



HUMANIST SOCIETY OF VICTORIA Inc.

(Reg. No. A0020272M)

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The ACARA draft on Ethical Behaviour in the General Capabilities section of the proposed curriculum

Background

A Humanist, as understood by members of Humanist societies, is a person who tries to apply compassion and reason to human experience without any reliance on religious beliefs.

Humanists generally consider that the dignity of the individual is important for developing a human's potential to the maximum. Humanists typically understand ethics to emerge from the facts and circumstances surrounding an issue.

Humanists are strong supporters of the sentiments contained in the Declaration of the Universal Human Rights, the UN Convention on Children together with the local Victorian Counterpart, The Charter of Human Rights and Responsibilities 2006.

In particular the HSV endorses “*that children should be reared to be honest, kind and fair in their dealings with others.*”⁽¹⁾

The HSV has discussed the ACARA draft in informal meetings with several organizations, namely, the Religious, Ethics and Education Network of Australia, the Victorian Association for Philosophy in Schools and the Victorian Curriculum and Assessment Authority.

1. Introduction

1.1 The Humanist Society of Victoria Inc. congratulates ACARA on the secular tone of the draft on Ethical Behaviour and on reference to the worthy Australian authors, who are cited in the references to the Conceptual Statement.

1.2. The second sentence and the third paragraph are particularly praiseworthy aims, i.e.

This [ACARA draft entitled Ethical Behaviour] enables [students] to build a strong personal and socially oriented ethical outlook that can manage context, conflict and uncertainty.

Improving the capacity for ethical judgment assists students to navigate a world of competing values, rights, interests and norms. As students take their place as citizens in a pluralist society, it is important that they strengthen their ability to select and justify a ethical position and to understand and engage with the positions of others. These skills promote students' confidence in themselves as decision-makers and their ability to act with regard for others and for the common good.

1.3. We also think well of the reference to MCEETYA, 2008.

In the curriculum, the ethical behaviour general capability addresses the educational goal for all young Australians to become confident and creative individuals and

active and informed citizens through fostering the development of personal values and attributes such as honesty, resilience, empathy and respect for others and the capacity to act with moral and ethical integrity (MCEETYA 2008).

However, we have some concerns over the title, Ethical Behaviour; see below.

2. Terminology

2.1 The title: Ethical Behaviour

We consider that the title could be changed to simply ‘Ethics’, because to add the word ‘behaviour’ strays too much into the area of a rigid code. We would consider that titles such as ‘Ethical Understanding’, ‘Ethical Thinking’ or ‘Ethical Learning’ are also more appropriate than Ethical Behaviour.

2.2. Definitions

We recommend that the definitions of ‘ethical’ and ‘moral’ should be near the beginning of the Conceptual Statement, and that a choice be made whether to describe both ethics and morals, or whether to concentrate on the teaching of principles rather than practice.

One of the authors cited by the ACARA draft, Peter Singer, 1985, writes:

The terms ethics and morality are closely related. We now often refer to ethical judgments or ethical principles where it once would have been more common to speak of moral judgments or moral principles. These applications are an extension of the meaning of ethics. Strictly speaking, however, the term refers not to morality itself but to the field of study, or branch of inquiry, that has morality as its subject matter. In this sense, ethics is equivalent to moral philosophy.

However in a later book, *Practical Ethics* (1996), Singer writes that he uses the terms interchangeably. Also we note that another of the authors cited, Cam et al, uses only ‘ethics’ in teaching and assigns it as one of five branches of philosophy

We think that the definitions, which are offered by the on-line OneLook Dictionary, are a little clearer than those used in the ACARA draft, i.e.

Ethical (adj) - involving the principles used for deciding what is right and what is wrong

Moral (adj) - relating to right and wrong and the way that people should behave

For the corresponding nouns the common definitions are:

Ethics (n) - the philosophical study of moral values and rules

Morals (n) - motivation based on ideas of right and wrong.

The difference can be illustrated by the example of bullying. The ethic of the school community might be the Golden rule, and hence the act of bullying is immoral in that community. (Examples of possible changes are shown in Appendix 1 in blue. We have also used ‘ethics’ throughout and think that it avoids confusion amongst busy readers.)

