

Name: _____ Class: _____

What makes good people do bad things?

By Melissa Dittmann
2004

In 1971, Phillip Zimbardo, a psychology professor at Stanford University, oversaw an infamous experiment called the Stanford Prison Experiment. Stanford students were assigned roles—guard or prisoner—and were then observed. The experiment was eventually shut down after the guards began to brutalize the prisoners. In this article by Melissa Dittmann, Zimbardo discusses his conclusions regarding human nature. As you read, identify all of the different factors that can foster evil in a person.

- [1] As the story goes, Dr. Jekyll uses a chemical to turn into his evil alter ego, Dr. Hyde.¹ In real life, however, no chemical may be needed. Instead, just the right dose of certain social situations can transform ordinarily good people into evildoers. This was the case with Iraqi prisoner abusers at Abu Ghraib,² argued former APA president Philip G. Zimbardo, PhD, in a presidential-track program during APA's 2004 Annual Convention in Honolulu.



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Indeed, Zimbardo—an emeritus³ psychology professor at Stanford University—highlighted how this Dr. Hyde transformation occurred among U.S. soldiers at Abu Ghraib by presenting classic psychology research on situational effects on human behavior. Zimbardo, who will be an expert witness for several of the U.S. soldiers on trial, argued that situations pull people to act in ways they never thought imaginable.

"That line between good and evil is permeable,"⁴ Zimbardo said. "Any of us can move across it...I argue that we all have the capacity for love and evil—to be Mother Theresa, to be Hitler or Saddam Hussein. It's the situation that brings that out."

Seduced into evil

In fact, the classic electric shock experiment by social psychologist Stanley Milgram, PhD, showed that when given an order by someone in authority, people would deliver what they believed to be extreme levels of electrical shock to other study participants who answered questions incorrectly.

- [5] Zimbardo said the experiment provides several lessons about how situations can foster evil:

1. The Strange Case of Dr Jekyll and Mr Hyde (1886) is a book by Robert Louis Stevenson about a good man, Dr. Jekyll, who experiments and transforms into the evil Mr. Hyde.
2. Members of the U.S. Army and CIA committed a series of human rights violations against Iraqi prisoners of the Abu Ghraib prison. News of torture and other crimes became public in 2003.
3. (Of the former holder of an office, especially a college professor) having retired but allowed to retain their title as an honor
4. **Permeable** (*adjective*): fluid; able to be passed-through

- Provide people with an ideology⁵ to justify beliefs for actions.
- Make people take a small first step toward a harmful act with a minor, trivial⁶ action and then gradually increase those small actions.
- Make those in charge seem like a "just authority."
- Transform a once compassionate leader into a dictatorial⁷ figure.
- Provide people with vague and ever-changing rules.
- Relabel the situation's actors and their actions to legitimize the ideology.
- Provide people with social models of compliance.
- Allow dissent, but only if people continue to comply with orders.
- Make exiting the situation difficult.

Particularly notable, Zimbardo said, is that people are seduced into evil by dehumanizing and labeling others.

"They semantically change their perception of victims, of the evil act, and change the relationship of the aggressor to their aggression—so 'killing' or 'hurting' becomes the same as 'helping,'" he said.

For example, in a 1975 experiment by psychologist Albert Bandura, PhD, college students were told they'd work with students from another school on a group task. In one condition, they overheard an assistant calling the other students "animals" and in another condition, "nice." Bandura found students were more apt to deliver what they believed were increased levels of electrical shock to the other students if they had heard them called "animals."

People's aggression can also increase when they feel anonymous—for example if they wear a uniform, hood or mask, Zimbardo said.

- [10] "You minimize social responsibility," he explained. "Nobody knows who you are, so therefore you are not individually liable. There's also a group effect when all of you are masked. It provides a fear in other people because they can't see you, and you lose your humanity."

For example, an experiment in 1974 by Harvard anthropologist John Watson evaluated 23 cultures to determine whether warriors who changed their appearance—such as with war paint or masks—treated their victims differently. As it turned out, 80 percent of warriors in these cultures were found to be more destructive—for example, killing, torturing or mutilating their victims—than unpainted or unmasked warriors.

What's more, a person's anonymity can be induced by acting in an anonymity-conferring environment that adds to the pleasure of destruction, vandalism and the power of being in control, Zimbardo noted.

"It's not just seeing people hurt, it's doing things that you have a sense that you are controlling behavior of other people in ways that you typically don't," Zimbardo said.

5. **Ideology** (*noun*): the set of ideas and beliefs of a group or political party
6. **Trivial** (*adjective*): of little worth or importance
7. **Dictatorial** (*adjective*): typical of a ruler with total power

Zimbardo noticed that in his own simulated jail experiment in 1971--the Stanford Prison Experiment—in which college students played the roles of prisoners or guards, and the guards became brutal and abusive toward prisoners after just six days, leading Zimbardo to prematurely end the experiment. The experiment showed that institutional forces and peer pressure led normal student volunteer guards to disregard the potential harm of their actions on the other student prisoners.

- [15] "You don't need a motive," Zimbardo said. "All you really need is a situation that facilitates moving across that line of good and evil."

Prison abuses

The same social psychological processes—deindividuation, anonymity of place, dehumanization, role-playing and social modeling, moral disengagement and group conformity—that acted in the Stanford Prison Experiment were at play at Abu Ghraib, Zimbardo argued.

So is it a few bad apples that spoil a barrel? "That's what we want to believe--that we could never be a bad apple," Zimbardo said. "We're the good ones in the barrel." But people can be influenced, regardless of their intention to resist, he said.

As such, the Abu Ghraib soldiers' mental state—such as stress, fear, boredom and heat exhaustion, coupled with no supervision, no training and no accountability—may have further contributed to their "evil" actions, he noted.

