry. The contents of the dialogue are not designed as a model for all institutions, particularly those with a religious affiliation. What is suggested, however, is that efforts to engage students in ethical inquiry should be an essential component of the college and university disciplinary process.

Sample Dialogue: A Case of Cheating

Dean: You've been accused of using a crib sheet during an examination. I understand you admit your responsibility for the offense. Is that correct?

Student: Yes.

Dean: Since the basic facts are not in dispute, let's consider some of the broader issues involved.¹

What would you say was ethically wrong about cheating?

Student: Well, cheating violates the rules.

Dean: But Martin Luther King violated some of the rules of his society. Do you feel his acts of civil disobedience were wrong in an ethical sense?

Student: No, but I don't see the connection.

Dean: It's a general principle we're exploring at this point. Is it your position that the morality of our behavior should be defined solely by the rules, or the law?

Student: No.



Academic Integrity Seminar

A Student Development Resource

Dean: So, what do you think was wrong about your behavior, besides the fact that you broke the rules?

Student: Well, first, I don't think what I did is a sin. Lots of students do it when they're under pressure.

Dean: There *is* a fair amount of cheating across the country, but the research suggests that most students at most colleges don't cheat on examinations. This is a good issue to discuss with the Student Honor Council when they consider a sanction in your case.² But let's accept your premise that right and wrong are determined by what the majority does. There was a time when most colleges didn't give accused students any kind of hearing before dismissing them from school for breaking the rules. Do you think that was fair?³

Student: Maybe it was fair then, but it isn't fair now.

Dean: What makes it unfair now?

Student: People expect better treatment. Times have changed.

Dean: I think that's a good answer. Tell me, when you were a little kid, did you do some stupid things you don't do now?

Student: Sure.

Dean: People grow and develop. Societies grow and develop. Maybe we see ethical issues we missed before. There was a time when most people didn't see anything ethically wrong with slavery. Does that mean slavery was ethically right, in the past, just because most people thought it was O.K.?

Student: Well, I know slavery is wrong now. But maybe it was right then. It all depends on your perspective.

Dean: Let's go back to our Martin Luther King example. He challenged segregation, even when most people seemed to accept it as normal. That was the "perspective" of the time. Ultimately he--and the civil rights movement--ended official segregation. He didn't rely on violence, and black people didn't have enough votes (if they could vote) to change the law. So, why was he so successful?

Student: He woke people up. He made them think. He said things that made them feel guilty about how they were treating blacks.

Dean: Those of us who lived through the civil rights movement have the feeling you describe. Many Americans were "waking up" in a moral sense. Martin Luther King was a master at appealing to the conscience, and to the founding ideals of the country. People were moved by him, and the moral force of the civil rights movement as a whole.

So, when you refer to people "waking up," is it possible (perhaps with the help of "great souls" like Gandhi, or Martin Luther King) they are discovering moral principles that were there all along-- that



Academic Integrity Seminar

A Student Development Resource

their conscience could recognize, if they *developed* their conscience.

Student: Yes, but I don't think it's easy. And I don't think it happens very often.

Dean: I agree with you. But that's an entirely different answer than assuming all conceptions of fairness and morality are defined by power, or what the majority of people might think or do at any given time.

Let's go back to the cheating issue and try to think about it in light of what we've been discussing. Can we agree that something isn't automatically right just because lots of people do it?

Student: Yes.

Dean: So, that argument aside, is there anything wrong about cheating, aside from breaking the rules?

Student: Maybe it would make me mad if other people cheated and messed up the curve. Also, if everyone did it, people might not learn the things they're supposed to learn.

Dean: You've just stated two fairly common tests of moral behavior, based on the Golden Rule ⁴, and a willingness to consider the social consequences of the wrongful act, if others did it as well. ⁵ What do you think of combining these two as a general standard of behavior?

Student: It might apply in this situation, but I don't think it will always work. What if I liked to mess up my own life or make myself feel pain? Would you want me to follow the "Golden Rule" then?

Dean: No. But we did develop a two part test, which you just stated. The Golden Rule is somewhat subjective; the notion of judging the social consequences of your behavior, established as a "norm" or maxim is less so.

Student: So, you're suggesting two questions should be asked when I think I'm about to do something stupid. First, "how would I feel if another person did the same thing to me?" And, second, "what if everyone did what I'm thinking of doing?"

Dean: Exactly; but your answer indicates that is a conclusion you already reached.

Student: I may have stated it, but I'm not sure it makes any sense. What purpose does it serve to ask the question about the Golden Rule? Why not skip a stage and go right to the issue of what bad things might happen if everyone engaged in the same behavior?

