

**Submission
No 158**

**INQUIRY INTO EDUCATION AMENDMENT (ETHICS
CLASSES REPEAL) BILL 2011**

Organisation: St James Ethics Centre

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Hon Marie Ficarra MLC
Committee Chair
General Purpose Standing Committee No. 2
Legislative Council
Parliament of NSW

By email: gpscno2@parliament.nsw.gov.au

Inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011

Dear Ms Ficarra

I am writing on behalf of St James Ethics Centre (SJEC) in response to your letter of 19 December inviting us to make a submission to your inquiry. We thank you and your Committee for this invitation to participate in the process of your deliberations.

The whole of SJEC's submission is comprised of this letter and the associated attachments referred to below.

General Observations

1. SJEC's involvement in this matter first arose in response to an approach from parents of children attending NSW State Primary Schools. Otherwise, we were unaware of their being an issue to be addressed. This is an important point; the call to introduce ethics classes as an option for children not attending classes in Special Religious Education (SRE) came from parents. Parents have led the campaign for change and SJEC has merely provided support to them in the achievement of their just objectives.
2. From the time we became involved in more formal discussions with the NSW Federation of P&C Associations, it became clear that the body of parents requesting change represented very diverse interests – bound by a common concern. The range of parents calling for change included:
 - a. religious parents whose faith group was unable to offer SRE for lack of resources,
 - b. religious parents who preferred religious instruction to be undertaken within their home or the bounds of their religious community, and
 - c. parents with little or no interest in religion,

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3. This disparate group of parents recognised that a part of what was being taught in SRE classes involved an introduction into ways of thinking about what one ought to do (ethics) – typically set within a context of scripture and theology. The parents seeking change asked if it would be possible for their children to be given a similar chance to explore the ethical dimension of life – but without the context of scripture or theology.
4. In essence, these parents were hoping that it would be possible for their children to be given access to some part of what was already available to children attending SRE. Despite their other differences, people of faith (and non-faith) shared a common desire that children not attending SRE be given access to a meaningful (and not merely useful) alternative.
5. Furthermore, it has always been a feature of the proposal leading to the establishment of ethics classes as an option that the material developed for the program be freely available to all children attending NSW State Primary Schools – including those attending SRE. Thus, it was promised that the curriculum material would be given to faith groups offering SRE in NSW for their unfettered use in their SRE programs. By 'unfettered' we mean that the material may be amended freely to incorporate appropriate scriptural and theological references – thus allowing the best of the ethics program to complement the core offering of SRE. Whether or not to use the material on offer is, of course, entirely a matter for faith groups to decide.
6. In light of this background, it is worth noting that at no time has SJEC ever argued (publicly or privately) that SRE should be removed or diminished within NSW State Primary Schools. Indeed, we are on the record arguing for the maintenance of SRE as a measure that is consistent with (and is likely to be supportive of) the maintenance of a harmonious, secular society.
7. It is for this reason that SJEC has consistently argued that ethics classes should only be offered to children who have already elected not to attend SRE (what we call a 'second line' option). We note that Departmental guidelines have not always allowed for this principled position to be applied.
8. Consequently, the arguments to allow ethics classes as an option for children not attending SRE in State Primary Schools enjoyed not only broad public support – but also the support of many people of faith.

9. It should also be noted that SJEC does not see the provision of ethics classes as being necessary to redress some supposed deficit in the mainstream curriculum being presented to children in NSW State Primary Schools. SJEC has consistently argued that the core curriculum addresses ethical issues and that the State's teachers play an important role in this aspect of education. The curriculum developed and presented by Primary Ethics builds upon and extends this work – adding value to the experience of children in much the same way as extra-curricular sport, drama or music complements the work done in the classroom. Of course, the same can be said of SRE which, to the extent that it addresses ethical issues, also builds upon and extends work on ethics undertaken within the core curriculum of State Primary Schools.