"I argue situational forces dominate most of us at various times in our lives," Zimbardo said, "even though we'd all like to believe we're each that singular hero who can resist those powerful external pressures, like Joe Darby, the whistle-blowing hero of the Abu Ghraib prison."

"What makes good people do bad things?" from Monitor on Psychology, Vol. 35, No. 9, © 2004, Melissa Dittmann. Reprinted with permission, all rights reserved.

Text-Dependent Questions

Directions: For the following questions, choose the best answer or respond in complete sentences.

1. What connection does the author draw between Jekyll and Hyde and human behavior?
 - A. People are more like Jekyll than Hyde (i.e. more good than evil).
 - B. People are more like Hyde than Jekyll (i.e. more evil than good).
 - C. The author draws a comparison between the chemical transformation of Jekyll into Hyde and the real-life shift from ordinary person to evil-doer.
 - D. The author uses Jekyll and Hyde as a metaphor for when people do bad things, in that they psychologically become a different person.

2. Which statement best captures Zimbardo's point of view regarding the Abu Ghraib prison abuses?
 - A. Zimbardo condemns the perpetrators of these crimes, arguing against them.
 - B. Zimbardo excuses their behavior based on his own Stanford Prison Experiment.
 - C. Zimbardo does not justify their actions, only explains how these abuses likely developed under certain conditions.
 - D. Zimbardo argues that the guards of Abu Ghraib had no motive and though legally responsible they are psychologically blameless.

3. What is the author's likely purpose for including John Watson's 1974 and Dr. Bandura's 1975 experiments? Consider how the ideas of these experiments interact.

4. PART A: Which of the following best describe a central idea of the passage?
 - A. Harmful actions or behaviors can be excused by certain social situations, justifying the idea that people are inherently good.
 - B. Social conditions, rather than innate morality (good and evil), can be the dominant influential force in our actions.
 - C. People will always do bad things if they know they will get away with it.
 - D. Social experiments are the only way to test humanity's capacity for evil.

5. PART B: Which of the following best supports the answer to Part A?
- A. "...I argue that we all have the capacity for love and evil..." (Paragraph 3)
 - B. "...the experiment provides several lessons about how situations can foster evil..." (Paragraph 5)
 - C. "Nobody knows who you are, so therefore you are not individually liable." (Paragraph 10)
 - D. "...situational forces dominate most of us at various times in our lives... even though we'd all like to believe we're each that singular hero" (Paragraph 19)

Pairing Questions--"Morality as Anti-Nature" and "What Makes Good People Do Bad Things"

1. Last Name

2. First Name

3. Which of the following statements best summarizes the central idea in both essays?

Mark only one oval.

- Our sense of what is right and wrong is instinctive
- Our sense of what is right or wrong remains fixed.
- Our sense of right or wrong is part of us.
- Our sense of what is right or wrong is not an instinctive part of us.

4. How would you compare Zimbardo's argument that situations cause people to act in bad ways in "What Makes Good People Do Bad Things?" to Neitzche's philosophical thoughts on morality in "Morality as Anti-Nature"?

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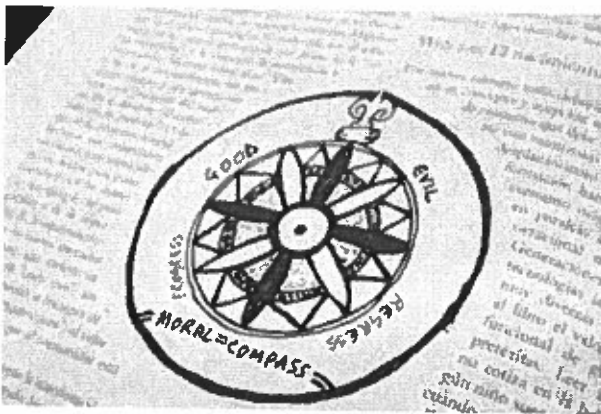
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MEN AND WOMEN USE DIFFERENT SCALES TO WEIGH MORAL DILEMMAS

by Poncie Rutsch2015 10th GradeLexile: 1190

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Morality refers to a set of principles that people use to distinguish between what is right and wrong, or between what is considered acceptable and unacceptable behavior. Morality as a system of values, however, differs based on individual societies, cultures, and even from person to person. The following article discusses a recent study led by Rebecca Friesdorf that suggests decision-making methods can vary by gender. **As you read this article, take notes on how the study's results contribute to the central idea of the text.**



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[1]

You find a time machine and travel to 1920. A young Austrian artist and war veteran named Adolf Hitler is staying in the hotel room next to yours. The doors aren't locked, so you could easily stroll next door and smother him. World War II would never happen.

But Hitler hasn't done anything wrong yet. Is it acceptable to kill him to prevent World War II?

This is one moral dilemma that researchers often use to analyze how people make difficult decisions. Most recently, one group re-analyzed answers from more than 6,000 subjects to compare men's and women's responses. They found that men and women both calculate consequences such as lives lost. But women are more likely to feel conflicted over what to do. Having to commit murder is more likely to push them toward letting Hitler live.

“Women seem to be more likely to have this negative, emotional, gut-level reaction to causing harm to people in the dilemmas, to the one person, whereas men were less likely to express this strong emotional reaction to harm,” Rebecca Friesdorf, the lead author of the study, tells *Shots*. A master’s student in social psychology at Wilfrid Laurier University in Waterloo, Ontario, Friesdorf analyzed 40 data sets from previous studies. The study was published Friday in the *Personality and Social Psychology Bulletin*.

[5]

Every question in the study had two scenarios, each with slightly different consequences in order to tease out different ways of thinking about the dilemma. Some people are motivated by consequences, weighing costs and benefits to make a decision. Others dwell on the act of killing Hitler, because it defies moral norms. Philosophers would label the first group as utilitarians, and the second group as deontologists. The latter are more likely to let Hitler live.

