

ETHICS ROLL CALL

L I S T E N I N G T O T H E I N N E R V O I C E



Clocks and Clouds: Police Leadership Training and Ethics

(With apologies to Karl Popper)

by Rick Smith, Ph.D. and Ms. Jennifer Davis-Lamm, MSCJ

*“Leadership is a matter of how to be,
not how to do it.”*

Frances Hesselbein

Did you hear the one about the philosopher who walked into the police leadership class and started talking about clouds and clocks? You probably have, although not in those exact words. And there is a very high probability that you sat in many classes (or even worse, taught classes!) where the subject of ethics in police leadership was presented in a formulaic, overly-simplistic and somewhat apologetic manner. Students in these classes would rather be almost anywhere else than in that particular classroom at that particular time.

The response on the part of the students is understandable. All too often the questions foremost in their minds are; “I’m an ethical police leader. Why are they wasting my time on this subject again?” Or; “Oh no! We’re going to get involved in pointless discussions about the ‘slippery slope’ of accepting a free cup of coffee inevitably leading to egregious acts of corruption!” On the other side of the lectern, the instructor faces an equally daunting conundrum. She feels she must pay homage to “The Foundations” of classical ethics in order to fulfill her obligation to the subject. So Aristotle, Plato, Kant, Hume, and the “usual ethical suspects” are dutifully trotted out before the class. But, the

response on the part of her students is predictable and grim. Nevertheless, she feels she must engage in this classical approach to fulfill her obligations.

The issue is really not with the students or the instructor. Rather, it is our traditional approach to teaching this topic that is problematic. While the instructor talks about clouds, the students want to know about clocks. Perhaps a better method of instruction would be to start from leadership and work toward ethics. In this regard, ethics is viewed as an essential part of the leader’s repertoire rather than a related subject. Instead of creating a nexus between ethics and leadership, ethics is regarded as the most critical part of a leader’s decision making and thought processes. Ethics are the basis of the leader’s values.

Kant Was Not a Cop!

As much as those who teach ethics to police leaders want to establish this historical bridge to the great thinkers, it usually ends up being quite a struggle. While we may find somewhat of a positive response when we talk about the value of “examining the unexamined life,” it becomes increasingly burdensome when we broach the Categorical Imperative. By definition, Kant’s rational and rigid approach to decision-making in every aspect of one’s life becomes, in real terms, an unattainable standard.

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CLOCKS AND CLOUDS

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In the realm of police leadership, this is certainly the case. Specifically, police leadership requires a strong understanding of context; the very real possibility of unintended (and unpleasant) consequences, along with a clear understanding of the complexity and interdependencies that exist as contemporary police agencies serve their communities and provide strategic direction for their organizations. Taken from this perspective, Kantian ethics (along with the works of Descartes, Locke, and Hume) become something of a philosophical oddity; more likely to serve as a point of pedagogical discussion as opposed to offering any real value in the day-to-day world police leaders live in every day. This is not to say, however, that ethics and ethical decision-making are not important. While discussions of this nature have value they are usually somewhat irrelevant when measured against the difficult decisions and dilemmas police leaders routinely face. This is an unfortunate and unnecessary outcome.

There is a more productive and relevant approach. As Souryal stated, it is critical to remove ethics from the mystical and "... apply it to real situations ... to treat ethical judgment as a rational science..." (Souryal, 2011:16). This approach to ethics as a rational science gains more traction with students, and their instructors, when presented in terms of the importance of values-based leadership. Presented in this context, ethics becomes rooted in values; the fundamental decision-making processes successful and effective police leaders utilize in every decision they make. In turn, values "... inform us of what to do and what not to do." (Kouzes and Posner, 2003: San Francisco).ⁱⁱ

Values and Decision Making

It is critically important to start a discussion of values and decision-making by starting with an obvious and important, yet often overlooked, fact. The very nature of public policing in a democratic society is a values-based concept. Police officers are empowered to enforce the morality or values of the state. They have a specific focus on what is correct behavior and what is not correct behavior. Literally every decision they make in completing their public tasks is value-based. (Crank & Cordero, 2010: 21, 22). These public values are stated in laws created by elected officials and interpreted through the judiciary. Policing, at its

foundation, is a value-based institution. Ultimately, as citizens we allow police officers to use lethal force to enforce these public values for our own protection. Police officers, in this regard, make decisions based on values.ⁱⁱⁱ They enforce the morality of the state.

