An Ethic of Justice, Care, or Chance?
Moral Development in a Fifth Grade Classroom

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Methodology

This article began with an investigation into my own practice, similar to the "practical inquiry" described by Richardson (1994). Looking at two video tapes of my students discussing Supreme Court cases argued in terms of the Bill of Rights, I was struck by the moral reasoning that was evident as the children wrestled with complex issues. I wanted to further explore moral reasoning and moral development, first to better understand my students' comments and second, to find ways to improve my ability to help my students understand moral issues and develop the capacity to make ethical decisions.

Turning to the literature on moral reasoning I found two major foci of discussion: (1) the stage theories of Kohlberg (see Modgil & Modgil, 1986), and (2) discussions of differences between an ethic of justice and an ethic of care (see Noddings, 1984; Gilligan, 1982). While much of this information was useful, I was surprised to find little discussion of the two factors that I would point to as central to children's moral development: the child's life experience, and the shared experiences and dialogue within the classroom. This article is an attempt to bring the latter two factors to the center of the debate regarding children's moral development. In so doing I propose a third potential ethic—an ethic of chance.

The Research Design

This project is part of the tradition of case studies in which the

teacher is also the researcher (see Elliot, 1988; Cochran-Smith & Lytle, 1990; Gitlin, 1990; Richardson 1994). Although the discussion is framed primarily by an in depth study and description of two videotaped social studies lessons dealing with the Bill of Rights, a variety of materials gathered during the two years I taught these children is used to establish the history, development, and context of moral reasoning in the classroom. Materials used include: samples of students' and teachers' writing, written records of small and large group discussions, students' and teacher's biography, lesson plans, audio taping of other lessons, and outside observer's field notes. Videotaped and written conversations in which I attempt to explore my practical arguments on my own and with another are also used to contextualize the two case studies. I also offer suggestions for improving educational policy and curriculum from kindergarten through higher education including suggestions about changes that are needed in order to make education available to all.

Definitions

Ethic of Care, Justice, Chance

Garrod (1992) summaries the differences between an ethic based on justice and an ethic based on caring.

> Historically, the study of moral development has been based on the a priori assumption that the whole of the moral domain is encompassed by the concept of justice: ideas of fairness, equality, reciprocity, the rights of individuals, and the rules and roles that regulate and serve as guidelines to human behavior...In contrast to the justice orientation, the emphasis in the voice of care is on themes of attachment, connection, interdependence, and the responsiveness of human beings to one another. (pp. 30-33)

Nussbaum's (1990) conception of luck and ethics adds a new dimension to this discussion. Using literary as well as philosophical texts, she challenges the idea that one can "make the goodness of a good human life safe from luck through the controlling power of reason" (p. 3).

Chance, by definition, involves interaction with the social and physical worlds. I have therefore attempted to describe some chance events that may have affected the children's reasoning. In the section below I first list some events that many members of the classroom shared, then turn to what I consider pivotal chance events affecting two individuals.

Chance Events

Group Events

The school's principal was killed by a drunk driver during the time I taught these children. This principal was a very caring individual, and was involved with the community. The children expressed a great deal of anger and sorrow at her loss. Crisis teams met the students and teachers on a Monday morning to inform the children and help them deal with their grief. As the students spoke about the principal's death, many students talked of other losses. I believe that this shared grief created special bonds within this classroom community.

The school had a reputation for being "rough," but also innovative due to the leadership of this principal, and although some fellow teachers denied it, others admitted that I received a "dump class" filled largely with students labeled "trouble." Perhaps because I had worn that label myself, I liked this class more than any I had ever taught and followed them from fourth to fifth grade keeping the class (with the exception of students who moved from the neighborhood) intact.

Individual Chance Events

Biographies: In this section I provide biographical vignettes of events that I believe affected two students who took part in these lessons. Both students were in my classroom for the full two years. It is difficult to write this section because I fear presenting such vulnerable parts of these children's lives. I have attempted to ease the invasion by using pseudonyms, and have attempted to share the invasion by providing a similar biography of myself.

Susan: Susan transferred to my school at the beginning of fourth grade. Her mother told me that she had recently reported sexual abuse from her stepfather, and that the stepfather was out of jail pending trial. Susan's mother said that the stepfather had threatened to kidnap Susan and that I should under no circumstances release the child to anyone except her mother. During her fourth grade year Susan was frequently called to testify against her stepfather. At each trial her father asked for and received a postponement and Susan was sent home without testifying. This continued throughout her fourth grade year.

One week before school was to open for what would be Susan's fifth grade year, her mother came into my classroom and told me that during the summer the stepfather had been denied further postponements and had killed himself the day before his case was to come to trial.

