**Ethical Capability**

**Consequences and Duties – Arguments for and Against These Approaches**

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| **Consequences and Duties – arguments for and against these approaches** | **Term /date:** | **Duration:**100 minutes (estimated) |

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| **Big ideas:** (*What is the main theme/s? What do you want the students to specifically understand? What misconceptions do you want to challenge?*) | **Essential questions:** (*What will inspire /extend / support inquiry / challenge thinking?*) |
| * Sometimes we might have to make a difficult decision where following one ethical principle may mean going against another, creating a dilemma.
* One way we can make a decision when faced with an ethical dilemma is to prioritise the duties we should follow.
* Another way we can make a decision when faced with an ethical dilemma is to prioritise our thinking about the consequences which would result from our decision(s).
* These two different approaches are called ‘Deontological ethics’ (duty-based), and ‘Consequentialist ethics’.
* These two ways of thinking about ethical decisions can both resolve dilemmas, but each can also give rise to new problems.
* Most people will not be completely consequentialist, nor completely duty-based, but will draw on either or both depending on the context of the dilemma and how they view the new problems that may arise.
 | In ethical decision-making:* To what extent do we have a duty to follow certain ethical principles? Why?
* To what extent should we consider the consequences of our actions? Why?
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| **Learning – This sample program targets content description VCECD022 at Levels 9-10. This is located on a developmental continuum, as shown below.** |
| **Ethical Capability Strand and Levels** | **Dimension / Content descriptions** | **Achievement standards** |
| Ethical Decision Making (7-8) | Explore the extent of ethical obligation and the implications for thinking about consequences and duties in decision-making and action ([VCECD017](http://victoriancurriculum.vcaa.vic.edu.au/Curriculum/ContentDescription/VCECD017)). | 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.  |
| Ethical Decision Making (9-10) | Target content description: Discuss issues raised by thinking about consequences and duties, in approaches to decision-making and action, and arguments for and against these approaches ([VCECD022](http://victoriancurriculum.vcaa.vic.edu.au/Curriculum/ContentDescription/VCECD022)). | Students analyse and evaluate contested approaches to thinking about consequences and duties in relation to ethical issues.  |

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| **Assessment Evidence / Activities**  |
| **Pre-assessment:** | **Ongoing formative assessment/s:** | **Summative assessment/s:** |
| **Responses in lesson’s ‘introduction’ phase:**Initial responses to “**Molly’s Dilemma**” in Introduction/explicit teaching phase of the lesson. | **Teacher observation during Shared, Independent and Reflection/Evaluation Learning phases.** | **Independent responses from the Independent and Reflection/Evaluation phases.** Students select and respond to an ethical dilemma, with a focus on the issues raised from different ways of approaching the dilemma. |

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| **Learning Sequence Overview** |
| **Session** | **Major focus / intention** |
| 1 x 100 minutes | * Students compare alternative approaches to resolving ethical dilemmas using a hypothetical dilemma (“**Molly’s Prank**”), “**The Trolley Problem”** and variant thought experiments.
* Students identify and discuss arguments for and against consequentialist and deontological approaches to ethical decision-making.
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| **Further Resources** |
| **For use in the lesson:**Molly’s Prank (provided) for Explicit Teaching phase.[**YouTube clip on Trolley Problem**](https://youtu.be/bOpf6KcWYyw) and ‘Trolley Problem and Other Ethical Dilemmas’ (Handout) for Independent Practice.**Optional / Extension Resource**The Trolley Problem game:<http://www.pippinbarr.com/games/trolleyproblem/TrolleyProblem.html>**Background Reading:**On the history, development and value of trolley problem:<http://www.theatlantic.com/technology/archive/2015/10/trolley-problem-history-psychology-morality-driverless-cars/409732/>**More on Philippa Foot:** <https://www.britannica.com/biography/Philippa-Foot><http://www.nytimes.com/2010/10/10/us/10foot.html?_r=0>**On deontology (duty-based ethics):**<http://www.bbc.co.uk/ethics/introduction/duty_1.shtml>**On consequentialism (results-based ethics):**<http://www.bbc.co.uk/ethics/introduction/consequentialism_1.shtml><http://www.iep.utm.edu/conseque/#H2> |

