

How the work of I. Kohlberg contributed to the development of the justice paradigm...

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The ethic of justice is one of the ethical paradigms that define the moral values of a leader. The other ethical paradigms are the ethic of critique, ethic of care, ethic of profession and personal code (Shapiro & Stefkovich, 2005).

Lawrence Kohlberg was an instrumental figure in the development of the justice paradigm through his work. This paper seeks to analyze the ways that Kohlberg influenced the development of the justice paradigm (Kohlberg, 1981).

The ethics of justice, also known as morality of justice, was an idea developed by psychologist Carol Gilligan in her work "In a Different Voice" in which she describes the ethics and moral reasoning common to men as defined by Kohlberg's stages of moral development. The ethic of justice deals with the following issues; rights, policies, law and the ethical dilemmas resolved by fairness, equity and justice (Kohlberg, 1981).

The development of the ethic of justice is mainly informed and based on Kohlberg's six levels of moral development, also referred to as ethics of justice. In his work, Kohlberg identifies six levels of moral development. These six are further divided into three general levels. In his argument, Kohlberg's theory is of the opinion that these six developmental stages have their basis on moral reasoning which is the basis for ethical behaviour. In essence, Kohlberg was making a claim that the moral development of an individual was principally concerned with justice and continued through out a person life (Kohlberg, 1981).

Kohlberg's six stages of moral development are divided into three stages. These three stages are the pre-conventional stage, the conventional stage and the post conventional stage. The pre-conventional stage of moral

reasoning is common among children but not particular to them since adults can also exhibit this level of moral reasoning. In this level, justice is evaluated by the actual direct consequences of moral actions. In this stage, morality is not defined by the conventions that exist in the society and what the society considers right or wrong is not of any regard in the pre-conventional level of moral development. The focus on this level is the direct consequences that an action will bring (Kohlberg, 1981).

In the pre-conventional level of moral development, there are two stages; stage one and stage two. In stage one morality is driven by obedience and punishment. Individuals in this stage focus on the direct consequences of their actions on themselves and do not have any regard to the consequences to other parties. The more severe a consequence of an action is, the more that action is perceived to be morally wrong. Stage two of moral development is driven mainly by self interest. In this stage, what is right is determined by the self interests of the individual, who evaluates an action by the benefits to accrue to him with no regard to the others unless such regard for another party will have resultant benefit to the party (Kohlberg, 1981).

The second level of moral development is the conventional level. In this level, morality of actions is judged by making a comparison of them to the society's views and expectations. This level of moral reasoning is most typical in adults and adolescents. In this stage, there is an acceptance of the conventions of the society by the individual in defining what is wrong or right and there is an adherence to these rules which have been set by the society. There is no questioning of the appropriateness of the rules that have been

set by the society and individuals in this stage of moral development follow them without any regard to how appropriate those rules are (Kohlberg, 1981).

In the conventional level of moral development, there are stages three and four. In stage three of moral development according to Kohlberg, individual moral reasoning is driven by interpersonal accord and conformity. In this stage, the individual is driven by the approval or disapproval actions from others and attempts to meet the society's expectations on the development of relationships. It essentially means that in this stage of moral development, the individual is driven by the social roles that he is expected to play (Kohlberg, 1981).

In stage four of moral development according to Kohlberg, moral reasoning is driven by authority and obedience of social order. In this stage of moral development, an individual will seek to obey the laws and social conventions due to their importance in ensuring the development of a functional society. In stage four, moral reasoning is more driven by concern to the society and its continued functionality rather than the individual needs of the earlier three stages. The need to uphold the laws developed by society is supreme to ensure the moral survival of the society. Many members of the society are in this stage and their moral reasoning is dictated mainly by forces outside their control (Kohlberg, 1981).

The third level of moral development according to Kohlberg is the post-conventional level. Stages five and six of moral development are in this level and in this level, moral logic and reasoning is influenced by a realization that each individual in society is different in his own way and the perception of

the individual may be more important and should take precedence over the society's view. In this level the moral reasoning by the individual is informed by the ethical principles that the individual has developed based on his own perspectives. In stage five of moral development, moral reasoning regarding justice is based on the view that there are different opinions and values that exist in the society. In this stage, laws are viewed as social contracts rather than rigid social rules that need to be followed. It advocates for change of those who do not conform for the greater social good and through the use of compromise and thus calls for the use of majority opinion as in democracy (Kohlberg, 1981).

Stage six of moral development is driven by universal ethical principles and as such, moral reasoning in this stage is based on abstract reasoning using universal ethical reasoning principles. In this level, laws that the society imposes on individuals are valid if only based on universal justice, and this extends to the disobedience of laws which are considered unjust (Kohlberg, 1981).

Kohlberg's work on moral development contributed significantly to the development of justice paradigm in that it brings into focus the motivations that lead individuals to seek justice. It also means that the application of justice should be based on the level of moral development that an individual is in and as such, the laws that are developed should be conscious of this fact. In the development of a justice system, the four fundamental principles of the ethic of justice should be applied with regard to the stages of moral development that the laws are intended for (Shaffer, 2004).

The rights of the individuals of the society to which a justice system is

applied should be evaluated against the moral development levels of the targeted society. The policies that will be applied should also be informed by the moral development stage of the target group, and this is applicable especially in institutions such as school where different members of such institution are in different stages of moral development and thus may require have different definitions of justice. The development of the law to govern society or an institution should be based on the moral development stage of the targeted group and as such should seek to deal as comprehensively with the ethical dilemmas. The dilemmas posed by different ethical situations should be resolved by the justice system by delivering fairness and equity (Shaffer, 2004).

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