The Curriculum

10. A comprehensive introduction to the detailed structure and content of the curriculum on offer to children attending ethics classes will be provided to the Committee by Primary Ethics (the organisation established by SJEC to undertake the operational task of offering classes to children wanting to take up this option).
11. The focus of this submission is on the philosophical foundations of the curriculum.
12. Members of the Committee will have been exposed to some gross misrepresentations of where these foundations lie. Some of those misrepresentations have been made in the course of debate within the Legislative Council. Some have been aired in public¹. While we note that Members of Parliament enjoy the privilege of unrestricted freedom of speech, we must record our dismay that parliamentary privilege has been used to cause such deep offence.
13. In particular, for a serious-minded Member of Parliament to claim that the philosophical foundations of the ethics classes is the same as those of both Hitler and Stalin represents what was experienced, by many, as an ill-informed, calculated and vicious attack on fellow citizens - men and women of good will - most of whom volunteer their time and expertise to offer better options for the children of NSW. Such intemperate language may guarantee a Member of Parliament a headline or two – but only at the cost of engaging in the most degrading form of political discourse.
14. Such discourse is not only unwarranted in terms of basic decency, it is also misinformed. If one looks beyond the intemperate language, one finds an underlying claim that the curriculum being developed for the ethics classes is based on some kind of crude, utilitarian calculus or worse, on the application of the principle of moral relativism. Both claims are false. Neither claim could have been made, in good conscience, if even the most cursory enquiries had been made.

15. SJEC is not a supporter of the claims of moral relativism – that there is no ‘right’ or ‘wrong’ that in every case questions of ‘right’ and ‘wrong’ are, in principle, undecidable – simply relative to the beliefs of the individual or society in which they are located. There is a self-contradictory failing in the claims of (at least) crude relativism (epistemological and moral). Rather, the approach to ethics taken by SJEC (and that informs the curriculum developed by Primary Ethics) is founded on agreement with the claim, attributed to Socrates, that “the unexamined life is not worth living”. That is, a distinctive (if not defining) capacity of human beings is to transcend instinct and desire in order to make conscious, ethical decisions. It is the application of this conscious, reflective capacity that distinguishes the ‘ethical’ life from a merely ‘moral’ life – that can be lived as a matter of purely habitual (and unreflective) application of values and principles. It is this Socratic tradition, of the examined life as being constituent of a fully human life that finds links in the work of thinkers as diverse as Aquinas (and the sovereignty of a well-informed [and perhaps well-formed] conscience) and Kant.
16. The claim for the importance of living an ‘examined life’ is absolute.
17. Rather than articulate, here, the arguments (for and against) such a position, we attach four (4) articles, published by the Plunkett Centre, in which Fr. Gerry Gleeson and Dr Simon Longstaff respectfully explore these questions. In doing so, Longstaff sets out the basic philosophical position that grounds the curriculum and explores the relationship of that position to other traditions – including those that are founded in a belief in God.
18. It should be noted that the curriculum (and attendant documents) produced for use by Primary Ethics are subject to a level of formal review. Specifically, there is a requirement that Primary Ethics’ material be evaluated (but not approved), by the NSW Government, in order to ensure that it is, at least, ‘age appropriate’. It is possible that such an exercise in review could be of benefit to those offering classes in SRE. Certainly, many sacred texts contain material that is problematic; including incidents of: genocide, rape, murder, incest, adultery, torture, etc. Scripture also contains much that is ennobling and enlightening. However, if there is a concern to protect children from exposure to material that is not appropriate to their age, then public policy may be well served by extending the Departmental review process to curriculum material offered by SRE providers.

Should the Education Amendment (Ethics) Act 2010 be repealed?

19. It is our submission that the Act should not be repealed. To do so would be unjust, removing from an estimated 100,000 children, who do not attend SRE classes in NSW State Primary Schools, the opportunity to engage in meaningful, education about ethics of a kind that is otherwise available to children attending classes in SRE.

We thank you and your colleagues on the Committee for considering this submission and would welcome the opportunity to clarify our arguments if this is something that the Committee would find to be helpful to its deliberations.

Yours sincerely,

ⁱ The Reverend Fred Nile, speaking to Ben Fordham on Radio 2GB on 5 August 2011 said, "The same philosophy being promoted in ethics classes, that there are no absolutes, is exactly the same philosophy Hitler and Stalin promoted in their countries."

Bioethics Outlook

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Why children should not study ethics

Gerald Gleeson

When the NSW Government completes its evaluation of a pilot programme for ethics in schools, I hope it will ponder Aristotle's claim that ethics should not be studied by young people. Aristotle's views are relevant because he was the founder of 'ethics' as we know it. He learnt from his own teachers, Plato and Socrates, who posed the wider question whether ethics could be taught to anyone at all, not just children. These days, however, professional ethicists and many in the general public are no longer troubled by such difficult questions. Ethics has been normalised as an aspect of doing business: companies and government departments boast of their ethical credentials, complete with mission statements and key performance indicators. Indeed, if teaching ethics were to become part of the school curriculum it would be a nice business for someone.

