

JUDGEMENT CALLS: THE ETHICS OF EDUCATIONAL DELIBERATION

Richard Smith

University of Durham, United Kingdom

Abstract. In all kinds of ways the idea of judgement has fallen under suspicion in recent times, and opportunities to exercise it have become fewer. It has suffered from being confused with judgmentalism, and from the assumption that it amounts to little more than subjective whim or preference. In the public services of the UK, and especially in education, it has been steadily eliminated by micromanagement and the insistence on tightly specified criteria, for example for assessment, and centrally detailed curricular schemes of work. The growth of neoliberalism, in which judgement becomes replaced by choice, has contributed to these developments. I argue that while the use of judgement does not constitute judgmentalism it cannot be practised in a moral vacuum, and that the exercise of moral judgement is more ubiquitous in our daily lives than is generally acknowledged. Finally I argue that opportunities for judgement and interpretation work to give our lives meaning, and that understandings of the nature of education that are implied by prevalent models of educational research, especially Randomised Controlled Trials and the insistence that educational research should be focused on discovering 'what works', further marginalise judgement and the making and discovery of meaning.

I

It is, I think, a familiar point that increasingly large areas of people's professional lives (I have the Anglophone countries in mind, but believe the phenomenon is widespread) are being closed to opportunities for the use of judgement and instead are governed by the application of norms and criteria as a matter of routine. Academic life is no exception. For instance there is more and more an expectation that the marking of a student's essay will involve awarding designated numbers of marks for particular items of content. The corollary of course is that the lecturer or professor who objects that her subject cannot be taught and assessed in this kind of way – that the coherence, ingenuity, sensitivity and

logical rigour of the essay are what matters, and they can only be matters of academic judgement – is told that she should be teaching what *can* be thus taught and assessed.

Various mundane considerations feed this tendency in the academy: for instance, if the marking can be done by following published criteria and without specialised understanding of the subject then almost any member of staff, or postgraduate student, can do it, with resource implications that the managers of the system find highly attractive (and the specialist is thus freed to devote her time and energy to other matters, such as writing applications for research funding). But other professions too have experienced the same stripping-out of judgement: social workers, nurses, teachers, civil servants, local government officers. The decision whether or not to take a child into care, for example, involves complex sets of guidelines and check-lists which leave little room for a social worker to act according to her experience and judgement. A whole range of factors that have developed over the last forty years or so (I speak here mainly of the UK) have come together to feed this tendency. There is the demand for accountability, which can, it may be thought, be met if you can show that you have ticked the relevant boxes and operated according to the relevant criteria. There is the related sense that procedures must be transparent and 'objective', and the accompanying assumption that the use of judgement, by contrast, is inevitably subjective, as if in the absence of a mark-scheme and a list of criteria deciding on the quality of an essay on Shakespeare could only be as much a matter of personal taste as a preference for one kind of cheese over another. This in turn may be connected with another factor which is to be found here: the fear that judgement is somehow elitist, the individual using his or her judgement to come to a decision or make an evaluation being suspected of claiming mystical powers of connoisseurship not available to ordinary people and perhaps of intending to bamboozle them.

The political conditions of the last forty years, and in particular the growth of neoliberalism, have played a major part in marginalising judgement. They have fostered the belief that the world divides without remainder between on the one hand hard facts, such as those of science and no doubt the invincible laws of economics, and on the other personal taste or choice: to take your holidays in Spain or a more exotic location, to buy a family estate car or a four-wheel drive vehicle. Beyond what can be objectively demonstrated to be the case by

appealing to facts and laws, everything else can be, and indeed ought to be, left in the hands of 'the market'. This leaves no room for judgement. Ian Gilmour remarks on this in his critique of the 'Thatcher years', *Dancing With Dogma*:

There is such a thing as the public good of the country, and no amount of 'freedom', 'choice', populism or neo-Liberal rhetoric can deny it or, by themselves, achieve it. The community and society do exist, and they are not the mere aggregation of individual wishes...How much should be spent on education, housing or health cannot be decided by the market. They are matters of reason and judgement, not just of consumers' inclination. (p. 208 f.)

