

## On Transgression, Moral Education, and Education as a Practice of Freedom

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The classroom, with all its limitations, remains a location of possibility. In that field of possibility we have the opportunity to labor for freedom, to demand of ourselves and our comrades, an openness of mind and heart that allows us to face reality even as we collectively imagine ways to move beyond boundaries, to transgress. This is education as a practice of freedom.<sup>1</sup>

### INTRODUCTION

The moral demand to transgress boundaries is integral to education as a practice of freedom and is the subject of this essay. Education as a practice of freedom presupposes that some ways of transgressing, indeed of being “bad” from certain perspectives, are the right thing to do from the point of view of liberation. These transgressions are *required* in the “labor for freedom” invoked by bell hooks if classrooms are to become sites for the self-realization and self-determination of students and teachers alike. Moreover, the task of freedom in the classroom reflects particular moral and political necessities associated with the larger social arena in which liberation struggle occurs, and thus our capacity for transgression in the cloistered rooms of academe may extend our capacities in those domains of conflict where the forces of liberation face their fiercest opposition. If liberatory power in the classroom is not fundamentally linked to the struggle to transform society toward greater justice for all, that power betrays itself and becomes just as domesticating as the forms of education that uncritically reinscribe dominant ideologies and social relations.

The argument presented here proceeds in several stages. I establish a context to consider transgression within the paradigms of moral education associated with the work of liberals such as Lawrence Kohlberg and Carol Gilligan, and of neoconservatives such as William Bennett. Then, through an analysis of the necessity of doing bad in order to be good and the “problem of dirty hands” I bring some elements of moral psychology within the scope of the discussion. Finally, I return more pointedly to transgressions coupled to the limit-acts that define liberation struggle and education as a practice of freedom, and foreground the challenges to be faced in classrooms hoping to be sites of such practice.

### REFLECTIONS ON MORAL EDUCATION

Before delving into more detail about transgressions that are ways of being good, we should recognize that these considerations will entail new directions for education even though it has traditionally concerned itself with the development of moral character. In public schools this concern shifted over time away from its original pride of place, but early twentieth century teachers still unabashedly sermonized, secure in the presumed universality of their ecumenism. Yet with each passing decade, a more secular vision of Americanization and curricula more fitted to the scientific-industrial order emphasized schools’ social and economic sorting

mechanisms while moral imperatives receded into the hidden functions of school operations. General ethical questions were publicly regulated through behavioral rules and punishment for deviants, and more charged moral issues like sex education got reframed as health matters or as other sanitized forms of instruction. Testing and grades disciplined students in alignment with the structured inequalities of the class, race, language, and gender orders, thus recasting the moral and political dimensions of the dominant ideology as natural outcomes of a meritocratic system.

In the several decades after mid-century, moral questions and political challenges forced a new liberal agenda for schools. Equity for people of color, women, and the differently-abled demanded changes across the curriculum and in the leadership of schools and classrooms. Amidst the clamor, moral education promised neutrality by becoming wedded to scientific and philosophic ideals and to a theory of human development.<sup>2</sup> With instruction focused on moral dilemmas that revealed students' stages of moral reasoning, moral development could be facilitated toward its ultimate realization in Kantian inspired notions of individual autonomy and justice. While this approach recognized competing moral demands within situations, it assumed that there was a unique solution to moral dilemmas that could be supported by universally valid warrants. Later critics argued that reasoning about the precepts of justice omitted much of significance in the moral domain, and they articulated an ethics of care based neither in universal principles nor utilitarian calculations but in the nature of the relationships within situations.<sup>3</sup> In this case, preferred classroom approaches included the exploration of novels and other thick narratives that left open how one was to do the right thing, or suggested that there could be many right things to do in any particular situation. However, moral development in the care theory proceeded through pre-conventional, conventional and post-conventional stages just as in the justice perspective.

The end of the twentieth century witnessed a call to return to the moral certitudes and simplicity prevalent in the founding years of public education one hundred seventy five years earlier. Neoconservatives decried the moral poverty they saw enveloping the country, and fought to restore prayer to the classroom.<sup>4</sup> These education reformers suggested that unquestionable virtues were the hallmark of moral life and the foundation of moral education.<sup>5</sup> They believed that character education could solve the ills not only of schools but of the nation.<sup>6</sup> These approaches suggested that moral diversity equaled moral relativism, and that a truly universal moral fundamentalism was the only antidote to the poison infecting the body politic in its fall from grace. These views generally assume that it is possible to avoid acting badly; with the proper knowledge and training of good habits, one can know what is good, act in accordance with that knowledge, and thus be good.

