Check for updates

CASE-BASED REASONING IN EDUCATIONAL ETHICS: *PHRONĒSIS* AND EPISTEMIC BLINDERS

Michael Vazquez

Department of Philosophy
University of North Carolina at Chapel Hill

Dustin Webster

Department of Philosophy
University of Pennsylvania

ABSTRACT. In this paper Michael Vazquez and Dustin Webster consider the practice of deliberating about ethical case studies as a means to contribute to the professional development of educators. An ongoing debate is whether or not the study of ethical theory should be included in this practice. Vazquez and Webster argue that a popular strategy, known as the Phronetic Approach, is vulnerable to what they call "epistemic blinders" that arise in the absence of the scaffolding provided by theory. They then sketch an alternative approach to case-based reasoning inspired by Barbara Herman's notion of middle theory. The middle theory approach naturally suggests a balanced method for using case studies in teacher professional development: expose educators to some theory, but only to the degree and at the level appropriate for the specific audience and in light of how frequent interactions with that audience will be.

KEY WORDS. educational ethics; case-based reasoning; democratic education

INTRODUCTION

Educational ethics is one of the many domains of applied ethics that has in recent years gained renewed attention from theorists and practitioners alike. Much of this work has focused on the moral, philosophical, and social foundations of educational practice.[1] But more recently, researchers have directed their empirical and normative inquiries towards the place of ethical literacy and ethics education in pre-service and in-service teacher education. Case-based reasoning — individual reflection and social deliberation about ethical dilemmas designed to invite reasonable disagreement — has emerged as one of the most popular tools for the job, as evidenced by the growing number of books on ethical case studies in education.[2]

1. Deborah L. Ball and Suzanne M. Wilson, "Integrity in Teaching: Recognizing the Fusion of the Moral and Intellectual," *American Educational Research Journal* 33, no. 1 (1996): 155–192; David Carr, "Professional and Personal Values and Virtues in Education and Teaching," *Oxford Review of Education* 32, no. 2 (2006): 171–183; Doret J. de Ruyter and J. Jos Kole, "Our Teachers Want to Be the Best: On the Necessity of Intra-professional Reflection about Moral Ideals of Teaching," *Teachers and Teaching* 16, no. 2 (2010): 207–218; David Hansen, "From Role to Person: The Moral Layeredness of Classroom Teaching," *American Educational Research Journal* 30, no. 4 (1993): 651–674; Philip W. Jackson, "The Enactment of the Moral in What Teachers Do," *Curriculum Inquiry* 22, no. 4 (1992): 401–407; and Richard Pring, "Education as a Moral Practice," *Journal of Moral Education* 30, no. 2 (2001): 101–112.

2. Meira Levinson and Jacob Fay, eds., *Dilemmas of Educational Ethics: Cases and Commentaries* (Cambridge, MA: Harvard Education Press, 2019); Meira Levinson and Jacob Fay, *Democratic Discord in Schools: Cases and Commentaries in Educational Ethics* (Cambridge, MA: Harvard Education Press, 2019); and Rebecca M. Taylor and Ashley Floyd Kuntz, *Ethics in Higher Education: Promoting Equity and Inclusion through Case-Based Inquiry* (Cambridge, MA: Harvard Education Press, 2021).

© 2024 The Author(s). *Educational Theory* published by Wiley Periodicals LLC on behalf of Board of Trustees, University of Illinois.
This is an open access article under the terms of the Creative Commons Attribution-NonCommercial-NoDerivs License, which permits use and distribution in any medium, provided the original work is properly cited, the use is non-commercial and no modifications or adaptations are made.

One of the undisputed aims of professional ethics education of this kind is to make our schools and education system sites of justice.[3] Teachers are meant not only to act justly in their daily practice, but also to recognize and to at least partially address greater social and background injustices. In order to do so, teacher educators must cultivate the skill of ethical and moral judgment that Aristotle called *phronēsis*, often translated as "practical wisdom." In many ways the cultivation of *phronēsis* is the undisputed goal of engaging in deliberation of ethical case studies, but there is ongoing debate about the proper role (if any) of instruction about ethical theory during this process. On the one hand, the tendency to rely too heavily on theory results in what we call the "morality menu" problem, in which competing normative ethical theories are cherry-picked, used inconsistently, or applied wholesale in a rote or mindless way. In such cases, rather than developing *phronēsis*, practitioners fall into the trap of underestimating the complexity of ethical decision-making and the nuances of the concrete circumstances in which they act. For these reasons, one might be sympathetic to the current anti-theory trend that prevails in educational ethics, one that explicitly rejects the use of ethical theory during case-based deliberation. But on the other hand, this approach faces its own problems and challenges that have not been fully acknowledged; these are the subject of this paper. In particular, we argue that the use of case studies divorced from at least some consideration of ethical theory is insufficient because it puts practitioners at risk of what we call "epistemic blinders,"[4] or the inability to appreciate morally salient features of a case and to deliberate effectively about a morally appropriate response.

We begin by arguing that the Aristotelian concept of *phronēsis* and the Rawlsian notion of reflective equilibrium together supply a compelling and ecumenical framework for ethical decision-making in education. Next, we consider the use of case studies as a method for developing educators' moral judgment and outline the turn away from ethical theory that characterizes the popular contemporary method

3. As Aristotle would have it, we see the purpose of ethical inquiry as not solely the contemplation of truth, but to guide good conduct — and, by extension, to create a more just world (*Nicomachean Ethics* 1103b27-29; cf. Aristotle, *Metaphysics* 1063b36-1064a1). Aristotle's *Nicomachean Ethics* will be cited parenthetically in the text as *NE* for all subsequent references.

4. An "epistemic blinder" is that which limits one's full understanding of a situation — in the context of deliberation, one's full understanding of the ethical dimensions of a situation and the considerations that favor or speak against particular courses of action.

MICHAEL VAZQUEZ is Teaching Assistant Professor in the Philosophy Department at the University of North Carolina at Chapel Hill; email michael.vazquez@unc.edu. His primary areas of scholarship are Ancient Greek and Roman philosophy, the history of moral and political philosophy, and the philosophy of education.

DUSTIN WEBSTER is a postdoctoral fellow in the Philosophy Department at the University of Pennsylvania where he serves as Co-Director for Penn's Project for Philosophy for the Young and as lecturer; email dustinw1@upenn.edu. His primary areas of scholarship are normative evaluations of using education for economic mobility, character and virtue education, educational ethics, and philosophy for children.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

known as the Phronetic Approach. Then we turn to the problems inherent in this approach, arguing that any progress made is overly dependent on the views and ideas of those involved in the dialogue. This contingency generates two specific epistemic blinders: the problem of relativism and the problem of specious communication. We consider the role that ethical theory can play in mitigating these problems, while also noting that the inclusion of theory can itself generate new problems and barriers to real progress in ethical decision-making. We then articulate a framework for how to effectively include theory in the practice of case-based ethical reasoning, based on Barbara Herman's notion of "middle theory."[5] Our middle theory framework naturally suggests an approach to the use of case studies in the teaching of professional ethics that we believe is intuitive, but that has not yet been clearly articulated.