Dean: When you ask the Golden Rule question, are you appealing more to reason, or to qualities like empathy, and a sense of right and wrong as defined by your conscience?

Student: My conscience.



Academic Integrity Seminar

A Student Development Resource

Dean: And when you ask what we will call the "social consequences" question, which quality do you seem to be appealing to?

Student: Reason.

Dean: Now, can we agree that both the subjective aspect of your personality, including conscience, and your ability to reason, should be used to define some standard of ethical behavior?

Student: As a general principle, sure.

Dean: So, does it not follow that asking both questions allows us to appeal to two important aspects of our nature? For example, if I'm masochist, and unable to appreciate the suffering of others, perhaps my ability to engage in rational analysis would control the most damaging aspects of my conduct. Or, if I rationalize my behavior, and refrain from careful self criticism, perhaps a more subjective reliance upon a sense of conscience will be a good guide.

Student: O.K. But I don't think your questions answer all the ethical issues that come up--like whether someone should have an abortion.

Dean: You're right. We're not creating some precise mathematical formula designed to solve every moral dilemma. The questions *will* help decide some obvious moral issues, but mainly they're a starting point for more thinking.

Student: O.K., I'm a little weird, and like to talk about this stuff. But I meet tons of people who just don't care. For them, the real Golden Rule might be "do unto others before they do unto you." Different people have different values. I'm not going to judge them.

Dean: Tell me about your best friend. What qualities come to mind when you think about him, or her?

Student: I don't get the point.

Dean: Bear with me a minute. There's a point, I promise.

Student: Well, he's funny, and fun to be with. I also think he's loyal. He's honest with me, and I learn a lot from him. Basically, he's someone I can trust and count on.

Dean: It looks like your friend has some fairly traditional virtues--including loyalty, honesty, and trustworthiness. You didn't say something like "I admire my best friend because he's such a wonderful cheater and liar." ⁶

Student: It's natural to want a friend you can trust. There's nothing new in that. Even criminals want to trust each other.



Academic Integrity Seminar

A Student Development Resource

Dean: You say it's "natural" to want a friend who can be trusted. Do you think "trust" is a component of friendship in India, China, America - and everywhere else in the world?

Student: Probably.

Dean: Why is it, with all the cultural differences in the world, we can draw some general conclusions about what people expect in a friendship?

Student: Because we're all human beings. We have similar needs.

Dean: Another way of making that point is to say that human beings are social animals. Being part of a group - and having obligations to a group - is part of our heritage, maybe part of our genetic design. Some natural conclusions follow: Nearly everywhere in the world, most parents will love and protect their children; destroying someone else's property will be prohibited, and wanton killing punished, at least within the group.⁷

Student: But there are always exceptions. Maybe you can find a tribe someplace where destroying someone else's property is encouraged.

Dean: Do you occasionally travel in airplanes?

Student: Sure. Why?

Dean: Do airplanes sometimes crash?

Student: Yes.

Dean: Why do you fly, if some airplanes crash?

Student: Because most of the time they don't crash. It's safe. Safer than driving.

Dean: So, literally, you risk your life based on the odds - what's typical, or common, even if there are rare exceptions. When you say it's "safe" to fly, you're really saying a few crashes haven't deterred you from drawing the general conclusion that flying is "safe."

Student: What does that have to do with ethics?

Dean: Ethical principles are like other principles. We shouldn't require absolute certainty or uniformity before relying upon them, at least as a guiding hypothesis. If, for example, we find that vandalism or wanton destruction of other people's property are discouraged in most societies, it ought to give us confidence that comparable rules have some basis here. We also learn that there seem to be certain basic virtues shared throughout the human family--usually grounded in self-restraint, and a sense of empathy.

⁸ Maybe we will learn to display some of those virtues *outside* our group, with strangers. One term for



Academic Integrity Seminar

A Student Development Resource

that is "good manners," which at some basic level is understood even among people who don't share the same language, or culture.

Student: But even if we identify some basic rules, not everyone follows them.

Dean: Should we have laws against sexual torture, or abuse of children?

Student: Of course. That's disgusting.

Dean: But the Marquis de Sade didn't think so.⁹ Why shouldn't people who agree with him be free to do whatever they want?

Student: There are limits, especially if other people are hurt. That's what laws against rape and child abuse are all about.

Dean: I agree with you, and we agree on a general premise: "There are limits," even if every society doesn't share them, or everyone in the same society doesn't follow them. Setting and defining the precise limits may be a long, evolutionary process. Maybe we even make progress, with international bans against slavery, for example.¹⁰

Student: This is all sort of abstract. I can understand your point in the context of friendship. It's hard to see the practical value of "ethics" outside a personal relationship. Take this whole issue of cheating. Lots of students do it, usually in the big lecture courses.