3. Broadness of treatment – other ethical systems

3.1. Although the treatment of ethics in the ACARA draft is secular it covers only some of the philosophers of western tradition, and doesn’t cite those of more modern traditions, e.g. utilitarianism, existentialism, etc. Furthermore it doesn’t mention ethical systems of eastern traditions, e.g. Buddhism, Confucianism, Hinduism and Taoism, all of which have some following among school parents in Australia. We have therefore made specific additions (in blue) to the ACARA draft.

3.2. It is also relevant that the earliest document extant, which contains a version of the Golden Rule, dates from the middle kingdom of Egypt 2040 – 1674 BCE, The Ethical Peasant⁽¹⁾.

4. Scope of Ethical Understanding.

(1) Recognizing the ethical domain. A preliminary skill is to distinguish between choice and necessity – sometimes a person’s got to do what a person’s got to do. Ethical progress waits upon empathy for others, which can be encouraged by example (and later by reading) but not by philosophy. **(2) Values and principles.** Values depend on experience and are not communicated merely by being told. **(3) Ethical decision-making.** Preliminary skill is of assembling relevant knowledge and critique of relevant opinions (rather like ordinary decision-making), together with envisaging possible consequences. **(4) Common virtues should also include vices** (unless by ‘ethical’ one means ‘praiseworthy’).

5. Elements of Ethical Behaviour

5.1. A number of questions might well be added, under each element: (1) Should you go with the crowd? How to deal with adversity? Is prudence always good for you? (2) Can you value something you don’t

understand? Can something you don't like be valuable? (3) Who has the right to judge? Is eating meat a kind of murder? (4) How to resolve competing loyalties? Is it important to be popular? Does charity begin at home?

5.2. Perhaps the terms 'values' and 'virtues' in the Conceptual Statement and throughout should be elaborated in more detail. If values are selected from too small group they may lead to socially unacceptable consequences, i.e. the values of a gang of thieves, or in the schoolyard and a group of bullies.

5.3. The same applies to concepts of the 'good' and 'feelings' if derived from too small a group. It would be helpful to see discussion of the concept of the ends always justifying the means specified and on the concept of duties and responsibilities.

5.4. In today's growing digitisation it may be ultimately possible for a significant majority of the 7 billion humans to participate in discussion. Given the increasing digitisation and interconnections between disparate societies which previously had limited interaction, our concepts of 'ethics' or 'morality' may be challenged in coming decades and we think that it is commendable for ACARA to have given students the intellectual tools for fashioning their own ethical frameworks according to conscience, human rights etc.

6. Conclusion.

The Humanist Society commends the ACARA draft as a splendid approach to the teaching of ethics in Australian schools.

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References

(1) The official HSV (blue) brochure.

(2)http://www.britishmuseum.org/explore/highlights/highlight_objects/aes/p/papyrus_with_part_of_the_tale.aspx

Appendix follows – Specific comments on the Concept, Continuum and the tabular presentations of the Continuum

Ethical *understanding*

Conceptual statement

(Definitions)

Ethical (adj) - involving the principles used for deciding what is right and what is wrong

Moral (adj) - relating to right and wrong and the way that people should behave

For the corresponding nouns common definitions are:

Ethics (n) - the philosophical study of moral values and rules

Morals (n) - motivation based on ideas of right and wrong.

In the following presentation the adjective 'ethical' is used where possible to simplify the topic for children, but there is no objection to the teacher using 'moral' where a distinction seems desirable.)

Introduction

In the Australian Curriculum students develop ethical understanding as they learn to identify matters of *ethical* concern, investigate the nature of concepts, values, virtues and principles and learn how reasoning can assist ethical judgment. This enables them to build a strong personal and socially oriented ethical outlook that can manage context, conflict and uncertainty.

In the curriculum, the ethical understanding general capability addresses the educational goal for all young Australians to become confident and creative individuals and active and informed citizens through fostering the development of personal values and attributes such as honesty, resilience, empathy and respect for others and the capacity to act with *ethical integrity* (MCEETYA 2008).

Improving the capacity for ethical judgment assists students to navigate a world of competing values, rights, interests and norms. As students take their place as citizens in a pluralist society, it is important that they strengthen their ability to select and justify an ethical position and to understand and engage with the positions of others. These skills promote students' confidence in themselves as decision-makers and their ability to act with regard for others and for the common good.