One hypothetical dilemma replaces Hitler with a man who abducts a child and holds her ransom for a week, because both philosophies would support letting the kidnapper live. Killing him defies the moral norm, so a person motivated by social norms will let him live. And killing him won’t save any lives, so a person motivated by consequences would argue that the costs outweigh the benefits, and let him live as well.

Every dilemma is different, which is why the researchers used 10 scenarios. The Hitler example relies heavily on time travel, but Friesdorf worries that people won’t respond properly unless they fully accept time travel. If they assume that time travel is impossible, then killing Hitler becomes irrelevant. There’s a similar problem with self-interest — whether the person asked is in immediate danger. A person might be more willing to torture a prisoner if he or she is in immediate danger.

Friesdorf says that she finds the “Hard Times” dilemma to be one of the most interesting. It reads:

“You are the head of a poor household in a developing country. Your crops have failed for the second year in a row, and it appears that you have no way to feed your family. Your sons, ages 8 and 10, are too young to go off to the city where there are jobs, but your daughter could fare better.

[10]

“You know a man from your village who lives in the city and who makes sexually explicit films featuring girls such as your daughter. In front of your daughter, he tells you that in one year of

working in his studio, your daughter could earn enough money to keep your family fed for several growing seasons.

"Is it appropriate for you to employ your daughter in the pornography industry in order to feed your family?"

"Very few people say yes you should do it, even though it will save the rest of the family," says Friesdorf.

She also analyzed a small subset of the data in which each subject reported how difficult it was to choose a course of action. Women tended to find it more difficult to decide, and Friesdorf hypothesizes that this is because they feel more conflict between weighing benefits and harms versus following society's moral rules.

"Women seem to be feeling more equal levels of both emotion and cognition. They seem to be experiencing similar levels of both, so it's more difficult for them to make their choice," she says.

[15]

Even though the dilemmas seem far-fetched, Friesdorf says we encounter less dramatic variations of them all the time.

For instance, a manager might need to make an employment decision that would weigh the future of one person against the fate of a group. "If these [gender] differences also hold in that context, then that could have some implications for how women and men are making those decisions," she says.

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1.

CCR.RI.2

PART A: Which of the following best summarizes a central idea of the article?

1. A.
2. It is impossible to know for sure how people will react to certain moral dilemmas.
3. B.
4. Women are less equipped than men to make big, hypothetical decisions.
5. C.
6. Women differ from men in their approaches to making moral decisions.
7. D.
8. Women will usually choose the more drastic option to prevent people from being hurt.

PART B: Which quote from the article best supports the answer to Part A?

1. A.
2. "men and women both calculate consequences such as lives lost. But women are more likely to feel conflicted over what to do." (Paragraph 3)
3. B.
4. "Women seem to be more likely to have this negative, emotional, gut-level reaction to causing harm to people in the dilemmas" (Paragraph 4)
5. C.
6. "Killing him defies the moral norm, so a person motivated by social norms will let him live." (Paragraph 6)
7. D.
8. "Friedsdorf hypothesizes that this is because they feel more conflict between weighing benefits and harms versus following society's moral rules." (Paragraph 13)

3.

CCR.RI.5

PART A: What is the author's most likely purpose for including paragraphs 1-2 in the article?

1. A.
2. to draw the reader in by asking them to consider what they would do in a moral dilemma
3. B.
4. to test the study's theory by asking readers to consider how their gender impacts their decisions
5. C.
6. to ask the reader to question whether WWII would have happened if Hitler had been killed before coming to power
7. D.
8. to draw the reader in by mentioning a controversial figure, such as Hitler, from history

4.

CCR.RI.1

PART B: Which of the following paragraphs produce a similar effect as paragraphs 1-2?

1. A.
2. Paragraphs 3-4
3. B.
4. Paragraphs 6-7
5. C.
6. Paragraph 9-10
7. D.
8. Paragraphs 15-16

How does the author develop the idea that consequences affect decision-making over the course of the article?

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The Kohlberg Dilemmas

By Lawrence Kohlberg
1958

Lawrence Kohlberg (1927-1987) was an American psychologist best known for his theory of the stages of moral development. His theory asserts that there are six distinct stages of human moral development, and that a person may go through these stages throughout his or her lifespan. In his 1958 dissertation for the University of Chicago, he included a series of dilemmas that he used in various interviews with his subjects. As you read some of them below, take notes on the structure of the dilemmas and the values (love, empathy, justice, kindness) Kohlberg associates with each dilemma.

Form A

Dilemma I

Joe is a fourteen-year-old boy who wanted to go to camp very much. His father promised him he could go if he saved up the money for it himself. So Joe worked hard at his paper route and saved up the forty dollars it cost to go to camp, and a little more besides. But just before camp was going to start, his father changed his mind. Some of his friends decided to go on a special fishing trip, and Joe's father was short of the money it would cost. So he told Joe to give him the money he had saved from the paper route. Joe didn't want to give up going to camp, so he thinks of refusing to give his father the money.



"Scales of Justice" by Ken Roberts is licensed under CC BY-SA 2.0

1. Should Joe refuse to give his father the money?
 - [1] 1a. Why or why not?
2. Does the father have the right to tell Joe to give him the money?
 - 2a. Why or why not?
3. Does giving the money have anything to do with being a good son?
 - 3a. Why or why not?
4. Is the fact that Joe earned the money himself important in this situation?
 - 4a. Why or why not?

5. The father promised Joe he could go to camp if he earned the money. Is the fact that the father promised the most important thing in the situation?

[5] 5a. Why or why not?

6. In general, why should a promise be kept?

7. Is it important to keep a promise to someone you don't know well and probably won't see again?

7a. Why or why not?

8. What do you think is the most important thing a father should be concerned about in his relationship to his son?

8a. Why is that the most important thing?

9. In general, what should be the authority of a father over his son?

9a. Why?

10. What do you think is the most important thing a son should be concerned about in his relationship to his father?

10a. Why is that the most important thing?