Dean: Please take a look at the ceiling for a moment. There are many tiles and beams, just over your head. At this very moment, your life depends upon the basic honesty and integrity of the people who designed and built this building. They're not your friends are they?

Student: No.

Dean: So, you're glad *some* people feel a sense of obligation beyond their immediate circle of friends.

Student: O.K., sure. But I still don't think most of the students I know are interested in thinking about this stuff.

Dean: What are students interested in?

Student: Getting a good job. Having fun. Sports. You probably have a pretty good idea.

Dean: You mentioned sports. What sports do you like?

Student: I like cross country running. It's fun and exciting, even when I'm competing against myself.

Dean: What do you mean by "fun" and "exciting?"



Academic Integrity Seminar

A Student Development Resource

Student: Well, it feels good to exert myself; to test what I am capable of doing, and to do the best I can.¹¹ Also, running makes me fit, which I like.

Dean: Is it reasonable to say that the pleasures you are talking about are derived from the pursuit of a higher standard or ideal; in your case, striving for the highest level of your own physical performance?

Student: Sure, but you're making something simple sound real complicated.

Dean: We do a lot of that around here. Can we agree that development of the human spirit is at least as important and challenging as development of the body, or any other aspects of our lives?

Student: Yes.

Dean: Therefore, can we say that an effort to adhere to a higher ethical standard can produce at least as much satisfaction as striving for other important objectives, including your effort to be a better cross country runner?¹²

Student: I suppose so. Still, the pursuit of any difficult objective produces a form of satisfaction. Maybe I would be equally satisfied if I tried to be the most completely evil person in the world. That's a kind of perfection too.

Dean: Have you encountered many people who espouse such a goal?

Student: No. But I bet such people do exist.

Dean: I think so too. But do most people you know consciously pursue evil ends?¹³

Student: No, not that I know about.

Dean: What do you think accounts for the fact that most people appear to reject the conscious pursuit of evil, at least on a regular basis?

Student: It appears to be a part of our nature to try to be associated with what we define as "good" behavior; that seems to fill an important need for most of us.¹⁴

Dean: Sure. When you think about it, our analysis of most human problems usually revolves around what we define as moral or ethical issues. So, I think you're right to suggest that some ethical sense seems to be a part of our nature; indeed, those attributes may be what distinguishes us from other animals.¹⁵ **The capacity to engage in ethical behavior does get us into trouble sometimes, but it appears to be as uniquely a part of us as walking on two feet or using a precision grip with the thumb and the other fingers.**¹⁶

Student: Maybe most people - or at least older people - feel a need to think about ethical issues, but many of



Academic Integrity Seminar

A Student Development Resource

them do so to excuse what they want to do anyhow. I see lots of adults who just want to make and spend money. If they talk about ethics, it's just to make sure nobody cheats them. They try to get whatever they want.

Dean: Tell me, do you think you might want to be a parent someday?

Student: Probably.

Dean: Will you give your kids whatever they want, whenever they want it?

Student: No, that's stupid.

Dean: Why?

Student: First, they might hurt themselves. Second, they'd probably become spoiled brats.

Dean: Let's focus on the latter. It sounds like you're saying too much of a good thing can be bad for someone.

Student: Yes, for a kid.

Dean: Maybe an adult too? Have any of your friends had too much to drink, and gotten sick?

Student: O.K., I concede the point.

Dean: Money and the things it can buy are desirable, but too much can be as damaging as too little. For example, Plato compared a man's life to a large container or cask. An individual consumed with a desire for more and more material things is like a cask full of holes. Even though a great volume of liquid is poured into the cask, it keeps escaping. So the person must be working night and day to keep it filled, and is always in turmoil. ¹⁷

Student: But you are making, at best, an educated guess about what is in the minds of others. What if the successful, greedy person is genuinely content with his life?

Dean: Let's go back to your pleasure in cross country running, and the satisfaction you derive from being physically fit. Do we agree that a person who is physically unfit can be comfortable and content?

Student: Sure, for a time.

Dean: Yet he or she misses something in life by not endeavoring to live up to a higher physical standard; such a person is simply less accomplished than he or she could be, and may be unaware of a deeper satisfaction. Is that true?

Student: True enough.



