ONE

Culture and Moral Development

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This essay reports the results of a cross-cultural developmental study of ideas about the moral (its form) and ideas about what is moral (its content). The informants for the study are children, five to thirteen years of age, and adults, male and female, from Brahman and "Untouchable" families in the orthodox Hindu temple town of Bhubaneswar, Orissa, India, and from Judeo-Christian families in the secular university neighborhood of Hyde Park in Chicago, Illinois.

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One aim of the essay is to assess the strengths and limitations of two prominent and important theories about the origins and development of moral understandings: Kohlberg’s “cognitive developmental” theory [Kohlberg 1969, 1981; Kohlberg, Levine, and Hewer 1982] and Turiel’s “social interactional” theory (Turiel 1979, 1983; Nucci and Turiel 1978; Turiel and Smetana 1984). A second aim is to highlight the role of social communication processes in the ontogeny of moral understandings by outlining a “social communication” theory of moral development and using it to interpret the similarities and differences in the moral understandings of children and adults in the two cultures.

Three Theories of Moral Development

The three theories to be discussed present different portraits and accounts of the ontogenetic origins of the idea of a moral obligation. Kohlberg’s “cognitive developmental” theory hypothesizes that genuine understanding of the idea of a moral obligation [stages five and six] has its origins in the idea of a conventional, or consensus-based, obligation [stages three and four]. The theory proposes, as a developmental universal, that the idea that obligations are rooted in conventions precedes the idea that obligations are rooted in natural law.

According to the “cognitive developmental” theory, the development of the idea of a moral obligation is related to the development of general skills of rational reasoning. Those skills include deductive logic and the ability to distance oneself from what is personal, egocentric, or consensus-based. Movement through the stages is related to the cognitive ability to construct, and to transcend to, detach impartial vantage point from which one evaluates right and wrong objectively.

By contrast, Turiel’s “social interactional” theory proposes that the idea of morality and the idea of convention are connected in development. Furthermore, it is proposed that the idea of a moral obligation and the idea of a conventional obligation are both present universally and differentiated from each other in early childhood.

According to Turiel’s theory, the development of the idea of moral obligation is related to social experiences with a restricted class of events that have objective or intrinsic implications for justice, rights, harm, and the welfare of others. A paradigmatic moral experience is the child’s personal observation of the consequences hitting and hurting a helpless victim. On the other hand, the idea of a conventional obligation arises from social experiences with a class of socially regulated events that lack any objective or intrinsic implications for justice, rights, harm, or the welfare of others. For Turiel, a paradigmatic conventional experience is the extrinsic or externally imposed social demand to use clothing styles (for example, skirts) as a mark of gender differences.

The “social communication” theory, to be outlined in this essay, presents a third account of moral development, diverging in different ways from both Kohlberg and Turiel. In contrast to Kohlberg, the “social communication” theory proposes that the idea of a moral obligation is a universal of childhood and is not preceded by the idea that obligations derive their authority from consensus or convention. In that respect the “social communication” theory converges with Turiel’s “social interactional” account.

In contrast to Turiel, however, the “social communication” theory questions the hypothesis that there are universal developmental processes leading the child to differentiate and contrast moral versus conventional obligations. The research suggests that it is not a universal idea that social practices are conventional formations, deriving their authority from a culture-bound consensus. According to the theory a culture’s ideology and worldview have a significant bearing on the ontogenesis of moral understandings in the child, and not all cultures have a place in their view of the world for the idea that social practices are conventions.

A basic claim of the “social communication” theory is that children develop an idea of a conventional obligation in those cultures, like our own, where the social order has been separated ideologically from the natural moral order. One way that separation can occur is by reducing, as far as possible, what’s moral to free contracts, promises, or consent among autonomous individuals. In the purest version of our free contract worldview, “markets” are absolutely neutral as to the particular social arrangements into which individuals choose to enter. The terms of a contract are decided by those who enter it; between “consenting adults” anything goes. The “social communication” theory proposes that the idea that social practices are conventional or consensus-based takes on significance only in those cultures where social arrangements are thought to be secondary formations, derived from a more fundamental, natural moral authority—the will of the individual, voluntarily expressed through consent, promise, or contract.

