Exploring special obligations, duties and consequences in ethical decision-making and actions

Levels 7 and 8,
Ethical Capability,
sample unit of work

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Introduction

Overview of the unit of work

**Title:** Exploring special obligations, duties and consequences in ethical decision-making and actions

**Timing (approximate):** 2 sessions (100 minutes total)

**Description:** In Session 1, students are introduced to the concept of ethical obligation as well as consequentialist ethics, including the utility principle. They consider how different views on where ethical obligation lies affect decision-making when using the consequentialist approach called utilitarianism.

 In Session 2, students learn criteria and other factors that can be applied to analyse the degree of ethical responsibility held by people in a particular situation.

**Assessment:** Assessment in the Capabilities involves teachers identifying evidence of students’ learning progress. Assessment could be formative or summative, and it could occur at the beginning of the session (for example, as pre-assessment) or during shared or independent practice. Each student is assessed against the relevant achievement standard towards which they are progressing.

Opportunities for assessment are detailed in each session:

* [Session 1 assessment](#Assessment1)
* [Session 2 assessment](#Assessment2).

Links to the Victorian Curriculum F–10

**Curriculum area and levels:** Ethical Capability, Levels 7 and 8

**Content description:** Explore the extent of ethical obligation and the implications for thinking about consequences and duties in decision-making and action ([VCECD017](https://victoriancurriculum.vcaa.vic.edu.au/ethical-capability/curriculum/f-10#level=7-8&search=2c0eb3d0-872b-4939-a01b-9882a3c64f96))

**Achievement standard extracts:** [Students] explain different views on the extent of ethical obligation and analyse their implications for the consequences of and duties involved in ethical decision-making and action.

 They articulate how criteria can be applied to determine the importance of ethical concerns.

Unpacking content description VCECD017

Key concepts and ideas

* Consequentialism is a theory of ethics that, in its simplest form, states that actions are right to the extent that they produce the best overall consequences.
* The utility principle comes from consequentialism. It states that we should always act so as to increase pleasure and/or reduce suffering, aiming for the greatest happiness for the greatest number and the minimum harm.
* The utilitarian belief that people should be treated neutrally when calculating the greatest happiness is challenged by the common idea that we have ‘special obligations’ to some people or some groups, such as our family. There are a range of factors to consider when judging whether or not someone has an ethical obligation.

Key teaching points

The following key teaching points should be covered in the explicit teaching phase of each session.

Session 1

1. Key terms:

**Ethical obligation**, and its distinction from **duty**: Like duty, obligation refers to required conduct and the terms ‘duty’ and ‘obligation’ are often used interchangeably. One distinction that some philosophers make is that an individual’s consent is needed in order to discharge an obligation, whereas some duties are thought to be binding whether a particular individual agrees with them or not. This is then thought to force consent. For example, by choosing to live in Victoria a resident has a duty to obey Victorian law and is said to implicitly consent to this by living in the jurisdiction; however, caring for a sick friend only becomes an obligation for someone when they consent to do so. Whether ‘duty’ and ‘obligation’ can be used interchangeably or not can usually be determined from the context.

**Consequentialist ethics** holds that the rightness or wrongness of actions is determined by the value of their foreseeable consequences or results.

**Utilitarianism** is a major school of thought in consequentialist ethics. Its key principle – **the utility principle** – is that people should always act so as to maximise happiness and minimise harm, aiming for the greatest happiness of the greatest number and the minimum harm.

2. Basic consequentialism holds that since everyone has equal dignity as humans, everyone should be given equal worth or status – that is, with no comparative difference in their moral status – and treated accordingly.

3. Treating everyone as if they have equal status conflicts with common sense morality, which recognises that we have special obligations to others, such as family members, and treating everyone as if they had equal status is thought by many philosophers to be unreasonably demanding.

4. Some philosophers also have the view that common sense morality makes sense because we are more likely to be effective in favouring those we have special relationships with – that is, we are more likely to know what to do, what not to do and how to do it quickly with the least cost or waste of resources.

5. Our perception of ethical obligation affects where we think our responsibilities (duties) lie and how strongly committed to these responsibilities we believe we are.

6. Our perception of ethical obligation also affects how we judge the significance of harms and benefits. For example, the significance of an act that brings benefit to a friend but harm (or a missed benefit) to a stranger can be judged by these two connected factors:

* what the specific harms and benefits actually are (what and how much)
* how we view our obligation to the friend compared to the stranger – are the obligations equal?

Session 2

1. One way offered by philosophers to help us think about who has an ethical obligation is to analyse why we would want to confer praise or blame on someone – that is, why we would want to hold them responsible or not.