Academic Integrity Seminar

A Student Development Resource

Dean: Perhaps, in an ethical context, the same can be said about your contented materialist. In this way, a disinterest in ethical development, like a disinterest in physical development, conditions us to miss out on something better. ¹⁸

Student: Maybe, but the comparison bothers me. People who are physically unfit are hurting themselves in some way - perhaps developing high blood pressure, for example - and they will probably feel it eventually. That doesn't happen to people who ignore the moral side of their nature. Maybe they have found a good way to live. Maybe they've found a kind of happiness.

Dean: You use the word "happiness." That word also appears in the Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness." Would you substitute the word "pleasure" for "happiness?" ¹⁹

Student: No. It doesn't sound right.

Dean: Why doesn't it sound right?

Student: Pleasure sounds trivial. You can find pleasure just watching a T.V. show. That's not why we have a government - to encourage or protect a "right to pleasure." Happiness requires more effort; there's a deeper sense of accomplishment. You've made something out of your life. You've done something useful.

Dean: So happiness, as you define it, is better and "higher" than pleasure?

Student: It is for me. Other people can make their own choices.

Dean: O.K., if freedom of choice is the aim, let's amend the Declaration to say people "are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness, and/or pleasure, as they see fit." How about that?

Student: I don't like that wording either. It sounds cheap. I'd be embarrassed to be an American. In some ways, government probably has a role in allowing and encouraging us become better people. But there have to be limits to what government can do. No one wants to be bossed around all the time. That's why communism went down.

Dean: I agree. We're touching on one of the big issues in government and politics. Defining the limited role of government is an endless process. It's another problem we won't solve today, although it's important to know it is a problem.

Let's go back to something less complicated. You said people who don't exercise are likely to develop high blood pressure, or other ailments. Likewise, I wonder if a disinterest in our own moral development is damaging in a way that can be compared to a slowly developing disease.



Academic Integrity Seminar

A Student Development Resource

If moral reasoning and feeling is somehow a part of our nature, it might keep cropping up in life. If we suppress it for a while, it will reappear later. Suppose, to use Plato's example, the man with the leaky cask understands that he will soon die, and then realizes he has wasted his life. Can you think of a more painful experience? ²⁰

Student: I suppose looking back on life that way could be bad, although it doesn't worry many people I know.

Dean: Maybe you don't know everything they're thinking. For example, have you ever wondered what people would say about you if you died.

Student: Not often. It doesn't bother me.

Dean: But the question has crossed your mind.

Student: Sure.

Dean: Well, what would you want people to say about you? ²¹

Student: That I was fun to be with, and caring; that my family and friends could count on me; that I made a difference in their lives.

Dean: A good difference or a bad difference?

Student: A good difference, obviously. I'd want them to say their lives were better because of something I did. ²²

Dean: Is this something you often talk about?

Student: No. It's not a big deal. Maybe some people think it's depressing. But I don't see the point.

Dean: The point is that we're discussing issues you have thought about, but don't routinely discuss. Maybe your friends are in the same boat.

Student: Maybe. We have things in common.

Dean: I think you have a lot in common with people generally, regardless of age. Times of moral reappraisal aren't limited to old age. They can come on many different occasions. Sometimes they aren't even recognized, which can be especially tormenting. Perhaps Thoreau had something like this in mind, when he said that "the mass of men lead lives of quiet desperation."

Student: I don't think that applies to my friends. They seem to have a good time.



Academic Integrity Seminar

A Student Development Resource

Dean: Are they finding pleasure, or pursuing happiness - the way you defined happiness?

Student: I don't know. It's their business.

Dean: So, you don't care what choices they're making.

Student: I didn't say that. I'm just not going to get preachy. O.K., maybe I can figure out some way to ask them what they think about their lives, and what kind of people they think they're becoming - but it has to be done at just the right moment. It's not an everyday topic.

Dean: I hope you do find a way to talk about these issues with your friends. The best way is to ask honest questions, and to help explore possible answers.²³ The aim isn't to treat philosophy or ethics as some kind of instruction book people can use to solve all of life's problems. It doesn't work that way, even for philosophy professors.

Student: I know that. That's my point: For me--when I'm looking back on my life or thinking about what people might say about me - I'm thinking about something fairly specific. The good or the bad things I did. I'm not going to make rules for anyone else. Maybe we can agree on a few general things - like you said when you asked me to think about what qualities I liked in my friends. But the categories are so general as to be meaningless.

Dean: When you talk about important issues with your friends - philosophical stuff maybe - are you likely to know your friends better, at least what some of their ideas are?

Student: Sure, if I don't do too much of it, and make them mad.

Dean: And, if you know them better, and they have a problem or a crisis, perhaps you could help them better?

Student: Yes, probably.