While there are important and substantial differences among (and within) these various approaches to moral education, none are adequate for education as a practice of freedom. For example, the virtue and character approaches often pay little critical attention to the notorious gap between knowing and doing the right thing, even for those with good moral habits. They also generally ignore altogether the historic fact that the class of people that has received the most (moral) education, whether secular

or religious, has demonstrated the most extraordinary capacity for perpetrating moral horror. Worldwide, only the well-educated conceived and designed methods of torture and holocaust as state policy, and then denied either their actions or their immorality. Moreover, the neoconservatives look with disdain on the ordinary vices — the common cruelties, hypocrisies, betrayals, and dishonesties of everyday life<sup>7</sup> — of ordinary people, and seek a moral conquest based on the illusory certainty of their own virtue. The veneer of compassion over their hardened hearts cannot hide the fact that they wage a holy war against the illiterate and poor,<sup>8</sup> against gays and lesbians, against doctors who provide abortions, and against any other supposed transgressors who ascribe to different moral norms and standards. Those who imagine they can do and be *only* good necessarily become enclosed within an isolated and unreal realm of innocence<sup>9</sup> that borders self-righteousness and self-indulgence<sup>10</sup> and that prevents any genuine engagement with the problems of social life that are the central to education as a practice of freedom.

On the other hand, while the justice and the care approaches avoid such shallow innocence and self-righteousness, and are allied in seeking a more equitable and inclusive society,<sup>11</sup> they too fall short for education as a practice of freedom. The moral resoluteness of liberation struggle cannot rely upon moral decision procedures that presume moral certainty where none is possible, and it must make explicit and problematic the systems of power and elements of moral luck that shape situations and relationships. Education as a practice of freedom moves beyond a focus on understanding and beyond a focus on acting to resolve personal moral quandaries; education as a practice of freedom orients action aimed at transforming the personal and structural limits in situations that prevent human flourishing.

Whatever differences there are among the justice, care, virtue and character approaches about what counts as morally salient, how moral decisions should be made, what constitutes moral action, or what pedagogical techniques are best for enabling moral understanding and behavior, these approaches do not adequately attend to the contradictions and tensions that inhabit the cusp of the transition from conventional to post-conventional morality. This is precisely the domain of education as a practice of freedom because oppression functions in an everyday way through the conventional ideological norms of common sense,<sup>12</sup> and some of these norms must be transgressed in order to establish more just, caring, and moral communities.

#### TRANSGRESSIONS, ETHICS, AND CHARACTER

If we are honest, each of us will acknowledge that we sometimes do bad, regardless of how good we are. But the argument being developed here is not about wanton bad acts, nor bad committed due to ignorance or a weakness of will, nor the bad that is done if only because of considerations of moral luck.<sup>13</sup> Not all ways of doing bad are equally bad, and even the baddest among us sometimes do good. Similarly, not all ways of doing good are equally good, and debates abound over just what counts as the right thing to do. Since any particular moral life is a complex and contradictory mixture of doing bad and good (even within a specific moral framework), judgments about the nature of moral being or character can be difficult.

Certainly the relative predominance of one or another way of acting is a factor — which is the rule and which the exception in a life? But more problematic for character assessments are deeds that may be conventionally regarded as bad but that are enacted in pursuit of some greater good or some more compelling principle. In addition, moral life in the civic domain, especially for those who govern or teach, entails choices and commitments to action that inevitably confront dilemmas and conflicts of a particularly challenging sort.

Such dilemmas are widely acknowledged features of national political leadership, but they are also routine in our schools and common even in our most private lives. Every available choice can seem detestable to one's moral sensibilities, and no decision procedure, application of principle, nor deepened insight into the situation and each person's position within it, can obscure a recognition that some bad may be done even as a result of the best choice. Choices about the allocation of inadequate resources or the conduct of war, whether founded on deontological principle or a utilitarian calculus, typically entail that positive harms befall innocent people or noncombatants (sometimes in large numbers). Sartre invokes the problem of "dirty hands" in his play of the same name, when Hørderer declares: "I have dirty hands. Right up to the elbows. I've plunged them in filth and blood. But what do you hope? Do you think you can govern innocently?"<sup>14</sup>