Aristotle was the first systematic ethicist and the first philosopher of education. He thought children should study music and mathematics, subjects that would stretch and occupy their minds while they grew up and gained sufficient experience in life to be able to benefit from the study of ethics. In saying children should not *study* ethics, Aristotle was not saying that children should not be taught to *behave* ethically. On the contrary, he proposed the first theory of moral development, arguing that from a young age, people need to be trained to act rightly. They need mentors – parents and teachers – to show them what it is to act fairly, to speak truthfully, to be moderate in one's desires, to courageously face difficulties, and so on. Only later, when young people have developed the right habits or virtues of character, and have experience of living among other moral agents, will they be ready to understand *why* some actions are good for us and others are not.

Should public schools teach ethics? Yes, in the sense, that teachers, like parents, have a crucial role in showing young people right from wrong, and ensuring they act accordingly. Don't be lazy, tell the truth, be fair to others, respect your parents, etc. We expect schools to inculcate these moral principles in our children, and to reinforce the moral habits we hope children are acquiring in their families.

So what's wrong with ethics classes for the young? Plato and Aristotle would suggest that these classes tend to promote moral scepticism, rather than ethical conduct. Discussion alone and the sharing of moral opinions do not transform a person's moral character. This is why company 'codes of ethics' are notoriously ineffectual. Let me explain.

Short ethics courses like those proposed for our schools typically use case studies or scenarios that involve competing moral principles, and prior to the discussion students are told, "there's no right answer – tell us what *you* think". The various opinions that surface usually correlate with rival ethical theories, like Utilitarianism, or Kantianism, or Contractarianism, or Divine Command theory, and so on. The implicit, take-home message from such discussions is that when it comes to ethics, people may opt for whichever theory and answer they prefer. Of course, with time and moral maturity, one could engage in serious philosophical debate about all these theories and develop one's own considered approach – but that is a task for later in life, not for primary school.

There are other problematic aspects of purporting to teach ethics to children from a secular perspective.

First: Are there really moral dilemmas in life – the kind of dilemmas that ethics courses love to dwell on, or are our so-called dilemmas more apparent than real? Are our 'dilemmas' in fact mostly cases in which we find it hard to do what we know is right? As Alasdair MacIntyre has argued, it is particular ethical theories that create moral dilemmas, not pre-existing dilemmas that require theoretical resolution. So which theory will a school ethics programme presuppose? How will parents know which theory their children are being taught in these courses, and by whom? (To have no ethical theory is also to have a theory!) Do parents really want their children to be taught that there are no right answers to ethical questions?

Secondly: Are there any kinds of human conduct that are *always* wrong? A colleague once remarked that this is the only interesting question in ethics! We all know that lying, stealing, murder and adultery are *generally* wrong – but are they always wrong? If they are always wrong, why? If they are not always wrong, then what ethical theory justifies the exceptions, and does that theory stand up to critical examination? Notice how this question is linked to the previous question whether

there are genuine moral dilemmas. If it is always wrong for a doctor to lie to her patient, then no true dilemma ever arises, but only the challenge of discerning when, in what circumstances, and to what extent, a patient should be told the truth. In meeting this challenge, there is no substitute for experience and practical wisdom.

Thirdly, the biggest question of all: Does ethics need a basis in God? To an important extent, ethics is clearly independent of religion: there are many good people who are not religious, and those who try to be religious often act badly. But religion is not the issue. We don't necessarily require religion to tell us right from wrong (though it normally helps). On the other hand, the ultimate basis for right and wrong does lie beyond our human resources. The power of ethical values and standards to tell me *what I ought to do* – contrary to what I feel like doing – along with the reason why some kinds of conduct are *always* wrong, can't be explained merely by human choices or commitments, agreements or cultural customs. The existence of ethical obligation raises a question it cannot answer, but which would be answered by a God who is the source of all existence, meaning and value.

This point also explains why it is wrong for a school ethics course to compete with religious education classes – because it implies that "modern secular ethics" is a viable, self-contained, and self-supporting enterprise. That claim is no longer credible—witness the interminable moral debates of our time, which "post-modernism" now declares to be inevitable, and which in part motivate the reactive, religious fundamentalism that appeals to many today. The only way forward is through a genuine dialogue in which religion respects, and at times is challenged by, the (limited) autonomy of the ethical and the ethical recognises its source in a transcendent absolute whom people call God. Ethics and religion should not compete, they need each other.

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Should we teach ethics to children?

A reply to Gerald Gleeson

Simon Longstaff

We are all indebted to Fr. Gerry Gleeson for his reasonable, informed and nuanced critique of the proposal that children be offered the option of participating in 'philosophical ethics' classes where the choice has already been made not to attend classes in Special Religious Education (SRE or 'scripture') at NSW State Primary Schools. I sincerely wish that Fr. Gleeson's had been the dominant voice of our opponents in the debate that has simmered (and occasionally raged) for the eight years since this issue was first raised as a matter of concern by parents (1).