Accordingly the professionals – teachers, social workers and so on – who had once been seen precisely as people who had acquired a trained and informed judgement in their special areas of expertise now found themselves routinely denigrated as the self-serving defenders of their own 'producer interests', concealing with talk of this mysterious thing called 'judgement' the self-serving protection of their status, salaries and conditions of service. The decline of the standing of teaching and social work in particular in the public mind follows naturally from increasing scepticism about the very idea of professional judgement, and this leads to further decline in the status of the public services in turn.

In the field of education numerous examples can be given of the hollowing out of judgement. In primary schools the teaching of reading follows carefully prescribed schemes of synthetic phonics (see Davis, 2012) that do not permit an individual teacher to decide that because Winston or Olivia are clearly reading for meaning and enjoying the stories they read they can be let off the process of sounding out the sounds of phonemes and syllables – a process which, while it may possibly be helpful for some at the beginning of their engagement with text, is likely at best to thwart the progress of Winston and Olivia and at worst strangle at birth their new-found love of reading. Secondary sixth-form teachers complain that the complexities of engaging with literary texts or arguments for and against the existence of God are reduced by Examination Boards to the 12 or 14 key points which candidates are expected to include in examination answers. The 'culture of Health and Safety' has reached the point where a university lecturer wanting to take her class to see a film at a nearby cinema has to fill in a version of a Risk Assessment form, or require the students to sign an indemnity statement, rather than using her judgement that sitting in a cinema some 400 metres from the usual lecture room does not really present significant

dangers. I return at the end of this paper to an extended discussion of the place of judgement in educational research.

Across all fields of work the phenomenon of micromanagement diminishes or eliminates the scope of judgement and perhaps reveals one of its roots. Every organisation, it seems, has the senior executive who insists on taking personal responsibility for signage (panels indicating 'Department of Medicine' and 'Careers Service' shall be in brushed aluminium; all internal documents to be composed in Arial 12-point) or for the pattern of carpet in the new building. Here inability to delegate, a kind of retentiveness or fear of ceding power to others may be suspected. An increasingly litigious culture as well as the colonisation of our thinking by neoliberalism are no doubt behind such cases as the following. A colleague's wife had suffered a long illness which left her with complex internal problems. The consultant outlined two very different possible procedures. Since my colleague and his wife have less knowledge of these things than the consultant they asked him which procedure he would recommend. Apparently he raised his hands in deprecation. He could only set out the options, he said: it was for them to choose. This is as clear an instance as there could be of choice moving into the place we might expect to be occupied by judgement.

The terror of judgement helps us to make sense of a diverse and unlikely number of phenomena of our time. Exhibit one: the feature of pronunciation called the 'high rising terminal', 'uptalk' or 'Australian Questioning Intonation' ('My parents wanted me to go straight on to uni, but I decided I wanted to take a gap year'), where the pitch of the last two words is markedly higher than that of the preceding ones, and the sentence seems to end with a question mark. This is sometimes said to have the effect of deterring interruption by suggesting the speaker has not yet finished. I hear it rather as leaving a proposition open to the point where no judgement, a candidate for disagreement or refutation, is being made at all. In the pseudo-egalitarian or 'democratic' spirit I identified above it implies that the speaker would not dream of imposing a definitive truth-claim or of committing herself to what she would no doubt call a value-judgement ('I'm not saying that a gap year is the right thing for everybody'), and so she delivers a high proportion of statements in the intonation of a question.