Dean: Maybe that's part of the reason why people talk about ethics. It's more than trying to agree on some precise set of rules; It goes to the heart of important things most people think about, if they've managed to keep their minds alive. The process of exploring ethical issues together can form deep bonds. In an immediate, emotional crisis those bonds probably do more for us than any intellectual doctrine about how "ethics" ought to be defined.

Student: O.K., I understand. But we can also form bonds by doing things together, or being active in the fraternity, or lots of other stuff that don't have anything to do with ethics.

Dean: Many different approaches to bonding are fine. I'm suggesting that adding the element of serious discussion about values can provide richness and texture to a friendship.



Academic Integrity Seminar

A Student Development Resource

Also, like we said before, people have an emotional side and a rational side. Discussions about ethics can and should appeal to both. Right now you and I are discovering things about our personalities *and* our ideas. And I don't have to join your fraternity to do it.

Student: But - and I keep raising this point - the "rational side" you talk about leads to the broad categories and statements that just don't help very much in real life.

Dean: When you do your cross-country running, do you follow any general rules or practices?

Student: Sure. It's important to pace yourself, for example.

Dean: Do you every deviate from those general rules or practices?

Student: Of course. Sometimes you have to run flat-out.

Dean: Do you run "flat out" for any particular reason, or just when the idea crosses your mind?

Student: There has to be a reason, and a good one. Otherwise you'd just exhaust yourself.

Dean: Let's apply that reasoning to an ethical principle. You indicated before that you value friends who are honest. I suppose that means you don't like lying?

Student: Right.

Dean: Is lying always wrong? ²⁴

Student: It depends.

Dean: Depends on what?

Student: It depends on what the purpose of the lie is. For example, if some criminal were chasing one of my friends and asked me if I saw my friend, I'd be willing to lie to protect him.

Dean: Can you state any general principles about when you might be willing to lie?

Student: I'd lie to protect a friend.

Dean: Would you lie to protect a friend if you knew he had killed someone, might kill again, and the police were looking for him?

Student: Probably not. Like I said before, there are limits.

Dean: But you might lie to protect an innocent person from a criminal?



Academic Integrity Seminar

A Student Development Resource

Student: Yes.

Dean: So, try to state a clearer principle about when you might be willing to lie.

Student: I'd lie if something good would come out of it - a life would be saved, for example.

Dean: Does "something good" - as you use the term - mean getting what you want, in terms of your personal pleasure?

Student: Then I'd just be a liar. That's what liars do-they lie to get what they want, no matter what happens to anyone else, including their friends.

Dean: So, your sense of the "good" means something more than personal gratification?

Student: Yes, but that's not always easy to define.

Dean: I agree. And it's easy to trick ourselves into thinking that the greater good is somehow a perfect match with our personal desires. Still, is it better to examine these issues and question ourselves, or do whatever pops in our heads at the moment?

Student: I think we have to do what we have to do, but it usually makes sense to try to think about the options first.

Dean: Just like you do in cross country-running, you seem to be willing to make general rules, and think about possible reasons for exceptions to those rules.

Student: It would be like the default settings on my computer. They help me do what I need to do most often. If I have to make a change, I can do it-after I give it some thought.

Dean: That's a great analogy. Thinking about ethical issues, and talking about them with other people, helps set our ethical "default" positions - many of which *have* to be shared, if we want to communicate with each other.

So, we're back where we started. What's your ethical "default" position on cheating?

Student: Well, like we said, cheating can be harmful. If everyone did it, we'd live in a pretty scary world.

Dean: Did you have a compelling reason for cheating, beyond your personal ends?

Student: Maybe I was trying to make a public statement about how often other students cheat - challenging the system so there would be less cheating overall.



Academic Integrity Seminar

A Student Development Resource

Dean: Really? Did you turn yourself in, or did you get caught?

Student: I got caught, but I do admit I cheated.

Dean: An honest admission is helpful, but you *didn't* turn yourself in. Are you saying that you were trying to make some kind of a "secret" public statement when you were cheating? Does that make sense? Or does your reasoning sound more like a rationalization for a selfish end?

Student: It's pretty flaky, I know. I was just testing the idea with you.

Dean: Well, we both agree it's flaky, which is another advantage of talking about these issues.

Now, I'm going to pay you a compliment. Intuitively or otherwise, your "default" position seems to be to try to tell the truth, and follow the truth. That's a good sign. Wonderful people - St. Augustine, Malcolm X, Tolstoy - had the same trait, and it helped them overcome parts of themselves they didn't like. Sometimes, in the end, people with the best ethical sense had to acquire it from experience, including the experience of learning from the things they did wrong. The fact they were forced to examine themselves - and the habits they were falling into - was probably the best thing that could have happened to them.