Phronēsis and Reflective Equilibrium

In our view, reflective teacher practice embodies two ideals familiar to moral philosophers, namely the situational discernment known as *phronēsis* and the dynamic, coherentist methodology known as reflective equilibrium. Aristotle defines *phronēsis* as "a true and practical state involving reason, concerned with what is good and bad for a human being" (*NE* 1140b). Practical wisdom is an intellectual virtue (*NE* 1103a), more specifically a trained perceptual capacity that allows the virtuous agent to perceive and respond to situations correctly (*NE* 1113a32-35).[6] Effective moral education cultivates sound judgment or practical wisdom. Such an education should help professionals discern morally relevant features amidst complicated and ever-changing fact patterns, to weigh alternative courses of action in light of their general ethical commitments and professional codes of conduct, and to make trade-offs in the face of competing values.

In the context of educational ethics, it is important to note that moral education does not begin from scratch, especially for in-service teachers. Some degree of ethical sensitivity and competence is arguably intrinsic to educational practice. As David Hansen puts it, all "serious-minded" teachers have some acquaintance with the constitutively moral features of educational practice, which is to say that they have come to understand what it means to respect the personhood of their students, to promote the well-being of their students, to be

5. See, for example, Barbara Herman, *The Practice of Moral Judgment* (Cambridge, MA: Harvard University Press, 1993).

6. Jonathan Dancy captures the perceptual character of *phronēsis*, even if his rejection of generalism and eschewal of principles is un-Aristotelian: "We need to be able to spot a reason when we come across one, yes, but we need also to be able to tell what sort of effect the presence of other relevant considerations may have, and this is a complex and subtle skill. I think of it as the ability to construct, reconstruct or recognise, the practical shape of the situation before us, understood as its normative import, that is, as the way in which as a whole it calls for this rather than that form of response" (Jonathan Dancy, "Honing Practical Judgment," *Journal of Philosophy of Education* 54, no. 2 [2020]: 414).

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

alert, attentive, and fair-minded, and so on.[7] Beyond the practice of teaching, the process of confronting practical problems, reflecting on one's value commitments, and forming judgments is a familiar activity to any socialized human being. This process is captured by the methodological notion of "reflective equilibrium," which John Rawls summarizes in this way:

> People have considered judgments at all levels of generality, from those about particular situations and institutions up through broad standards and first principles to formal and abstract conditions on moral conceptions. One tries to see how people would fit their various convictions into one coherent scheme, each considered judgment whatever its level having a certain initial credibility. By dropping and revising some, by reformulating and expanding others, one supposes that a systematic organization can be found. Although in order to get started various judgments are viewed as firm enough to be taken provisionally as fixed points, there are no judgments on any level of generality that are in principle immune to revision.[8]

In the sense we use it here, reflective equilibrium is a process driven by the search for coherence between one's own considered judgments or intuitions about particular cases and more general ethical commitments, all in the service of getting closer to the truth.[9] Our focus in this paper is on the *means* of promoting good judgment and removing those barriers that tend to stymie the process of reflective equilibrium. More specifically, we are referring to the significant current interest in using case studies for teachers' ethical education and professional development, and the debate about what role ethical theories and moral principles ought to play in this process.

Phronetic Approach

One source of guidance for teachers in their ethical decision-making has historically been professional codes of conduct and other institutional guidelines such as school mission statements and statements of value.[10] Despite the continued

7. David T. Hansen, "The Moral Is in the Practice," *Teaching and Teacher Education* 14, no. 6 (1998): 643–655. See also David T. Hansen, *Exploring the Moral Heart of Teaching: Toward a Teacher's Creed* (New York: Teachers College Press, 2001). There is a similarity between Hansen's view of seasoned teachers as acquainted with the moral dimensions of their practice and Aristotle's views on experience. See *NE* 1142a15–16 and 1143b11–14, and *NE* 1141b3–5: "The reason is that practical wisdom is concerned also with particular facts, and particulars come to be known from experience; and a young person is not experienced, since experience takes a long time to produce."

8. John Rawls, "The Independence of Moral Theory," in *John Rawls: Collected Papers* (Cambridge, MA: Harvard University Press, 2001), 289. In this paper we do not advance a specific interpretation of Rawls's conception of reflective equilibrium (on which, see John Mikhail, "Rawls' Concept of Reflective Equilibrium and Its Original Function in 'A Theory of Justice'," *Washington University Jurisprudence Review* 3, no. 1 [2010]: 1–30).

9. For a helpful overview of methodological interpretations of reflective equilibrium, see Yuri Cath, "Reflective Equilibrium," in *The Oxford Handbook of Philosophical Methodology*, ed. Herman Cappelen, Tamar Szabó Gendler, and John Hawthorne (Oxford: Oxford University Press, 2016), 213–230. For an application of reflective equilibrium to educational ethics, see Gina Schouten and Harry Brighouse, "The Relationship Between Philosophy and Evidence in Education," *Theory and Research in Education* 13, no. 1 (2015): 5.

10. For an example of one such code of conduct, see the National Education Association's "Code of Ethics for Educators."

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

widespread use of such codes and their ability to provide concrete direction in a way that other methods cannot, the nature of codes of conduct ultimately make them of limited use as a tool for teacher moral development.[11] The other method, which we take to be the dominant approach among scholars today, was developed by Meira Levinson and Jacob Fay and dubbed the Phronetic Approach.[12] We examine this method in detail and argue that although it has its virtues, the Phronetic Approach's disavowal of ethical theory renders teachers vulnerable to what we call "epistemic blinders."

The main tool of the Phronetic Approach is the normative case study. Normative case studies — short, narrative vignettes which set up an ethical dilemma — have a long tradition of use for training in professional ethics, particularly in fields such as medicine, the sciences, and business. The origins of the case study method are from the nineteenth-century study of law (although the history of case-based reasoning and casuistry is as old as philosophy); it was subsequently taken up by the field of business before spreading more widely.[13] Educational ethics as its own subfield of applied ethics, though less well established as compared to these other areas, has been gaining an increasing amount of attention, particularly around the use of case studies both in scholarly work as well as in the training and professional development of teachers.[14]

11. For example, Jonas Soltis argues that narrow codes of conduct "do not offer a philosophical justification of the fundamental ethical principles embedded in the code," but when broadened to avoid this problem, the codes become impractical (Jonas F. Soltis, "Teaching Professional Ethics," *Journal of Teacher Education* 37, no. 3 [1986]: 2). Others point out that codes take the form of a list of prohibitions rather than offering practitioners guidance about how to act morally (Kenneth A. Strike, "The Ethics of Teaching," in *A Companion to the Philosophy of Education*, ed. Randall Curren [Malden, MA: Blackwell, 2003], 509–524). Those who do see value in codes of conduct, still see them as insufficient on their own (Daniella Forster and Bruce Maxwell, "Using Codes of Professional Ethics and Conduct in Teacher Education: Pitfalls and Best Practices," in *Ethics and Integrity in Teacher Education*, ed. Sarah Elaine Eaton and Zeenath Reza Khan [Cham, Switzerland: Springer, 2024], 25–42). In addition, it is far from clear that following a code of conduct is synonymous with "acting morally" (Wouter Sanderse, "Does Aristotle Believe That Habituation Is Only for Children?," *Journal of Moral Education* 49, no. 1 [2020]: 98–110). Despite all of this, codes like that provided by the National Education Association in the United States are still widely distributed and referenced.