Exhibit two is the refusal to offer criticism often found among sports commentators and pundits on radio and television. The footballer, say, misses a simple chance. The commentator ventures, 'He should have scored from there, shouldn't

he?’ and his colleague replies ‘He’ll be disappointed when he sees the replay of that’ – as though to say something about the footballer’s own likely estimation of the incident is somehow to be on safer ground than to offer the judgement that this was a case of poor technique. Interesting elaborations on this occur quite often when a pundit cannot avoid saying that the footballer made a mess of it, and promptly apologises for the solecism of offering a judgement by saying that this is only his opinion and other people may have a different view of it – as if we were back with preferences with one kind of cheese over another.

Exhibit three, and the phenomenon from which this paper takes its title, is the increasing prevalence of the phrase ‘judgement call’, in the context of situations where, remarkably it seems, the right course of action cannot in any straightforward way be read off from a set of data and applied algorithmically. A football manager has to decide which players to include in the team and which to drop: this means he faces a ‘big judgement call’ (‘Hiddink faces first big judgement call’, *London Evening Standard* 3 Oct 2009). The oddity here is that what is no doubt the everyday business of having to decide which player to include in the team and which player to leave out is here presented as a remarkable occasion for the deployment of a rare and special faculty. Of course the journalist needs to dramatise things for his readers, but in the process the nature of judgement is misrepresented. An online collection of ‘Traveller’s Reviews’ of a New York hotel includes the comment, ‘Excellent location, small rooms – a judgement call’ (tripadvisor 2011), by which is presumably meant the unsurprising fact that the prospective visitor has to weigh up the advantages of the one against the other. An article on whether investors should bet on the future of a couple of under-performing companies is introduced by the headline ‘Time to make a judgement call’ (*Retail Week*, 2 Sept 2011). In all these examples the phrase ‘judgement call’ seems to point to the idea that occasions for judgement to come into play are unusual and even exotic.

II

No doubt a dislike of judgmentalism lurks here: of the readiness to criticise Jack for acquiring a tattoo, or Sarah for walking out on her marriage. If our societies are more reluctant than they once were to pass judgement, to weigh people up too quickly and conventionally, and to condemn people for being different,

this is not something we would want otherwise. But this flinching from making judgements, or perhaps from being seen to make judgements, is obtuse to two important features of the use of judgement. The first is that it is more difficult than might appear to separate moral judgement from other kinds or, to put it slightly differently, to practise judgement in a moral vacuum. The second is that the practice of moral judgement is far more widespread in our daily lives than is generally acknowledged.

To take the first point, the professor marking a university student's essay might not seem obviously to be concerned with ethical matters, still less with the student's character. But she might conclude that the student has, on the one hand, been thorough, has not shirked engaging with the more difficult parts of the question, has dealt sensitively with some of the more problematic issues that the question raises, and has not been afraid to take an independent approach. It sounds as if elements of the student's character, and not just academic competence, are at stake here. On the other hand she may find that the student has not gone beyond the points made in the lecture (has not *bothered* to go beyond them, she may feel, though she would be ill-advised to write this in her comments for the student to read), does not develop any personal or distinctive lines of thought (seems *afraid* to, perhaps), and consequently deserves no more than a mediocre grade (appears *all too ready to settle for* such a grade). At the same time marking an essay well requires the professor to consider whether she herself is being precipitate or measured in her judgements (a point which has its classical discussion in Gadamer, 1979, pp. 238 ff), whether she is influenced by her suspicion that the essay has been written by the young man who sits at the back and appears to spend much of the lecture texting his friends, or whether she is over-impressed by the independent line of thought that nevertheless, it must be said, shows little awareness of the ways that the subject has been treated by established scholars. Then too the student who has done little more than follow the structure and content of the lecture may reasonably be awarded an indifferent grade for not having gone further, but should hardly be penalised for laziness when we know some students are carers for sick parents or fund their university studies through long hours of part-time work in bars and supermarkets. It is because the professor, in this example, needs to monitor her own judgements – or, as we might put it, is weighing up herself as well as the essay – that the use of judgement does not automatically amount to judgmentalism. Is she irritated by the number of

poor essays she has just read, with the result that she has brought a particularly jaundiced eye to this specimen? Or is she over-impressed by its distinctive approach because she is bored by the number of standard answers she has read, and so is in danger of under-rating their solid if unspectacular merits?

