

The Daughter's School Party

Ethical Jury - 26th January 2011

1	Summary	2
2	Set-up	3
2.1	Purpose	3
2.2	View of morality.....	3
2.3	Conduct.....	4
2.3.1	Steps	4
2.3.2	Toolbox Contents.....	4
2.3.3	Warning.....	5
3	The Dilemma.....	5
4	Analysis and Judgements	6
4.1	Clarifications.....	6
4.2	Objectives	6
4.3	Actions	7
4.4	Assess actions	7
4.4.1	Lead the revolt and expel B	7
4.4.2	Encourage those who should be in authority to act.....	7
4.4.3	Present a choice of two expulsions to B's host H.....	8
4.4.4	Do nothing.....	8
4.4.5	Walk out with/without daughter.....	8
4.4.6	Ask H to leave with/without B	8
5	Observations.....	8
5.1	Dilemma Resolution Process.....	8
5.2	Balancing objectives/principles.....	9
5.3	Morals v. tactics	10
5.4	Toolbox.....	10
5.5	Choice of Ethical Jury as the moral process.....	11
5.6	Epilogue - March 2013	11

1 Summary

This report is an account of an ethical jury held on 26th January 2011 at a meeting of West London Humanists and Secularists. Thirteen people attended the meeting which was facilitated by Philip Veasey. It was felt by those present that the ethical jury had been entertaining and that it had successfully cast light on both the particular dilemma examined and on the way in which moral judgements were being made. As such it was a valuable first step in the Secular Morality Development Project.

It was agreed that the ethical jury, with its group thinking, was an appropriate moral process with which to investigate the way we make moral decisions. More detailed process steps for resolving dilemmas were invented on the night and these seemed to concentrate minds and make jurors feel much more confident of their conclusions. The process can no doubt be improved.

Most of the principles in the toolbox (such as the Golden Rule) differ very little from each other and really just amount to be being kind (see Section 5.4). As such they had already been pretty much internalised by the jury who did not seem to need them as prompts. Exceptions appeared to be:

- The 1st of Kant's Categorical Imperatives, "Act only on that maxim which you could will to be universal law." This is different but was not used at all.
- The Triax: "Have Courage" which was central to quite a few of the issues discussed.
- The Triax: "Have Integrity" which was frequently referred to when trying to uncover underlying motives.

There were two things that were not anticipated. First of all a simple right/wrong decision was replaced by a judgement that was more akin to advice on this type of situation and gave different recommendations according to the detail (see Section 5.1). Secondly, a distinction started to emerge between judgements related to principles and those related to skill in handling the situation.

Although this was a very positive start to the Secular Morality Development Project, this report has not been very easy to write and could no doubt be much easier to read. A clearer idea of what needs to be reported should reduce the effort in the future. For this report a fairly full account is given of the set-up, the dilemma and its analysis, as it is intended to give a complete picture for those who are not aware of the project or of the conduct of ethical juries. For future reports in support of the project, the set-up would be assumed and full details of the dilemma and its analysis should not be necessary. What will be important is to report on the effectiveness of the process and its tools. The detail need only be sampled to illustrate this.

2 Set-up

The following guidance was given as an introduction to the jury.