2. When judging whether it is reasonable to expect someone to have ethical responsibility, it is necessary to consider the following criteria:

* what kind of capacity (mental, dispositional, physical, economic) is needed to independently exercise ethical decision-making and actions
* how much knowledge of the situation and the foreseeable consequences it is reasonable to expect someone to have
* how much control in general someone has in a particular situation (to what extent do they decide what to do and actually do it?)
* whether there are circumstances that confer special obligations (for example, special obligations to family or because of promises made).

How these criteria are interpreted can lead to different views on who has an ethical obligation.

3. Interpretations of these criteria can be influenced by factors such as what exactly was happening at the time (for example, being in danger versus being at little risk), age, physical strength, income, skills and character. In relation to character, for example, some people will claim that they were born with a reduced capacity for empathy and they cannot be blamed for certain acts that others with a greater capacity for empathy might be blamed for; others will claim that character is not set in such a way. How these factors are interpreted contributes to different views on who has an ethical obligation.

4. People also disagree on the extent to which non-human entities – such as artificially intelligent machines (for example, driverless cars), institutions or animals – should be held ethically responsible.

5. Our views on ethical responsibility affect our judgements as to whether someone should be punished or rewarded for doing or not doing something.

Further reading

If you would like to know more about the key concepts and ideas for this content description, refer to the following resources.

Session 1

* [Consequentialism](https://www.iep.utm.edu/conseque/), William Haines, Internet Encyclopedia of Philosophy – An overview of consequentialism
* [Famine, Affluence and Morality](https://www.utilitarian.net/singer/by/1972----.htm), Peter Singer, utilitarian.net
* [Partiality and the ‘Too Demanding’ Objection](https://www.iep.utm.edu/util-a-r/#SSH3biii), Stephen Nathanson, Internet Encyclopedia of Philosophy – An overview of a counterargument to Singer
* [Special Obligations](https://plato.stanford.edu/entries/special-obligations/), Diane Jeske, Stanford Encyclopedia of Philosophy – Another counterargument to Singer

Session 2

[Moral Responsibility](https://plato.stanford.edu/archives/win2016/entries/moral-responsibility/), Andrew Eshleman, Stanford Encyclopedia of Philosophy

Focus questions

The following focus questions are used to support inquiry and inspire, challenge or extend student thinking.

Session 1

How does/ought our sense of ethical obligation affect our decisions about whether a consequence is good, bad, right or wrong, and where our duties lie?

Session 2

Does everyone have a similar obligation to be ethical? How do we know/determine this? (Session 2)

Session 1

**Learning intentions:** Today you will be learning about different views of how much ethical obligation we have towards others. By the end of this session:

* you will be able to explain different views on how much ethical obligation we have towards others
* you will be able to analyse how a particular view on ethical obligation affects how we think about the consequences of ethical decision-making and our duties.

**Focus question:** How does/ought our sense of ethical obligation affect our decisions about whether a consequence is good, bad, right or wrong, and where our duties lie?

**Success criteria:** I understand the concepts of consequentialism and ethical obligation.

 I can explain the meaning of the utility principle.

 I can explain different views on whether we have special obligations to particular people.

 I can analyse how a person’s views on ethical obligation affect how they think about the consequences of their decisions and their duties to others.

**Assumed prior learning:** Ethical Capability, Levels 5 and 6 –
Explore the significance of ‘means versus ends’ by considering two ways to act when presented with a problem: one that privileges means and one ends [(VCECD012)](https://victoriancurriculum.vcaa.vic.edu.au/ethical-capability/curriculum/f-10#level=5-6&search=61b92a5c-d46d-4dc3-a1ff-6d751f1b3ab0)

**Ass****essment:** Opportunities for assessment include:

* teacher observation during pre-assessment, shared practice and independent practice
* student responses to the Three Fundraisers task and the quote from Peter Singer (can be used formatively, with teacher feedback used to progress student learning towards the achievement standard)
* student self-assessment using success criteria (can be used formatively when students reflect on their next steps)
* submission of individual responses to the Peter Singer quote (can be used summatively, assessing against the achievement standard)
* self-assessment using the success criteria at the end of the session.

Learning sequence

Pre-assessment

The teacher briefly tells the story of Robin Hood and his robbing of the rich and giving to the poor. The teacher asks students if they think this was fair. In the discussion of this, the teacher listens for how well students are able to justify their points of view in terms of means and ends.

The teacher can use this pre-assessment to gauge how much time should be spent introducing consequentialism, which is an approach that privileges ends.

Introduction

The teacher asks students to imagine that they have received some free tickets to a large all-ages music festival that is popular with teens and upwards.