Aristotle writes in the *Nicomachean Ethics* (VI.12) that practical judgement or *phronesis* 'is the quality of mind concerned with things just and noble and good for man, but these are the things which it is the mark of a *good* man to do'. The ethical nature of practical judgement emerges further if we consider the distinction between practical judgement and technical reason. Technical reason produces goods (the carpenter makes a table, the cook makes dinner) which are ends: doing or making (*poiesis*) is the means towards these ends, and the end are laid down by considerations external to the process of doing or making. The customer in the market for a pair of trainers is usually a technical reasoner: she wants a pair of the right size that feel comfortable and are durable. She does not on the whole, unfortunately we may think, search for a pair produced in a particular way: *ethically*, as we say, rather than made by children in sweat-shops in Vietnam. To exercise practical judgement, by contrast, is to see a good as something to be realised *through* the action from which it emerges and not as something which can be specified independently. Christopher Lasch (1984, pp. 254-255) writes:

Instrumentalism regards the relation of ends and means as purely external, whereas the older [Aristotelian] tradition, now almost forgotten, holds that the choice of the means appropriate to a given end has to be considered as it contributes to internal goods as well. In other words, the choice of means has to be governed by their conformity to standards of excellence designed to extend human capacities for self-understanding and self-mastery.

A good pair of trainers on this account is made under conditions that respect and develop the human capacities of the workers who produce it. That is to say that at least some of the following conditions apply. They earn a living wage and work reasonable hours; they are learning a genuine craft, which gives them a sense that they are people of some standing in their community rather than being mere 'factory hands'; they have a sense of solidarity through membership of a union; there are opportunities for promotion in a career structure that stands to 'extend human capacities for self-understanding and self-mastery'. It is not difficult to construct a comparable account of teaching in school or university

according to which the good practitioner does not simply pursue certain ends (better examination results at school, more First Class grades at university) but respects values that are internal to the practice of education: truth, justice, the autonomy of the learner, love of the subject, and of books and ideas: none of which will be fostered by what we might call a 'technical' approach, and all of which will probably be damaged by it.

The central and defining, and irreducibly ethical, features of judgement can be drawn from Aristotle's account of practical judgement or *phronesis*. They include flexibility and attentiveness (understood as including alertness and sensitivity) as well as the ineliminability of ethical considerations. The idea of flexibility is well captured by Aristotle's image of the builder's comb used by the artisans of Lesbos: 'about some things it is impossible to lay down a law' (we might say, to stipulate criteria), 'for when the thing is indefinite the rule also is indefinite, like the leaden rule [ie comb] used in making the Lesbian moulding; the rule adapts itself to the shape of the stone and is not rigid...' (*Nicomachean Ethics* V. 10). The attentiveness of judgement lies in the importance of being alert to the details of particular cases. These 'do not fall under any art of precept, but the agents themselves must in each case consider what is appropriate to the occasion, as happens also in the art of medicine or of navigation' (*ibid.*, II. 6). In using the example of medicine Aristotle is usually understood as meaning that the doctor must consider the unique particular patient before him, and not suppose that all similar cases lend themselves to identical courses of treatment. In our judgements we *ought* to be flexible, attentive, alert; the doctor *ought not* to jump to the conclusion that this patient is to be treated exactly like other patients who have had the same problem. These *oughts* do not rest simply on the thought that flexibility and so on will lead to more successful outcomes: this is not a disguised form of instrumental reasoning. Rather the demand is to be properly responsive to, to do justice to, the case or person under consideration. In this lies its ethical nature.