The burdens of such choices fall not only on political and military leaders but on every ordinary citizen whom they represent and who deliberates about funding and policies for health care, education, social security, and national defense. Moral dilemmas and the burdens of choice also abound in educational policy: how should limited resources be allocated among the needs of the learning and physically disabled and the gifted; or among the athletically, artistically or scientifically inclined? What should be done about the harms resulting if schools are (or are not) reconfigured into a market system; or the harms resulting from tracking or other school structures and curricula that sustain systems of inequality based on class, race, or gender? Every choice entails that some who need help will not get it, and that harm befalls innocents. Educators can lament the fates that constructed such situations or bemoan the lack of better options, but they cannot cling to an innocence that escapes the choices that implicate them in those harms. Similarly, private lives not only are interconnected with the public domains for which one must assume a portion of responsibility as a citizen, but also contain their own share of moral dilemmas that resist innocent choices. Some abortions or other medical interventions into the lives of the old and young can present such dilemmas, as can Americans' disproportionate consumption of global resources in the midst of starvation and planetary degradation.<sup>15</sup>

While each of us has dirty hands to some degree, it is worth noting that those who govern our political and educational realms are different in morally important ways.<sup>16</sup> First, they are supposed to act always for the *public* welfare, and not for *personal* interests alone; ironically, by serving the public well they increase their own power, though this should not be their aim. Second, they differ in that they *rule*: they tax, permit, forbid, require, and otherwise restrain some liberties. Their

decisions commit the collective wealth and human resources in ways that inevitably risk (to some degree) the public welfare and even the lives (or life chances) of those they govern. Third, they are distinguished by their power to wield *authorized violence* against foes or transgressors, though admittedly great differences exist between the politicians' military and police forces and the school authorities' power to grade, suspend, expel, or otherwise punish. These three differences have analogues in the private sphere, such as with parenting, but in any case, acting on behalf of public welfare with a mandate to rule does not wholly cleanse one's hands. So the question remains, how should we regard the moral status of actions that harm some people while good is being pursued? How should we regard the character of the actors, since there are many attitudes toward getting one's hands dirty, from glee to disdain or remorse?

Traditionally, moral philosophers have cast these dilemmas as conflicts of duties, arguing that in the final analysis (based on either a utilitarian calculation or deontological principle) a singular solution emerges that directs right action so that one can be good. If there is a "double effect" to action such that harm or bad happens as a secondary unintended outcome of duly diligent action, no moral blame or culpability accrues to the actor.<sup>17</sup> For those who govern in politics or education, character is enhanced by these actions rather than diminished precisely for making the "tough choices" of leadership. But this tradition seems ultimately to rest on a utilitarian discounting of those harmed in these choices, and to deny that genuine dilemmas exist that cannot be solved cleanly without moral remainders entailing further obligations.<sup>18</sup> While the care perspective is more attentive to such remainders and ongoing moral relationships, it lacks a developed apparatus for arriving at the decisions required by the dilemmas of governing.

Another tradition, deriving from Machiavelli, argues that those who must make these decisions in their governing (teaching) role, are to be judged only in terms of the practical results and not morally.<sup>19</sup> If a choice among evils is the best we can do, then it can seem perverse to call such an action bad or blameworthy: in situations susceptible only to calculations of utility, action is better understood as lacking *moral* content. Even killing, dishonesty, or betrayal in matters of state action can arguably be judged simply by whether the state achieves its goals efficiently. Within this Machiavellian framework, moral considerations apply to the character of those who govern only prior to their selection to rule. They should be good people, inclined by habit to be moral, who must *learn* to do wrong in the right moment. By the cunning use of deceit, treachery, and war, a ruler protects and strengthens the realm and secures a decent life for its inhabitants. This is the *realist* position, based upon how things supposedly are in the real world of power and politics.

However, Machiavelli recognized the conventional moral standards by which leaders are to be judged worthy to govern and in terms of which some actions are *transgressive* even though they yield political or material gain. He did not argue that the ends justify the means in a moral sense. Ruling simply lies outside the moral domain, and the only concern is with political consequences: either power, glory and benefits, or defeat, ignominy and ruin. The realist recognizes the dilemmas faced in

governing, but not as *moral* ones. This is an attractive position certainly for those who govern, since they likely want to be good. If conventionally immoral actions taken on behalf of the state were to make leaders bad, we might never find good people willing to rule.