Becoming a successful learner entails engaging deeply with big concepts and big ideas. It is important that students are able to identify and make sense of ethical dimensions in their learning in an informed way. Building these skills throughout all stages of schooling assists students to engage with the more complex issues they are likely to encounter in the future.

The Ethical understanding conceptual statement and continuum describe the nature, scope and sequence of learning for ethical understanding in the Australian Curriculum. These materials can assist schools and teachers across the learning areas to plan for and support student development of ethical understanding.

Scope of Ethical understanding

Students develop ethical understanding through exploring:

1. the nature of the *ethical* domain and concepts such as right, wrong, fair and just: learning to identify matters of *ethical* concern, to explain the contentious nature of ethical concepts and to consider whether ethical knowledge is the kind of knowledge that can be judged as true or false
2. accepted values and ethical principles: learning to identify and explain commonly held values including the values and principles associated with human rights as *an ethical framework*, to recognise the links between values and principles in making judgments, and to identify and explain different kinds of ethical principles and the arguments and viewpoints used to justify them
3. reasoned ethical decision making: learning tools that will enable them to engage critically *with ethical dilemmas* and to reflect on their own and others' points of view
4. common virtues: learning to identify character traits that may be considered virtuous, to discuss the meanings of traits commonly identified as virtuous and to explain issues involved in relying on character to inform ethical judgment.

As students engage with these four elements in an integrated way, they learn to recognise the complexity of many ethical issues. They develop and test a growing capacity to make reasoned ethical judgments through the investigation of a range of questions drawn from a range of disciplinary contexts.

Ethical understanding across the curriculum

Ethics arises across all areas of the curriculum and each learning area contains a range of content that demands ethical consideration. For example, the ethical analysis and evaluation of the actions and

motivations of characters is a traditional concern of both English and history; understanding the ethical dimensions of research is fundamental to science; and the ethical application of mathematics in a range of everyday situations is a critical component of numeracy education.

In the Australian Curriculum Ethical understanding is identified in learning area content descriptions and content elaborations. A filter for general capabilities makes it possible to see wherever Ethical understanding has been identified in the F-10 curriculum.

Theoretical framework

One of the central questions in ethics is 'How ought I to live?' Practical *ethical* judgment can be informed by reason, character, values and *ethical* principles. Each of these is investigated in the ethical understanding continuum.

The philosopher Kant claimed that people can use ethical principles to guide them in making judgments. If this is so, then it is important that students explore major theories that give rise to these principles. Theories can broadly be divided into theories that focus on action and theories that focus on the kind of person doing the action. Action based theories are usually further divided into those that advocate judgment based on what is right in itself, regardless of the consequences, and those that advocate judgment based on consequences (favouring what will maximise the good). Exploration of these theories raises questions of what is meant by concepts such as 'good' and leads to an exploration of values and the adoption of particular principles.

A further area of study in ethics is human nature itself and how that may equip us to answer the question 'How ought I to live?' Philosophers *in the western tradition* such as Plato, Aristotle, *Epicurus*, Aquinas, *Hume*, Kant, *Bentham*, *JS Mill*, *Singer* and many others identified the faculty of reason as a primary human resource. *(In schools with school parents from the eastern traditions reference should also be made to Baha'i, Buddhist, Confucian, Hindu, Moslem, Jewish, Taoist, and Sikh ethical. In years 7 – 10 mention might be made to the critics of reason, Nietzsche, Sartre, etc. Also in the school situation the themes of restorative versus retributive justice should arise.)* Developing a capacity to be reasonable is one of the four elements of this continuum.

Another dimension in the exploration of human nature is virtue. Virtue theory has had various levels of prominence from Socrates, Plato and Aristotle in ancient times to Kant during the Enlightenment, and *on to* a recent resurgence in the mid to late twentieth century. Virtue theory focuses on the question 'What kind of person should I be?' For some this replaces the question of how I ought to live, while for others it is supplementary; for example, if maximising the good is taken as an ethical principle, it is reasonable to consider what kind of person would live that kind of life.

The basis of justification of what is right or good for the individual and for others continues to be contentious. It is misleading to confuse disagreements in ethics with there being no right or wrong answer. There may be different positions, each with their strengths and weaknesses, and often there is the need to make a judgment in the face of competing claims. At the same time there is an open minded, ongoing endeavour to create an *ethical* life.