The significance of attentiveness is such as to remind us that practical judgement seldom comes down to inference, as if good reasoning was what is required. It is the minor premise of the practical syllogism where the interest lies. 'Idle students should be rebuked: this is an idle student, so it is appropriate to rebuke him' is a sound enough syllogism, but the art of judgement lies in the difficult business of distinguishing an idle student from one who lacks energy for one reason or another, or who fears his efforts will end in failure and so does not make

them. In earlier work (Smith, 1999) I noted that we live much of our lives in the territory of the minor premise, struggling to see how things and people truly are on the one hand or on the other permitting ourselves to view the world through the dark glass of self-deception, egoism, fantasy and other occlusions. I quoted Iris Murdoch: 'The selfish self-interestedly casual or callous man sees a different world from that which the careful scrupulous benevolent just man sees' (Murdoch, 1992, p. 177). She has a famous example (Murdoch, 1970, pp. 17 ff) of a woman who is inclined to find her daughter-in-law juvenile and superficial, and who, knowing that mothers-in-law tend to think no-one is good enough for their sons, strives to see if the girl can be thought of more charitably as spontaneous and refreshing. Murdoch notes that moral enlightenment, which we might also call wisdom or a kind of deep understanding, comes through 'a refinement of desire in daily living, and involving a clearer perception, including literal perception, of the world' (ibid., p. 175). The connection between knowledge or understanding and 'the refinement of desire' lies at the root of Aristotle's famous remark that we can speak of choice indifferently as deliberative desire or desiderative reason (*Nicomachean Ethics* VI. 2, 1139b 4-5). It is clear from this that quality of judgement is at the heart of the kind of person one is. It cannot be thought of as a skill or technique which one now chooses to deploy but at another time not, and which could be used for ill as well as for good: in the way that, as Plato observed, the skilled doctor makes a skilled poisoner.

I now pick up my second point from the first paragraph of this section, that the practice of moral judgement is far more widespread in our daily lives than is generally acknowledged. It is this that talk of 'judgement calls', as if they were rare and dramatic occasions, gets wrong. (We might compare talk of 'moral dilemmas', as if the moral life is most nearly itself when we are faced with agonising questions such as whether to ask doctors to cease keeping alive by medication an elderly relative in a permanently vegetative condition.) We are all the time negotiating the world and our encounters with other people with the help of concepts that are irreducibly moral. We see somebody in one light as solid and dependable and in another as dull and conventional; as deeply reflective or alternatively as self-indulgently navel-gazing; as 'good fun' or as light-weight and too exuberant; as forbearing or as down-trodden. I find it helpful to ask my students, who are invariably alarmed by talk of morality, as if the worst kind of priggishness and judgmentalism could only be a step away, what happens when they meet

somebody new. Aren't they concerned to work out whether this is a genuinely friendly person, or someone who wants something from them? Is it rather nice that she shows so much interest in you and your life, or is this in fact rather intrusive? Should you be pleased that he has invited you to the college bar this evening, or does he just want an audience for his political views or his jokes? Moral concepts, containing approbation or disapprobation, crowd our thoughts in such encounters. And just as we have a responsibility to see other people accurately, not least because from our view of them will follow the way we treat them, so too we have a further responsibility to acquire the most adequate set of moral concepts. Someone who can only bring the crudest set of ideas to bear, dividing the world exclusively into 'them and us', for example, or who insists on seeing all women as excessively emotional or all men as nothing but overgrown boys, is ill-equipped for our complex world. He or she risks coming to grief in it as well as damaging other people.

Literature and film, and in particular the novel, supply countless examples of this. To go no further than Jane Austen, the heroine of *Northanger Abbey*, Catherine Morland, sees the world through the Gothic novels that she reads avidly. A generous invitation to visit the Abbey of the title goes badly wrong when she imagines that her host, General Tilney, is the sort of Gothic villain who is bound to have murdered his wife. The significance of the title of *Pride and Prejudice* of course is that Elizabeth Bennet arrives at her judgements too impetuously, while Mr Darcy's bear the colour of his excessive regard for his station in life. The novel shows him as a man who needs to learn to bring greater humility and less egoism to his dealings with people, while Elizabeth Bennet needs to apprehend other people and situations with more care and caution. We see here at the beginning of the nineteenth century the legacy of the Enlightenment's interest in what it means for human understanding to be improved in ways that do not amount to an increase in scientific or geometric accuracy, that other strand of Enlightenment thinking about knowledge that derives largely from Descartes.