12. Levinson and Fay, eds., *Dilemmas of Educational Ethics*, 4.

13. K. K. Merseth, "The Early History of Case-Based Instruction: Insights for Teacher Education Today," *Journal of Teacher Education* 42, no. 4 (1991): 243–249. Recent examples of case-based approaches to educational ethics include Kenneth R. Howe, Amy L. Boelé, and Ofelia B. Miramontes, *The Ethics of Special Education* (New York: Teachers College Press, 2018); and Taylor and Kuntz, *Ethics in Higher Education*.

14. For an account of the emergence of scholarly interest in the ethics of teaching practice in the 1980s, see Elizabeth Campbell, "The Ethics of Teaching as a Moral Profession," *Curriculum Inquiry* 38, no. 4 (2008): 357–385. On the inextricably moral dimensions of teaching and the implications of this fact for teacher education, see the collection of essays in Matthew N. Sanger and Richard D. Osguthorpe, eds., *The Moral Work of Teaching and Teacher Education: Preparing and Supporting Practitioners* (New York: Teachers College Press, 2015). The use of case studies in general is not without critique. For a summary of the critiques, see Bryan Warnick and Sarak K. Silverman, "A Framework for Professional Ethics Courses in Teacher Education," *Journal of Teacher Education* 62, no. 3 (2011): 274.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

An early champion of the use of ethical case studies in education was Jonas Soltis.[15] Soltis believed that this method, particularly as compared to the use of codes of conduct, provided the skills and capacities necessary for ethical deliberation and decision-making. These skills include identifying relevant moral principles, weighing their respective merits, and constructing valid arguments in order to justify decisions. A favored approach that has taken hold specifically in the field of educational ethics is to dive right into an analysis of concrete case studies, rather than first priming students with ethical or conceptual frameworks. This method has been pioneered by Levinson and Fay, who argue that engaging with cases in this way focuses our attention on the *phronetic* aim of ethics education, or the cultivation of that situationally fluid skill of discernment and judgment first articulated by Aristotle.[16] This approach is, in broad outline, committed to a form of ethical particularism — the idea that, stated in its strongest form, universal moral principles do not exist, or that, stated more cautiously, even if such principles do exist, knowledge of them does little to help guide moral judgment.

Levinson and Fay do not go into great depth about the relationship between their approach and ethical theory, but they do describe several challenges facing the use of theory with which we largely agree.[17] For example, they make familiar claims that ethical theory and principles are too idealized and abstract to be of use in the real world, that "phonetic insight" does not necessarily follow from consideration of theory, and that theory is unlikely to be able to "offer determinate ending points with clear answers about the right thing to do."[18] All of these objections have considerable merit. As such, we would contend that Levinson and Fay do provide valuable insight into the ways in which educators develop their capacities for considering and solving ethical dilemmas in their work. However, we disagree with Levinson and Fay's rejection of theory as altogether unhelpful

15. Soltis, "Teaching Professional Ethics."

16. Levinson and Fay, eds., *Dilemmas of Educational Ethics*, 3–5. Ancient ethical theories in general are often characterized, in contrast to modern ethical theories, as particularist in nature. Julia Annas captures this general sentiment in *The Morality of Happiness*, with reference to "case-based" reasoning: "Ancient theories assume that the moral agent internalizes and applies the moral theory to produce the correct answers to hard cases; but the answers themselves are not part of the theory. Nor are they produced by the theory in the sense that applying the theory to a simple description of a hard case will automatically generate a correct answer. Thus, for ancient theorists it is true that there is not much to be said in general about hard cases. Modern theorists often see it as a demand that they be able to generate answers to hard cases in a comparatively simple way; and to this extent ancient ethics fails to meet modern demands on casuistry" (Julia Annas, *The Morality of Happiness* [New York: Oxford University Press, 1993], 6–7). Whether Aristotle is a "particularist" or a "generalist" is a vexed issue, even if it is clear that his virtue-ethical framework has been used as a source of inspiration for particularist theories today.

17. Others have wrestled with the role of theory in professional education — for example, Elizabeth Campbell, "Connecting the Ethics of Teaching and Moral Education," *Journal of Teacher Education* 48, no. 4 (1997): 255–263, 261. Still others have considered this question specifically in the context of case-based reasoning — for example, Warnick and Silverman, "A Framework for Professional Ethics Courses in Teacher Education."

18. Levinson and Fay, eds., *Democratic Discord in Schools*, 5–6.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

and potentially detrimental to the process of ethical development for educators. Despite this resistance to theory, they do allow that "offering practical, realistic cases and a set of corresponding responses for readers to consider … has the potential to strengthen educators' and education policy makers' own capacity to apply normative principles and analytic skills in their work."[19] The case studies they have created are detailed and well-crafted. Many of the cases are authored by or in consultation with educational professionals who have navigated the many ethical trade-offs and dilemmas of practice. Furthermore, each case is accompanied by a set of responses and analyses by a diverse range of contributors.[20] We certainly applaud these pioneering efforts and agree with many of their stated goals. However, including case responses is markedly different from the approach we outline below. For example, we advocate drawing on canonical works of philosophy in order to cultivate an ethical "toolkit" centered on conceptual resources and theoretical frameworks in philosophy. Some of the features of our approach sometimes do emerge in the Levinson-Fay case responses, but only incidentally, and not reliably.

There is ample evidence that Levinson and Fay recognize the value of ethical principles, but with their explicit rejection of theory we are left to assume that these principles *emerge* from the practice of deliberating about case studies. Before outlining our concerns with Levinson and Fay's rejection of theory below, it is worth emphasizing that we share the same goals of cultivating phronetic insight and of imparting to educators patterns of thinking that will allow them to conduct their practice ethically and reflectively.

Limitations of the Phronetic Approach: Epistemic Blinders

Despite its merits, the pedagogical success of this discursive, case-based approach to educational ethics is subject to worrisome contingencies.[21] In other

19. Ibid., 8. Others working in this same tradition build upon the framework that Levinson and Fay have developed. In another recent popular casebook entitled *Ethics in Higher Education*, editors Rebecca Taylor and Ashley Floyd Kuntz argue, "A bottom-up approach to educational ethics begins with particular practical realities, identifies ethical ideals or goals that stem from these realities, and then determines courses of action to advance these practically grounded ideals or goals. This latter approach is arguably best undertaken collaboratively by individuals whose professional and personal perspectives position them to contribute a diverse set of relevant insights to the practical scenario in question," 6.