Joan: Joan came to this school during third grade when she was

sent to live with her father after her mother abandoned her. It was my belief that Joan was being abused by her father during the two years she was in my classroom. This belief was shared by other school professionals but denied by Joan. One day Joan arrived at school with four bruises the size of large fingers on her upper arm. She told the councilor that her father had grabbed her. Child Protective Services was called and Joan repeated the story. The next day Joan arrived with her father. She said she had lied about her father grabbing her and did not know how her arm became bruised. Joan appeared frightened, and the caseworker recommended that we not pursue the allegation because to do so might endanger the child.

Me: I grew up in a small Midwestern town with my mother and her family. My father was alcoholic and left when I was two. When I was a freshman in college I was informed that a man who died homeless and was listed as a "John Doe" had been identified as my father. I was not successful at school, spending much of my time in elementary school in the hallway and much of my time in high school discussing underachievement with the guidance counselor. I graduated from high school in the bottom 5% of my class, and remember thinking that the lack of a sense of humor among school personnel was quite pronounced.

Discussion

When I watched these lessons I was struck by the ethical and moral statements made by the children. They discussed what was "right" and what was "fair"; they were concerned for the rights of the accused and for the safety of victims. Two factors seemed important in the formation of the children's moral opinions. These were (1) the children's own personal experiences and (2) the personal experiences and stated opinions of other children in the classroom.

Personal Experience and Moral Development

Several writers point to the effect of personal experience on moral thinking (see Bush, 1981; Siegal, 1980; Evans, 1982) An interesting approach is provided by Lyons (1992) as she calls for attention to the "particular and real" (p. 135) and examines the role of chance in adolescents' ethical decision making.

The effect of such chance events can be seen in Susan's comments about *Miranda v. Arizona*. She says:

> He already did [this crime] and if they let him go he'll do it again. …What
> if they let him go and he did it to another person and another person

and they kept saying, "Well we violated his rights?"...I think he should be in jail for life because he might have done it to other people and they might not have come forward because they were scared to death of this person . . .I know some people, I'm not gonna say any names. But they used to be scared that if he had somehow gotten out of jail he would somehow have come to get them.

Joan's personal experience is also reflected in her discussion of Miranda. She is concerned with the violation of Miranda's rights, but also fears that the victim will experience reprisal. She attempts to formulate a solution that solves both problems.

Joan: Well I think that he should get life because if they don't . . . he'll be even more mad, and then what he's gonna do if he's on probation or something. . .What he'll do [gulps] so the person can't tell, what he'll do is he'll rape them and like abuse until they're painfully killed. . . And then the cops like they didn't tell him his rights—I don't think they should let him go. I think the cops should be off duty or fired or something like that.

Susan and Joan responded differently when the crime under discussion did not touch upon their personal experience.

When asked how the cases of Chimel (a case involving search of a suspected burglar) and Miranda were different, Susan described a qualitative difference between the victim of robbery and the victim of rape. She says, "There's a big difference. There's one that's living and there's one that's just playing songs or whatever."

Moral Development within a Learning Community

The picture of moral reasoning as an individual, rational process that proceeds through discrete, hierarchical stages has recently been challenged as new perspectives enter the discussion. Gilligan (1982) criticizes Kohlberg's (1981) justice based stage theory of moral development as incomplete and biased. Damon (1992) surveys the field of moral development and finds not a single construct but, "a loose constellation of ideas that may have little or nothing to do with one another" (p. ix).

Although moral development within learning communities has received little attention, translation of Vygotsky's (1962) work raised interest in the effect of social environments upon cognition.

In this light Susan and Joan's personal experiences potentially affect not only their own moral development, but may also affect the moral development of the classroom community as their experiences are shared. There is some evidence for this view in the videotaped lessons. The small group of which both Susan and Joan were members appears strongly swayed against Miranda. While one incident cannot

prove that moral reasoning is a group process, it can perhaps point toward a possibility worth investigation.

Moral Development and the Taught Curriculum

It is not only students' home life and experience that effects moral development. We must also consider the taught curriculum and educational policies. Glatthorn (1987) describes the hidden curriculum in the following way:

> …knowledge becomes a kind of cultural capital which serves to reflect the belief system of the larger society. In imparting this selected knowledge, school administrators and teachers impose upon children certain commonly accepted definitions of such key constructs as work, play, achievement, intelligence, success, and failure: thus, meanings are imposed, rather than discovered…To summarize, then, the hidden curriculum is seen here as both constant and variable aspects of schooling (other than the Intentional curriculum) that produce changes in the student. (pp. 21-24)

Policies also effect moral development. When I taught, 5th grade was self- contained. This helped build community in a variety of ways. First, students could see that everyone (including the teacher) has strengths and weaknesses. I have a learning disability in spatial relations. I had one fifth grade student who struggled in reading, but could look at anything and make it in origami. When he wanted a drink he would fold paper into a cup and use it. When we were making pop up books in class, I asked this student for help. He showed the whole class how to do it, and realized that he could teach the teacher.