The ubiquity of judgement in our lives, with all its ethical implications, means that it cannot be treated as some sort of optional extra, a 'bolt-on' to be reconnected whenever some moral panic occurs. There are some very direct educational implications here, first concerning the danger of thinking of moral education as essentially occupying a self-contained school curriculum slot, and secondly

with respect to the importance for children of those forms of understanding and experience, in particular the literary and cinematic, through which we develop our capacity for judgement and its ethical dimensions and where we learn, as in the novels of Jane Austen, some of the ways in which judgement regularly goes astray. Perhaps the most important conclusion, however, especially in the present climate, seems to me to do with teachers, parents and other carers rather than directly with children themselves. We cannot expect children to learn judgement from adults who are too nervous to exercise it, or who are working in climates of regulation, control and micromanagement where their capacity for judgement is curtailed.

The language and methods of the empirical sciences have for several hundred years dominated our theory of what constitutes sound knowledge, to the point where we imagine that without solid empirical facts to ground our judgements they will amount to nothing more than whims or individual perspectives. This is why it is helpful to keep literary and artistic interpretation or judgement in mind as a different model of human understanding. Our judgement that Mr Bennet in *Pride and Prejudice* is in many ways a droll and attractive character but a terrible father (abdicating responsibility for the moral education of all his daughters except Elizabeth) will not be settled – confirmed or falsified – by any fact or facts, nor by the kind of reasoning that would have satisfied Descartes. This is in part because our judgement of a work of art is never settled at all. It is always tentative and revisable, in the same way as the professor's judgement of the student's essay. Facts may emerge that show things in a new light (a letter from Jane Austen to her publisher, say, or the discovery that a student has been diagnosed with chronic fatigue syndrome), but the new light suggests a different interpretation rather than enjoining a firm, final conclusion. We make progress by reflection, by arranging what in some sense we have always known (cp. Wittgenstein, 1958, § 109), rather than by unearthing truths. Thus at the end of *Pride and Prejudice* Elizabeth Bennet thinks twice (which is what she had to learn to do) about teasing Mr Darcy ('She *remembered* that he had yet to learn to be laughed at, and it was rather too early to begin', ch. 58, my italics).

III

We talk as if meaning is something we discover: 'I find him a rather withdrawn young man – perhaps it's down to shyness'; 'the language of the poem suggests

desolation and weariness'. Yet it is no less the case that meaning is something we make, something we bring into being. Words on the page mean nothing until someone interprets them. We interpret people too, in love, friendship and ordinary engagements, and they us. Without human connectivity, without the reading, literal and otherwise, of people and texts, and those readings of ourselves that other people suggest to us, life holds less meaning. Those who deny us opportunities for the exercise of interpretation and judgement make our world flatter and duller by depriving us of possibilities of making and finding meaning.

Education – we might think of it like this – is the process of introducing people to the activity of finding and making meaning. Widespread current understandings of education itself, however, at least as revealed by how research into education is widely conceived, are very different. Here there has taken place a violent shift away from philosophical to empirical investigation, or to put it another way, from *verstehen* forms of social science, which foreground understanding, meaning, interpretation and judgement, towards *erklärung* forms whose model is science and scientific explanation. Its chief shibboleth is 'rigour', with its connotations of exactness, accuracy and precision, and its wider associations of (distinctively Anglophone) no-nonsense hard-headedness. Its deployment of mathematical models and statistics conveys the impression of certainty and proof even if, statistics being what they are, it is possible to wonder sometimes if little more than another form of rhetoric is in play. Various techniques for collecting data for empirical 'research projects' – T-test, ANOVA, ANCOVA, Chi-square, Linear regression, Factor analysis – impress by their mathematical language and tropes.