20. This format of a detailed fictionalized or semi-fictionalized narrative case, followed by a variety of responses, is reproduced in Taylor and Kuntz, *Ethics in Higher Education*.

21. The ideas articulated in this section in some respects mirror the arguments leveled against particularist views in other domains of applied ethics. For a distilled statement of those objections, which center on particularism's inability to provide verdicts, decision procedures, and objective standards, see J. Drake, "Particularism for Generalists: A Rossian Business Ethic," *Business Ethics Quarterly* 31, no. 4 (2021): 600–622. Our critique also overlaps with the objections leveled against *casuistry* as a method for case-based moral reasoning. For a succinct summary of the various objections raised against casuistry, see Carson Strong, "Specified Principlism: What Is It, and Does It Really Resolve Cases Better than Casuistry?," *Journal of Medicine and Philosophy* 25, no. 3 (2000): 336–339. Educational ethics stands to benefit from the kind of scrutiny about methodology that has taken place most prominently in bioethics over the last several decades.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

words, there are a number of factors that make successful moral development less likely, less predictable, and sometimes inconsistent. Our own approach must reckon with these same challenges, but the Phronetic Approach is not well-equipped to address them.

For example, in order for the discursive approach to be effective, it is important that a variety of viewpoints are encountered on a given case. Levinson and Fay argue that this is one of the reasons why such deliberation should take place in a community: "With a polyphony of voices deliberating about a dilemma, it is likely that many different courses of action will surface, that reasons one educator may discount may be emphasized by another, and that values one educator may overlook are brought into consideration by a colleague."[22] Although we very much agree, we are less optimistic that a polyphony of voices will naturally emerge in most situations. Instead, we think it is much more likely that all the educators engaged in discussion enter with the same pre-theoretical convictions about the central and salient issues of the case(s) under consideration — whether that is about the ethical status of charter schools or the proper form of civics education. Recent research has shown increasing ideological and political segregation in the United States, even down to the neighborhood level.[23] Because of the geographic catchment of districts, this segregation is likely to be *de facto* reproduced, at least to some extent, within the faculty and staff of individual schools. Even if there is diversity across the profession of teaching, we see little reason to rely on the chance that there would be a similar ideological diversity within a particular teaching force. Because of this, one might worry that such a discussion is less likely to result in deepened and challenged perspectives, which often requires exposure to earnestly held views quite different from one's own. This problem can be overcome, and it is one that can be mitigated to some extent through effective facilitation and thoughtful case and activity design. At the very least, however, this feature *threatens* the success of ethical reflection.

To make this idea more concrete, consider the following analogy: imagine, after resolving to conduct a research project on the policy landscape of American education in the nineteenth and twentieth centuries, you decide to consult only the first five books you set eyes on when roaming the library stacks. It is surely *possible* that those five sources will contain a wealth of relevant information to your investigation, but it is also likely that the information will be partial or in some way deficient.[24] Even on the assumption that you selected five books by distinct authors in the correct section of the library, the accidental nature of the particular group of authors chosen invites contingency with respect to the range of views

22. Levinson and Fay, eds., *Democratic Discord in Schools*, 5.

23. Jacob R. Brown and Ryan D. Enos, "The Measurement of Partisan Sorting for 180 Million Voters," *Nature Human Behaviour* 5, no. 8 (2021): 998–1008.

24. Imagine increasing that number to ten, fifteen, and so on. Much like in-person discussion, one will eventually see diminishing returns as the number increases and the bandwidth trade-off becomes too costly.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

you will encounter in your research. In some cases the absence of representation will be either harmless or surmountable — harmless when the information is not necessary for successful research and surmountable when there are other means of filling the epistemic gap created by the dearth of sources. In at least some cases, however, the lack of representation will be decisively bad for the research outcomes of the project. Analogously, in the case of ethical reasoning among educators, for reasons already expressed here, we can expect less than optimal distribution of viewpoints, making it more likely that there will be a convergence of like-minded beliefs and unexplored positions. Neither of these possible eventualities (namely, convergence of views and unexplored alternatives) *ipso facto* spell doom for the project of teacher formation, but they pose a threat to the pedagogical aim of reflective equilibrium, and thereby make it less likely that the aims of case-based reasoning for educators will be met. We call these threats "epistemic blinders" because they limit the possibilities for building moral knowledge and growth in one's intellectual capacity for ethical decision-making (here it helps to recall that for Aristotle *phronēsis* is an intellectual virtue). The challenges posed by epistemic blinders are distinct from critiques of the use of case studies altogether, such as the claim that the narratives offered in cases are overly simplistic, contrived, or, in the effort to be broadly applicable, too flattened to be of much use.[25] They are also distinct from the criticism that real dilemmas confronted in professional practice are so context-sensitive that abstracting away those details to capture other cases of the same type is not particularly useful.[26] Epistemic blinders can take many forms (and there are no doubt non-epistemic barriers worthy of consideration as well), but we focus on two in particular below: the problem of relativism and the problem of specious communication.

Consider the fraught relationship between the "universal" and the "particular" in ethical reasoning. Many who are sympathetic to the broadly Aristotelian approach to ethics would agree that "right" and "wrong" resist codification, but the variability of right and wrong across contexts does not imply that there are *no* general principles or standards that should inform our deliberations about particular cases. Even Aristotle, who is often hailed as particularism's founding father, is committed to the view that one's actions should be regulated by and made with reference to a more general commitment to "the fine" (*to kalon*).[27] The role of the *kalon* as a lodestar for practical deliberation highlights the importance of cultivating situational discernment in a way that is anchored to more general normative commitments. On the Phronetic Approach, however, educators are explicitly discouraged from reflecting on such general commitments and are instead

25. Christopher Martin, "On the Educational Value of Philosophical Ethics for Teacher Education: The Practice of Ethical Inquiry as Liberal Education," *Curriculum Inquiry* 43, no. 2 (2013): 189–209.

26. David Carr, *Professionalism and Ethics in Teaching* (New York: Routledge, 2000).

27. Aristotle often notes that the virtuous agent acts "for the sake of the fine" (*to kalon*), which "is the end aimed at by virtue" (*NE* 1115b11–13); translation from *Nicomachean Ethics*, edited and translated by Terence Irwin, 3rd edition (Indianapolis, IN: Hackett Publishing, 2019).

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

placed immediately in the shoes of a deliberating agent faced with a multitude of particular facts and features. The sheer multitude of facts and features can inundate and confuse participants, preventing them from grasping the central ethical features of the case. In some cases, this can inadvertently fuel relativistic beliefs and attitudes.[28] Confronted by disagreement amid a multitude of considerations, without any sense for what rules can or should govern one's reasoning, relativism becomes an attractive position. While pluralism and respect for competing ethical views should be cultivated among educators, strong forms of individual and cultural relativism are antithetical to the very project of pursuing justice in schools and promoting reflective teacher practice. In this way, the strength of the Phronetic Approach's commitment to particularism invites contingency with respect to the delicate balance between general philosophical commitments and concrete judgments and intuitions, which is the essence of reflective equilibrium.