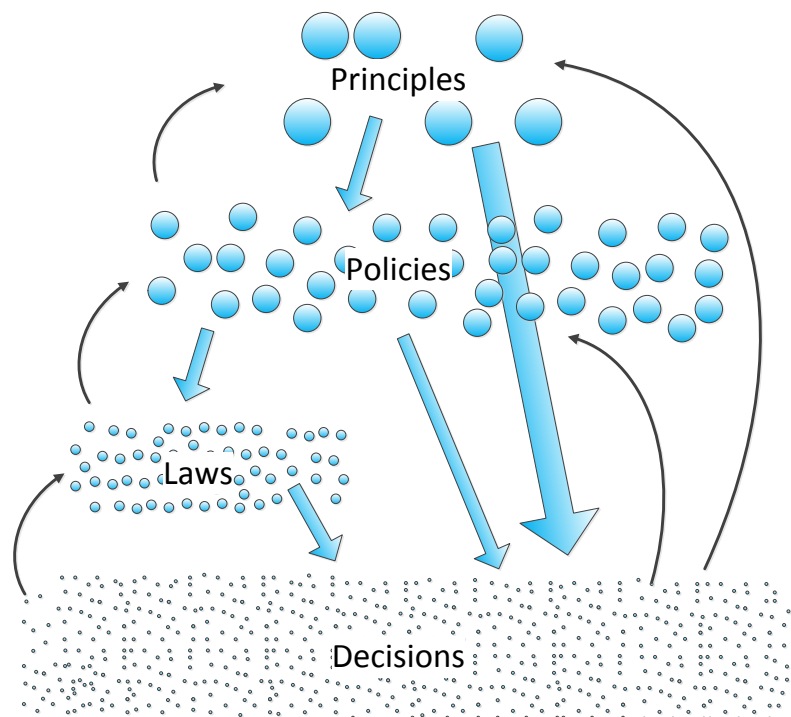
2.1 Purpose

It was explained that the event was a first step in the Secular Morality Development Project. The purpose of this project is to:

- Develop a moral code with secular branding that is useful, memorable and “marketable”
- Evolve such a code through ethical juries (a moral process) where potential codes are viewed as moral decision making tools
- Run lots of ethical juries and share the results to improve the tools/processes and achieve a set that has wide acceptance
- Then start marketing this set of tools/processes in competition with codes sourced from religions.

2.2 View of morality

The assumption of the project is a view that morality is always man-made, even when divine origins are claimed. We can model it as layers of co-evolving guidance on how to live, approximately as shown in the diagram.



At the top level of the model are what could be called principles, which are brief high-level statements. These are applied to classes of moral decision that are important enough to require rather more specific and detailed guidance - policies. Society will find reasons to be even more specific about some of these classes and elaborate the policies into highly specific laws. Our day

to day decisions may be guided by Laws, Policies and Principles. Feedback on the usefulness of Decisions, Laws, Policies can help to improve the higher levels of guidance.

This position may be thought of as moral relativism in as much as it is certainly opposed to absolutism. However, the usual picture of relativists that its detractors like to paint is clearly wrong. One's day-to-day decisions are not made arbitrarily on a whim but guided by wisdom that has been distilled from long experience. Commitment to respect that wisdom need be no less firm than commitment to a religions claimed absolutes. The higher level a particular piece of guidance is, the less frequently it is likely to be changed. The Golden Rule, for instance, has been known to numerous cultures for millennia. It is because principles can be so enduring that they can feel so essential to our nature and that people often think they have an existence independent of humanity.

It should also be noted that the model gives a picture of guidance that might be equally valid in a situation with a very different scope since it is just a starting point for managing guidance. That could be guidance that a large engineering company gives to its field operatives to help them make dozens of "engineering" decisions every working day. In such cases the requirement for evolution is inescapable in order to keep pace with change and to increase competitiveness.

2.3 Conduct

2.3.1 Steps

The jury would go through the following steps:

- Choose a dilemma from those proposed by people present. The dilemma had to be a personal experience.
- Discuss the dilemma and come to a conclusion about the ideal way of dealing with it and the appropriateness of what was actually done.
- Review the way in which the dilemma had been analysed and decisions made and comment on the usefulness or otherwise of the moral guidance in the toolbox.

Nothing was offered initially by way of more detailed process steps that might help one use the principles to resolve the dilemma.

2.3.2 Toolbox Contents

The following moral principles were offered as the initial contents of the toolbox.

The Golden Rule

Do as you would be done by.

Principle of least harm

Choose the action that results in the least aggregate harm

Kant's Categorical Imperatives

1st "Act only on that maxim which you could will to be universal law."

2nd "Always treat other people as ends in themselves, never as means to an end"

Utilitarianism - John Stuart Mill

Achieve the greatest good for the most amount of people

Triax - Philip Veasey

Be Kind	Recognise that humans have evolved as social animals and that it is in our nature and to our advantage to look out for one another
Be Courageous	Manage your fears and don't let them stop you doing what you think is right
Have Integrity	Defined as never lying to yourself (lying to others is not excluded and may sometimes be kind).

2.3.3 Warning

The jury was reminded to be as self-aware as possible with regard to the way they were making decisions. Reference was made to a recent TV programme called “The Brain - A Secret History” where MRI scans showed that reasoning areas of the brain are used less in making decisions than the emotional areas. Nothing wrong with emotions, but best to recognise the part they are playing.