Therefore, engaging in a discussion with police leaders about the necessity for an ethical perspective is unnecessary and counter-productive. The very nature of policing in our society is based upon values. Police leaders have been exposed to ethical dilemmas from the very beginning of their careers in policing. So, our approach to engaging in ethics training needs to be based, from our perspective, on values. More importantly, the discussion of values is best accomplished by using the case-study method of instruction using cases drawn from outside of policing.

Ethics and Values at Enron

Unfortunately, the landscape of our business culture is littered with ethical lapses and misplaced values. There is perhaps no better example of this than the collapse of the Enron Corporation and the ultimate demise of one of the most respected accounting firms in corporate America, Arthur Anderson. The account of this failure^{iv} speaks directly to the ethical lapses of a group of individuals who were, arguably, among the most intelligent business leaders of their time. There are obvious and poignant parallels and lessons for police leaders in this case. Specifically, the pressure to achieve superior results while creatively, and illegally, interpreting standards of accounting and financial practices. There is, perhaps, no better example of the "means vs. ends" dilemma than this account portrays. Police leaders, in turn, are under enormous pressure to reduce crime—as determined by the Uniform Crime Report for their particular jurisdiction—while at the same time being held accountable for ethical, value-based practices.

As a "teaching-point," the Enron story represents a prime opportunity to discuss the concepts of ethics, values, and leadership. Regrettably, because it is not an "ethics book" or a "police ethics book" it is not often included in police leadership curriculums. We consider it to be one of the most appropriate and relevant case studies available to present the essential ethical dilemmas and clashes of values that a leader, in any profession, must face on a regular basis.

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TO EDUCATE A
MAN IN MIND
AND NOT IN
MORALS IS TO
EDUCATE A MENACE
TO SOCIETY.

THEODORE
ROOSEVELT

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The Leadership Connection

In their excellent series of books on leadership, Kouzes and Posner^v present many important and succinct concepts and practices of value to leaders. For purposes of this article, the most relevant concept is this: "There's an ethical dimension to leadership that neither leaders nor constituents should take lightly. This is why we began our discussion of leadership practices with a focus on clarifying your values-on finding your authentic voice in a set of principles and ideals." (Kouzes and Posner, 2007: 345, 346). In other words, values serve as the foundation of individuals in leadership positions. Decisions are rooted in values, and ethics are the basis of a leader's values. In turn, "Values influence every aspect of our lives: our moral judgments, our responses to others, our commitment to personal and organizational goals." (Kouzes and Posner, 2007: 52).

In summary, we submit that ethical concepts are an important part of a police leadership curriculum. However, all too often, this ethical dimension is lost in the "clouds" of classical ethical concepts and philosophers. A better approach is to consider a value-based approach to decision making and leadership. Further, that the most effective method to present this value-based approach to present-

ing ethical concepts to police leaders is to use examples (case studies and related formats) from outside the context of policing. The challenge for instructors in this context is to establish the nexus between the materials presented in a "non-police" environment and their relevancy to the issues faced by police leaders. In other words; the clocks are in the clouds.

ⁱ Souryal, S.S. (2011). *Ethics in Criminal Justice: In Search of the Truth*. Burlington, MA: Anderson Publishing.

ⁱⁱ Kouzes, J., Posner, B. (2003). *Credibility: How Leaders Gain It and Lose It, Why People Demand It*. San Francisco, CA. Wiley & Sons.

ⁱⁱⁱ Crank, J.P., Caldero, M.A. (2010). *Police Ethics: The Corruption of Noble Cause*. New Providence, NJ. Matthew Bender & Company.

^{iv} McClean, B., Elkind, P. (2003). *The Smartest Guys in the Room: The Amazing Rise and Scandalous Fall of Enron*. New York, Penguin.

^v Kouzes, J.M., Posner, B.Z. (2007). *The Leadership Challenge, 4th Edition*. San Francisco, CA. Wiley & Sons.

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EDUCATION'S
PURPOSE IS TO
REPLACE AN EMPTY
MIND WITH AN
OPEN ONE.