Building community also helps students learn to stand up for one another. In a different school some of my students were being bullied. I told the class, "When someone picks on one of us, they pick on all of us, and we stand up and tell them to stop." This helped the students being bullied. Then one day I had a substitute teacher who made a racist comment. The entire class (mostly white) stood up, walked down to the principal's office and said, "We will not be treated this way." Luckily, this principal was supportive. She told the students they could have waited till lunch, and then told her, but that she would call central office and make sure that substitute teacher did not return to our school. She taught the students for the rest of the day. The students learned that they needed to stand up against things that hurt anyone in their community—not just themselves.

We must also find ways to see the world with a variety of lenses. I always say that the "elephant in the dark" strategy only works if people have their hands on different parts of the elephant and listen as well as

talk to one another. If those with their hands on the trunk only speak to one another, they will actually reinforce their errors. I have future teachers in my classes draw their lenses and blind spots, telling them that everyone has both, and to be a good teacher you have to keep your ego and your practice separate. At the school I talk about in this article we had two substitute teachers in the school every day. We could reserve one to come in and watch our class as we visited another. I had a student who was Hopi. I could tell that I was not doing a good job teaching him, so I asked a teacher who was also Hopi to come in and watch me teach. We had lunch together and she told me, "You're scaring him! Step back, lower your voice, and look away from him as you speak." I was surprised I hadn't thought of this myself, and thanked her for insight. The student did much better when I followed her advice.

As a teacher educator I also find it important to keep in touch with schools and students. I taught a methods class at one elementary school for over 10 years. I also tutored students at the school. In one article (Morgan-Fleming et.al, 2008) I asked some fifth graders who called me their grandteacher because their teacher had been my student, to write letters advising future teachers. One student wrote the following letter.

> Dear Future Teacher,
>   I just have a few recommendations on how I think of a good teacher. For one thing, don't start out being strict or very, very nice. What I mean by being very, very nice is by giving us candy and treating us like kindergarten. Now, being too strict will not gain a bond between students.
>   Being on time, now that's a good one. When students wait for the teacher to come (they) can start something. What can happen is that we might start talking real loud, and start playing games that are not appropriate for school. Now don't get me wrong, but I'm always late to school so I really don't know what happens in the mornings in the library.
>   To make kids feel like learning isn't boring, play games, give good examples and explanations. Now, learning doesn't seem so boring.
>   When your class gets ready for a break, you'll start talking and then you'll start to get off topic, in your classroom during learning. It's okay to get lost in a subject except in class. That's how to maintain your focus.
>   To help kids with work they didn't understand, find a technique to help when they are at home doing homework. It could be helpful for one student but not for all.
>   This is a great letter to help teachers.
>   —Tamesha (p. 97-98)

Conclusion

Garrod (1992) calls attention to the separation often made between "moral reflection, moral emotion, and moral conduct—the head, the

heart, and the habit" (p. ix). In these vignettes the children show a concern for justice, but also identify emotionally with the victim. Much of their concern about what is fair and what is good is affected by the world they have experienced.

Here is an ethic that captures my intuitive sense of the moral development of the children in my classroom. There is no "generic child" (Schwab, 1969, 11-12), whose morality and ethical development are the object of research conducted by strangers, and who are the beneficiary of generalizable teaching practice or curriculum. This is insufficient to measure a child's moral development. As adults we must also take responsibility for creating conditions in which the child's morality can grow.

Discussion of children's moral development must not be solely an intellectual endeavor. It must be political as well. One change we should consider is the availability of college education to everyone. When I graduated from high school I was automatically admitted to any university in my state of Kansas. Even though I graduated in the bottom 5% of my class, I was automatically admitted to the University of Kansas, one of the top schools in Mandarin Chinese. My Pell Grant was a full scholarship, and I lived on campus in a scholarship hall that was free. I graduated with my Bachelor's degree in Chinese. I was also able to pay for my graduate degrees while working as a teacher. None of this would be possible today. If we merely study children's moral development without attempting to improve the conditions in which that morality grows, we should be concerned not only with the children's morality, but also with our own.

To help with this, we should also consider what we can learn from students. We should ask ourselves, "Are you as moral as a fifth grader?" The Black Lives Matter movement reminds us that we all must stand up when something is wrong, even if it doesn't affect us. We should also consider the hidden curriculum (Glatthorn, 1987 p. 20) in secondary school and college. Many students have been taught that all that matters are grades and test scores. I sometimes have to tell my students, "The final for this course is given in your first year of teaching by a group of five year olds, ten year olds etc. There's no grade appeal, and who cares if you have a 4.0 if you don't survive?" I can see by the look on my students' faces that this is a surprise, and a wakeup call. It's also a good question to ask ourselves. It should help with our own moral development.

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