3 The Dilemma

The dilemma that was chosen concerned a woman who had chosen to make a scene at her daughter's school leaving party. The mother (M) had felt she had good cause, the 16 year-old girl (D) disagreed, was furious and remained so for weeks. A trace of doubt had started to creep into the M's mind. The incident did not happen in the UK.

The party had been arranged and paid for by the parents so that, although some teachers were there, they were there as guests. Most of the children would in fact be continuing into the sixth form but there was a fair amount of emotion flowing about the few that were leaving.

Without asking anyone else whether it would be all right, one of the girls H had invited along a girl B who had left the school about a year before. B had been “encouraged” to leave after several incidents in which she had stolen things from other girls and bullied them. In fact, D had tried to be nice to B in the past and invited her to her grandmother's house where B “borrowed” an antique doll worth several hundred pounds and then proceeded to claim that she had lost it. Although most of the girls openly detested B, there were one or two who acted as her friends. There were also teachers who went out of their way to please B and this was not unrelated to the fact that B came from a powerful crime family.

Having arrived at the party, B proceeded to eat large amounts of the food that had been paid for by the others. This sight created all the more affront because B is very fat and greedy, and here she was again taking what had been paid for by others. M was either more angry than the others, or less intimidated by B and her family, and so remonstrated with her saying she should leave.

M received some support from other mothers present but most appeared too embarrassed or intimidated to say anything. B left the party.

M felt her dilemma was the choice between:

- Embarrassing her daughter and risking reprisals
- Accepting a further insult and reduction in self-respect in a way that she felt gave a bad example to her daughter

4 Analysis and Judgements

This started with a number of questions aimed at clarifying some of the details. It was soon clear that little would come out of the discussion in the 90 minutes available unless some sort of process for ordering the debate was invented on the fly.

We agreed to proceed as follows:

1. Clarify any points of fact
2. Agree on some general objectives that any solution should satisfy. These were allowed to be more specific than the “principles” and equated more to “policies”.
3. Agree some actions that were or could have been part of the solution
4. Assess the likely outcomes of the actions and their fit to the objectives
5. Decide which actions should have been followed

4.1 Clarifications

There was a great interest in whether anyone was “in charge”. It was expected that a teacher would be in this role or could have been persuaded to take it. M said that the situation was very informal and no one saw themselves as in charge. The few teachers present seemed anxious to distance themselves from any responsibility.

The degree of danger was questioned and M said that there was considerable fear of B among most of the people there, including her daughter D. The power over the teachers almost certainly involved bribery as well.

4.2 Objectives

It may be observed that “objectives” are positioned between principles and decisions just as “policies” were in the guidance model. However the objectives are a more temporary construct and, although at a medium high level, they are claimed to relate only to a specific situation rather than a class of situations as in the case of policies. The following objectives were thought appropriate to the situation:

- A. Don't let a bully develop in to a bigger bully
- B. Don't put others in danger
- C. The party is special for the daughter. There has to be a very good reason for spoiling it.
- D. If there was any way of helping B to be a better person, it should be attempted
- E. Before taking on leadership in a dramatic situation one should be careful not to do it for the excitement
- F. Avoid acting out of wounded pride
- G. Don't let fear cloud your judgment

The principles appealed to in deciding upon these objectives were as follows:

- Objective A Mainly Triax-Courage and Principle of least harm
- Objective B Principle of least harm; Triax-Kindness
- Objective C Golden Rule; Triax-Kindness
- Objective D Golden Rule; Triax-Kindness; arguably Kant's 2nd Categorical Imperative
- Objective E Triax-Integrity
- Objective F Triax-Integrity
- Objective G Triax-Courage

4.3 Actions

It was agreed that the following possible actions would be evaluated:

1. Lead the revolt and expel B
2. Encourage those who should be in authority to act
3. Present a choice of two expulsions to B's host H
4. Do nothing
5. Walk out with/without daughter
6. Ask H to leave with/without B

No one could think of an action in support of B that could have been taken at the time.

4.4 Assess actions

4.4.1 Lead the revolt and expel B

As this was the action taken it was looked at very closely. There was general agreement that it satisfied objectives A "Don't let a bully develop into a bigger bully" and G "Don't let fear cloud your judgment". In fact it became clear that there was another objective that deserved identification along the lines of "Set a good example to young people" and that this had been satisfied in some important ways. There was concern about all the other objectives.