11. In thinking back over the dilemma, what would you say is the most responsible thing for Joe to do in this situation?

[10] 11a. Why?

Dilemma II

Judy was a twelve-year-old girl. Her mother promised her that she could go to a special rock concert coming to their town if she saved up from baby-sitting and lunch money to buy a ticket to the concert. She managed to save up the fifteen dollars the ticket cost plus another five dollars. But then her mother changed her mind and told Judy that she had to spend the money on new clothes for school. Judy was disappointed and decided to go to the concert anyway. She bought a ticket and told her mother that she had only been able to save five dollars. That Saturday she went to the performance and told her mother that she was spending the day with a friend. A week passed without her mother finding out. Judy then told her older sister, Louise, that she had gone to the performance and had lied to her mother about it. Louise wonders whether to tell their mother what Judy did.

1. Should Louise, the older sister, tell their mother that Judy lied about the money or should she keep quiet?

1a. Why?

2. In wondering whether to tell, Louise thinks of the fact that Judy is her sister. Should that make a difference in Louise's decision?

2a. Why or why not?

3. Does telling have anything to do with being a good daughter?

3a. Why or why not?

4. Is the fact that Judy earned the money herself important in this situation?

4a. Why or why not?

5. The mother promised Judy she could go to the concert if she earned the money. Is the fact that the mother promised the most important thing in the situation?

[15] 5a. Why or why not?

6. Why in general should a promise be kept?

7. Is it important to keep a promise to someone you don't know well and probably won't see again?

7a. Why or why not?

8. What do you think is the most important thing a mother should be concerned about in her relationship to her daughter?

8a. Why is that the most important thing?

9. In general, what should be the authority of a mother over her daughter?

9a. Why?

10. What do you think is the most important thing a daughter should be concerned about in her relationship to her mother?

10a. Why is that the most important thing?

11. In thinking back over the dilemma, what would you say is the most responsible thing for Louise to do in this situation?

[20] 11a. Why?

Dilemma III

In Europe, a woman was near death from a special kind of cancer. There was one drug that the doctors thought might save her. It was a form of radium that a druggist in the same town had recently discovered. The drug was expensive to make, but the druggist was charging ten times what the drug cost him to make. He paid \$400 for the radium and charged \$4,000 for a small dose of the drug. The sick woman's husband, Heinz, went to everyone he knew to borrow the money and tried every legal means, but he could only get together about \$2,000, which is half of what it cost. He told the druggist that his wife was dying, and asked him to sell it cheaper or let him pay later. But the druggist said, "No, I discovered the drug and I'm going to make money from it" So, having tried every legal means, Heinz gets desperate and considers breaking into the man's store to steal the drug for his wife.

1. Should Heinz steal the drug?

1a. Why or why not?

2. Is it actually right or wrong for him to steal the drug?

2a. Why is it right or wrong?

3. Does Heinz have a duty or obligation to steal the drug?

3a. Why or why not?

4. If Heinz doesn't love his wife, should he steal the drug for her? Does it make a difference in what Heinz should do whether or not he loves his wife?

4a. Why or why not?

5. Suppose the person dying is not his wife but a stranger. Should Heinz steal the drug for the stranger?

[25] 5a. Why or why not?

6. Suppose it's a pet animal he loves. Should Heinz steal to save the pet animal?

6a. Why or why not?

7. Is it important for people to do everything they can to save another's life?

7a. Why or why not?

8. It is against the law for Heinz to steal. Does that make it morally wrong?

8a. Why or why not?

9. In general, should people try to do everything they can to obey the law?

9a. Why or why not?

[30] 9b. How does this apply to what Heinz should do?

10. In thinking back over the dilemma, what would you say is the most responsible thing for Heinz to do?

10a. Why?

Dilemma VII

Two young men, brothers, had got into serious trouble. They were secretly leaving town in a hurry and needed money. Karl, the older one, broke into a store and stole a thousand dollars. Bob, the younger one, went to a retired old man who was known to help people in town. He told the man that he was very sick and that he needed a thousand dollars to pay for an operation. Bob asked the old man to lend him the money and promised that he would pay him back when he recovered. Really Bob wasn't sick at all, and he had no intention of paying the man back. Although the old man didn't know Bob very well, he lent him the money. So Bob and Karl skipped town, each with a thousand dollars.

1. Which is worse, stealing like Karl or cheating like Bob?

1a. Why is that worse?

2. What do you think is the worst thing about cheating the old man?

2a. Why is that the worst thing?

3. In general, why should a promise be kept?

4. Is it important to keep a promise to someone you don't know well or will never see again?

4a. Why or why not?

5. Why shouldn't someone steal from a store?

6. What is the value or importance of property rights?

7. Should people do everything they can to obey the law?

[35] 7a. Why or why not?

8. Was the old man being irresponsible by lending Bob the money?

8a. Why or why not?

Text-Dependent Questions

Directions: For the following questions, choose the best answer or respond in complete sentences.

1. Which of the following best describes a central idea of the text?
 - A. Our decisions are informed by a complex set of circumstances, values, and social morals.
 - B. There is no right answer for what is good so the question of morality should be ignored all together.
 - C. How we choose and how we act affects everything around us, intentionally or not.
 - D. Love and loyalty are the strongest motivators, especially when it comes to morally ambiguous situations.

2. Which of the following best describes the structure of the dilemmas?
 - A. The dilemmas are written like mini episodes or short stories, designed to make the reader emotionally invested in the dilemmas.
 - B. The dilemmas are composed of vague hypothetical situations followed by a series of equally vague questions, designed to make the reader think about larger, abstract concepts.
 - C. The dilemmas are composed of specific hypothetical situations and then a series questions designed to provoke the reader into analyzing and introspecting one's morals.
 - D. The dilemmas are structured to imitate stream-of-consciousness narrative, thus mimicking the thought process in decision-making.