Fr. Gleeson offers three arguments for not allowing children who have 'opted out' of scripture to participate in ethics classes. First, he sides with Aristotle in the latter's view that active, structured deliberation about ethical issues should be reserved for relatively mature moral agents who have become habituated to a life of virtue by following the example of older mentors. Second, he argues that the use of scenarios that pose supposed dilemmas is faulty mostly as a result of the dilemmas being more perceived than real (a problem exacerbated, he suggests, because of the influence of 'post modernism'). Third and finally, Fr. Gleeson argues that ethical discourse is unable to explain the basis for moral obligation without recourse to a transcendent, non-human source of authority for what is ultimately (or fundamentally) 'right' and/or 'good' - an ultimate reality that can be given the name 'God'. I would like to offer a response to each of these arguments.

For reasons outlined below, I would wish to place a greater emphasis on Socrates' (and Plato's) role in defining the field of ethics than that of Aristotle. While Aristotle was undoubtedly a profoundly important thinker in this field - offering the first systematic account

of ethics, he was (to a considerable degree) responding to the ideas of his predecessors. It is worth noting that Plato ascribes to Socrates the credit for having posed the core question of ethics: "What ought one to do?". There is almost certainly a measure of historical licence on Plato's part (surely the question had been asked by others in advance of Socrates). Yet, much as he tries, Aristotle never really escapes the 'gravitational force' of Socrates and his question. Fr. Gleeson is correct in saying that Aristotle believed that ethics should not be taught to children. It is my understanding that Aristotle adopted this view as part of a larger, normative framework developed by him as the basis for moral education. However, I think that at least one of Aristotle's reasons for saying that ethics should not be taught to children is problematic. At the core of Aristotle's objection to the teaching of ethics to children is his belief that the intellects of children are insufficiently developed to learn about ethics. That is, I understand Aristotle to be saying that we should not teach children ethics because it is impossible for them to be taught (a prefiguring of Kant's notion that 'ought' implies 'can'). Thus, Aristotle argues that children should be exposed to the exemplary conduct of virtuous adults. By imitating such adults children can develop the habits of virtue. Eventually, when the intellect is sufficiently developed a child might mature into a virtuous adult capable of making sound, ethical decisions of their own.

In passing, it should also be noted that if Aristotle is correct, then the implications will be widespread. For example, In December 2010, Bishop Peter Ingham (of Wollongong) issued a statement on behalf of the Catholic Bishops affirming that the Catholic Church teaches children ethics as part of its classes in Special Religious Education (SRE). Beyond this, if children should not be taught ethics (because

they are not well enough developed to reflect on such matters), then what of the practice of teaching them spirituality and theology in SRE classes? In my experience, theological concepts are at least as nuanced and difficult as those arising in ethics.

But what if Aristotle's judgement about the capacity of children is mistaken? It would not be the first time that he was evidently mistaken in his judgement of such matters. While allowing for his many points of excellence, we should not forget that Aristotle is also infamous for his belief that ALL women are fundamentally deficient in reason and therefore incapable of developing practical wisdom at any age. The fact that Aristotle was mistaken in his estimation of the capacity of women does not necessarily mean that he was mistaken in his estimation of the capacity of children. It is just that Aristotle may not be the best source of guidance about who should / should not be taught ethics.

Socrates and Plato did not share Aristotle's mistaken view about the capacity of women. Nor do I think that Socrates (at least) was opposed to the practice of engaging in ethical deliberation with the young. Indeed, Socrates was condemned by the Athenian democracy for having committed two offences - impiety and corrupting the youth (which may also help explain Aristotle's cautious attitude to teaching ethics to the young). Admittedly, the youths that Socrates was supposed to have corrupted, with his ideas, were older than the typical primary school student - but not that much older. However, interesting as it may be to compare and contrast classical views about the education of children, perhaps the better approach would be to acknowledge that we can now draw on over 2,000 years of further work in this area - work that has led to considerable change in our understanding of what children are capable of learning, if we give them the opportunity. My understanding is that those who are expert in this field are confident that children can usefully be exposed to (and participate in) thinking about ethics. As I will argue below, the outcome of this need not be either moral confusion or the embrace of 'relativism'. Rather, I would argue that the

practice of ethical deliberation requires the adoption of substantive values and principles, modelled (in a manner that would attract Aristotle's approval) by those facilitating the discussion.