An important issue was whether or not M got support from the other parents. If there had been none then this should have warned M that perhaps her judgment was at fault. It could also have meant that the other parents were lacking courage. In the event it appears that there had been plenty of support for M.

All agreed that it was a shame that D had been so upset and that this should not have been allowed to happen without good cause. However everyone also agreed that adolescent girls were not the best judges of whether there was good cause and that one day D would see it very differently and thank her mother.

4.4.2 Encourage those who should be in authority to act

All agreed that, before assuming authority, an attempt should be made to identify an authority that should take responsibility, and get it to act. It appeared that little effort had been made in this direction but that M felt very confident that such efforts would fail. The fact that other parents supported M made her the de facto authority.

4.4.3 Present a choice of two expulsions to B's host H

It was suggested that a cleverer way of dealing with the situation would be to offer H and B two different alternatives, both of which resulted in them having to depart very soon. For instance they could leave immediately or after 10 minutes. This would at least offer them some sort of choice/control over their fate and some face-saving that could bring down the levels of tension.

4.4.4 Do nothing

It was agreed that it would not be right to just ignore the situation and let H and B get away with it. Those who had been hurt by her in the past, including M, had a right to object to being treated badly again, especially when there was no remorse on the part of B. If the damage had been trivial, the upset to the evening would not have been justified, but the level of damage that B had done in the past meant that the feelings of those who had been hurt were more important and that a willingness to be abused again would set a very bad example of cowardice to the children.

There was also a discussion of whether anyone has a right to get others into a fight that they have little chance of winning. M considered that most of the people present overestimated the threat from the family and that, in effect, this battle was won.

4.4.5 Walk out with/without daughter

One of these options could have been taken right at the beginning of the evening. Most felt that, if M had thought there was no prospect of support, then she should have left immediately without her daughter. This would have meant suffering for M but would have avoided the damage to what was supposed to be a special night for the children. Some were concerned that this might be outweighed by the bad example given to the children. This depended on just how great had been the injury and how much doing nothing was the result of cowardice. Perhaps an example of courage was a better memory to leave with the children. It seemed alright to leave to the daughter the decision to accompany her mother or stay.

4.4.6 Ask H to leave with/without B

In the event, M had concentrated on removing B but it was pointed out that H should have been more of a target. H had invited B without authorisation and knowing that it would upset others. She could have been asked to leave because of this, and B might then have followed her having lost her main support. This would have avoided the direct attack on B and reduced the risk of reprisals. There was perhaps a sense in which B had already exempted herself from the moral constraints of the school, so her current behaviour was at least consistent. D, on the other hand, expected to remain as part of the school and should expect to follow its morals.