MALCOLM
FORBES

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	2011
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<i>Leadership Styles and Communication</i>	Oct 6
<i>Servant Leadership</i>	Oct 11
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<i>Sexual Harassment / FLSA</i>	Oct 19
<i>Legal Issues: Liability, Civil Rights and Case Law Update</i>	Oct 20
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Police-Media Relations	Nov 15-17
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Using MS Office, Access and Excel for Law Enforcement Management College	Jan 17-18
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Corrections Ethics Train-the-Trainer	Feb 6
Ethics, Diversity and Care: Capturing the Essence of Leadership	Feb 7-10
Internal Affairs, Professional Standards and Ethics and Ethics	Feb 15-17
Basic Police Supervision	Apr 9-13
	Apr 16-20

ALL PROGRAMS WILL BE HELD AT ILEA HEADQUARTERS UNLESS SHOWN OTHERWISE

Cops and Clouds: A Slight Additive to Dr. Smith's Analysis of Teaching Ethics to Leaders

by Dan Primožic, Ph.D.

EDUCATION IS A KIND OF CONTINUING DIALOGUE, AND A DIALOGUE ASSUMES, IN THE NATURE OF THE CASE, DIFFERENT POINTS OF VIEW.

ROBERT HUTCHINS

In his excellent article, Dr. Smith makes some accurate, sobering and provocative points about ethics, teaching ethics, cops, philosophers, clouds, clocks and other matters. I knew that he would do so when I asked him to contribute his thoughts to this edition of *Ethics Roll Call*. Mostly I agree with him. Only in emphasis do I disagree. What Smith says really does matter. I would simply like to do a bit of buffing and polishing in what I here offer.

My disagreements are doubtless rooted chiefly in my biases, which I come by honestly and unapologetically. Much like Kant, I am a philosopher and not a cop. Speaking only for myself, I have the utmost respect for nobility of the people who work honestly and diligently in the profession of policing. And as I think Kant would say, when they do their work rightly, they are "helping others in distress" and therefore, are morally noteworthy and praiseworthy.

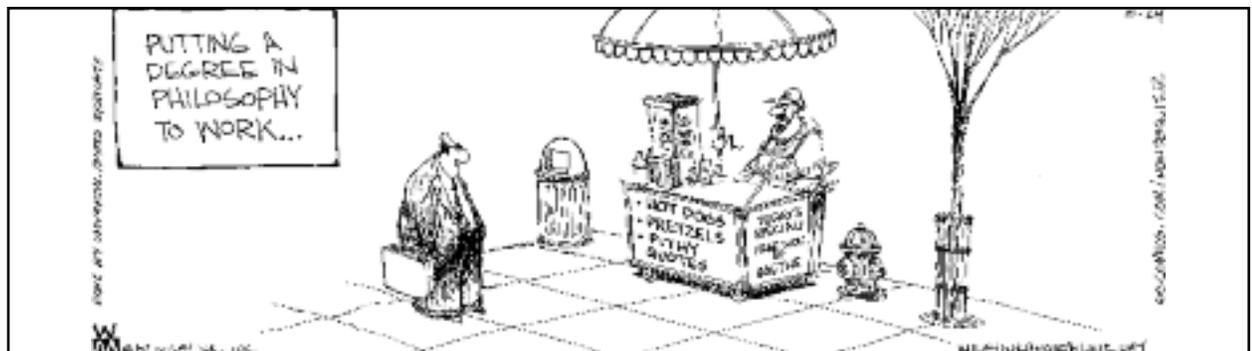
But, as a member of that notorious band of suspicious characters called philosophers, let me give you something to demystify Smith's reference to the "clouds." I'm sure his choice of metaphor was deliberate, but he does not clue you into the lurking criticism of the irrelevance and silliness of philosophy and philosophers (things that I have fought against and have tried to live down in my own teaching career).

The ancient Greek playwright, Aristophanes, made much fun and profit in a play he successfully wrote and staged called "The Clouds." In that play, Aristophanes threw some fairly hefty

barbs at the apparently comic figure of the historical Socrates, a contemporary of his and a philosopher renowned even in his own time for his critical, skeptical, and disquieting questions. With those questions and his public philosophical discussions, Socrates had the effect of shaking the Athenian slumbering and complacent status quo and bringing its hypocritical and incompetent leaders into the clear light of day to be viewed as such by the people that they were charged to lead. Ultimately, Socrates was executed by those leaders for that unfortunate little habit. He got in the way of their fun and profit.