Students nominate what they would do with the free tickets. To whom would they give a ticket?

The teacher draws attention to the idea of giving some or all of the tickets to a charity to be auctioned. The class discusses reasons for and against this. The teacher introduces provocations to encourage students to consider how indifferent or neutral they are to what happens to the tickets, such as ‘What if one of the bands was your best friend’s favourite band?’

The teacher introduces the learning intentions for Session 1.

Explicit teaching

*Refer to the* [*Key teaching points for Session 1*](#KeyTeachingPointsSession1) *in this document.*

The teacher introduces the key terms (Key teaching point 1) as well as Key teaching point 2, about how consequentialism seeks to treat people.

The teacher asks students to identify how the music festival tickets would be distributed if the utility principle were applied. Some students might see that if the tickets were auctioned for charity there would be extra happiness created – that is, the happiness from the concert itself plus from the receipt of charity funds.

The teacher uses the responses from the class discussion in the introduction phase to draw out Key teaching point 3: it might be difficult to be indifferent to friends and family who are excited and want tickets.

The teacher uses another illustrative example, such as the distribution of extra treats to others, to draw out Key teaching point 4. In the case of distributing extra treats to people they have special relationships with, a person is going to know who likes what, who is allergic to what and who is keen to avoid treats for other reasons.

Shared practice

In pairs or small groups students work on the Three fundraisers activity sheet ([Appendix 1](#ThreeFundraisers)).

The class discusses their responses, with the teacher drawing out Key teaching points 5 and 6 and filling gaps in student understanding.

Independent practice and evaluation

The teacher introduces the following quote from the philosopher Peter Singer.

The fact that a person is physically near to us, so that we have personal contact with him, may make it more likely that we *shall* assist him, but this does not show that we *ought* to help him rather than another who happens to be further away. If we accept any principle of impartiality, universalizability, equality, or whatever, we cannot discriminate against someone merely because he is far away from us (or we are far away from him). Admittedly, it is possible that we are in a better position to judge what needs to be done to help a person near to us than one far away, and perhaps also to provide the assistance we judge to be necessary. If this were the case, it would be a reason for helping those near to us first. This may once have been a justification for being more concerned with the poor in one's town than with famine victims in India. Unfortunately for those who like to keep their moral responsibilities limited, instant communication and swift transportation have changed the situation. From the moral point of view, the development of the world into a "global village" has made an important, though still unrecognized, difference to our moral situation. Expert observers and supervisors, sent out by famine relief organizations or permanently stationed in famine-prone areas, can direct our aid to a refugee in Bengal almost as effectively as we could get it to someone in our own block.

Source: Peter Singer, ‘Famine, Affluence and Morality’, *Philosophy & Public Affairs* Vol. 1,
No. 3 (Spring 1972) pp. 229–243; extract from p. 232

Students explain the view expressed in this extract in their own words. This requires them to explain different points of view and demonstrate their understanding of how perspectives on special obligation and our decisions and judgements about consequences and duties are linked.

Students then write out what an opposing point of view (counterargument) would be.

Finally they prepare an on-balance reflection on the focus question for the session.

Students submit self-assessment using the success criteria.

Session 2

**Learning intentions:** In this session you will learn some criteria and also some other factors to help you think about who has ethical obligations. By the end of this session:

* you will be able to explain and use criteria to help determine how strong an ethical obligation might be.

**Focus question:** Does everyone have a similar obligation act ethically? How do we know/determine this?

**Success criteria:** I can explain criteria and other factors that can be used to analyse whether it is reasonable or not to expect someone to take ethical responsibility.

 I can apply given criteria and other factors to analyse whether or not someone has an ethical obligation in a particular situation.

**Assumed prior learning:** As per Session 1

**Asses****sment:** Opportunities for assessment include:

* teacher observation during pre-assessment, shared practice and independent practice
* student group discussion and work throughout the session (can be used formatively, with teacher feedback used to progress student learning towards the achievement standard)
* student self-assessment using student success criteria (can be used formatively when students reflect on their next steps)
* the submission of individual responses to the focus question (can be used summatively, assessing against the achievement standard)
* self-assessment using the student success criteria.

Learning sequence

Introduction and explicit teaching

*Refer to the* [*Key teaching points for Session 2*](#KeyTeachingPointsSession2) *in this document.*

The teacher introduces the learning intention for the session, noting the shift in focus from who should be the beneficiary of ethical obligation (Session 1) to who holds ethical obligation (Session 2).

The class discusses the scenario and questions in [Appendix 2](#Appendix2).

