

**MORAL JUDGMENT AND CRIMINAL BEHAVIOR:
A FOLLOW-UP OF PRISON RELEASE AND PAROLE ADJUSTMENT**

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RESUMO

**JULGAMENTO MORAL E COMPORTAMENTO CRIMINOSO:
UM ESTUDO DE SEGUIMENTO DA SAÍDA DA PRISÃO E ADAPTAÇÃO À
LIBERDADE CONDICIONAL**

Julgamento moral baixo é visto como um fator importante na compreensão do comportamento anti-social. Vários estudos têm relatado relações significantes entre o comportamento criminoso e medidas do desenvolvimento cognitivo-social.

No presente estudo, 157 adultos presos responderam ao teste de Defining Issues, que dá uma medida do desenvolvimento moral da pessoa.

Um seguimento de três anos foi realizado para investigar a relação entre julgamento moral e o crime cometido, adaptação durante a liberdade condicional e recidivismo. Não se encontrou relação entre o julgamento moral, o crime cometido e obtenção de liberdade. Saída das prisões de níveis diferentes de segurança se relacionou com os resultados da liberdade condicional. É feita uma discussão dos problemas do uso do escore "P" do teste de Defining Issues na amostra de criminosos.

Kohlberg (1958, 1964, 1968, 1971, 1976) has explored a developmental approach to morality and how moral judgment relates to a variety of psychological constructs. The cognitive developmental approach of Kohlberg posits six successive stages, which provide a conceptual framework for analysing social interrelationships, moral responsibilities and issues of justice (see Appendix A for a more complete description of the stages). A behavioral correlate such as criminal behavior seems to make the leap from the theoretical realm of moral development to the real world of moral

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behavior. In fact, Kohlberg's seminal work (1958) has generated over 20 years of longitudinal follow-up of the moral judgment of delinquent boys as compared to normal adolescent males. Immature moral judgment is viewed as an important contributing factor in antisocial behavior. Research has reported significant relationships of criminal behavior with measures of social cognitive development (Hickey & Sharf, 1980; McColgan, 1975; 1977).

Moral judgment was used as the independent variable in predicting prison release and parole adjustment in the present study. From a subject pool of 210 adult male inmates, a total of 157 individuals completed scorable protocols of Rest's (1974) Defining Issues Test (DIT), an objective measure of moral development. For the most extensive review of moral development research using the DIT, the reader is referred to Rest's book, **Development in Judging Moral Issues** (1979). The P score (sum of weighted ranks given to stage 5 and 6 items on the DIT) was the independent measure used. This P (or "principled") score has been the most useful and used index from the DIT and is interpreted as *"the relative importance a subject gives to principled moral considerations in making a decision about moral dilemmas"*. (Rest, 1979, p. 52).

Results found an average P score of 16.8 (SD = 7.6), the lowest scores ever reported for any adult samples. (This compares with the general adult average of around 40.0). No differences were found between P scores of person vs. property offenses. This three year follow-up study found no differences in moral judgment between those who were paroled, discharged or violated parole.

In terms of the person vs. property bifurcation, it was found that those with committing offenses classified as property were significantly more likely to have been discharged from supervision at the time of the follow-up (47.5%, property; 27.9%, person, as seen on Table 1).

The site of release from prison (maximum, medium, minimum security or alcohol treatment program, hospital setting) was found to be significantly related to types of release consequences (Table 2). Those most likely to have been discharged from supervision at the time of follow-up were those released from a minimum security institution (57.4%); those least likely were those released directly from maximum security (30.4%). Those most likely to be still on parole were those released from the alcohol treatment program, a minimum security hospital setting (60.0%); those least likely to be still on parole were those released from maximum security (23.2%). For purposes of this study recidivism is defined as violation of parole (including technical violations as well as new offenses). Those most likely to commit violations were those released directly from maximum (46.4%); those least likely to violate were from minimum security (6.7% from alcohol treatment, 13.0% from other minimum institutions).

In sum, no relationship was shown between moral judgment and committing offense or release consequences. Several factors may account for this. First, the P scores were remarkably low and almost "bottomed out" and were not sensitive enough to discrimina-

te among offenses and outcomes. In fact, Davison (in Rest, 1979) is developing an empirically weighted sum ("D" score) which is much more sensitive to moral development occurring in the lower stages than is the "P" score. This "D" index appears much more promising with offender populations and will be utilized, along with stage scores, in future follow-ups or the present sample.

Another problem lies with the simple person vs. property dichotomy used herein. Ideally, one would need more adequate information to develop meaningful typologies for research purposes, including not only the instant offense but also prior record (Glaser, 1974), criminal skill level (Gibbons, 1965), institutional adjustment (Hood & Sparks), the impact of the prison environment (Toch, 1977), and so on. Furthermore, an examination of recidivism trends vis-avis release sites would suggest that much more than the simple security classification at time of release is predictive of parole violation (Wright, 1979). We need to look at the social climate, stress factors and organizational parameters of the center of release as they impact on the individual variables of the offenders. Subjectively, it is felt that prison overcrowding may have affected offender classification decisions, transfer to various custodies and even concomitant release decisions in this study (cf. Clements, 1982). Finally, the successful adjustment of those released from the alcohol treatment program (a multi-modal, highly structured and supportive therapeutic milieu setting) is supportive of the positive results reported by Vigdal, Stadler, Goodrick, and Sutton (1980). In a 12 month follow-up study, Vigdal, *et al.* (1980) found that the alcohol treatment program enhanced the difficult transition from incarceration to the survival and social skills necessary for community re-integration.