As we shall see, not all cultural worldviews are like our own. The Latin word “mores,” from which the term “morals” is derived, meant “custom” [Gewirth 1984], and in many parts of the world, including orthodox Hindu India, customary practices (for example,
menstrual seclusion, arranged marriage, food taboos, kin avoidance, naming practices) are viewed as part of the natural moral order. Society is not separated conceptually from nature. What is natural or moral has not been narrowed down to the idea of an individual, empowered and free to create relationships at will through contract. Forms of human association are thought to be found (natural law), not founded (conventionism). In those parts of the world, the idea that social practices are conventions plays a minimal role in the child’s developing understanding of the source of obligations.

Social practices are the primary focus of our study. The Hindu temple town of Bhubaneswar is a place where marriages are arranged, not matters of “love” or free choice, where, at least among Brahman families, widows may not remarry or wear colored clothing or ornaments or jewelry, where Untouchables are not allowed in the temple, where menstruating women may not sleep in the same bed as their husbands or enter the kitchen or touch their children, where ancestral spirits are fed on a daily basis; where husbands and wives do not eat together and the communal family meals we find so important rarely occur, where women avoid their husbands’ elder brothers and men avoid their wives’ elder sisters, where, with the exception of holy men, corpses are cremated, never buried, and where the cow, the first “mother,” is never carved up into sirloin, porterhouse or tenderloin cut.

The study focuses upon thirty-nine practices including kinship avoidance, forms of address between inferiors and superiors, sleeping arrangements, incest avoidance, dietary practices, forms of dress, marriage and remarriage, personal possessions and private property, begging, nepotism, monogamy, wife beating, physical punishment for children, the division of labor in the family, the inheritance of property, the protection of persons from physical and psychological harm, funeral rites, and various practices surrounding the birth of a child.

One aim of the study is to determine how the obligations associated with those practices are understood by Indian and American children and adults, with special reference to the distinction between morality and convention. A second aim of the study is to make explicit the premises and principles that are implicitly conveyed by social practices. What do Indian and American practices tell us about each culture’s conception of persons, society, morality, and nature and about the relationships among those orders of things? Similarities and differences are identified in the form and content of moral codes across different cultural or subcultural traditions. A third aim of the study is to use our cross-cultural evidence on moral thought to appraise Kohlberg’s and Turiel’s contrastive theories of moral development. Thus, before turning to our study it is necessary to review and critique in detail those theories.

Kohlberg’s Cognitive Developmental Theory: Overview and Evaluation

Overview

Kohlberg (1969, 1971, 1981) has proposed a comprehensive scheme for developmental and comparative research on moral understandings. The scheme builds upon the work of Piaget ([1932] 1965) by identifying three major levels in the attainment of moral understandings and dividing each level into two stages.

In the lowest, “preconventional” level of understanding (stages one and two), young children define the meaning of “rightness” and “wrongness” in terms of the subjective feelings of the self. What is right is what avoids punishment or brings one rewards. If the self likes it, it is right; if the self doesn’t like it, it is wrong. There are no “higher” obligations. Egoism reigns.

In the intermediate, “conventional” level of understanding (stages three and four), older children and adults continue to define the meaning of “rightness” and “wrongness” by reference to subjective feelings, but now it is the collective feelings of others that matter. What is correct and virtuous is whatever agrees with the will and dictates of authority figures [the commands of parents, the role expectations of society, the laws of legislatures]. If one’s reference group likes it, it is right. If one’s reference group does not like it, it is wrong. The idea of obligation is equated with the rules and regulations of society or the state. Conformity and consensus reign.

In the third and highest “postconventional” level of understanding (stages five and six in Kohlberg’s earlier formulations; stage five in more recent formulations; Kohlberg, Levine, and Hewer, 1983) “rightness” and “wrongness” are defined by reference to objective principles detached from the subjective feelings and perspective of the self or the group. What is correct and virtuous is defined in terms of universalizable standards, reflectively constructed by the individual, of justice, natural rights, and humanistic respect for all persons, regardless of sex, age, ethnicity, race, or religion. For the post-conventional thinker, there are objective obligations that any rational person can come to discover and is bound to respect, that stand above the feelings of the self or the demands of others. In Kohlberg’s theory, the source of the idea of being obliged to do something is related to
the hypothetical act of entering into a contract to form a society. Postconventional thinkers recognize that among the terms of any voluntary and rationally based contract to form a society, justice, fairness, and natural rights must reign.