In any event, this conversation has helped me clarify my thinking, and I hope it was helpful to you too.

Student: I'll think about it, for sure.

¹ This conversation is occurring after an admission of responsibility. Similar discussions could be held using hypotheticals, if the student were found responsible after a disciplinary conference.

² The *Code of Academic Integrity* at this institution allows administrators to process uncontested cases. Accused students still must appear before a student honor committee for determination of sanctions. For a discussion of the benefits of honor codes and the involvement of students in administering them, see Pavela, "Applying the Power of Association on Campus: A Model Code of Academic Integrity," 24 *Journal of College and University Law*, 97 (Summer 1997).

³ This question is based on the author's experience that students have a strong sense of fair-dealing and justice when considering issues affecting them - and their peers. That sensibility can be a foundation for exploring broader ethical issues.

⁴ The Golden Rule and comparable cross-cultural variations are a foundation of ethics. James Q. Wilson has written in this regard that "I observe the remarkable congruence that exists among the ethical implications of the great religions, the best of modern science, and the teachings of disinterested common sense. Hillel



summarized it in [these] words. . . : do not do to another what is hateful to you; all the rest is commentary." "Letters" *Commentary* November 1993, p. 8.

⁵ This concept is drawn from Kant's categorical imperative: "Act only on that maxim whereby thou canst at the same time will that it should become a universal law." *Metaphysic of Morals* in *Great Books of the Western World*, Vol. 42, p. 268 (1952). Kant expressed the belief that moral imperatives can be seen, felt and widely shared. In a famous passage appearing in his *Practical Reason* (supra, p. 360) he wrote that:

Two things fill the mind with ever new and increasing admiration and awe, the oftener and the more steadily we reflect upon them: *the starry heavens above and the moral law within*. I have not to search for them and conjecture them as though they were veiled in darkness or were in the transcendent region beyond the horizon; I see them before me and connect them directly with the consciousness of my existence."

⁶ The premise of this question is grounded in research (and the timeless observations of parents) indicating that young people are heavily influenced by their peers. Thinking about relationships with peers is a way of thinking about ethics, even if the word "ethics" isn't used. If students are interested in friendship, they'll be interested in ethics.

⁷ Willard Gaylin, Clinical Professor of Psychiatry at Columbia University, expressed comparable views in a November 1989 interview in *Synthesis: Law and Policy in Higher Education* (p.52):

Synthesis: ...isn't our sense of guilt and the moral judgment associated with it, rooted in sand, given the fact that values are relative?"

Gaylin: No...there are certain things that transcend all societies: child abuse, murder, robbery, treachery. For the most part I think there is a very strong consensus on what virtue is.

A "strong consensus" about the basic virtues associated with community life was reflected in a survey of over 1,100 Americans (550 of them parents of school children) done by the research group Public Agenda. "First Things First: What Americans Expect from the Public Schools" (Public Agenda, New York, N.Y.). The survey found that:

- Ninety-seven percent of both white and African-American parents say schools should teach "honesty and the importance of telling the truth."
- Ninety-four percent of the white parents and ninety-eight percent of the African-American parents believe schools should teach kids "to solve problems without violence."
- Ninety-eight percent of white parents and ninety-six percent of African-American parents think students should be taught "respect for others regardless of their racial or ethnic background."



Academic Integrity Seminar

A Student Development Resource

- Ninety-one percent of the white parents and ninety-two percent of the African-American parents believe student academic achievement will improve if schools emphasize "such work habits as being on time, dependable, and disciplined."

⁸ See Walter Lippman, *A Preface to Morals*, Macmillan 1929, p. 156:

"[I]n all the great moral philosophies...it is taught that one of the conditions of happiness is to renounce some of the satisfactions which men normally crave...With minor variations it is a common theme in the teaching of an Athenian aristocrat like Plato, and Indian nobleman like Buddha, and a humble Jew like Spinoza. "

⁹ Sade's surprisingly strong influence in contemporary higher education is rarely discussed. For an overview of Sade's appeal to influential thinkers like Michel Foucault, see James Miller, *The Passion of Michel Foucault* (Simon and Schuster, 1993).

¹⁰ The final speech by Britain's chief prosecutor-Sir Hartley Shawcross - at the Nuremburg trials summarizes the evolving hope for some conception of "universal" human rights. After reading eyewitness accounts of parents trying to comfort children being herded into extermination centers, Shawcross pointed at the accused Nazi leaders in the dock and said:

What special dispensation of Providence kept these men ignorant of these things? Mankind itself, struggling now to re-establish in all the countries of the world the common simple things, liberty, love, understanding, comes to this court and cries, "These are our laws, let them prevail."