TABLE 1
Break Down of Release Follow-up by Offense

RELEASE FOLLOW-UP	TYPE OF OFFENSE		
	PERSON	PROPERTY	TOTAL
Discharge	12	47	59
Parole	18	21	39
Violation	13	31	44
Total	43	99	142

$$X^2 = 7.43, df = 2, p < .05$$

TABLE 2
Break Down of Release Consequences by Site of Release

CONSEQUENCES	SITE OF RELEASE				
	MAXIMUM	MEDIUM	MINIMUM	ALCOHOL TREAT.	TOTAL
Discharge	17	4	31	5	57
Parole	13	0	16	9	38
Violation	26	3	7	1	37
Total	56	7	54	15	132

$\chi^2 = 27.15$, $df = 6$, $p < .001$

ABSTRACT

Low moral judgment is viewed as an important contributing factor to anti-social behavior. Studies have reported significant relationships of criminal behavior with measures of social cognitive development. In the current study, 157 incarcerated adult offenders were given the Defining Issues Test, an objective measure of moral development. A three year follow-up study was completed to investigate the relationship of moral judgment and committing offense, release site, parole adjustment and recidivism. The study found no relationship between moral judgment, committing offense and prison release. Exit from different prison security levels was related to parole outcome. Problems with using the Defining Issues Test "P" Score in offender populations are discussed.

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APPENDIX A - KOHLBERG'S DEFINITION OF MORAL STAGES

I. PRECONVENTIONAL LEVEL

At this level the child is responsive to cultural rules and labels of good and bad, right or wrong, but interprets the

se labels in terms of either the physical or the hedonistic consequences of action (punishment, reward, exchange of favors) or in terms of the physical power of those who enunciate the rules and labels. The level is divided into the following two stages.

Stage 1: The punishment and obedience orientation. The physical consequences of action determine its goodness or badness regardless of the human meaning or value of these consequences. Avoidance of punishment and unquestioning deference to power are valued in their own right, not in terms of respect for any underlying moral order supported by punishment and authority (the latter being Stage 4).

Stage 2: The instrumental relativist orientation. Right action consists of that which instrumentally satisfies one's own needs and occasionally the needs of others. Human relations are viewed in terms like those of the market place. Elements of fairness, of reciprocity and equal sharing are present, but they are always interpreted in a physical pragmatic way. Reciprocity is a matter of "*you scratch my back and I'll scratch yours*", not of loyalty, gratitude or justice.

II. CONVENTIONAL LEVEL

At this level, maintaining the expectations of the individual's family, group, or nation is perceived as valuable in its own right, regardless of immediate and obvious consequences. The attitude is not only one of **conformity** to personal expectations and social order, but of loyalty to it, of actively **maintaining**, supporting, and justifying the order and of identifying with the persons or group involved in it. At this level, there are the following stages:

Stage 3: The Interpersonal concordance or "Good by - nice girl" Orientation. Good behavior is that which pleases or helps others and is approved by them. There is much conformity to stereotypical images of what is majority or "*natural*" behavior. Behavior is frequently judged by intention - "*he means well*" becomes important for the first time. One earns approval by being "*nice*".

Stage 4: The "Law and Order" Orientation. There is orientation toward authority fixed rules, and the maintenance of the social order. Right behavior consists of doing one's duty, showing respect for authority and maintaining the given social order for its own sake.

III. POST CONVENTIONAL, AUTONOMOUS, OR PRINCIPLED LEVEL

At this level, there is a clear effort to define moral values and principles which have validity and application apart from the authority of the groups or persons holding these principles and apart from the individuals own identification with these groups. This level again has two stages.

Stage 5: The Social-Contract Legalistic Orientation generally with utilitarian overtones. Right action tends to be defined in terms of general individual rights and in terms of standards which have been critically examined and agreed upon by the whole society. There is a clear awareness of the relativism of personal values and opinions and a corresponding emphasis upon procedural rules for reaching consensus. Aside from what is constitutionally and democratically agreed upon, the right is a matter of personal "values" and "opinion". The result is an emphasis upon the "legal point of view", but with an emphasis upon the possibility of a changing law in terms of rational consideration of social utility, (rather than freezing it in terms of Stage 4 "law and order"). Outside the legal realm, free agreement, and contract is the binding element of obligation. This is the "official" morality of the American government and Constitution.

Stage 6: The Universal Ethical Principle Orientation.

Right is defined by the decision of conscience in accord with self-chosen **ethical principles** appealing to logical comprehensiveness, universality, and consistency. These principles are abstract and ethical, (The Golden Rule, the categorical imperative) they are not concrete moral rules like the Ten Commandments. At heart, these are universal principles of **justice** of the **reciprocity** and **equality** of the human rights and of respect for the dignity of human beings as **individual persons**.

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