3. PART A: How does the first dilemma illustrate how familial relationships can affect our actions and decision-making?
 - A. The first dilemma presents a situation between a father and son, evaluating their obligations based on this relationship; family ties thus affect our decisions (regardless of outcome) for they are based in complex, deep-rooted ideas such as authority, loyalty, love, etc.
 - B. The first dilemma presents a situation between father and son, showing how family relationships or love do not affect decisions; one should disregard family ties in a dilemma because they are essentially meaningless.
 - C. The first dilemma presents a situation between father and son, showing (through the father's bad example) how a parent is obligated to put a child's needs before theirs; thus family ties affect only parental decisions, encouraging self-sacrifice.
 - D. The first dilemma presents a situation between father and son, showing how the son (or child) must obey and respect his father's wishes; thus family ties affect the decision-making of children more because they are naturally in a place of obligation to the parent.

4. PART B: Which TWO of the following dilemma questions best supports the answer to Part A?
- A. "Does the father have the right to tell Joe to give him the money?"
 - B. "Why or why not?"
 - C. "Is the fact that Joe earned the money himself important in this situation?"
 - D. "In general, why should a promise kept?"
 - E. "Is it important to keep a promise to someone you don't know well and probably won't see again?"
 - F. "What do you think is the most important thing a son should be concerned about in his relationship to his father?"
5. What is Kohlberg's overall purpose in developing and using these dilemmas?
- A. To make someone question their relationships and families
 - B. To prompt people into deeper introspection about their morals and ethics
 - C. To inspire future generations into studying the complex field of psychology
 - D. To create a fun way of analyzing personal and social values (like a personality quiz)

Pairing Questions--"Men and Women Use Different Scales to Weigh Moral Dilemmas" and "The Kohlberg Dilemmas"

1. Last Name

2. First Name

3. In what way is the dilemma the Friesdorf studied in "Men and Women Use Different Scales to Weigh Moral Dilemmas" similar to those that Kohlberg designed in "The Kohlberg Dilemmas"?

Mark only one oval.

- The dilemmas were designed to prove that people share the same idea when it comes to what's right or wrong
- The dilemmas were designed to prove that we cannot define what is right or wrong.
- The dilemmas were designed to prove that groups of people can determine what is right or wrong.
- The dilemmas were designed to prove that we can trick people into doing what's right or wrong.

4. What are the similarities between the Adolf Hitler dilemma in "Men and Women Use Different Scales to Weigh Moral Dilemmas" and Dilemma III in "The Kohlberg Dilemmas"?

Mark only one oval.

Option 1

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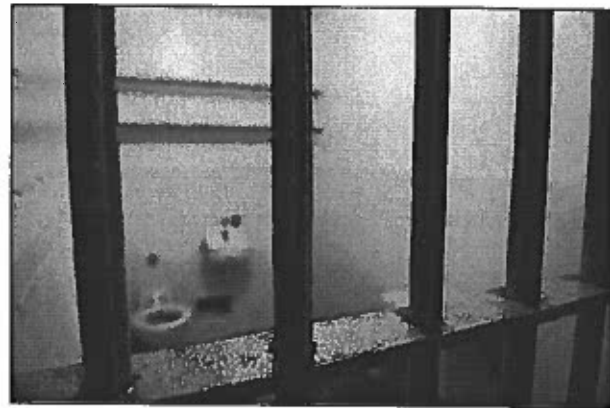
Do Juvenile Killers Deserve Life Behind Bars?

By Nina Totenberg
2012

The American juvenile justice system is distinct from the system that deals with adult defendants and criminals. Many people believe that adolescents deserve less blame for their actions because the parts of their brains associated with decision-making and impulse control have not fully matured. They are also thought to be more likely candidates for criminal rehabilitation than adults. Yet, in some states, life without parole is the automatic sentence for homicide, or murder, and is often passed without consideration for certain circumstances, such as age or background. By 2012, the United States had convicted 79 juvenile offenders under the age of 14 on charges of homicide and sentenced them to life behind bars.

- [1] The U.S. Supreme Court hears arguments Tuesday in two homicide cases testing whether it is unconstitutionally cruel and unusual punishment to sentence a 14-year-old to life in prison without the possibility of parole.

There are currently 79 of these juvenile killers who will die in prison. What's more, in many states, the penalty is mandatory, meaning neither judge nor jury is allowed to consider the youngster's age or background in meting¹ out the sentence.



"Humility" by Ben is licensed under CC BY-SA 2.0

In cases dealing with punishment for juveniles, context is everything. In 2005, the Supreme Court struck down the death penalty for juveniles, declaring that kids are different from adults. The court said that because of their youth, their brains are literally less developed, they are more impulsive, more subject to peer pressure and less able to see the consequences of their acts.

Two years ago, the court used the same rationale when it struck down the penalty of life without parole for nonhomicide crimes committed by juveniles. But in Tuesday's cases, the court faces the question of life without parole in homicide cases.

- [5] A case from Arkansas involves a teenager who was not the triggerman. Fourteen-year-old Kuntrell Jackson and two other kids held up a video rental store. One of the other boys pointed a sawed-off shotgun at the cashier, and when she threatened to call the police, shot and killed her. Under Arkansas' felony-murder law, Jackson was deemed just as responsible as the triggerman. He was tried as an adult for aggravated murder² and, under state law, received a mandatory sentence of life without parole.

1. to give a harsh punishment or dispense justice
2. The phrase "aggravated murder" refers to a type of intentional murder. In this case, it is likely referring to a type of intentional murder in which the victim was killed while the offender was in the process of committing or trying to commit burglary.

The other case, from Alabama, involves Evan Miller, a boy so brutalized as a child that by the time he was arrested for murder at age 14, he had tried to kill himself six times, the first time when he was 5 years old.