There is of course a host of historically local and contingent factors that feed this conception of research. The increasing expectation that academics will secure external funding for their projects is a major factor, since the employment of research assistants to collect data and analyse it will justify funding; all the better if it requires travel to distant locations for purposes of comparison. Research that requires judgement and interpretation, on the other hand, will require, obviously enough, sound judgement – as well as experience and an extensive grasp of the issue being investigated, which are less susceptible to being out-sourced to members of a research team. The teaching of 'research methods' to undergraduate and postgraduate students naturally breaks down into the teaching of particular techniques such as T-test, ANOVA and the rest, which have the further advantage that they can be acquired relatively easily, since no great conceptual

sophistication is required, by lucrative overseas students whose grasp of English is not strong. There are no readily acquirable techniques to learn for the use of judgement, however, by the very nature of judgement. To the empirical researcher no doubt this is simply one more reason for suspicion.

Above all, forms of educational research in which judgement and interpretation have a central and proper part to play are marginalised by the growth of the expectation that educational research should be focused on finding 'what works', and the idea that Randomised Controlled Trials are the principal instruments in that search. It seems to me important that the hegemonic pretensions of such research be challenged. In a recent book on *Evidence-based Policy* Cartwright and Hardie (2012) note that RCTs cannot in fact tell us 'what works': they can only tell us that a particular policy worked in a particular time in a particular school, hospital or other setting. To go further than that to 'it works generally' we have to be clear just what constitute relevantly similar schools or hospitals and so on, and this requires judgement or, as Cartwright and Hardie usually call it, deliberation. Deliberation is needed to answer crucial questions about whether what is identified as 'working' has a causal role. For instance, is it the policy to teach reading through phonics, or in some other way, that brings about the high standards of reading in a particular school, or might it be down to teachers who are unusually united and enthusiastic for whatever the policy is? It is needed to identify support factors: what 'works' in a school which can afford supplementary material for a reading scheme and where parents are actively involved in different ways might not work in another school where these support factors are absent. In a passage reminiscent of Aristotle, Cartwright and Hardie write that the 'orthodoxy...is a rules system', ie evidence-based policy is widely regarded as a matter of applying to school or hospital *x* the rules or procedures that worked in school or hospital *y*. This, they note,

discourages decision makers from thinking about their problems, because the aim of rules is to reduce or eliminate the use of discretion and judgement, and deliberation requires discretion and judgement. The aim of reducing discretion comes from a lack of trust in the ability of operatives to exercise discretion well. Whether it is possible to reduce discretion depends on whether the process of deciding what will be effective...can be reduced to the operation of rules. We say that it often, or typically, cannot. And that if it cannot, the attempt to replace discretion with rules, such as 'Do it if, or maybe only if, it has worked there', is very damaging. Deliberation is not second best, it is what you have to do, and it is not *faute de mieux* because there is no *mieux*. (ibid., p. 158)

Elsewhere they note that 'mandating RCT-based policies selects in favour of operatives who are good at conforming with rules and against those who are good at thinking' (ibid., p. 11). Thus this hegemonic form of educational research not only does not tell us 'what works', even if we supposed this was pretty much all that educational research was supposed to do. It adds its weight to the forces tending to reduce the scope of judgement, and to turn the practice of education, of all things, in the direction of the absurd and meaningless.

Correspondence

Richard Smith, School of Education, University of Durham, Leazes Road, Durham, DH1 1TA, UK, e-mail: R.D.Smith@durham.ac.uk

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In this critique of the hollowing-out of judgement in educational research I have drawn on parts of Paul Smeyers and Richard Smith, *Understanding Education and Educational Research* (Cambridge University Press, forthcoming 2014).