Section Six:
Care, Justice and Multicultural Education Within the Landscape

Care Versus Justice in Education: Dilemmas, Difficulties and Resolutions

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Justice Versus Care: The Debate in a Nutshell

Lawrence Kohlberg's (1981, 1984) cognitive-developmental stage theory of moral reasoning had been the dominant approach in moral psychology in the 1970s when Carol Gilligan challenged the underlying assumptions of Kohlberg's theory. In Kohlberg's cognitive-developmental perspective cognition is considered the driving force for moral behaviour and moral cognitive development proceeds cross-culturally through a fixed order of stages with moral maturity as the end-state. A person's cognitive-developmental stage at a given time is identified through the level of moral reasoning the person demonstrates in addressing moral dilemmas. At the highest level of moral maturity a person would, when facing a moral dilemma, follow "self-chosen ethical principles", independent of societal laws, where those principles "are universal principles of justice: the equality of human rights and respect for the dignity of human beings as individual persons" (Kohlberg, 1987, p. 286).

Gilligan (1977, 1982) challenges the *generality claim* of Kohlberg's concept of moral maturity by claiming that the justice orientation in moral reasoning is more a male dominated orientation in dealing with moral dilemmas, while females tend more toward a care orientation in these situations. She characterizes the care orientation as aiming predominantly for restoring or sustaining the personal relationships involved in the respective situation and, thus, as considering the idiosyncratic aspects of the respective situation:

> Specifically, these two voices / orientations are generated by particular visions of ideal human relationship: the *justice* orientation reflecting an ideal of equality, reciprocity, and fairness between persons; the *care* orientation reflecting an ideal of attachment,

loving and being loved, listening and being listened to, and responding and being responded to.
(Brown, Tappan, & Gilligan, 1995, p. 314)

In Gilligan's approach to the justice versus care issue the two orientations are seen as alternatives and as gendered. At least with respect to moral reasoning about moral dilemma situations extensive studies in moral psychology seem to have demonstrated that the two orientations are not gendered (Lapsley, 1996, chapter 7). Also, within moral philosophy there are attempts to integrate justice into care and not to see them as alternatives (Friedman, 1987; Slote, 2001).

At least since Gilligan (1982) the term "ethics of care" is used for a class of moral theories (e.g., Mayeroff, 1971; Gilligan, 1982, Noddings, 1984, Fisher & Tronto, 1990, Blustein, 1991) which frame their response to central ethical questions around the notion of care, understood as the responding to the needs of – generally - others.

In the field of education, the debate between justice and care has been played out in two areas: moral education (Noddings & Slote, 2003) and educational decision-making (Katz, Noddings, & Strike, 1999). Following, we will use two examples from educational practice to illustrate how the tensions between a justice and a care orientation can play out in educational decision making problems, and, then, argue how these tensions can be seen more as an integral part of decision making *within* the caring perspective in general rather than as adverse tensions of alternative moral viewpoints.

Two Case Studies
Justice Versus Care in the Classroom
A high school teacher has designed an assessment and evaluation format for her mathematics 8 classes according to which students who want to strive for an A or a B in the course had to – in addition to the understanding of the core material - complete work on material that was more challenging, though related to the K-8 learning outcomes. The format was motivated by two factors. First, the additional material provided the higher-achieving students with more adequate stimulating material (for its relevance see Jensen, 1998, p. 30) and the marks attached to the students' work on that material provide extrinsic motivation. Second, the additional material provided the teacher with a way of assessing the outstanding (A-level) and very good (B-level) understanding of the course content by the respective students.

One student, let us call her Andrea, performed at a B-level with respect to the core material of the course; she, however, struggled with the more

challenging material and from a certain point in time stopped working on it all together. She received a C+ on her term report card. Andrea's father, as it turned out later, had told her not to work on the material since it was not taught to her directly in class. He challenged the report card mark and the principal was involved.

In his meeting with the teacher, the principal took the position that the teacher's assessment and evaluation practice was unfair (unjust) to his students because the expectations for receiving an A or B in her class were higher – due to the assessment material used – than in other math classes of the same grade.

Justice Versus Care in Teacher Education

A faculty associate is going into a meeting with his student teacher, the school associate and school principal. Mia, the student teacher, is in Week 3 of an 8-week practicum. Despite the support by her mentors, Mia has been unable to complete the unit plans for the subjects and programs she has been and will be teaching.

The school associate has been supportive by allowing Mia lots of freedom to try new things and to teach topics that are of interest to her. She saw much of her own philosophy in Mia's practice. They were both child-centered and willing to change the lesson in the moment to fit the needs and interests of the students. However, she was becoming concerned that Mia didn't seem to have a plan each day and was relying upon the routines and "teachable moments".

The administrator has had experience with beginning teachers and really values those with the ability to articulate what they do and how they do it. She requires written overviews each term to see what's happening in the classrooms. During the meeting, she discovers that the university policy states, "Student teachers must have their unit plans prepared by Week 2. The practicum will not continue until appropriate planning has been demonstrated."

During her previous Week 2 conference, the faculty associate noticed that Mia had lots of ideas and a pile of resources. Her teaching practice had been very good up to this point with creative lessons and strong management. Mia promised to submit the unit plans at the end of the week as she needed a few extra days to get it in writing. The deadline passed and he was getting worried. To add to his concern, Mia came to this meeting with an expressionless face and said very little when asked about the plans.

From a justice perspective, it is understandable that the faculty associate needs to impose the university policy; but will this action facilitate learning for this student teacher and ultimately meet her needs and the needs of her students?

Justice Versus Care: Resolving the Adverse Tensions

For reasons of space, we limit our consideration here to the first case study; the arguments, however, apply to the second case study as well.

The principal does care for the student(s) in a general sense of "caring". However, his concern for the student is based on the satisfaction of a *general* moral principle (equal treatment of students under equal circumstances), while the teacher's concern is with the *particular* learning needs of the higher-achieving students. If caring is understood with the specific meaning it generally has in ethics of care, namely to address the particular individual's particular needs in the particular situation, then it can probably be said that the teacher took a more care-oriented point of view and the principal a more justice-oriented point of view of the assessment and evaluation situation.

However, the matter is not as simple. A closer look at both sides will illuminate two different issues that will bring both viewpoints closer. First, the principal was probably not motivated by just wanting to follow an abstract principle of justice (fairness), but he was rather being guided by the abstract principle *for the sake of the students*. Being treated just (fairly) can be seen as a general human need that can play a role as a particular need in particular situations. Second, although the teacher seemed to address *specific* learning needs of the higher-achieving students, the identification of these specific needs were derived from a general (learn-theoretical) principle. But as Noddings (2002, pp. 64-66) emphasizes, the identification of a person's specific needs has to strongly consider that person's expressed needs. Did Andrea think or was she convinced that the teacher's assessment and evaluation practice addressed her specific needs as a student?

The two orientations can now be viewed as much more integrated. In caring for an individual student, justice principles have to be given consideration as *one type* of need by a student in a particular situation, a need that has to be weighed against other needs by the student, for instance, to be challenged appropriately. This weighing cannot be done in general but has to be done in and for the particular situation. Understanding caring as addressing a person's need, justice has to be seen as in the service of caring.

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