Another epistemic blinder is that the Phronetic Approach invites specious communication about the central concepts involved in the case at hand. One benefit of case-based reasoning is that it invites readers to dwell on the richness of concrete scenarios that are true to professional practice, rather than overly stylized thought experiments devised from the philosophical armchair. Some of the best cases, including many written and edited by Levinson and Fay, draw from real-life educator experiences. Well-written cases thematize and make salient to the reader normative concepts such as "equality," "fairness," "inclusion," and "desert." Oftentimes those salient ethical notions either will be evident immediately upon reading the case or will eventually come to light over the course of discussion. However, the Phronetic Approach provides no resources to ensure that participants *mean* the same thing by notions such as "equality" or "fairness." Of course, every socialized human being has some view about what "equality" or "fairness" mean, but these are also inherently contested concepts, whose very openness creates the conditions for reasonable disagreement among competent and earnest parties. Failing to foreground substantive views about what, for example, justice amounts to all but ensures that participants will get sidetracked by specious and semantic disagreements. In this respect, there is an important opportunity to leverage the results of millennia of philosophical reflection on contested normative concepts throughout the history of philosophy. Doing so is compatible with taking a broadly discussion-centric and content-light approach to ethical training for educators.

Relativism and specious communication do not exhaust the epistemic blinders or issues the Phronetic Approach faces. For example, in situations where participants are invited to relate their reasoning about a particular case to their general value commitments and to update their views about the priority and importance among those values, those changes are likely to be superficial. Without first coming to terms with what those general values and principles entail, it is

28. However collegial, the attitude that all ethical disagreement is a mere difference of opinion and "right vs. right" is pedagogically counterproductive.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

difficult to imagine that any resulting coherence between those general values and particular judgments about cases will be deep. Relatedly, even if a teacher arrives at a coherent judgment about a particular case after engaging in a process of reflective equilibrium, they are unlikely to be able to see how those same general principles or values apply in other cases unless they explicitly reflect on what those general principles or values mean or can mean. While neither of these problems seem to fall neatly into the categories of relativism or specious communication, they are still issues that highlight the contingency invited by the Phronetic Approach. In these instances, we refer not just to the contingency of the other people in the room, but also to the contingency of the particular details of the individual case under consideration. What *appears* to be ethical development may take place as practitioners reevaluate their particular value commitments concerning the case at hand, but these changes may fail to achieve the intended pedagogical aims.

As we discuss below, like Levinson and Fay, we disavow attempts to reduce ethical reasoning to rote and mindless application of high-level ethical theories and principles. Far from being opposed to spending the lion's share of one's time thinking about particular facts and features of cases, we believe it is an essential ingredient of successful ethical reflection. We do worry, however, that the Phronetic Approach risks communicating that all ethical disagreement is simply "right vs. right" and risks proliferating specious communication about already contested notions.

Example of Epistemic Blinders in Practice

It is helpful to turn to an example scenario to illustrate how each of these problems might potentially arise in a discussion of a case by a group of educators. Consider the case entitled "Politics, Partisanship, and Pedagogy" from Levinson and Fay's book *Democratic Discord in Schools*. This case opens with a group of teachers planning a curriculum that they call the "Power of Persuasion," or PoP. PoP is a debate-style activity in which groups of tenth graders assume opposing sides of a controversial topic and work out arguments in favor of their positions. The culminating event is a large presentation in the school's auditorium, in which the spectating students vote for which side they were most convinced by. The teachers in the case are engaged in a debate over which topics to choose for this year's activity. They settle on the issue of free speech on college campuses as one possibility, and then the question of transgender student bathroom access is suggested. Some teachers express shock and disgust that this issue could possibly be open for debate, while others argue that, looking to contemporary political discourse, this is a topic on which people do argue on both sides (whether we like it or not). Still other teachers worry about something like the dignitary safety of students when debating an issue that could ostensibly be aimed directly at them or their peers. The case leaves us with the question of whether transgender bathroom access is a legitimate or appropriate topic for the PoP debate. What, if any, topics should be off the table for a high school debate? And more broadly, "What weight,

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

if any, should we give to our own political and ethical beliefs, versus our general obligations as professionals?"[29]

We can imagine a group of educators engaged in a discussion of this case as part of their professional development programming — particularly the last question around bringing our own political and ethical beliefs into our professional roles. It is easy to imagine that the teachers have a spectrum of opinions on this question, but it is also fairly easy to imagine broad agreement. For example, if the school is politically oriented in a certain way, it is completely possible that all of the teachers present would see the task of promoting "social justice" as an essential part of their role. That is, we can imagine that they think their beliefs on certain topics should not only inform the way they carry out their roles, but also should be actively promoted among students. In such an atmosphere, it is possible that even if a teacher disagreed, social (and perhaps professional) pressures might keep them from speaking up, or even cause them to change their opinion.[30] Of course, these teachers may bring up for consideration the alternative viewpoint, and they may even engage in a good faith attempt to understand it. But it is unlikely that the unpopular view would receive a proper airing, even by good-faith inquirers, precisely because no one in the room truly feels they have a *decisive* or *rational* justification for holding that view. No one feels the grip of that position. They might be able to temporarily occupy its intellectual space (though even that is not guaranteed), but they cannot imagine adopting it for themselves. Further, the various positions beyond what is held by those in the room that might be considered are completely contingent on what the individual educators are, on their own, able to imagine. It is exceedingly easy to miss out on many perspectives, let alone finding the perspectives one considers "reasonable" or "live possibilities."

Another problem that could arise is that various positions on the question will be expressed, but the teachers view these as nothing more than equal but different positions without any connection to one another. This would be a kind of relativistic, "to each their own" outcome. Teachers may become further entrenched in or comfortable with their particular opinion, viewing those with whom they disagree as not offering a legitimate challenge to their own position. In other words, they talk past one another by viewing diametrically opposed positions as equally legitimate or even unrelated.

29. Levinson and Fay, eds., *Democratic Discord in Schools*, 182.

30. A recent study conducted across the University of North Carolina System found that "a significant number of students have concerns about stating their sincere political views in class and have self-censored because they were concerned about the potential reactions, especially from peers" (Timothy J. Ryan, Andrew M. Engelhardt, Jennifer Larson, and Mark McNeilly, "Free Expression and Constructive Dialogue in the University of North Carolina System"). The social pressures underlying this phenomenon, we think, are likely felt elsewhere. For more general results, see Emily Eakins, "Poll: 62% of Americans Say They Have Political Views They're Afraid to Share," Survey Reports, *The Cato Institute*, July 22, 2020; and Daniel J. Mallinson and Peter K. Hatemi, "The Effects of Information and Social Conformity on Opinion Change," *PloS ONE* 13, no. 5 (2018).