Fr. Gleeson challenges the validity of a pedagogy that makes use of ethical dilemmas by questioning whether dilemmas even exist. Arguing that ethical dilemmas are more apparent than real, Gleeson proposes that talk of dilemmas is really an excuse to evade responsibility for doing what we actually know to be right and good. It seems to me that, at this point, Fr. Gleeson is attempting to argue against one of the mysterious truths of human existence - a truth that has been at the heart of some of the greatest literature produced by human kind (including the Bible). Just as in physics two directly opposing forces can be equally strong, so it is that human beings can encounter situations when the choice is not between right or wrong / good or bad but between two 'goods' of equal value, etc. One can, for example, experience divided loyalties. One can have an abiding commitment to truth and an aversion to causing harm and yet know that to tell someone the truth will cause them grave distress. The whole point of stories like that of Abraham, when called to sacrifice Isaac is that Abraham's dilemma is agonisingly real. The significance of Abraham's choice is that he really could have chosen not to sacrifice Isaac - otherwise there is little point to the story. This is not to say that every choice is an ethical dilemma. In some cases there really is a choice between 'good' and 'bad' or 'right' and 'wrong'. Such cases might involve 'moral temptation' but no dilemma. However, it does not follow that because some choices do not involve dilemmas that dilemmas are not real as experienced by human beings from time to time.

My defending the reality of ethical dilemmas should not be taken to suggest that philosophical ethics classes deal with nothing else. The curriculum is more nuanced than that - also canvassing ethical issues where the force of argument, set within the context of each class and the school community, will tend towards a particular answer. For example, I

cannot conceive of a class where a child would be left to conclude that bullying is right. The whole way in which each class will be conducted will draw children away from that conclusion - partly through the example of the facilitator, partly through the way in which each person's view is listened to in a respectful manner, partly as a result of the quality of arguments explored in each class. That said, I think that it is appropriate that children explore reasons why bullying is wrong. The reasons explored might include that "it is against the rules". However, I would hope that the discussion would address the substance lying behind such a rule - including the flaws in arguments that bullies might put forward to justify their conduct. The fact that one is prepared critically to examine contending arguments does not amount to relativism. To do so is an expression of a substantive (non-relative) tradition of philosophical reflection.

I think that Fr. Gleeson's most potent challenge comes with his argument that philosophical ethics needs to invoke God as the ultimate justification for any claim that we should live an ethical life. Gleeson leaves open the question of exactly what anyone might mean by 'God' - except to say that God is "the source of all existence, meaning and value". Although Fr. Gleeson does not say this, one is led to wonder if he also thinks that whatever is "the source of all existence, meaning and value" is what is meant by 'God'. If so, then it is pretty difficult to disentangle God from the equation. But not impossible.

I think that Fr. Gleeson too quickly dismisses the possibility of a 'this world' foundation for ethics. I would offer as one candidate, for this task, Socrates' claim that "the unexamined life is not worth living". I take it that Socrates was wanting to say something more than just that it is a practically useful thing to reflect on what one ought to do. Rather, I take Socrates to be making a claim about what is distinctive of our particular form of being (human being). While it may be possible for other kinds of beings to transcend the demands of instinct and desire (at present, I do not think that we know the answer to this question), we know as a fact that human beings do have this capacity. The fact that some people do not realise this capacity

might be acknowledged without taking away from the observation that the capacity to make conscious choices to do what we believe to be 'good' or 'right' is a general capacity of human beings. So it is that we have countless examples of human beings choosing not to act in conformance with instinct or desire - even when there is no risk of incurring a penalty for doing so. More positively, we have many examples of people choosing to act with moral courage - even though all of their instincts might lead them to avoid the negative consequences of acting in good conscience. Socrates' claim that the unexamined life is not worth living is based on the idea that the best kind of life that our kind might live is a fully human life - and that a failure to 'examine' one's life is to miss the opportunity to do what is distinctive of our form of being. In other words, the foundation for ethics may lie in an understanding of what it means to be human.

It should be noticed here that there is nothing in this account that absolutely requires reference to God. The description of human beings and their capacity to make conscious, ethical choices may simply be the description of a fact about the natural world - explained by reference to, say, the theory of evolution. Certainly, this is the kind of account offered by some socio-biologists. Then again, one could explain the existence of free will, in humans, by reference to a religious account of creation in which people are made in the (moral) image of God - as the original Hebrew version of the creation story suggests. Which type of account one chooses as the basis for free will is a matter of faith. The evidence for the existence of free will, as an attribute of human being, is not.