Miller and a 16-year-old friend went next-door to the home of a neighbor who was dealing drugs to Miller's mother. The neighbor, 52-year-old Cole Cannon, gave the boys liquor and marijuana. Miller consumed a fifth of whiskey as the boys engaged in drinking games with Cannon and planned to steal his wallet.

Eventually, a fight broke out and the boys severely beat Cannon, set fires in the trailer and fled, ignoring Cannon's pleas for help. Cannon died of smoke inhalation. The 16-year-old friend made a deal with prosecutors in exchange for his testimony, and got life *with* parole eligibility. Fourteen-year-old Miller got life *without* parole.

Bryan Stevenson, the lawyer who represents the boys in both of these cases, will make two basic arguments before the Supreme Court. The first is that a mandatory punishment of life without parole for a 14-year-old is cruel and unusual punishment because the defendant's age and background are irrelevant and cannot mitigate³ punishment.

[10] "Judges can't consider it. Juries can't consider it. No one can consider it," says Stevenson.

The states counter that the juvenile's age has already been considered by taking the death penalty off the table.

"If the defendant is not going to get the death penalty, then at the very least, the defendant ought to get life without parole" to counterbalance the harm he has inflicted, says Alabama Solicitor General John Neiman.

But the big question before the Supreme Court on Tuesday is whether life without the possibility of parole is itself an unconstitutionally cruel and unusual punishment when it is applied to juveniles.

Defense lawyer Stevenson notes that the American legal system treats minors as both less culpable⁴ and less responsible. Fourteen-year-olds, for instance, are not allowed to drink, to marry, to vote, to serve on juries or even to drive.

[15] "We're not saying that juvenile offenders who commit homicide can't be punished severely," Stevenson says. "They may even end up spending the rest of their lives in prison. But it's premature, excessive and unfair to say we know this juvenile will never be rehabilitated."⁵

Indeed, a brief⁶ filed by the Council of Juvenile Correctional Administrators and other juvenile crime experts points to many amazing cases of rehabilitation. Among them is 16-year-old Scott Filippi, who shot his mother but after his release joined the Army and became a member of the Presidential Honor Guard.

3. **Mitigate** (*verb*): to lessen the gravity of an offense or mistake

4. **Culpable** (*adjective*): deserving of blame

5. **Rehabilitate** (*verb*): to restore (someone) to health or socially accepted behavior through training and therapy

6. a concise legal statement or summary

Or there is Raphael Johnson, who shot and killed a classmate when he was 17, but after his release got bachelor's and master's degrees with honors and started a community policing program in Detroit. Or there is Lawrence Wu, a 15-year-old New York gang member who eventually became the editor-in-chief of the Columbia Law Review.

One of the most famous of those who have changed their lives is award-winning actor-producer Charles Dutton. By age 12, he had quit school and was living a life of fights and crime on the streets of Baltimore.

"I liked getting in trouble," says Dutton. "I enjoyed getting in fights. I enjoyed the challenge of battle."

[20] By age 17, he was sentenced to prison for manslaughter.⁷ Even in prison, though, he continued his fighting ways, assaulting a guard and getting eight years added to his sentence. A decade or so later, he was on his way to "the hole" for solitary confinement when he picked up a book of plays sent to him by a girlfriend. It ended up changing his life. As he puts it, he found what he was "born to do."

"Up until that point in time, I didn't really concentrate on the life I had taken," he says. "But only at that moment of rediscovering my own humanity [could I] go back and have a very, very strong and sincere, heartfelt remorse for taking that life." Now, four decades later, he says he thinks of the man he killed every day and wonders who he would have been.

Dutton says he understands the desire to avenge a terrible crime, but "there's no sense in destroying a second life if that life is actually redeemable. If there's anyone who still has a modicum⁸ of redemption left in their life, it's a juvenile."

The states that have adopted life without parole for juvenile killers have a very different view.

"The one thing that we don't know is what the potential of the life would be that was snuffed out in the crime," says Arkansas Attorney General Dustin McDaniel. "The hypothetical of who might be rehabilitated in prison is a hard one to analyze, but there have to be some circumstances under which these persons can serve life without parole."

[25] Indeed, Alabama Solicitor General Neiman notes that 38 of the 50 states authorize life without parole for a 14-year-old convicted of murder, and the federal government authorizes it for 15-year-olds. Part of the justification for that, he observes, is the notion of retribution.⁹

"As a moral matter, it is OK for a government to say, even if there is a possibility that someone will rehabilitate themselves, if a person commits a sufficiently egregious crime, then they just deserve a very severe sentence," Neiman says.

Defense lawyer Stevenson counters that in reality, only 18 states have imposed life without parole on a 14-year-old, and only 79 killers who are 14 or younger are currently serving life-without-parole sentences.

7. the crime of killing a human being without ill will and premeditation, or plan, to do so

8. a small quantity or amount

9. **Retribution** (*noun*): punishment inflicted on someone as revenge for a wrong or crime

Arkansas Attorney General McDaniel says that even if those statistics are accurate, and he disputes them, it doesn't prove much.

"It's not because society doesn't have the moral stomach to impose those sentences," McDaniel says. "It's because, realistically, 14-year-olds don't commit a lot of murders."

- [30] Finally, the states argue that life without parole is a sufficiently severe sentence that it will deter at least some juveniles from committing murder.

Defense lawyer Stevenson dismisses that argument, echoing the sentiments of many experts who deal with violent juveniles.

"Most of my clients had never heard of life imprisonment without parole and had no capacity to appreciate what it would mean," Stevenson says. "It takes them years before they even get what it means to be sentenced to life in prison without parole, because they're just not used to thinking that far ahead."

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Text-Dependent Questions

Directions: For the following questions, choose the best answer or respond in complete sentences.