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

Finally, we can imagine that several teachers might bring up the idea that teachers should be "neutral" in their roles, while either consciously or unconsciously operating under totally different conceptions of neutrality and what it requires. Two teachers could find themselves in agreement that they should "be neutral," while not realizing that for one of them neutrality means refraining from any political discussion in the classroom, and for the other, it means engaging in controversial political topics but always presenting both sides. We can even imagine a third teacher who takes themselves to be committed to neutrality on some level, but who views it as a less morally weighty principle than psychological safety. Such an outcome would be a case of superficial agreement, but one whose underlying disagreements and nuances are never explored.

Of course, it is entirely possible that these teachers would still learn and gain from this experience and find the discussion valuable. But even if positive results accrue, it is *worse* for teachers if the success of their ethics education is *more contingent*, even when there is success. In any case, it is almost impossible to imagine that one or more of these problems will not be present in some form or another. The point, then, is that so much is left up to chance. So much is contingent on who is present and what occurs during the discussion.[31]

Middle Theory as a Third Way

So far we have articulated the challenges facing the Phronetic Approach. But we have also noted the potential problems of bringing theory into the process, some of which likely motivated the turn away from it in the first place. Thus, what remains is to describe our view on the appropriate way to include theory. We align with the Phronetic Approach in that we view deliberation about ethical dilemmas as being essential for the promotion of reflective practice among both pre-service and in-service teachers, and we wish to preserve the core of that method.[32] Our alternative conception of case-based reasoning is inspired by Barbara Herman's notion of "middle theory," or theory "between the high value of theory and the low theory of application."[33]

To appreciate the distinctive value of this approach, consider the seminal paper by Christopher Jenks on educational equality of opportunity, "Whom Must We

31. We previously alluded to "activity design" as one way of remedying epistemic blinders. One point that Levinson and Fay's PoP case nicely raises is the importance of discursive format. Just as we are invited to think in that case that "debate" is not always the appropriate way to talk about controversial issues, so too do we think collaborative deliberation is an apt approach for case-based reasoning with educators. Still, such activity design, however advantageous, is not sufficient to overcome the epistemic blinders we have outlined.

32. On the prospect of dialogical encounter to promote reflective practice and research-informed teaching more generally, see Gary D. Fenstermacher and Virginia Richardson, "The Elicitation and Reconstruction of Practical Arguments in Teaching," *Journal of Curriculum Studies* 25, no. 2 (1993): 101–114.

33. Herman, *The Practice of Moral Judgment*, 233.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

Treat Equally for Educational Opportunity to Be Equal?"[34] The paper begins with an uncontroversial value agreed upon by all parties, namely equal opportunity. But at that level of generality, "equal opportunity" is not sufficiently determinate to be action-guiding. What, concretely, would it mean for teachers to distribute their bandwidth, attention, and educational resources in a way that is consistent with this principle? Answering this question requires grappling with competing conceptions of egalitarian distributive justice, among other things. To the extent we grapple with competing theories, our own intuitions and convictions will be deepened and challenged. Theory is needed to clarify the concepts and values at the center of normative disagreement and practical deliberation. The question remains, however, just how one should go about studying and invoking theory in the context of educational decision-making. Clearly there is some ineliminable role for it, and Herman's "middle theory" can help explain what that role ought to be.

According to Herman, rational moral agency is "contingent" on the "empirical situation" of human beings. Our moral perceptions are mediated by historically and institutionally situated communities.[35] In this way, there are no timeless rules of moral salience in educational ethics, even for a committed Kantian. Middle theory requires that ethical principles and conceptual resources for resolving ethical dilemmas must be situated within the empirical circumstances in which deliberation and decision-making take place. As experts in the domain of teacher practice, educators are uniquely qualified to relate ethical values and principles to the empirical facts on the ground. They are also, as Hansen shows, uniquely qualified to be in touch with the moral principles that are constitutive of the practice of teaching itself.[36] The role of case-based ethical reasoning is to refine the fundamental insights teachers have, but which are often muted or overwhelmed by various pressures and constraints on their bandwidth and time. Harry Brighouse and Gina Schouten have demonstrated the need for an approach to educational ethics that respects the complex interplay between empirical and normative considerations, all of which are historically contingent and socially situated.[37]

34. Christopher Jencks, "Whom Must We Treat Equally for Educational Opportunity to Be Equal?," *Ethics* 98, no. 3 (1988): 518–533.

35. Herman, *The Practice of Moral Judgment*, 234. As Stephen Engstrom puts it, middle theory sits "between the high-level abstraction of Kant's investigation of morality's principle and the ground-level application of moral knowledge in the concrete individual case — between our general recognition of the respect due to persons as ends in themselves and the recognition, say, that I need to step to the side now to let this woman pass. Within this region lies a broad range of specific moral knowledge that is rule-like in character and in a presumptive way shapes our moral deliberation — knowledge that you should not lie or deceive, or take what is not yours, or cut in line, or interrupt others when they are speaking; that you should keep your promises, return lost articles to their owners; that if what you are doing is causing someone pain, you should stop, and if you have more than enough, share with those in need" (Stephen Engstrom, "Herman on Moral Literacy," *Kantian Review* 16, no. 1 [2011]: 20).

36. Hansen, "The Moral Is in the Practice."

37. Schouten and Brighouse, "The Relationship Between Philosophy and Evidence in Education"; Gina Schouten and Harry Brighouse, "To Charter or Not to Charter: What Questions Should We Ask, and What Will the Answers Tell Us?," *Harvard Educational Review* 84 (2014): 341–364.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

Although Herman crafted her middle theory approach from within a Kantian framework, it is not essentially Kantian. So, by adopting this framework we are not committing ourselves to the view that the proper method for teacher formation relies on a particular, much-disputed normative ethical theory. Still, we can appreciate the usefulness of middle theory as a framework for thinking about ethical judgment by considering Herman's Kantian version of it — in particular, Herman's discussion of culturally imparted "rules of moral salience," which "structure an agent's perception of his situation so that what he perceives is a world with moral features."[38] The main sites of acquisition of these rules of moral salience are childhood and socialization. "Socialization" includes the moral understanding imparted by any number of "moral communities," whether they be cultural, religious, or generational. The differences in rules of moral salience across communities imply possible disagreements between communities about the right thing to do, but it does not imply that every community is right. Every community of moral agents has the "*practical* task" (what Herman also calls the "'matter' of moral inquiry") of refining and revisiting the "*defeasible* solution[s]" encoded in their respective rules of moral salience.[39] In her case, given her normative ethical commitments, they are revised to the degree that they accord or fail to accord with the Kantian moral principle of humanity as an end in itself.[40]

The important upshot for our purposes is that a *school* constitutes a moral community that encodes and hands down rules of moral salience for teachers. There is no meaningful sense in which an educator can deliberate about ethical dilemmas using an abstract conception of the Kantian categorical imperative or the Utilitarian greatest happiness principle. Instead, the task of the educator is to refine and revisit the defeasible rules of moral salience that have been imparted, using general moral principles as a guide for that process of revision. Philosophical theory has an important role to play in this process, but that role is not to supply general principles that straightforwardly dissolve dilemmas in educational ethics.