The 'Socratic Foundation' outlined above will not satisfy those who accept a religious foundation for life. However, it does show that one can develop a substantive foundation for ethics without a necessary reliance on God. Rather, the 'Socratic' answer to the question, "why live an ethical (examined) life?" may be that this is an essential element of our humanity.

One objection to the 'Socratic Foundation' might be that it provides too little guidance. By contrast, those who invoke God as the

foundation for ethics can draw on a range of ready-made moral frameworks complete with Commandments, revealed truths, exemplary lives, etc. While there is no doubt that religions provide ample moral guidance, the 'Socratic Foundation' does more work than initially may seem to be the case. For example, it states clearly that not all ways of living are equally good (an unexamined life is not worth living). That is, it is no friend to 'relativism'. Secondly, anyone committed to living an examined life will have to buy into a number of additional elements in the associated moral framework. These elements include: moral courage (including the courage to act on one's convictions), honesty, sincerity, respect for others, etc. It is for this reason that one can easily place Socrates alongside St Thomas Aquinas with his injunction always to act in accordance with a well-informed conscience. Socrates may not invoke Aquinas' notion that each person is invested with a spark of the

divine which illuminates their personal understanding of what is good and right. However, despite their different foundations (human being and God respectively), I suspect that the two would not have differed much in their views about how we ought to live.

None of the arguments outlined above is meant to prove that an appeal to God, as the foundation for ethics, is mistaken. Rather, I have simply wanted to show that such an appeal is not necessary and that there is a rich and coherent foundation for ethics that is entirely rooted in this world.

As noted from the outset, Fr. Gleeson's objections are reasonable. However, I hope that this response indicates why I do not think that Gleeson mounts a compelling argument against offering ethics classes to children whose parents have chosen for them not to attend classes in special religious education.

Reference

1. Gleeson, Gerald: Why Children should not study ethics. *Bioethics Outlook*, Volume 21, No 4. 1-2.

Jonathan Gillis was a Senior Intensive Care Physician at the Children's Hospital at Westmead. He is now Director of the NSW Organ and Tissue Donation Authority, and a Visiting Scholar at the Plunkett Centre for Ethics. Bernadette Tobin is Director of the Plunkett Centre. Dr Longstaff is the Director of the St James Ethics Centre in Sydney.

Bioethics Outlook

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Why Children Should not Study Ethics

A Reply to Simon Longstaff

Gerald Gleeson

I thank Simon Longstaff for his thoughtful engagement with issues I raised, somewhat provocatively, in my article, "Why Children Should not Study Ethics". I questioned the optimism, on the part of those promoting ethics in primary schools, about what is involved in "teaching ethics". I wanted to circumvent related issues that were being confused by both proponents and critics of ethics in schools. The presenting problem was said to be students wasting their time because they did not attend Special Religious Education classes. The proposed solution was a new curriculum in ethics. But since there are many other ways in which students might fruitfully spend a spare half hour each week, proponents of the ethics curriculum clearly thought their course had its own intrinsic merits. Thus many advocates of the ethics curriculum see it, not as a useful time-filler, but as positively preferable to SRE, competing for children's hearts and minds in the same intellectual and moral space. Hence the importance of the more fundamental issues I raised: In what sense can ethics be taught to children? Can ethics ultimately be independent of religious belief?

I appealed to Aristotle's view that since ethics includes understanding *why* actions and people are good or bad it should begin with reflection on moral experience, not just any moral experience, but crucially on the experience of those with some maturity in living a good human life. Without the ("happy") experience of acting courageously and fairly, of needing to tell the truth and being moderate in one's desires, and so on, a person simply won't know what they are supposed to be studying. I assume children are capable to *some small extent* of beginning to understand the whys and wherefores of good human action; nonetheless, by and large they are still in the learning phase in which school plays an important part. Schools should *always* be training our children to know that bullying is wrong, that we should respect others, etc. – not during special 'ethics classes', but throughout the day, in the class room and on the playground.

Might ethics classes reinforce these principles, and help children to understand them better? If so, well and good. However, a non-directive teaching method that relies so much on apparent ethical dilemmas brings significant dangers. Dr Longstaff thinks moral dilemmas are real on the grounds that we often encounter choices between two goods of equal value, e.g. a commitment to the truth and an aversion to harming someone else. In these encounters he thinks we have to choose one good and "sacrifice" the other. But this formulation is ambiguous as to the critical issue of what it is to sacrifice a good.

