

# Running head: kohlberg's stages of moral developmet

Law, Capital Punishment



Running head: KOHLBERG'S STAGES OF MORAL DEVELOPMENT 1 Kohlberg's Stages of Moral Development into the Justice System Yvonne Constantine Strayer University Ethics and Leadership in Criminal Justice Professor Pionke November 18, 2012 KOHLBERG'S STAGES OF MORAL DEVELOPMENT 2

Kohlberg's Stages of Moral Development into the Justice System Justice is a concept of moral rightness based on ethics. Justice is fairness, and implemented in an attempt to protect society from the wrongs committed against members of the society. (Vogen, 2008, p. 112). The concept of justice involves impartial treatment of all individuals with the highest quality of fairness. Justice and the social contract are a set of rules governing how people are to treat each other and most will agree to accept for their mutual benefit that others will follow these same rules (Atkinson, P. (2012).

Retrieved from [http:// ourcivilisation. com](http://ourcivilisation.com)). The social contract theory is related to criminal justice in many ways. Individuals give up certain freedoms in order to receive protection from the state. We need the government which includes police officers, courts, and the system of corrections to apply and execute justice and the social contract to administer deserved punishment. In order for law enforcement to promote a universal definition of justice, police officers must possess the moral ability to lawfully enforce laws of the land and adhere to the honor of their department. Because police officers handle situations case by case, justice varies among individuals. Police officers have a considerable amount of control and may exercise their ability to determine how justice should be administered. Police officers purpose is to maintain order, enforce laws, prevent & control crime as well as cooperate with prosecutors by gathering evidence necessary to obtain convictions.

Without an agreement lawlessness would reign and where would that leave justice? Kohlberg's psychological study of moral behavior involved theories of children and adolescents thought processes in relation to moral. Kohlberg suggested that morality & moral reasoning proceed through a series of stages consisting of three levels with each level involving KOHLBERG'S STAGES OF MORAL DEVELOPMENT two developmental periods. Each level and stage forms a developmental sequence which cannot be skipped (Williams & Arrigo, p. 123). Through research it has been established that there is a 3 direct correlation between the level of moral reasoning and offending behavior. Offenders reason at less mature levels than non-offenders. Adult criminals are more likely to be in stage 1 and 2. In stage one, Preconventional Morality — Punishment and Obedience; one's own needs and interests are most important. Rules are understood only in terms of consequences that attach behavior to the behavior itself. Stealing isn't wrong because it victimizes another, only because of the punishment. Offenders function at this stage because of their unfeeling and indifference they have towards their victims. In stage two — Instrumental purpose & exchange, people exchange favors with no identification with the values. At this stage the importance is in advancing their own desires, the pursuit of self-interest. Additionally people begin to have a greater concern for others and the understanding of reciprocity. Criminals at this stage are concerned about others only as a means to satisfy their own interests. For example an individual who commits robbery is only interested and recognizes the self-serving benefits of the act of robbery. In stage three — Interpersonal Expectations & Conformity, Thinking defines morality in terms of what should

be done to win the support of others such as parents, teachers, and friends (Williams & Arrigo, p. 124). Moral reasoning is motivated by loyalties to others and a desire to live up to other people's standards. For example a person who commits murder. Criminals at this stage may possibly have trouble with applying cognitive skills consistently to different situations such as self-control, ability to empathize, and the ability to anticipate the consequences of their behavior (Vito, Maahs, & Holmes, 2006, p. 124). Criminals in stages 1 & 2 have low measures of moral reasoning, social convention, understanding, interpersonal awareness, socialization, empathy, and autonomy. KOHLBERG'S STAGES OF MORAL DEVELOPMENT Deterrence raises awareness in societies where sometimes it's easy to take the risk and make a poor choice but consequences are great. The risk of being caught is a reality but more importantly once that the line has been crossed and criminals are beyond the point of no return. Deterrence is a means to achieve the greater social goal of deterring others from like conduct as well as a credible threat of acceptable counteractions. In all cases mentioned, I believe that the criminals are poor and uneducated. In both the case of the criminal convicted of stealing, and 4 robbery I believe a good deterrence would be for the criminals to have to pay back the money as well as perform community services and rehabilitation. Rehabilitation can help change the inclination, motives, habits and character of offenders. So as not to want to engage in criminal behavior, abiding by the laws because consequences of the crime outweigh any pleasure it might bring (Williams & Arrigo, 2012, p, 182). As far as the criminal who has committed murder, I feel strongly that this individual should be incarcerated and possibly give the death penalty. I

understand there are many different views regarding the death penalty versus rehabilitation, but my feeling is the victim certainly didn't have a second chance so the criminal shouldn't as well. KOHLBERG'S STAGES OF MORAL DEVELOPMENT References Williams, C. R. & Arrigo, B. A. (2012). Ethics crime and criminal justice (2nd Ed.). <http://www.ourcivilisation.com> <http://www.criminology.fsu.edu> 5 KOHLBERG'S STAGES OF MORAL DEVELOPMENT 6