The unique value of middle theory lies in its emphasis on the empirical and historical conditions of practical deliberation — not at the expense of theory,

38. Herman, *The Practice of Moral Judgment*, 77; she continues that these rules "enable him to pick out those elements of his circumstances or of his proposed actions that require moral attention" (ibid.). For Herman, this is important because "there is a need in the Kantian system for some kind of independent moral knowledge. An agent who came to the CI [Categorical Imperative] procedure with no knowledge of the moral characteristics of actions would be very unlikely to describe his action in a morally appropriate way" (ibid., 75).

39. Ibid., 87.

40. Without committing to Kantian moral philosophy wholesale, we can appreciate the importance of "humanity" as a weighty ethical principle. The Belmont Report (published in 1978 by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research) is a good example of the enduring value and appeal of ethical principles that can be traced back in some way to competing normative ethical theories (compare the report's broadly utilitarian principle of "beneficence" with the broadly Kantian principle of "respect for persons"). This kind of pluralism about ethical principles is widespread today.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

but to its enrichment.[41] In this way, we do not entirely eschew general theory. Instead, what most people would consider general theory — concepts and distinctions that play a systematic role in a larger philosophical framework — is an aspect of our middle theory approach. For example, the middle theory approach emphasizes the importance of seeing how foundational concepts like "equality" and "fairness" show up in everyday practice. Such appreciation presupposes some positive role for theory and for studying the diverse accounts philosophers have offered of these notions. Furthermore, through a process of reflective equilibrium, teachers can work out for themselves what would count as acting in a way that accords with their moral commitments (e.g., respecting the personhood of their students) — revising their judgments about particular cases, their commitment to general principles, or the weight and stringency of those principles and considerations.

Middle Theory in Practice

Concretely, what should the inclusion of theory in professional education look like? We see value in theory understood as the formal study or consideration of systematic ethical frameworks, but we also take a broader view and include any conceptual philosophical work that engages salient moral factors in a case or that models how philosophical methodology can be applied to ethical questions. In some cases, educators might benefit from reading canonical pieces in the history of philosophy that thematize salient ethical notions, whether John Stuart Mill's harm principle in *On Liberty* (1859), Immanuel Kant's notion of respect in the *Groundwork for the Metaphysics of Morals* (1785), or Mary Wollstonecraft's characterization of gendered injustice in *A Vindication of the Rights of Woman* (1792). In other cases, it might make more sense to use contemporary contributions to educational ethics that are more specifically tailored to the topic at hand — whether by assigning those pieces or, more plausibly, by sharing accessible, distilled summaries of those pieces. There are also efforts underway to popularize and communicate the results of recent work in educational ethics, making it easier than ever to take a plain language approach to ethical case studies that is nonetheless rooted in theory. The research output of the Pedagogies of Punishment Project, for example, provides a conceptual toolkit for ethical and sociological reflection about disciplinary practices in schools.[42] The Parr Center for Ethics at UNC-Chapel Hill has partnered with TED-Ed to produce a growing library of

41. In some respects, our view is analogous to the view in bioethics known as "specified principlism," according to which "conflicts between principles are to be resolved by qualifying the principles, making them more specific, so that their modified forms continue to apply to the case (or issue) at hand but no longer conflict" (Strong, "Specified Principlism," 324). However, since educators obtain and develop rules of moral salience over the course of professional experience and socialization, theory is an opportunity to obtain some critical distance from the moral understanding embedded in the community and to assess the distance between the status quo and an ideal state of justice.

42. The Pedagogies of Punishment Project takes a multidisciplinary approach to the study of punishment practices in schools (https://www.pedagogiesofpunishment.com).

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

ethical dilemma videos that center on distinct ethical concepts (e.g., paternalism, distributive justice, or moral status) and their associated philosophical traditions.[43] Having access to these concepts does not straightforwardly resolve dilemmas that educators face, but it equips them to deliberate and disagree more productively by giving them a *moral vocabulary*.[44]

The middle theory framework favors concept-oriented approaches to introducing ethical theory like those just described. Rather than invoking normative ethical theories as decision procedures that dissolve dilemmas, educators should be introduced to an array of conceptual resources that help them appreciate morally weighty features of a case and that help them engage in a productive process of reflective equilibrium.[45] In this way, the toolkit approach to ethical theory fits well with the broadly Aristotelian approach to practical wisdom we outlined above. Ethical theory provides content and methodology for working out what features are morally relevant and weighty, but it does not provide an answer key. To focus on one example of a theory-resource, Alex Nikolaidis and Winston Thompson "provide a guidance-oriented analytic framework" for determining the permissibility of punishment as a response to noncompliance with school rules.[46] Their framework helps educators and policymakers appreciate a wide range of normative considerations that must be weighed against the background of structural injustices that are operative in our school system. Their analytical approach to a specific issue in educational ethics serves as an excellent example of theory that is action-guiding, but not rote or algorithmic. Much is left to the situational judgment of educators and earnest debate about the weight of various considerations. At the same time, they provide theoretical scaffolding in the form of key distinctions and definitions. For example, by foregrounding a Rawlsian contractarian ethical framework, the authors forestall relativistic responses; by introducing Tommie Shelby's distinction between the "medical model" and the "systemic injustice model" of moral assessment, the authors head off specious communication that often results when charged issues like punishment are discussed (for example, disagreement about whether claiming that schools or educators are complicit in racial injustice means that they are malicious and ill-intentioned; or the talking past one another that

43. See https://parrcenter.unc.edu/ted-ed. Wi-Phi philosophy also continues to produce videos of a more didactic variety that articulate philosophical distinctions and resources in an accessible way (https://www.wi-phi.com).

44. Hasko von Kriegstein, "The Moral Vocabulary Approach," *Teaching Philosophy* 46, no. 3 (2023): 367–377.

45. We concede that rote applications of ethical theories as decision procedures could still have some pedagogical uses. For example, an instructor might use an overly stylized example of a utilitarian maximizing calculation or a Kantian universalizability test for maxims, not as a means to resolving a dilemma then and there, but as a means to helping students appreciate considerations (e.g., the moral importance of consequences or consistency) that they did not previously appreciate. We are grateful to an anonymous reviewer for this suggestion.

46. Alex C. Nikolaidis and Winston C. Thompson, "Breaking School Rules: The Permissibility of Student Noncompliance in an Unjust Educational System," *Harvard Educational Review* 91, no. 2 (2021): 204–226.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

results when one party uses an "individualist actor" approach for diagnosing social ills while another party takes a "systemic injustice" approach). The use of theory in this case is not meant to impose a particular normative framework on participants or to close debate in any way. Its purpose is to set educators up for more successful dialogue and deliberation.