I believe it is a mistake to think of moral choices as simply between two "goods". Moral choices concern, not goods directly, but different *ways of acting* in pursuit of some good. To suppose that "choices are between goods", is implicitly to adopt the utilitarian theory that only the outcomes of action matter. On this view, we should choose (*say it quickly*, "to do whatever will produce") the greater of two goods. By contrast, if choice is between different *ways of acting* then there is a significant difference between choosing *to lie* in order avoid harm to another, and choosing *to remain silent* in order to avoid harm to another. The action of lying *sacrifices* the truth, whereas the act of remaining silent *respects* the truth. A utilitarian ethical theory fails to recognise the distinction between these different kinds of action, and so manifests its inadequacy.

Much more needs to be said about utilitarian and non-utilitarian theories; my point is simply that here are two substantially different approaches to ethics, and hence to what is or isn't a genuine moral dilemma. This is why, as Alasdair MacIntyre has argued, the way we understand moral dilemmas presupposes a substantive judgment about the nature of ethics. I am confident that the proposed ethics in schools programme, and its "facilitators", will blithely assume the utilitarian approach and will teach children to learn happily "to sacrifice" one good for another – and if so, that's what I and others object to.

Thus the Ethics Curriculum document says that *"in this week and the next [students] are asked to make relative or "shades of grey" judgments. They will be dealing with a range of cases in which people have told a lie and they will be asked to judge to what extent that is acceptable or not and to try to figure out why one lie is either more acceptable or less acceptable than another."*

To be sure, some lies are worse than others. But many parents don't want their children to learn that it is right to tell even "little lies"! They want them to be creative, and to learn how to avoid harming other people *without having to tell lies at all*.

Recognition of the difference between these two ways of understanding ethics, and of what are good or bad choices, should lead us to reflect on another great difference between ethical theories over the relationship between ethics and God. Longstaff proposes a "this worldly" foundation for ethics in the idea of an examined life, in which people don't act on the basis of instincts or desires, but on "an understanding of what it means to be human". I agree that ethics depends on an understanding of what it means to be human (in traditional terms, "the natural moral law"). I also agree that to some extent human beings can work out for themselves what are the good and bad ways to act. This is why I argued for a mutually illuminating relationship between religion and ethics. *Yet, examinations presuppose standards*. When we probe the proposed standards against which human life is to be examined, we face a great divide between ethical approaches that are open to religious teachings and those which are not, i.e. those which assume a self-enclosed, secular or "this worldly" view of what it is to be human.

The fundamental issue here concerns creation: if human beings are created, known and loved by God, then presumably God knows what is good for us, and God's revelation will fill out the incomplete insights we may have about what it is to live a good human life. I have no objection to any attempt to formulate a "this worldly" ethics, provided it does not aggressively shut out the possibility of religious revelation. Intentionally or not, a school ethics course time-tabled alongside SRE is likely to be seen as a self-contained alternative to religion. While some of its proponents may sincerely see it that way, I don't see why the Churches should acquiesce in such a solution to the original problem of children with time on their hands.

Parents who choose to send their children to special religious education classes do so because of the teaching that will be given – the SRE courses follow a curriculum in line with the beliefs of the various churches or faiths presenting the courses. My criticism of the new "this worldly" ethics classes is not that they are "this worldly", but that they will either be resolutely non-directive – and hence tend to inculcate scepticism in the students, or (more likely) they will be informed by good old utilitarianism, and hence will inevitably tend to inculcate certain substantive moral opinions – presumably those of the facilitators – over which parents will have knowledge or control.

Should we teach children ethics?

A further response to Gerald Gleeson

Simon Longstaff

Fr. Gerald Gleeson has been kind enough to offer some further reflections on the issue of whether or not there are sufficient grounds to support the introduction of special ethics classes for children not attending classes in Special Religious Education (colloquially known as 'scripture') in NSW State Primary Schools. As usual, his points are well argued and I would be inclined to agree with many of them but for the fact that the subject of his most pointed criticism does not, in fact, exist.

This problem arises from an evident misunderstanding of the philosophical foundations for the ethics classes. I must take some responsibility for this misunderstanding for it is evident that I have not communicated clearly enough. However, there are some assumptions made by Fr. Gleeson that are entirely his own. I am hoping that some greater clarity from me will help on both fronts.

I want to begin by clearing away a few misconceptions. First, the ethics classes developed for children not attending SRE are being offered without particular regard to their reasons for not attending 'scripture'. As it happens, we know that many of the children attending the ethics classes come from devout families who belong to faith groups not able to offer SRE or who prefer to deal with matters of religion within the family environment. While some parents choose for their children not to attend SRE because they are not at all religious, it would be mistaken to believe that this is true of all (or even of most). As such, the ethics classes are not set up in opposition to a religious world view. Rather, it does not accord religious perspectives a privileged position - as they would typically enjoy within a 'scripture' class.

