

PHIL 480: Seminar in the History of Philosophy
Building Moral Character: Neo-Confucianism and Moral Psychology

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[Handout #8]

Lawrence Kohlberg, The Claim to Moral Adequacy of A Highest Stage of Moral Judgment

§ Main Theses

1. A higher or later stage of moral judgment is “objectively” preferable to or more adequate than an earlier stage of judgment according to certain moral criteria.
2. Moral stages are *natural* structures generating families of moral theories, and the two major families of normative moral theory tend to be generated by two natural structures of stage 5 and stage 6.
3. Stage 6 is similar to Kant’s and Rawls’ theories and is a better natural structure than stage 5, which is based on the more familiar conception of social contract and of utilitarianism.

Table 1. Definition of Moral Stages

- I. **Pre-conventional Level:** the child is responsive to cultural rules and labels of good and bad, right or wrong, but interprets these labels in terms of punishment, reward, exchange of favors, etc. or in terms of the physical power of those who enunciate the rules and labels.
Stage 1. Punishment and obedience – Avoidance of punishment and unquestioning deference to power are valued in their own right, not in terms of respect for an underlying moral order.
Stage 2. Instrumental-relativist – Human relations are viewed in terms like those of the marketplace. Reciprocity is a matter of “you scratch my back and I’ll scratch yours,” not of loyalty, gratitude or justice.
- II. **Conventional Level:** Maintaining the expectations of the individual’s family, group, or nation is perceived as valuable in its own right, regardless of immediate consequences. The attitude is of conformity to personal expectations and social order, and also of loyalty to maintaining, supporting and justifying the order. One is identified with the persons or groups involved in it.
Stage 3. Interpersonal concordance – Good behavior is that which pleases or help others and is approved by them. One earns approval by being nice.
Stage 4. Law and order – There is orientation toward authority, fixed rules, and the maintenance of the social order.

III. Post-conventional Level: There is a clear effort to define moral values and principles that have validity and application apart from the authority of the groups or persons holding these principles.

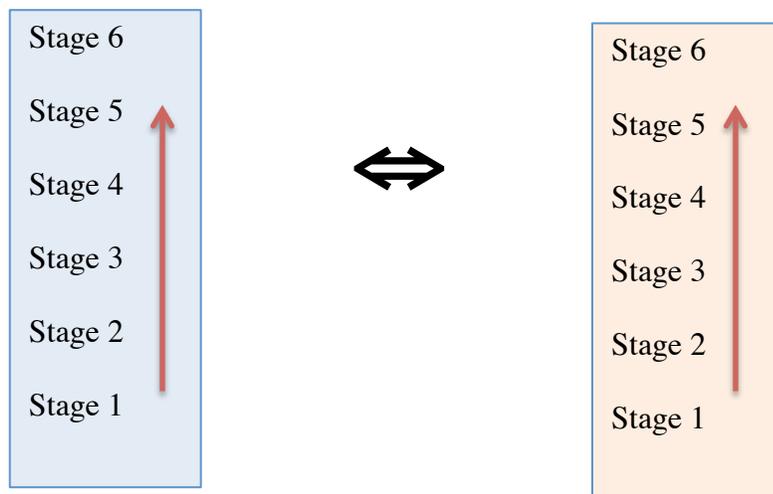
Stage 5. Social-contract legalistic orientation – Right action tends to be defined in terms of the general individual rights, and socially accepted standards. The emphasis is on the legal point of view, with the possibility of revision based on rational considerations of social utility.

Stage 6. Universal ethical principle – 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 like the Golden Rule, the Utilitarian rule or the Categorical Imperative.

Claims: Each later stage is morally better than or more adequate than previous stages. The psychological development matches moral advancement – there is isomorphism between the two. This implies that the philosopher’s justification of a higher stage of moral reasoning maps into the psychologist’s explanation of movement to that stage.

Natural psychological development

Moral Assessment



* In this sense notions of natural rights, social contracts and utility are “*natural structures*” emerging in non-philosophers from reflection upon the limits of customary morality in very varied cultural and education circumstances.

§ Universality and Reversibility

Stage 6 thinker’s “ideal role-taking” process to reach a *reversible* moral decision:

1. To imagine oneself in each person’s position in that situation (including the self) and to consider all the claims he could make (or which the self could make in his position).
2. Then to imagine that the individual does not know which person he is in the

- situation and to ask whether he would still uphold that claim.
3. Then to act in accordance with these reversible claims in the situation.

→ Rawls' "veil of ignorance"

Q: Under the veil of ignorance, what would you choose in the case of Heinz' dilemma?

Kohlberg: The rational choice would be to steal the drug since the primacy of the woman's right to life over the druggist's right to property makes it a duty to act in terms of those rights.

Universalism (against relativism)

1. A decision reached by playing moral musical chairs corresponds to a decision as to what is ultimately "just" or "fair." Ideal role-taking is the decision procedure ultimately required by the attitudes of respect for persons and of justice as equity recognized at higher stages.
2. Accordingly, the decision reached by ideal role-taking defines duties correlative to rights rather than acts of supererogation.
3. If we engage in ideal role-taking in most situations, we reach a determinate decision. Our stage 6 moral judges do agree on a choice alternative in our dilemmas where facts and probabilities are specified.
4. A decision reached in that way is in "equilibrium" in the sense that it is "right" from the point of view of all involved insofar as they are concerned to be governed by a moral attitude or a conception of justice, i.e., insofar as they are willing to take the roles of others.
5. The procedure integrates "absolute rights" or equality notions and utilitarian conceptions in conflict at stage 5.

The case of the drowning person in the river:

___ With 75% chance that both will be saved and 25% risk of death, is the passerby obligated to save him?

Kohlberg: based on either perspective, or the perspective under the veil of ignorance, and the equality of persons, the passerby has a moral duty to save the drowning person.

Q: Do you agree that the passerby has a moral duty to save the man?