Cited in Gitta Sereny, *Albert Speer: His Battle with Truth* (Vintage, 1996).

¹¹ A book students might be encouraged to read on this subject is Mihaly Csikszentmihalyi's *Flow* (Harper, 1990). Csikszentmihalyi, a professor of psychology at the University of Chicago, wrote that:

One of our respondents, a well-known West Coast rock climber, explains concisely the tie between the avocation that gives him a profound sense of flow and the rest of his life. "It's exhilarating to come closer and closer to self-discipline. You make your body go and everything hurts, then you look back in awe at the self, and what you've done, it just blows your mind. It leads to ecstasy, to self-fulfillment. If you win these battles often enough, that battle against yourself, at least for a moment, it becomes easier to win the battles in the world."

The "battle" is not really *against* the self, but against the entropy that brings disorder to consciousness. It is really a battle for the self; it is a struggle for



control over attention . . . [A]nyone who has experienced flow knows the deep enjoyment it provides requires an equal degree of disciplined concentration (pp. 40-41).

¹² This perspective is drawn from Aristotle's *Nicomachean Ethics* (Macmillan, 1962, Ostwald, trans.), p. 17:

[T]he function of the harpist is to play the harp; the function of the harpist who has high standards is to play it well. On these assumptions, if we take the proper function of man to be a certain kind of life, and if this kind of life is an activity of the soul and consists in actions performed in conjunction with the rational element, and if a man of high standards is he who performs these actions well and properly, and if a function is well performed when it is performed in accordance with the excellence accorded to it; we reach the conclusion that the good man is an activity of the soul in conformity with excellence or virtue, and if there are several virtues, in conformity with the best and most complete.

¹³ It's hard to live in this century and discount the reality of evil (or unlimited self-regard). It's also hard to ignore persistent efforts to define and uphold some basic conception of morality, or applied ethics. Behavioral science is contributing to the debate, reflected in Edward O. Wilson's observation in *Consilience*, (Knopf, 1998 pp. 297-298) that:

We are learning the fundamental principle that ethics is everything. Human social existence . . . is based on the genetic propensity to form long-term contracts that evolve by culture and moral precepts and law. The rules of contract formation were not given to humanity from above, nor did they emerge randomly from the mechanics of the brain. They evolved over tens or hundreds of millennia because they conferred upon the genes prescribing them survival . . . We are not errant children who occasionally sin by disobeying instructions from outside our species. We are adults who have discovered which covenants are necessary for survival, and we have accepted the necessity of securing them by sacred oath.

A more traditional religious perspective is offered by philosopher William Barrett, in *The Death of the Soul* (Anchor, 1986, pp. 92-93):

The human animal as the moral animal is the bearer of [an] 'ought'--the one creature who submits to its call. How can we explain the power and the weight this call of duty...has over us? Kant's answer...[includes the] religious and the spiritual: we experience this call because, however vast and indifferent the



universe that surrounds us, we are creatures that are haunted by the feeling that we have some spiritual destiny beyond the material order. To put it tersely, duty--the call of conscience--is the voice of God within us.

¹⁴ An apparent challenge to this view comes from Friedrich Nietzsche--perhaps the most influential philosopher of the twentieth century. Nietzsche, however, is full of wonderful and provocative contradictions, including the use of his character "Zarathustra" to proclaim the death of conventional morality--while displaying the *highest attribute* of conventional morality: Self-sacrifice in the interests of humanity, and the human future. Understanding Nietzsche requires understanding that his primary aim was to find an alternative to nihilism. Students should be encouraged to read Nietzsche directly--especially *Thus Spake Zarathustra*--since the larger culture seems to be saturated with a distorted understanding of what Nietzsche meant.

¹⁵ Other social animals may display a primitive ethical sense, but there's little evidence of empathy or altruism crossing the species divide. (No movement seems afoot among the whales, for example, to save the humans). The human capacity for altruism remains a mystery, as expressed by Harvard professor Stephen Jay Gould in a letter to the editor appearing in the January 14, 1993 *New York Review of Books* (p. 44):

...[i]n most cases, I concur...that a claim for human difference only represents the peculiarity of an odd species...But altruism falls into a different category of intrinsically human conundrums because its classical moral and philosophical focus has not been addressed by the evolutionary solution: Why are humans so prone to perform acts that both benefit others and endanger themselves? The evolutionary argument holds that animals perform such altruistic acts toward relatives who share enough of their genes to render the potential sacrifice beneficial to the altruist's genetic heritage. But since most human acts of human altruism are performed in the service on non-kin, this explanation cannot hold . . .