The four elements of the ethical understanding capability are interrelated and will be informed not only by its underpinning theoretical framework, but by the exploration of ethical issues and interaction with others, as students test ideas and learn to be accountable as members of a democratic community.

Ethical *understanding*

Continuum

Ethical understanding is presented as a continuum of learning that describes the knowledge, skills and dispositions students can reasonably be expected to have developed at three stages of schooling (the end of Years 2, 6 and 10).

The continuum is based on the belief that students need opportunities to develop Ethical understanding over time and across learning areas. What is learned in the early years supports all subsequent learning. The continuum describes expected learning for each element at each of the three stages of schooling.

The continuum is based on the assumption that it is possible to map out common paths of development in relation to the capacity to form and make ethical judgments, while recognising that each student's pace of development may be influenced by the growth of their life experience, sense of self in the world and cognitive capacity.

[In this continuum, the term 'moral' refers to the evaluation of conduct, whereas 'ethical' refers to a consideration of theories or principles that may inform judgment.](#)

The continuum is presented in two formats: the first shows expected learning for each stage of schooling; the second shows expected learning across the three stages of schooling.

Elements of Ethical understanding

The continuum is organised into four interrelated elements of ethical understanding that form the basis of [ethical understanding and ethical judgment](#):

1. [Understanding ethical concepts and recognising the ethical domain.](#)
2. [Knowledge of accepted values and ethical principles.](#)
3. [Engagement in reasoned ethical decision making.](#)
4. [Knowledge of common virtues.](#)

The growing complexity of the continuum is shown in two ways. The first is through the 'reasoned ethical decision making' element. The skills in this element are applied to the investigation of the other elements so that more and more sophisticated reasoning tools are used to build a sophisticated understanding of the other elements. The development of complex skills also allows areas of learning to be revisited throughout the stages of schooling; for example, the concepts of right and wrong can be investigated with more sophisticated skills in a spiral curriculum approach. The second way complexity increases throughout the continuum is that the areas of investigation themselves gradually become more complex.

[1. Understanding ethical concepts and recognising the ethical domain](#)

Ethics is concerned with what we ought to do and how we ought to live through questions such as:

- [What are the important things in life?](#)
- [Are these good things?](#)
- [Is the beautiful good?](#)
- [Is the law concerned with what is right?](#)

However it is not always obvious what is ethical in nature, for example:

- [Is the treatment of animals an ethical matter? And if so, does this mean all animals, even insects?](#)
- [Is the management of water resources an ethical issue?](#)

Judgments are often about whether something is true or false. Ethics is concerned with whether ethical judgments involve this kind of judgment or whether it involves another kind of judgment, for example merely the expression of a preference. It can involve exploring questions such as:

Are there ethical facts? Can something be good even if no one thinks it is good? Who can make judgments about what is good or bad? Do ethical judgments simply express feelings? Can gaining a more and more detailed description of the world tell us how we ought to live?

Concepts such as 'good', 'right', 'wrong', 'fair', 'just' and 'bad' are used in different ways in different contexts. An important part of ethical deliberation is to reach a shared understanding of what is meant by ethical concepts and to be aware of areas of contention. This can involve exploring questions such as:

Is being fair the same as treating people equally? Do you have to like something for it to be good? Is freedom doing whatever you like? What is the nature of responsibility? When we say that someone did something wrong, what do we mean?

[2 Knowledge of accepted values and ethical principles](#)

This element involves the justification of **ethical** judgment. Values are beliefs about the worth of particular principles and are often used as part of the framework for making ethical judgments. Sometimes individuals identify personal values and at other times values are intended to apply to particular groups such as corporations or schools. Some values, such as respect, liberty and equality, are commonly used in ethical discourse. Exploring accepted values enables students to understand why they are considered important, and that at times values can conflict. **Ethical** dilemmas often involve competing goods, values or rights and exploring these can help students with the complex realities of everyday life.

Understanding and addressing dilemmas within the **ethical** domain is assisted by understanding core human rights, principles and values. One way these can be interpreted and understood is through a human rights framework, as a particular ethical and ethical framework that is accepted internationally and that reflects many universal values.