Second, the program is not based on, nor does it promote, utilitarian philosophy or consequentialism more

generally. I mention this because Fr. Gleeson seems to be operating from this belief when he says, "I am confident that the proposed ethics in schools programme, and its 'facilitators', will blithely assume the utilitarian approach and will teach children to learn happily "to sacrifice" one good for another – and if so, that's what I and others object to.". Fr. Gleeson's confident assertion is, in fact, misplaced. While children will be introduced to ethical theories based on an assessment of consequences, they will also be taught to consider and apply frameworks based on the idea of duty (deontological), virtue, rights, etc. Indeed, at the end of the program they will be familiar with the broad spectrum of moral frameworks developed over time to answer the core question of ethics, "What ought one to do?"

Fr. Gleeson's confident (but mistaken) assertion seems to have arisen out of his response to my argument about the reality of ethical dilemmas. I argued that there are occasions when, in reality and as a matter of principle, a person might find themselves on the horns of a dilemma - faced with a choice in which values or principles or duties 'compete' with equal weight. The most devoutly religious person can similarly find

themselves in a real dilemma (the story of Abraham and Isaac only has force if Abraham recognises the dilemma inherent in obeying a divine command to kill his son). The need to make a choice between competing values, principles or duties does not necessarily lead to consequentialism. Nothing in my argument presupposes this.

Now, it might be objected that a program of classes that introduces children to a range of ethical theories is a product of ethical relativism. This is not so. As I argued in my earlier response to Fr. Gleeson, the program is based on a solid (absolute) foundation, being the Socratic observation that 'the unexamined life is not worth living'. I argued that this claim is based on the observation that human being (the form of being in which humans participate) is defined by our capacity to transcend instinct and desire and make conscious (conscientious) ethical decisions. I pointed out that this fact could be accounted for by a religious explanation (Man made in the image of God, endowed with free will, etc.). However, I also observed that this aspect of human being might be explained by a socio-biological account. Or it might be taken simply as a brute fact about the human

condition without need of further explanation. Starting at this point, the 'this worldly' point, allows people of all faiths (and none) to engage with the ethics classes if they are minded to do so. Starting at this point does not deny the religious perspective - but nor does it accord it a privileged place.

Fr. Gleeson quotes a section from the curriculum document that says: "In this week and the next [students] are asked to make relative or "shades of grey" judgments. They will be dealing with a range of cases in which people have told a lie and they will be asked to judge to what extent that is acceptable or not and to try to figure out why one lie is either more acceptable or less acceptable than another." I think that Fr. Gleeson assumes that this instruction is inviting children to conclude that lying is sometimes 'right'. But this is not what the instruction actually says. Rather, it invites children to consider what might be *"acceptable or not and to try to figure out why one lie is either more acceptable or less acceptable than another."* This is very much in the same vein as argued by Fr. Gleeson who observes that "To be sure, some lies are worse than others."

Like Fr. Gleeson, we would prefer children to "be creative, and to learn how to avoid harming other people without having to tell lies at all." However, we do not think we will get there without children being exposed to the spur to creativity that lies in recognising the reality of the dilemmas in which people find themselves. It's easy enough to tell people that it is wrong to steal. But what of the person whose family is starving and so takes fruit left rotting on the ground of an orchard owned by a man with a full belly and a coarse indifference to the fate of his starving neighbour? Is this stealing? Does the man with the full belly 'own' the fruit left to rot on the ground? Is it wrong for a person to feed their starving family by such means? Discussing such questions illuminates what we might mean by saying that "stealing is wrong".

The development of special ethics classes is not (and never has been) a response to a perceived weakness in the mainstream curriculum taught within NSW State Primary Schools. The State's teachers do much to promote critical thinking and to establish a solid ethical foundation amongst the children attending their schools. We are not trying to correct a deficit - but to

reinforce and extend good work amongst those children not attending SRE. This is the same approach taken by SRE providers who have made it clear that, amongst other things, they teach ethics. Our task has not been to draw children away from SRE but to provide a course for children who, until recently, were denied an opportunity to do something meaningful (not merely useful) during the time when others attend SRE. This may have good consequences - but lest Fr. Gleeson

spot latent consequentialist tendencies, let me also be clear that it is the just, right and proper thing to do.

Sincere thanks to Gerry for a stimulating discussion.

Dr Simon Longstaff is Executive Director of St James Ethics Centre. Previous articles in this exchange can be found in Bioethics Outlook, December 2010, March 2011 and June 2011.

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