The realist's treatment of the moral domain as simply one among many that compose daily life draws limits that can seem problematic, especially for those who regard all of life within moral horizons. Yet, if it doesn't make a mockery of morality, it at least foregrounds certain ambiguities in the gap between private and public virtue and is not guilty of the moral pretense infecting most politicians of our day. But, can a sense of the moral be retained where the realist sees only pragmatics? Obviously, there are many different conceptions of the good that conflict in their aims and judgments. The split between, versus the unity of, private and public morality are two such conflicting conceptions. Hampshire argued that moralities are like natural languages, with no possibility of an ultimate arbiter among them or the ways of life tied to each.<sup>20</sup> Only if minimal rules for procedural justice to cope with fundamental conflicts in moral outlooks is valued independently of any particular conception, can fair conclusions be reached. Beyond this, Hampshire believes there can be no consensus about what stands between moral innocence and experience.<sup>21</sup> Both public and private moral life become negotiated compromises, and each does the best s/he can. No one is wholly innocent.

But this understanding of "dirty hands" contrasts with the realist, the utilitarian, and the deontologist, who all seem to agree in their ultimate judgment of the good character of the leader who confronts the dilemmas of ruling. And it begs the question of how we should judge the compromised moral innocence of political, educational and familial leadership. Walzer suggested two interpretations to profile the moral psychology of good governors who experience the dilemmas of ruling as moral and not merely practical.<sup>22</sup> First are those who, like the realist, recognize and act on the bad that must be done in order to do good, dirtying their hands. But they are suffering servants, anguished by their choices and transgressions, understanding that neither good reasons nor good results can obviate a tragic "loss of soul" that is their fate. Their agony is unknown to the glib realists, and the loss they suffer is permanent even with repentance, which can salve the soul but neither fully heal it nor restore innocence. Walzer, concerned about the private nature of the moral tragedy for these leaders, argued that a second step was needed, and that suffering servants should submit to public judgment and, at times, punishment. Having acknowledged the wrong done and received punishment, these rulers can move through their guilt and restore their good character. No longer tragic, but heroic, they both rule well and maintain greater moral consistency.

#### TRANSGRESSION AND EDUCATION AS A PRACTICE OF FREEDOM

The considerations thus far about moral dilemmas, transgressions, and moral psychology have prepared the way for analyzing these matters with regard to education as a practice of freedom. Walzer's suggestions extend the reach of morality beyond the realist's limits and add dimension to thin conceptions of procedural justice, so that moral burdens and public responsibility come with "dirty

hands.” But some difficulties remain. In the public rush to judge and punish leaders, the public can too easily succumb to scapegoating and fail to examine its own guilt and responsibility. More humility and continuing moral relationships, not tragic suffering or heroism, are called for with transgressions for liberation. The innocent who are harmed must be kept within the compass of moral care, and it should be recognized that an ongoing community must cope with the effects of the actions of governors (whether of the state, education, or the family).

Thus far, the discussion has emphasized cases where leaders violate some moral law in order to serve state or public interests, but transgressions for liberation differ in a particular and important way. They violate state law or public conventional standards in order to serve moral interests. In the case of civil disobedience, where laws are publicly broken and consequences or punishment publicly endured, there is no comparable moral anguish, loss of soul, or restoration of character. Campaigns of civil disobedience are a form of moral education conducted in the public arena,<sup>23</sup> articulating ethical demands that challenge legal and cultural standards to develop toward a post-conventional position. The transgressions that are central to education as a practice of freedom actually *constitute* moral action and are driven by their own forms of necessity. Principles of respect, care and justice can prevail in liberation struggle against injustice. The limit-acts that disrupt dominant relations of power<sup>24</sup> can be developed along a strategic continuum wherein moral considerations need not disable forceful political action.<sup>25</sup> But even with right on the side of overcoming oppression, here too, under the best of circumstances, harm easily befalls innocents or noncombatants, and “dirty hands” cannot be avoided. Militant love<sup>26</sup> that respects opponents, that cares for allies, and that draws hope and the possibilities for a more just future into present action is necessary not to wash away the moral burdens of “dirty hands” but to bear them openly.