Within the little community of professional evolutionists . . . the gene-selectionist account of "altruism" matters greatly, but we cannot and dare not claim that we have thereby solved the classic philosophical issue generally encompassed by the word.

¹⁶ An article in the August 1999 *Scientific American* supports this view (William Damon, "The Moral Development of Children," p. 73). Damon, Director of the Center on Adolescence at Stanford University, observed that "[a]ll children are born with a running start on the path to moral development. A number of inborn responses predispose them to act in ethical ways."

Predisposition, however, isn't destiny. Damon concluded that:



Everything that psychologists know from the study of children's moral development indicates that moral identity - the key source of moral commitment throughout life - is fostered by multiple social influences that guide a child in the same ethical direction. Children must hear the message often enough for it to stick. The challenge for pluralistic societies will be to find enough common ground to communicate the shared values that the young need.

¹⁷ The reference is to Plato's short dialogue *Gorgias*.

¹⁸ Tolstoy develops this theme in his classic short novel *The Death of Ivan Illyich*.-a book students usually find moving and thought-provoking.

¹⁹ Giving consideration to the attributes of happiness isn't a trivial endeavor; it forms the core of many ethical systems. See, for example, John Locke: "An Essay Concerning Human Understanding" edited by Alexander Campbell Fraser (2 vols.; Oxford, 1894), I, 348 (Book II, Chapt. xxi, sec. 52): "The highest perfection of intellectual nature," Locke wrote, " lies in a careful and constant pursuit of true and solid happiness."

²⁰ See Michael Maccoby's book *The Gamesman* (Bantam Books: N.Y., 1978, p. 111):

An old and tiring gamesman is a pathetic figure, especially after he has lost a few contests, and with them, his confidence. Once his youth, vigor, and even the thrill of winning are lost, he becomes depressed and goalless, questioning the purpose of his life. No longer energized by the . . .struggle and unable to dedicate himself to something he believes in beyond himself . . . he finds himself starkly alone. His attitude has kept him from deep friendship and intimacy. Nor has he sufficiently developed abilities that would strengthen the self, so that he might gain satisfaction from understanding (science) or creating (invention, art).

Studies of happiness support the view that wealth, status, and "gamesmanship" do not guarantee happiness. More important are a sense of self-esteem and accomplishment; a feeling of personal control and responsibility; optimism; and close relationships. See David Myers and Ed Diener "Who is Happy" in *Psychological Science*, January 1995, p. 10. See also George Vaillant *Adaptation to Life* (Little, Brown, 1977) reporting on the Grant Study of Adult Development.

²¹ This is can be a troubling, but defining question. See Theodore Zeldin, *An Intimate History of Humanity*, (Harper Collins, 1994), p. 169. Referring to Scandinavian tradition, Zelden cited the "Sayings of the Most High (the god Odin)":



Wealth dies
Kinsmen die
And you will die too:
But I know one thing
Which never dies:
The verdict on every dead man.

²² John Dewey developed a similar perspective in *A Common Faith* (Yale, 1934), p. 87:

The ideal ends to which we attach our faith are not shadowy and wavering. They assume concrete form in our understanding of our relations to one another and the values contained in those relations. We who now live are parts of a humanity that extends into the remote past, a humanity that has interacted with nature. The things in civilization we most prize are not of ourselves. They exist by grace of the doings and sufferings of the continuous human community in which we are a link. Ours is the responsibility of conserving, transmitting, rectifying, and expanding the heritage of values we have received that those who come after us may receive it more solid and secure, more widely accessible and more generously shared than we have received it. Here are all the elements for a religious faith that shall not be confined to sect, class, or race. Such a faith has always been implicitly the common faith of mankind. It remains to make it explicit and militant."

²³ This is the essence of dialogue, expressed by James White in "The Ethics of Argument: Plato's Gorgias and the Modern Lawyer," *50 University of Chicago Law Review* 849, 870-871, (1983):

[R]hetoric naturally treats others as means to an end, while dialectic treats others as ends in themselves. Rhetoric persuades another not by refuting, but by flattering him, by appealing to what pleases, rather than to what is best for him . . . Dialectic is wholly different both in method and object. It proceeds not by making lengthy statements . . . but by questioning and answering in one-to-one conversation. Its object is to engage each person at the deepest level, and for this it requires utter frankness of speech on each side. . . This is not a competition to see who can reduce the other to his will, but mutual discovery by mutual refutation . . . *The object of it all is truth, and its method is friendship* (emphasis supplied).

²⁴ This portion of the dialogue draws upon the work of Sissela Bok in *Lying: Moral Choice in Public and Private Life* (Vintage, 1979).