1. PART A: Which of the following best identifies a central idea of the article?
 - A. Juvenile criminals should be subjected to the same punishments as adults, even if they are not equally aware of any legal consequences; the law is the law.
 - B. In cases of homicide, it is important to take into account the juvenile offender's criminal history when deciding upon punishment for homicide cases.
 - C. In some states, juveniles convicted of committing or being involved in homicide are automatically sentenced to life in prison without parole, though many people argue that this is unjust and cruel.
 - D. Minors should not be held to the same legal standards as adults because their brains are not as developed and their actions mean less than adults'.

2. PART B: Which phrase from the text best support the answer to Part A?
 - A. "...a mandatory punishment of life without parole for a 14-year-old is cruel and unusual punishment because the defendant's age and background...cannot mitigate punishment." (Paragraph 9)
 - B. "Fourteen-year-olds, for instance, are not allowed to drink, to marry, to vote, to serve on juries or even to drive." (Paragraph 14)
 - C. "The one thing that we don't know is what the potential of the life would be that was snuffed out in the crime..." (Paragraph 24)
 - D. "It takes them years before they even get what it means to be sentenced to life in prison without parole, because they're just not used to thinking that far ahead." (Paragraph 32)

3. PART A: Which of the following most closely matches the definition of "egregious" as used in Paragraph 26?
 - A. circumstantial or uncommon
 - B. outstandingly bad or shocking
 - C. indicative of poor character
 - D. unusual and surprising

4. PART B: Which phrase from the text best supports the answer to Part A?
 - A. "as a moral matter" (Paragraph 26)
 - B. "a possibility that someone will rehabilitate themselves" (Paragraph 26)
 - C. "then they just deserve a very severe sentence" (Paragraph 26)
 - D. "only 18 states have imposed life without parole on a 14-year-old" (Paragraph 27)

5. What is the author's main purpose in writing this article? Cite evidence from the text in your response.

Name: _____ Class: _____

For Many Returning Vets, 'Moral Injury' Just As Difficult

By Rachel Martin (Host)
2013

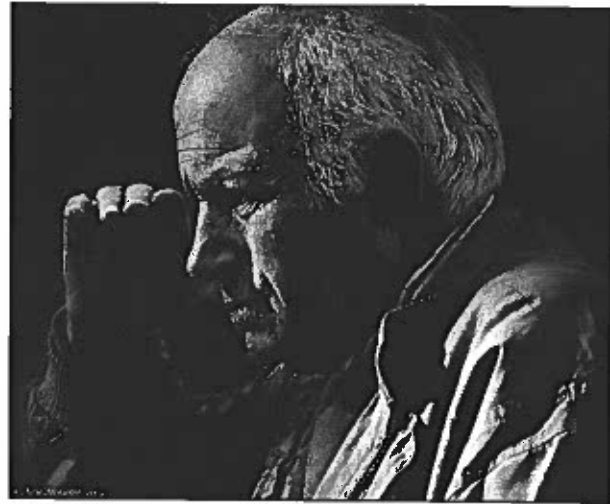
In 2013, Timothy Kudo, a former Marine captain, wrote an opinion piece for The Washington Post about grappling with "moral injury" as a veteran who has killed during wartime. In this article, Kudo shares his experience with NPR's Weekend Edition Sunday host Rachel Martin. As you read, take notes on the ways Captain Timothy Kudo describes how he experienced war and its aftermath.

[1] **RACHEL MARTIN, HOST:** Here at home, a former Marine captain named Timothy Kudo left Afghanistan in 2011. But not a day goes by without remembering one, specific incident. It started like this.

TIMOTHY KUDO: These men, on a motorcycle, came up over this hill right above us — a tremendous position, tactically.

MARTIN: Capt. Kudo and his troops held their fire. They weren't sure yet if they were in danger, but it looked like the men might be holding guns.

KUDO: We sent warnings. We shot smoke grenades off to the side, to let them know like, go away — in case they were civilians. And these men just keep coming.



"Fallen Comrades" by Neil Moralee is licensed under CC BY-NC-ND 2.0.

[5] **MARTIN:** Then, lights flashed from the motorcycle, just like the muzzles of a gun. Capt. Kudo's soldiers fired at the two men. Both died immediately.

KUDO: We went up to the motorcycle, and it turned out to be two civilians. They had sticks in bindles, like you'd see in old cartoons about hobos. That's what we thought were the weapons. And it seems like the muzzle flashes were just light glaring off the chrome of the motorcycle.

MARTIN: Marine Capt. Timothy Kudo was deployed in Iraq in 2009, and then to Afghanistan in 2010 and 2011. He's now a graduate student at NYU. But as he wrote last week in *The Washington Post*, coming to terms with an experience like his is a major challenge for veterans. The Department of Veterans Affairs has recognized the issue, calling it a, quote, "moral injury."

Immediately after Capt. Kudo's incident with the men on the motorcycle, he said his priority was to get his own men to safety.

KUDO: We'd still been under fire recently, and so we tried to get out of the position as quickly as possible because where these men were was in a very exposed position. And the safety of the Marines that I was in command of was definitely something that was at risk, and that we were trying to manage. But at the same time, it seemed like the men were trying to get to their home — is what we later found out — which was right behind us, when this firefight was going on.

- [10] And the people in that home, in that compound in Afghanistan, were their family. And they rushed out of this building, and that was men — their fathers, probably, or uncles — as well as women. And I remember — you know, in Afghanistan, everyone wears a burqa. And so this was the very first time in my life that I had seen an adult Afghan woman's face — because they didn't care, at point. They were running to their — what I'm assuming are their children or grandchildren, to collect the bodies and have a Muslim burial before the sun went down.

MARTIN: This happened in a war zone and presumably, you'd prepared for this in whatever way it's possible to prepare. But when did that incident, and others that you were involved in, when did those start to take on different meaning for you?

KUDO: You know, in Afghanistan, you have to keep going. The next day is a different fight. There's more men at risk — there's always men at risk. And so you can't dwell on these issues. You have to move on, and especially as a leader of Marines; they're looking to you, in many ways, for the strength to keep going. And if you show doubt, they're going to have doubt in the mission, and the entire thing falls apart.