And so when in that play, Aristophanes depicted a student, Stepsiades, entering a room only to find Socrates suspended in the air in a basket, the joke and ridicule begins. Socrates thinks that this suspension in the air helps him to suspend judgment and remain unbiased concerning the questions of his philosophical inquiries until he comes to a certainty about their answers. Socrates tells the young student that he needs to fly around up high in the air to reckon the sun and other important celestial matters. To make a long and involved joke short, Socrates is ultimately depicted as a trickster, goofball, trader in humbug, master of hoax, talker in circles, and a rather silly and comic "priest of most subtle trifles." I think that some of what Dr. Smith has said about philosophical ethics and philosophers aligns with that picture of Socrates. And insofar as it was both true and false about Socrates, it is also both true and false about philosophical ethics and ethicists. This is where I will first agree and then later disagree with Smith.

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Philosophers who take themselves and their profession too seriously often are ripe for the critique and ridicule that Socrates received. They and their precious "theories" are quaint, pedantic, irrelevant quagmires one should never enter because one shall never escape. These colleagues of mine deserve the disdain and dismissals they get because they are not truly engaged in the process of solving human problems to improve the human condition. Smith is right about them when he slides barbs in their direction, and I join him in it. But he would have mischaracterized others of my colleagues, albeit rare beasts, that are truly different than all that.

But who are they and where are they? And what do they really have to offer police or anyone else for that matter? They are like the historical Socrates who was quite a bit different from Aristophanes' picture of him. Socrates loved his city, Athens, and loved its laws, society, and people. He especially loved the freedom he had there to ask important questions, discuss their answers freely, openly and in the public marketplace of ideas. He felt it his duty to rigorously examine not only the integrity of his own life but also the political life of his society and its people. He felt that duty so much in fact that he died trying to fulfill it. He had a deep faith in the intelligence and common sense of the people of Athens and in the power of discussion and dialogue in the process of determining the truth, the good, the real and the beautiful.

Socrates, therefore, is an example of a sober, serious, authentic, important teacher and inquirer who did a favor for his people and city-state. There are still those like him both informally and formally performing that duty for us in our day. They are not difficult to spot, though as I said, they are rare and difficult to find. In fact, although he does not have his degree in philosophy (all the better for him), and he would never admit it, I have always thought Dr. Smith to be one of these rare birds.

What does this have to do with the teaching of ethics in police training rooms? I think it obvious that I do not propose that anyone with a degree in philosophy will do the duty well of helping police leaders to wrestle with and resolve their intense ethical issues. Quite to the contrary, very few with those degrees will be adequate to the task and fewer still will be willing to enter that real, con-

crete, important and messy arena. What we need are the people that can be like the best Socrates had to offer his city: a humble, thoughtful, shrewd, genuine, clever, creative, expert teacher and learner. We need someone who can listen and learn deeply about what the life of a police professional is like, what they live through and what they must worry about. We need someone that is then willing to put their mind and heart and guts into helping them to become and remain as noble as their profession must be.

It doesn't take a Kant nor does it take a cop. It takes someone with the right mix of heart, mind, guts and a solid assortment of decision-making tools and instruments that have had some field-testing and track record of success in satisfactorily resolving tough ethical issues. It takes a real, living, serving, contemporary Socrates. The rest of the necessary teaching and learning of police ethics will follow along nicely because of the excellent hearts, minds and guts of the police learners and leaders in the training room and because Socrates was right to put his faith in the power of dialogue and discussion to uncover the truth and the good.

And I think that Dr. Smith might agree. Finding someone like Socrates may seem like a problem. But I assure you they are out there. I've noticed a few, but not in a basket suspended in the air. Their feet are rooted firmly in the ground of wisdom, their hands are affixed firmly to the plough of authentic inquiry, and they are fully engaged in the war on ignorance.

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**PUT MORE TRUST
IN NOBILITY OF
CHARACTER THAN
IN AN OATH.**

SOLON