There are countless other examples of recent contributions to educational ethics that blend theory and practice in the right sort of way.[47] They are often rooted in a strong understanding of the history and sociology of American schooling and center on one or more central normative concepts that structure their reflections about the right course of action or policy. Consider the following concrete example of educators deliberating about an ethical case study. In "Particular Schools for Particular Students: Are Charter Schools New Democratic Spaces, or Simply Segregated Ones?," by Terri Wilson, readers are invited to reflect on the value of integrated spaces in a non-ideal world. Bari Academy is a *de facto* segregated elementary school in Minnesota with a 100 percent Somali-American student population.[48] The case study highlights the distinctive civic and cultural value that a school like Bari might possess, complicated by the ambiguous outcomes in academic achievement for the students at the school. This case can be approached from an institutional design point of view by asking the extent to which separate schools like Bari Academy should exist within the American educational system. It can also be cast as an individual decision, by asking, for example, whether someone should vote to authorize a school like Bari Academy, knowing what they know abouts its benefits and costs.

In general, the case is an occasion to reflect on the moral ideal of integration, the aims of common schooling, and the complexities of multiculturalism. Many educators approach this case with a strong prior commitment to the democratic and moral value of integration. They may very well leave the case with that commitment intact, but with a deepened appreciation for the reasons others might not value integration in every way and in all cases. This is a welcome result for educators engaging in reflective equilibrium. For those who begin to

47. A few examples that treat different educational issues in the way we have endorsed are Bryan R. Warnick and Campbell F. Scribner, "Discipline, Punishment, and the Moral Community of Schools," *Theory and Research in Education* 18, no. 1 (2020): 98–116, on punishment; Julie A. Fitz and A. C. Nikolaidis, "A Democratic Critique of Scripted Curriculum," *Journal of Curriculum Studies* 52, no. 2 (2020): 195–213, on scripted curricula; Brighouse and Schouten, "To Charter or Not to Charter," on chartering; Ashley Taylor and Kevin McDonough, "Safeguarding the Epistemic Agency of Intellectually Disabled Learners," *Philosophy of Education* 77, no. 1 (2021), on special education; Sigal Ben-Porath and Dustin Webster, "Free Speech and Education," in *Handbook of Philosophy of Education*, ed. Randell Curren (New York: Routledge, 2022), on free speech; and Meira Levinson, "Mapping Multicultural Education," in *The Oxford Handbook of Philosophy of Education*, ed. Harvey Siegel (Oxford: Oxford University Press, 2010), 428–450, on multicultural education. See also Meira Levinson, *No Citizen Left Behind* (Cambridge, MA: Harvard University Press, 2013), 263–268, in which she provides six values or normative principles against which to measure standards, assessment, and accountability, and Meira Levinson, Tatiana Geron, and Harry Brighouse, "Conceptions of Educational Equity," *AERA Open*, 8 (2022).

48. This case study is in Levinson and Fay, eds., *Democratic Discord in Schools*, 147–152.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

question the value of integration, they might come to see other values (e.g., cultural preservation, or safe and affirming schools) as *weightier* than integration. This, again, is the kind of articulation and weighing of values that the case-based process is meant to facilitate. Our middle theory approach could take a number of forms here: educators could be assigned Mary Astell's *A Serious Proposal to the Ladies* as an example of a principled defense of separate schooling in the history of education that aims to resist systemic oppression, or Michael Merry's "Democratic Deliberation in the Absence of Integration," for a skeptical account of the value of integration by educational theorists.[49] Alternatively, a facilitator could prepare a set of resources and activities to use in the course of discussion. For example, educators could be invited to articulate the civic and epistemic value of integration, so that those values could be weighed against the undeniable cost of mandatory integrated spaces.

There are many more cases in educational ethics one could use with the middle theory approach. The upshot is that it is difficult to imagine many of the conceptual resources that would enrich and structure these discussions arising organically. Even if they did emerge in some form, whether by chance or thanks to a skilled facilitator, the absence of a theoretical foundation leaves teachers poorly equipped to engage them in a deliberate fashion. The benefits of the form of discussion we are proposing, scaffolded with the appropriate amount and kind of theory, are not always immediately felt. But with the additional theoretical grounding that we propose, it is far more likely that teachers will return to the classroom better positioned to see how principles show up in the course of their everyday practice — with a new repertoire of conceptual resources to bring to bear on situations, a new lens through which to interpret those situations, and a new vocabulary with which to hold dialogue across their differences.

Conclusion

In this paper, we began with the ideal of the teacher as a moral actor who acts with *phronēsis* and engages in a process of reflective equilibrium when faced with an ethical decision. The practical wisdom that this teacher exercises allows her to identify the morally salient aspects of the situation, to recognize the range of possible decisions she can make, and to weigh and trade off the costs or competing values. She then considers these factors against the backdrop of her own general normative commitments through a process of reflective equilibrium, aiming to reach a coherent, reasoned decision. We then argued that the Phronetic Approach to case-based reasoning among educational professionals faces serious headwinds. In particular, the Phronetic Approach is vulnerable to epistemic blinders that threaten participants' prospects of cultivating *phronēsis*. These epistemic blinders are rooted in the contingencies created by the Phronetic Approach's aversion to

49. Mary Astell, *A Serious Proposal to the Ladies, for the Advancement of Their True and Greatest Interest* (1694); and Michael Merry, "Democratic Deliberation in the Absence of Integration" in *The Cambridge Handbook of Democratic Education*, ed. Johannes Drerup, Douglas Yacek, and Julian Culp (Cambridge: Cambridge University Press, 2023), 230–249.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License

theory. We then sketched an alternative approach to case-based reasoning inspired by Herman's notion of middle theory. Our framework steers a middle course between the Phronetic Approach and the morality menu approach it rightfully eschews. It suggests a balanced approach in which educators are exposed to some degree of theory, meted out in the appropriate dose and at the appropriate level for the audience and the frequency of the interactions.

In closing, we would like to emphasize that to some extent case-based reasoning among educators can and should mirror philosophical scholarship on ethics, both historical and contemporary. Philosophical reflection often involves the clarification and specification of concepts, rethinking the priority of values and concepts, or finding new ways to think about ethical issues altogether. The notion of "equality" is a straightforward example of a much-disputed concept among moral and political philosophers throughout history and today. Equality of what and for whom? Equality as a distributive or relational concept? Is it equality we care about, or adequacy? To the extent that philosophical discourse is an ongoing conversation about these sorts of questions, teachers would benefit from picking up the mantle of that millennia-long conversation rather than starting from scratch. Often that trajectory does not end in convergence, but it does end with a clearer view of the terms of the debate and of the objects of disagreement, thereby paving the way for educators to come to their own conclusions about the inextricably moral dimensions of their practice. The fact patterns educators encounter in the world are infinitely rich and vary considerably from situation to situation. We cannot expect teachers to get it right every time or to cultivate this judgment overnight and without any help. Case-based reasoning offers promise, but requires the scaffolding of ethical theory to accomplish this aim.

17415446, 2024, 4, Downloaded from https://onlinelibrary.wiley.com/doi/10.1111/edth.12656 by University Of Illinois At, Wiley Online Library on [27/09/2024]. See the Terms and Conditions (https://onlinelibrary.wiley.com/terms-and-conditions) on Wiley Online Library for rules of use; OA articles are governed by the applicable Creative Commons License