An understanding of ethical principles assists students in justifying their ethical views and in engaging with the position of others. This extends beyond individuals or groups to the evaluation of economic or government policies. Broadly speaking ethical principles can be divided into those focused on what is being done or action based theory, and those focused on the kind of person doing the action, or agent based theory.

Action based theories are commonly divided into two categories; those determining that it is the consequences of an act that matter and those determining that what matters is the nature of the act itself. In exploring these theories students consider questions such as:

- Why should I be **ethical**?
- Is being ethical simply a matter of obeying authority?
- How can we tell which consequences matter?
- Are duties or rights things that hold for all time and for all circumstances?
- If I have a duty to keep promises does this mean that I should never break a promise?
- What ethical principles are important in our friendships and relationships?

3 Engagement in reasoned ethical decision making

This element involves developing the tools to engage critically with **ethical** dilemmas. It does not preclude investigating the role of feelings, conscience or self-interest or considering the place of authority in ethical decision making.

Interacting with others is one way students can test ideas and be accountable for their views, both of which enrich a democratic society. In developing ethical understanding skills, students become aware of the strengths and weaknesses of their own arguments and viewpoints as well as those that they encounter in others.

4 Knowledge of common virtues and vices

Virtues refer to character traits that are valued by society. Knowledge of common virtues involves not only engaging with the meaning of specific virtues, but issues associated with the idea of virtues to promote ethical understanding and respect for human rights. It can involve exploring questions such as:

- Is knowing what is good all that is needed for people to be good?
- What is courage?
- Does having courage mean that someone is a good person?
- Does intention matter when evaluating conduct?
- Is it good to always be loyal/tolerant/trustworthy?

The Ethical Understanding continuum

Capability descriptions by element and stage of schooling

1 Understanding ethical concepts and recognising the ethical domain

By the end of Year 2

Students develop an understanding of ethical concepts in everyday issues and problems.

They learn to distinguish between what is ethically right or wrong, good or bad, and what is right or wrong and good or bad in other senses.

They learn to distinguish ethical matters from other kinds of concern, for example, between *(a) rules with different ethical aims, such as no bullying, (b) rules with another purpose, such as banning chewing gum, and (c) mathematical rules.*

Students are able to distinguish the non-ethical from the ethical in a range of contexts such as the distinction between giving a friend mistaken information and lying to them.

By the end of Year 6

Students learn to distinguish between what is ethically better and worse, between facts and values and means and ends, *for example many people die through starvation, but should others try to succor. Does "is" imply 'ought'?*

They make relative judgments about the ethics of a range of actions and explain the means used to achieve particular ends, from an ethical perspective.

Students recognise different perspectives about the ethics of particular activities and identify activities that are of ethical concern.

By the end of Year 10

Students recognise the nature of rights and duties and their connections. They examine the nature and limits of ethical knowledge, considering how ethical knowledge could be justified and whether it is the kind of knowledge that is true or false in absolute terms or whether it is relative.

Students distinguish ethical considerations from other considerations in complex settings found within literary, scientific, social and historical contexts, through questions such as 'Is there a difference between a ethical life and a good life?' 'When and why would a declaration of war be considered ethical?'

Students use contexts from the learning areas to support generalised statements about concepts (such as justice) and concerns (such as freedom of speech).

Ethical *understanding*

Continuum

2 Knowledge of ethics and values

By the end of Year 2

Students recognise *differences between ethical principles and accepted values* in family and school contexts. They explore values such as regard for the truth and respect for others' feelings and the value of the peaceful resolution of differences.

Students investigate issues of ethical principle, such as questions of fairness and the importance of rules for conduct.

Students also explore issues that arise from considering consequences or duty as a way of resolving ethical problems, e.g. what problems may arise from a perceived duty to always tell the truth?

Students are aware of the relevance of a range of values and ethical principles and identify issues that can arise when resolving ethical problems.

By the end of Year 6

Students analyse *ethical principles and accepted values*, including their role in different social groups and their impact on the community. They explore values such as respect (e.g. by considering the extent to which respect entails tolerance), and the peaceful resolution of conflict (e.g. the importance of considering everyone's motives and interests).