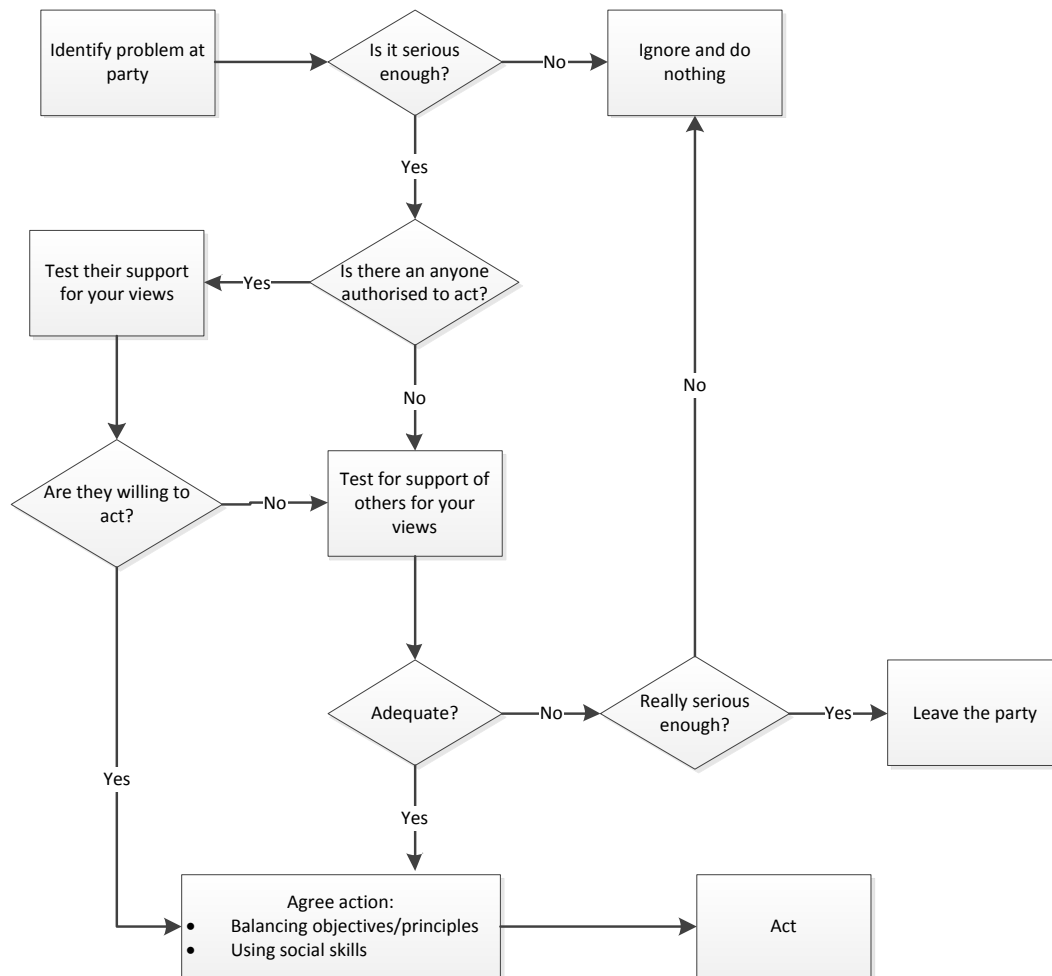
5 Observations

5.1 Dilemma Resolution Process

The decision process for previous ethical juries was simply to discuss in free format then vote on whether someone had acted well or badly. What emerged rapidly in this ethical jury was a structured method of moving from principles to decisions. It did feel much more convincing

and is certainly more conducive to improving the process and its tools. The method adopted is not unique and can surely be improved upon, and perhaps varied according to the type of dilemma.

One thing that was a bit of a surprise was that a simple right/wrong decision was not even made as it seemed naïve. It seemed unreasonable to expect anyone to make all the best decisions and have all the best ideas in a complex situation. By going through the method, the outcome was more like a flow chart that could be used to guide anyone in such a situation in the future. It might look something like this:



The actual action taken was mostly praised. Although a right/wrong judgement seemed inappropriate, it did seem possible to give high marks out of ten.

5.2 *Balancing objectives/principles*

It was clear that part of the process is to make judgements about the relevant importance of different principles/objectives in a situation where they appear to conflict. E.g. is it more important to keep everyone safe by not opposing B or to give an example of courage? It would be good to have an approach that gives us a better understanding of how we are making these judgements. One aspect of this issue that is particularly tricky is the short term/long term aspect

of compromising on a principle. If one always plays for short term safety, the bully grows and eventually there is no escape from them. People who are very ready to fight for their principles are uncomfortable to be around but we would be lost without them.

5.3 *Morals v. tactics*

It was clear that, although principles are valuable guides in these situations, there is also a world of tactics which appear to be morally neutral but which can greatly affect the value of the outcome. Many of the comments made during the session, such as the choice of two expulsions and the concentration of fire on H, were of this type and they are important. One could say that kindness demands that we use whatever social skills we have, to come up with a solution that causes the least discomfort, and perhaps that we have a duty to improve those social skills.

Another thing which seemed to play a part was the sense in which we expect members of a group to follow the group's moral code see 4.4.6. This does not seem to be an issue in balancing objectives/principles but it certainly affects tactics.

5.4 *Toolbox*

The first thing to say is that the items in the toolbox were useful in helping us form objectives and decisions but what did we learn from using them? The first observation is that there was a lot of overlap in the guidance that they provided and that this is probably not ideal. Secondly there are different degrees to which the principles were already internalised by the jury members.