So while we were over there, there really wasn't time to even think about these issues. And when I came back, you know, they kind of simmered. And every day, I think about what happened over there. But the ability to really come to grips in depth with it, wasn't something that I was able to do till much later on. Because in many ways, when I first came back, I didn't want to think about it in depth. You know, I just wanted to be back here with my friends and my family, and re-enter society as best as I could and get back to my old life

MARTIN: Why couldn't you just put it away?

- [15] **KUDO:** Because it's not something, I think, you ever put away. You know, since writing in *The Washington Post*, I've received letters and emails from veterans from World War II to Korea to Vietnam to the First Gulf War, to now. And they all talk about this idea that it's something that they carry with them for their — entirety of their lives. And it's not to say that they're damaged, or that's the only thing that they think about, or that they can't move on in some ways. It's not something that you ever forget; just like any tragedy or trauma that you encounter, lives with you forever.

MARTIN: The U.S. Department of Veterans Affairs, as you write, has actually identified this as an issue that's faced — what you're talking about; the idea of grappling with the moral questions of war. And they call it a moral injury. What does that term mean for you? Is that an accurate descriptor for what you went through?

KUDO: I don't think it is. I think that the immorality of war is something that is real. And it's something that all veterans face, at some point in their lives. And it's not something that you can or should treat, necessarily. Now, if it's debilitating, if it's causing people to commit suicide, if it's causing people to not be able to function in their lives, then there is absolutely a kind of physical and psychological injury component to it.

But the morality that we have experienced over there — whether we deal with that through ethics or through religion — is something that we shouldn't just get rid of, and we shouldn't ignore; that these are real questions and war is evil and yet sometimes, it is necessary. And so as we go forward, we have to be prepared for that contradiction.

MARTIN: Do you think, in the end, you were prepared as well as you could be?

[20] **KUDO:** No, absolutely not. You know, I think that it's very easy to go out on the first patrol because you don't really know what you're experiencing. And then you see the bombs exploding, or you see people getting killed. And to go out on the second patrol, that's the hard part. Anybody who told you that they knew what they were getting into, you can't know. It's impossible. It's an unbelievable, absurd and unreal situation. And once you've experienced it, there's nothing like it.

MARTIN: Have you personally reconciled your experience?

KUDO: I haven't. I think this is not something that I'm ever going to reconcile personally. And a lot of people have directed me to faith, as an answer to this. And I believe in that, in many ways; that in the reality of our world right now, the people that I've killed, they can't come back, and they can't forgive me. And maybe their families could, but they probably won't. And I can't forgive myself because that's kind of a false platitude. The harm wasn't done to me; it was done to these other people. And I do believe that in some time, maybe after this life, that there is a possibility for that. And that's the essential nature of faith, to me. But that's the only real option for this. And so you just keep pushing, and you try and make it the best for the rest of your life. And I think you also realize that despite what you've done, you're more than your worst action. And so realizing that on a day-to-day basis, too, is an incredible part of moving forward and trying to create good in the world.

MARTIN: Former Marine Capt. Timothy Kudo. He spoke to us from our bureau in New York. Capt. Kudo, thanks for making the time.

KUDO: Thanks. I appreciate it.

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Text-Dependent Questions

Directions: For the following questions, choose the best answer or respond in complete sentences.

1. PART A: Which of the following best describes Capt. Timothy Kudo's reaction to the experience with the men on the motorcycles?
 - A. Capt. Kudo does not regret taking action to protect his men from the two armed enemies, but he is still saddened over killing another human being.
 - B. Capt. Kudo feels guilt over choosing to protect his troops over the two civilian motorists caught in their crossfire.
 - C. Capt. Kudo did not think much about killing the two innocent civilians while in Afghanistan, but later he could not stop thinking about it.
 - D. Capt. Kudo quickly accepted and moved on from killing two innocent men in Afghanistan because doing so helped save his troops' lives.

2. PART B: Which of the following quotes best describes how the experience with the men on the motorcycle affected Capt. Kudo?
 - A. "Immediately after Capt. Kudo's incident with the men on the motorcycle, he said his priority was to get his own men to safety." (Paragraph 8)
 - B. "This happened in a war zone and presumably, you'd prepared for this in whatever way it's possible to prepare." (Paragraph 11)
 - C. "The next day is a different fight. There's more men at risk — there's always men at risk. And so you can't dwell on these issues." (Paragraph 12)
 - D. "It's not something that you ever forget; just like any tragedy or trauma that you encounter, lives with you forever." (Paragraph 15)

3. PART A: Which of the following best explains the concept of "moral injury"?
 - A. A "moral injury" is the equivalent of Post-Traumatic Stress Disorder and can affect both civilians and soldiers.
 - B. A "moral injury" is the struggle a soldier faces when grappling with the morality of what they have done in war.
 - C. A "moral injury" is the specific struggle a soldier faces after killing another human being in a battle.
 - D. A "moral injury" is the question soldiers ask themselves when they think about what they are fighting for.

4. PART B: Which of the following best summarizes Capt. Kudo's opinion on the phrase "moral injury"?
 - A. Capt. Kudo resents this term; he does not believe there is anything morally wrong with him or other soldiers.
 - B. Capt. Kudo thinks this term only applies to veterans who are specifically struggling with thoughts of suicide.
 - C. Capt. Kudo thinks it's an inaccurate phrase because war at its core has immoral elements that everyone experiences and cannot heal from.
 - D. Capt. Kudo thinks it's an inaccurate phrase because a soldier is not allowed to dwell on ethics in combat, making it wrong to discuss their trauma in moral terms.

5. How does the following quote from paragraph 22 contribute to the development of central ideas in the passage? "And so you just keep pushing, and you try and make it the best for the rest of your life. And I think you also realize that despite what you've done, you're more than your worst action."