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| **‘Consequences and Duties’ (Stand-alone Lesson) 100 minutes** |
| **Learning intention**  | **For students:** *“Today we are learning to consider both consequences and duties when making ethical decisions, and to be aware of the major issues which might arise.”* |
| **Focus/ Inquiry question(s)** | What are the problems that can arise when prioritising thinking about consequences in ethical decision-making?What are the problems that can arise when prioritising thinking about what our duties are in ethical decision-making? |
| **Key Teaching Points** | These teaching points follow the order of the teaching and learning phases below.**Prior learning from the VCECD017 lessons** regarding Peter Singer, charitability and extent of ethical obligation may have introduced students to consequentialism and deontological ethics:**Consequentialism:*** All of our actions have consequences, some intended and some unintended, some foreseen and some unforeseen.
	+ - * Consequentialism holds that ethical judgments should be based on the foreseeable consequences, or outcomes, of an act.
* A common expression of consequentialism is utilitarianism: the principle of utility holds that actions or behaviours are right in so far as they promote happiness or pleasure, wrong as they tend to produce unhappiness or pain.

**Duty-based (deontological) Ethics:*** A major alternative position to consequentialism (utilitarianism) is Deontology, or ‘Duty Ethics’.
* Duty-based Ethics holds that ethical judgements about an act should be based on the act itself, regardless of the consequences.
* This theory establishes ‘duties’ which we should accept as general rules for guiding ‘good’ behaviour, such as always acting to keep a promise or never to lie.
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| **‘Consequences and Duties’ (Stand-alone Lesson) 100 minutes*****(continued)*** |
|  | **Major issues (contestabilities) related to consequentialism and duty-based (deontological) ethics:***(Note that these could become the basis for arguments against either approach)***Duty-based ethics:*** Should there be a limit to how far we have to carry out duties? For example, some may argue that we may have different ethical obligations (duties) to people depending on our relationship with them.
* Sometimes duties might conflict with each other, or constrain action even in pursuit of consequences that may be thought to be good.
* Who should hold duties – children/the mentally impaired/institutions?
* Should all duties be universal (apply at all times and in all places) or should some depend on context?

**Consequentialism:*** Consequentialism may create a duty ‘to act always in the way which will cause the most good/happiness/pleasure/utility or the least harm.’
* Even if we were to accept this as a duty, it’s not really deontological, because it is a decision which must be remade in every circumstance based on context and consequences.
* The ‘duty’ to always act in a way which will cause the most good or least harm is vague.
* It would not allow us to know what we would do ahead of having to make the decision (as duty-based ethics would).
* In following a consequentialist principle such as acting to maximise happiness for the greatest number, the few may suffer. Is this acceptable?
* Similar to duty-based ethics, how we view the strength of our obligations may affect how we judge the significance of consequences, that is how much the harm or benefit matters. It may also affect who is included in judgements of actions that will create the ‘most’ happiness or ‘least’ pain. For whom?
* There is some debate within consequentialism about how we judge ‘good’: is it happiness, pleasure, something else… and in how we judge pain, for example intensity versus duration or the significance of mental or physical suffering. There can also be debate about weighing the ‘good’ against ‘harm’ – is some harm worthwhile to serve a greater good?
* If we have to always assess the consequences of our actions to determine the ‘right’ thing to do, we may be paralysed to inaction if we have to assess every situation individually.
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| **‘Consequences and Duties’ (Stand-alone Lesson) 100 minutes*****(continued)*** |
|  | **Key points in favour of the consequentialist approach:***(Note that any of these points could be contested)** The outcomes of actions last beyond the action itself and therefore matter more than the action itself.
* It takes into account the happiness of others in an impartial way and so cares for humanity more broadly.

**Key points in favour of the duty-based (deontological) approach:***(Note that any of these points could be contested)** By allowing us to take into account special obligations to family and friends for example, it is less demanding than consequentialism.
* Actions that are ethically praiseworthy and not praiseworthy are often clear.
* It seems to accord more with ordinary intuitions about right and wrong.
* It can allow people who are not involved in a particular situation to hold people that are involved to account (as duties are right no matter what the circumstances).