Golden Rule, Least Harm, Kant's 2nd Categorical Imperative, Triax-Kindness and Utilitarianism are all very much in the same area of how we show consideration for others and they say mostly the same thing. There are subtle distinctions between them but these were not used by this jury apart from there being some distinction between thinking about how to treat an individual and thinking about how to maximise benefit or reduce harm across a group of people. Kant's 1st Categorical Imperative seems to add something new but was not appealed to here. One can see that it would be relevant to a modified process aimed at generating policies. Triax-Courage and Triax-Integrity both added something new and were frequently used as prompts to question more deeply. We should ask whether the objective is to arrive at principles with no overlap. It should probably be the ideal since overlap serves more to confuse than to reinforce. However, since we are dealing here not with mathematics but with human language, we should not demand complete independence.

The group of principles concerned with consideration for others appeared to have been pretty much internalised by the jury members so that they used them, but seldom referred to them. The Triax requirement for courage was less internalised and its deliberate consideration was very relevant on this occasion. Triax-Integrity was even less internalised and jury members had to be reminded of its precise meaning more than once. Nevertheless, it was very useful in questioning the precise motives of M and deciding whether they conformed to the other principles. Not allowing oneself to believe things, just because you want to, may be seen to be fundamental to both of scientific method and psychoanalysis so this is hardly surprising.

5.5 Choice of Ethical Jury as the moral process

There is nothing mandatory about ethical juries that says they must be the only way in which we seek to develop secular morality but they appear to have a lot to offer. A fairly obvious comment that was made at the end of the session was nevertheless one we should not forget. This was that it was very helpful to hear the opinions of others and that this stimulated your own thinking. In this ethical jury there happened to be 12 jurors and one facilitator. It felt about right in terms of group dynamics which should not be a surprise.

A potential problem is the restriction of ethical juries to dilemmas based on personal experiences. We need to be sure that the principles we are evolving are ones that will be effective as a guide to creating policies as well as objectives (see Section 4.2) since guidance on classes of situations is frequently very useful. The purpose of an ethical jury is to make a moral decision on a single instance of a dilemma. The Secular Morality Development Project is observing them to help develop a toolbox which contains principles which are candidates for consideration in any situation. The project should experiment with a modified “ethical jury” process to generate policies. It would still use a toolbox of principles which can apply to any situation.

PV – 12 May 2011

5.6 Epilogue - March 2013

On Sunday 03 March 2013, I presented an account the Daughter's School Party ethical jury in a workshop at the [AHS](#) Convention after which the students had about ten minutes to think about how they would have judged the situation. I was surprised by the reactions of this “new jury”, none of whom thought that they would have asked “bad” girl” B to leave, and I subsequently discussed it with the dilemma owner M.

What seems to have been demonstrated was the importance of the dilemma owner being there to make sure the jury has an accurate understanding of what was going on. In this case there was an error in that I failed to mention two things that were in the report. Firstly, M did not speak directly to B but rather persuaded her friend H to get B to leave the party. In fact H spoke to B directly and persuaded her to leave, after establishing that most of the other parents were also furious although not prepared to act themselves. Secondly, B had stolen an important and valuable family heirloom from M's grandmother by taking it and then claiming to have lost it.

Much more importantly, there was an omission from both the report and the presentation. It needs to be understood that this was the first time such a party had been arranged and that it had been paid for by the parents. Significantly, about a third of the children could not attend because their parents could not afford to pay and this had caused a lot of distress (probably then a bad idea to go ahead with the party but it happened). The arrival of any gate-crasher, who had not paid, would have been felt as an insult to those who had not been able to come. When this was someone whose family was very rich and could easily have paid for the whole party, the

insult was magnified. When this was someone who had bullied and stolen from the other children, it was intolerable.

So would the student jury have decided any differently? Longer reflection upon the principles involved may have changed things but I suspect that it would not have made much difference. This is very worrying. If she had not been ejected, B would have learned that her parents were right and she could abuse the people around her freely. The other girls would have learned that their elders would not support them if they tried to resist this bully. If we don't all have in mind a line in the sand beyond which we are prepared to take the risks of opposing bullies, they grow ever bolder and we grow ever weaker. Resistance does not need to be shrill and dramatic but it does need to be stubborn. A pride in the British dislike for "making a fuss" should not be an excuse for failing to act when needed. The risks are only terrifying in a culture where too many are quick to look the other way.

Philip Veasey *07 March 2013*