The teacher identifies areas in the student responses that link to the first three Key teaching points for Session 2 and then fills in any gaps in student understanding to develop a full list of criteria and factors (see Key teaching points 2 and 3). The teacher reminds students that the purpose of the scenario is to draw out the general criteria and factors that can assist us to analyse who has an ethical obligation in any situation we might come across.

The students reflect on why views across the class differed, noting whether this was influenced by differing interpretations of the criteria and factors covered in the list.

Shared practice

The teacher divides students into pairs or small groups.

The students apply the criteria and factors they have learnt to a discussion of two scenarios and complete a task for each ([Appendix 3](#Appendix3)). The pairs or groups report back and the teacher assists students to link to the teaching points, including Key teaching point 4.

Independent practice and reflection

Students reflect on the focus question for Session 2, using illustrative examples. The teacher explains that the reflection should include an explanation of different views on who holds ethical obligation and the underlying reasons for this.

**Extension:** The student could reflect on the issue of driverless cars and where ethical obligation should lie in accidents involving those cars.

Appendix 1 – Three fundraisers

**Scenario:**

At your school, there are three fundraisers:

* Fundraiser 1: A close friend is fundraising to go to India on a school trip. They will spend three days of the two-week trip helping to build a recreation area for children at a small school in a poor area. The play area will provide a welcoming place for the children to engage socially. The rest of the trip will be spent sightseeing.
* Fundraiser 2: Your sister (who is a senior school captain) is fundraising to update the Senior Student Common Area. They want to purchase a new microwave, toaster, kettle, couches and a second-hand flat-screen TV for current and future senior students to use during stressful times at school while they are studying. Your sister supported you when you were fundraising for your Grade 6 end-of-year activity.
* Fundraiser 3: An international charity is raising funds to purchase mosquito nets for children in Africa who are at risk of contracting malaria disease and dying. The charity has distributed envelopes to all schools to collect voluntary donations. Students collect an envelope from the general office and return their donation there.

You want to contribute some of your pocket money to one or more of the fundraisers.

As a group, compare the harms and benefits of giving money to each fundraiser and discuss where the pocket money should go and why. Answer the following questions.

1. What are your group’s initial thoughts about which fundraiser/s should be supported? Write down the reasons that different members of the group give for their views on what the pocket money should support.

2. Look at each reason given. How strong is the sense of special obligation versus commitment to the principle of utility and its idea that all people have equal status? Did this influence how the harms and benefits were described and how strong they were thought to be? If necessary, clarify this with the person/s who initially gave the reason that is being discussed.

3. Do any disagreements in the group reveal differences in views on special obligation?

4. Where do you think members of the group are on this continuum in this case?



Appendix 2 – Injured pedestrian

**Scenario:**

A pedestrian was involved in a car accident in small country area. Unfortunately the pedestrian sustained serious injuries.

There were several people who saw what happened. No-one went to help the injured pedestrian although one bystander phoned an ambulance, which took 10 minutes to arrive. Luckily the pedestrian ultimately survived.

Bearing in mind that the first priority for any bystander is to consider their own safety and assess danger, discuss the following.

1. Should the bystanders be praised or blamed for not helping beyond calling an ambulance?

a. What is your initial response?

b. After thinking about the factors involved, has your initial response changed?

2. How would your judgement of whether to praise or blame (and hence your view on the extent to which the bystanders had an ethical obligation to assist) be affected in each of these cases? Assume the pedestrian is a stranger to the bystanders.

* The bystanders were a group of non-English-speaking tourists on the way to the airport.
* The bystanders were a Year 7 class on a field trip, studying landscapes and rural communities.
* The bystanders were a group of adults who were not trained in first aid.
* The bystanders were a group of off-duty medical professionals on their way home from a training day at which they had upgraded their knowledge and skills.

3. Consider whether your judgements on the bystanders’ ethical obligation would change if the pedestrian were known to the bystanders.

Appendix 3 – Two scenarios

**Scenario 1:**

A friend is telling you a story about someone they caught taking something that belonged to someone else without the owner’s permission. The culprit claimed, ‘I couldn’t help it.’

**Task:**

Using the criteria and factors you have learnt, identify questions that you could ask the friend to help you form a judgement about whether the culprit deserves praise or blame, and in turn, to what extent they should be held ethically responsible. Try to cover as many of the criteria and factors as possible.

**Scenario 2:**

A pet has bitten a three-year-old child who was teasing it. The parent of the child wants the pet killed but the pet’s owner does not want this.

**Task:**

Using the criteria and factors you have learnt, analyse where the ethical obligation lies. Create a short respectful dialogue between the parent and the pet’s owner, covering who should be held responsible and why.

Using your analysis of ethical obligation, discuss what consequences should be foreseeable and who has particular duties in situations like this.