**Other points to consider:*** Intentionally deciding not to act is still an ethical decision.
* People are not really either/or, many people will use consequential or duty-based principles according to the situation and context of the decision, or consider both duties and consequences to make an on-balance judgement.
* Thought experiments such as the trolley problem (see below) are often used to explore contestabilities. They are not meant to necessarily reflect how a decision would be made in real time (when time for reflection and careful decision-making may not be available!) or be completely realistic, but rather to draw out salient issues.
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| **Success criteria** | * I can define the terms ‘duties’ and ‘consequences’ in an ethical context
* I can respond to an example scenario/dilemma where I am asked to make a difficult choice between a duty-based or consequences-based approach, and provide arguments to justify why I made the decision.
* I can apply from both duty-based and consequentialist approaches to a case-studies, and identify and explain problems which may arise from both.
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|  | **Activities** (considering different levels) | **Resources**  |
| **Assumed prior learning** | Explore the extent of ethical obligation and the implications for thinking about consequences and duties in decision-making and action [(VCECD017)](http://victoriancurriculum.vcaa.vic.edu.au/Curriculum/ContentDescription/VCECD017)This content description involves learning the nature of consequentialist and duty-based approaches to ethical decision-making. |  |
| **Introduction** *(assessment of prior learning)* | Lead a class discussion to revise what consequentialism and duty-based (deontological) ethics are. See key teaching points. Fill gaps in student understanding prior to beginning the explicit teaching phase. |  |
| **Explicit teaching phase** | Lead introduction to the explicit teaching phase:* The decision to take a consequentialist or deontological ethical position may lead to different decisions when faced with difficult ethical problems.
* The decision to take one position or the other is contestable, and people might take different positions to one another or an individual might take a consequentialist approach to certain problems and a duty-based approach to others.
* We need to be able to justify our decisions, and we can use consequentialism, or duty-based ethics or both when arguing whether our decision is ethical.

Read through **“Molly’s Prank”**, and thinks-aloud to draw out possible duties (‘don’t tease people’, ‘don’t embarrass others’) and consequences (harm done to the new girl, benefits for Molly and her friends).* Think-aloud possible responses: ‘if I were more concerned with the duty to not tease others, it might lead me to do this… If I were more concerned to maximise the benefits I could see from the prank, I might do this…’
* Invite students to comment on these think aloud responses; for example students might disagree with how benefits were measured (the number of people who might laugh versus the intensity (how funny) any individual might find it)
* Draw out relevant contestabilities (see key teaching points) through a series of ‘what if…’ statements. (What if I were trying to increase happiness…? What if I were trying to decrease suffering…? What if I didn’t even need to worry about the consequences because I knew I shouldn’t tease someone no matter what…?)
 | **Molly’s Prank** handout  |
|  | **Activities** (considering different levels) | **Resources**  |
| **Independent practice phase** | **Viewing and Responding:**Students watch the YouTube clip (1:38) which explains ‘The Trolley Problem’. As they watch, distribute the **“Trolleys Problem and Ethical Dilemmas”** handout. After viewing the clip, each student independently selects one of the dilemmas from the sheet (students who require a more scaffolded task can choose the simplest trolley problem, other students can choose one of the variants). The questions within the dilemmas can prompt thinking that will lead to completion of a 4-column chart and a response to the on-balance question below the chart:

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| What action would cause the most positive consequences? | What action would cause the least negative consequences? | What ethical duties might apply in this situation? | What are the problems with deciding what to do based on: |
| Consequences | Duties? |
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On-balance, what would you do to resolve this dilemma, and how would you justify your decision? Include in your justification a discussion of the problems raised by choosing this approach. Try to evaluate if there are any ways to minimise or eliminate these problems. | <https://youtu.be/bOpf6KcWYyw>**Trolley Problem and Ethical dilemmas** handoutIf students finish early, or for homework, they could play The Trolley Problem ‘game’ online:<http://www.pippinbarr.com/games/trolleyproblem/TrolleyProblem.html> |
| **Reflection/ evaluation phase** | **Class Discussion:**Students volunteer to share examples from their independent work with the class and explain their evaluations. Challenge students to provide arguments that support their decision. If other students in the class considered the same dilemma, assist the class to explore contestability in either their decisions, or their justifications.Ask students return to their charts and make alterations, if they wish, based on the discussion they just had. Students identify and address contestabilities in their initial resolution and justifications.Ask students to write a general reflection based on one or more of the focus questions above.  |  |
| **Assessment and Feedback** | Students self-assess with the three success criteria above, (one criterion being satisfactory, two criteria, or all three, indicating greater success). Provide individual feedback throughout lesson. Students submit their independent responses to the handout problems and general reflection for summative feedback. | Success Criteria, using Bloom’s taxonomy to differentiate higher-order skill application (apply) from lower order (know/understand). |

**Molly’s Prank**

A new student is starting at Molly’s school, and Molly sees this as an opportunity to impress her friends. She comes up with a prank which she will play on the new student. Molly intends to leave notes in the student’s locker from a fake student, saying how much they like the new student. If the bait works she will make each note more dramatic. Molly believes that by playing this prank, all of her friends will laugh at the new student and that her friends will think she’s a funny person with a cool sense of humour.

To prepare the prank, Molly will need the help of her closest friend, Jay. But when she explains her plan to him, Jay is horrified.

“You can’t do that,” he tells her.

“Why not?” Molly asks. “It’ll be funny.”

“But it’s wrong to play pranks on people.”

“Why? It won’t do any harm, and a lot of people will find it funny.”

“It will do some harm,” Jay tells her. “The new girl will be embarrassed.”

“But only a little bit embarrassed, and a lot of people will laugh so it’s doing more good than harm.”

“I just think it’s wrong to play pranks like that.”

“What, always?”

“Yeah. Pranking’s just wrong no matter how many people laugh.”

“You’re a spoil-sport,” Molly says.

She realises that Jay won’t help her, but perhaps someone else will.

Or maybe Jay’s right and she shouldn’t play the prank at all, no matter how funny it will be?

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| **The Trolley Problem:** |
| The British Ethical Philosopher, Philippa Foot, established a problem where a runaway ‘trolley’ (think of a tram, or train) is heading toward five workers who are on the track. You can’t warn them, but you can save them all by flicking a switch and sending the trolley onto another track. Unfortunately there’s a worker there too, who will die if you flick the switch.* What do you do?

Now imagine that instead of a switch the only way you can stop the trolley is by pushing someone in front of it. * What would you do now?

Are these two dilemmas really the same dilemma, or is there something different about them? If you think they’re different, try to explain the difference. |
| **A Modern Trolley Problem:** |
| Imagine that you are at a car dealership, looking to buy the latest model of a car with a special feature: it is autonomous, that is, it can drive by itself. The salesman tells you that there are two versions of the autonomous car available. One version is programmed so that if it senses a collision it can’t avoid, it will act to minimise the loss of life. That means, if it can save five pedestrians by crashing itself into a wall and only killing the driver, it will.The other version protects its driver at all costs. If it has a choice between crashing into a wall and killing the driver, or running over five pedestrians, it will run those pedestrians down.* Which version of the car would you buy?

Now imagine you’re a pedestrian crossing the road with your family, and you see an autonomous car approaching. * Which version of the car do you want other drivers to buy?
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| **A Lifeboat Problem** |
| Imagine that you are on a cruise ship, far out to sea, and there is a catastrophic disaster. The ship sinks, but thankfully you and several other passengers get to a lifeboat. Unfortunately, not everyone was so lucky.As you’re floating you realise that your lifeboat is dangerously overcrowded. There are fifteen people on board, and you couldn’t possibly take on another without sinking the lifeboat.A survivor reaches up from the water, pleading for help, but they’re too weak to climb aboard.* Do you risk sinking the lifeboat to save them, or row past?

Now imagine that the survivor gains renewed strength, and starts climbing aboard, tilting the lifeboat. You’re closest, and people are screaming at you to push the survivor back into the water with your oar.* Do you push the person back into the water?

What if the survivor in the water is someone you love (mother, father, sister, brother…) Do you still push them away? |