In classrooms committed to education as a practice of freedom, teachers confront dilemmas across the pedagogical terrain. The traditional norms and standards of instructional practice preclude the kind of engaged, politically committed teaching demanded by liberatory education, so transgressions put teachers in peril from educational authorities as well as students.<sup>27</sup> Moreover, since the dominant ideologies of racism, classism, sexism, ability-ism, and other oppressive socio-cultural-political formations do not stop at the schoolhouse door, these must be confronted directly in the classroom regardless of the subject matter being taught. This poses difficulties for liberatory teachers, and their efforts to practice “affirmative action pedagogies” implicate them in morally problematic actions vis-à-vis students.<sup>28</sup> To ameliorate the risks inherent in classrooms practicing freedom, the moral and political tensions and contradictions must themselves be made explicit and the object of shared analysis between liberatory teachers and their students.

Given the aim of education as a practice of freedom to awaken students to their primordial power to critique and remake reality in accord with their own hopes and dreams for a just society, liberatory teachers are obliged to prepare students for the struggles ahead, which includes preparing them for the moral dilemmas they will face along the way. The goal of teaching people simply to be good is not only naive

but profoundly inadequate. Conditioned by the systems and structures of racism, classism, sexism, and other dominant ideologies of injustice, those who struggle to make history must overcome obstructions and barriers that are not only in the situation but within their own consciousness and everyday practices. This requires breaking with the given norms and standards that support inequities, and defeating the powers that cling to these ideological supports that maintain the status quo. The moral dilemmas of liberation struggle and education as a practice of freedom necessitate transgressions where the bad that must be done has moral qualities, but nonetheless entails harm to some. Thus strategies and tactics for action geared into the moral demands of transformation, with the political and material strength to overcome even violent resistance,<sup>29</sup> must also be a central focus of education as a practice of freedom.

#### CONCLUDING COMMENTS

The transgressions associated with education as a practice of freedom cast light on the moral domain in ways not possible when moral education concentrates only on teaching to be good. Moral education that does not address the dilemmas of political and educational leadership and of struggles for justice, and that does not explore the residual moral relationships precipitated by the transgressive actions they require, inevitably fails to achieve its own goals. It cannot be enough to hone moral sensibilities and reasoning, and heighten commitment to moral action, under the myth that one is then progressively enabled always to be good and not commit morally problematic harms. Thus the dominant moral education theories and practices not only mislead people about the possibilities of a moral life without “dirty hands” but also give little guidance in how to make society just and humane for all. This essay has argued that a careful consideration of the transgressions entailed by education as a practice of freedom not only will deflate moral hubris, but also enable more good people to shoulder the burdens of active civic life. Success in this endeavor yields a daily practice morally grounded in the complexities of transformative work and promises hope in the face of the worst oppressions.

It is fundamental for us to know that without certain qualities or virtues, such as a generous loving heart, respect for others, tolerance, humility, a joyful disposition, love of life, openness to what is new, a disposition to welcome change, perseverance in the struggle, a refusal of determinism, a spirit of hope, and openness to justice, progressive pedagogical practice is not possible.<sup>30</sup>

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  5. William Bennett, ed. *The Book of Virtues* (New York: Simon and Schuster, 1994).
  6. Thomas Lickona, *Educating for Character* (New York: Bantam, 1991).



7. Judith N. Shklar, *Ordinary Vices* (Cambridge: Belknap Press of Harvard University Press, 1984).
8. Patrick Shannon, *Reading Poverty* (Portsmouth, N.H.: Heinemann, 1998).
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11. Michael S. Katz, Nel Noddings, and Kenneth A. Strike, eds., *Justice and Caring: The Search for Common Ground in Education* (New York: Teachers College Press, 1999).
12. Antonio Gramsci, *Prison Notebooks*, ed. and trans. Q. Hoare and G.N. Smith (New York: International Publishers, 1971).
13. Williams, *Moral Luck*.
14. Jean-Paul Sartre, "Dirty Hands," in *Three Plays*, trans. Lionel Abel (New York: Alfred A. Knopf, 1949), 121.
15. Given the nature of some of the moral dilemmas regarding abortion, it should not be regarded as contradictory to be both anti-abortion and pro-choice.
16. Michael Walzer, "Political Action: The Problem of Dirty Hands," in *War and Moral Responsibility* (Princeton: Princeton University Press, 1974), 62-84.
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21. Hampshire, *Innocence and Experience*.
22. Walzer, "Political Action."
23. John Rawls, *A Theory of Justice* (Cambridge: Belknap Press of Harvard University Press, 1971).
24. Paulo Friere, *Pedagogy of the Oppressed* (1970; reprint, New York: Continuum, 1994) and Paulo Friere, *Pedagogy of Hope* (New York: Continuum, 1994), 205-7.
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30. Friere, *Pedagogy of Freedom*, 108.