Students explain issues of ethical principle, such as the distinction between a rule and a principle and what to do when principles conflict. They discuss principles of fairness (e.g. an 'eye for an eye' or 'first come, first served') and identify possible issues and problems in making ethical decisions on the basis of consequences or duty in everyday contexts.

Students recognise *that using ethical principles on accepted values to resolve ethical problems* is rarely simple and use specific examples to explain the role that values and principles play in *ethical* decision making and the issues that may arise.

By the end of Year 10

Students critically *analyse ethical principles and accepted values* in complex settings, such as those on a national, regional or global scale. They explore truth and deception, e.g. considering to what *extent censorship and deception are acceptable* to protect the welfare of society or achieve a particular end.

Students explain the role that values, virtues and principles may play in resolving difference, such as in large- scale human conflict. They investigate issues of ethical principle (e.g. whether there are *absolute universal principles in the Universal Declaration of Human Rights*) and the meaning and application of social justice.

Students expand their understanding of issues involved in the appeal to consequences (e.g. in defining the wider common good) and duties (e.g. of citizens, governments and other institutions) to resolve ethical problems.

Students recognise complexities in ethical issues and in particular understand the conflicts that may arise in ethical judgments.

Ethical *understanding*

Continuum

3 Engagement in reasoned ethical decision making, perhaps by using the Community of Inquiry method (give appropriate reference)

By the end of Year 2

Students engage in reasonable moral decision making by beginning to use simple thinking tools such as giving reasons, using examples, using criteria to explore differences in kind, ie characteristics that are not shared, using hypotheticals (e.g. 'if...then'), reasoning and responding to different possibilities and points of view.

Students use simple thinking tools in ethical deliberation.

By the end of Year 6

Students extend the range of thinking tools they apply to *ethical issues and decision* making, including asking open questions, testing generalisations with counterexamples, using criteria to explore differences of degree, using inductive reasoning to generalize from experience and using 'what if' thought processes to consider possibilities and test out ideas.

They apply accepted social norms in interactions with others, eg considering alternative points of view *and trying to prove themselves wrong as an intellectual exercise in looking at all points of view*

By the end of Year 10

Students extend the range and sophistication of thinking tools they apply to ethical issues and moral decision making, including probing ethical issues with open-ended questioning and testing their own reasoning, intuitions, feelings and ethical understandings.

They learn to develop a reasoned case for or against propositions, and construct and apply complex criteria to classify and define concepts and issues.

They avoid common fallacies in reasoning and attend to logical consequences of claims, eg whether a claim that keeping animals in cages is cruel logically leads to farming or animal experimentation being cruel.

They apply accepted social norms in interactions with others, engaging in reasoned debate.

Ethical *Understanding*

Continuum

4 Knowledge of common virtues and vices

By the end of Year 2

Students use their experiences to help understand virtues *and vices*, such as care, compassion, fair-mindedness, integrity, humility, courage and *perseverance on the one hand and vices such as selfishness, self interest, dishonesty, bossiness and cowardice, respectively*.

They reflect on how behaviour might or might not express certain virtues, eg by thinking about integrity through exploring the nature and importance of promises; care and compassion through exploring feelings and how they may be hurt; and fair-mindedness through considering scenarios involving sharing.

Students identify virtues in a range of contexts.

They begin to recognise the relationships between some of the elements *above contributing to ethical judgment*.

By the end of Year 6

Students reflect on the role of virtues *and vices* in *ethical* decision making, e.g. generosity and other factors involved in giving to charity or volunteering, *versus hoarding and letting others do the work*.

They identify and compare factors that can undermine or strengthen different virtues and the relationships between virtues and values, e.g. between the virtues of care and compassion and the value placed on telling the truth.

Students understand the interplay between virtues and values, e.g. active citizenship and a desire to protect the natural environment.

Students recognise connections between the four elements *(above) contributing to ethical judgment*.

By the end of Year 10

Students discuss how virtues *and vices* are acquired, and analyse the objectivity or subjectivity of judgments of *ethical* character, e.g. Is virtue in the eye of the beholder?

They generate and apply criteria for making judgments about ethical character, such as respect for others and service to the community.

They understand the contentious nature of the criteria used to make judgments about virtue and of particular claims to virtue.

Students explain connections between *knowledge, understanding and practice of ethical judgment*. *Should vices be punished or tolerated?*