There are several noteworthy features of Kohlberg's three-level scheme. First, the scheme is organized around the contrast between subjectivity and objectivity. By “objectivity,” Kohlberg means relative distance from the perspective of the self, or seeing things from a detached or “decentered” vantage point. In principle, perfect objectivity, a transcendent state, is seeing things from “nowhere in particular” (Nagel 1979). Thus, for Kohlberg, the first major move in moral development is away from solipsistic subjectivism, away from exclusive involvement with personal pleasure and pain and one's own individual needs (preconventional understanding) toward a recognition of external group consensus, a concern with the approval of significant others and conformity to social conventions and laws (conventional understanding). The second major move is toward transcendent objectivity, away from exclusive concern with conformity to custom, law, or group consensus (conventional understanding) and toward respect for rationally defensible objective standards for right conduct (postconventional understanding).

A second noteworthy feature of Kohlberg's three-level scheme is that the three levels correspond to three different conceptions in moral philosophy about the meaning of the expression “It's right to do that.” According to one view, associated with so-called emotivist conceptions of moral discourse (Stevenson 1944; see Mackintyre 1981), obligations, like tastes, are merely expressions of personal preferences. The underlying meaning of the expression “It's right to do that” can be translated as an exhortation: “I like it, you like it as well.” According to a second view, associated with so-called positive-law or legal positivist conceptions of moral discourse (see Hart 1961) obligations are nothing more than the promulgations of other human beings. The underlying meaning of the expression “It's right to do that” can be translated as an empirical report that “It is permitted by existing rules, laws, and other commands promulgated by your group, and there are no existing penalties for doing it.” According to a third view, associated with so-called natural-law conceptions of moral discourse, there are such things as “objective” obligations which rational persons can discover. The expression “It's right to do that” can be translated as an implicit argument that “There are certain impersonal, objective standards to which social practices and institutions, man-made rules and laws, and personal desires must conform if those practices, institutions, rules, laws, and desires are to be valid.”

Whether or not Kohlberg is fully aware of it (although see Kohlberg 1981, chap. 9), he has arranged these three conceptions of moral discourse in a single developmental sequence with emotivism at the bottom, positive-law conceptions in the middle, and natural-law conceptions at the top. Thus, there appear to be several alternative ways to label Kohlberg's three levels: preconventional, conventional, postconventional; egoistic, consensual, moral; emotivist, positive-law, natural-law (see figure 1.1).

A third noteworthy feature of Kohlberg's three-level scheme is that adequate moral understandings are portrayed as emerging out of prior conventional understandings. Kohlberg's image of the development of moral understandings is a sequential process of differentiation and replacement in which postconventional or natural-law conceptions of right versus wrong come to be distinguished from conventional or positive-law conceptions and supersede them (Kohlberg, Levine, and Hewer 1983, 17, 32). Likewise, conventional or positivelaw conceptions emerge out of prior preconventional egoistic, or emotivist conceptions.

A fourth noteworthy feature of Kohlberg's three-level scheme is that adequate moral understanding is equated with the postconventional level of thinking. It is Kohlberg's view that the postconventional level of understanding is rationally preferable to the conventional level, which in its turn is rationally preferable to the preconventional level. He argues that with the development of processes of rational reasoning (for example, formal operational reasoning as described by Piaget) and exposure to proper education (for example, engagement in Socratic dialogue), the individual will recognize the conceptual inadequacies of the lower level of understanding and adopt a higher, more rationally defensible conceptual level. The underlying assumption is that in a creature endowed with the capacity for rational thought, as that capacity is cultivated, the development of moral understanding will tend in the direction of what is most rational.

A fifth noteworthy feature of Kohlberg's three-level scheme is that the various criteria for characterizing postconventional understanding are not all equally secure in the moral philosophy literature. Consistent with Kohlberg's claims, most recent analyses in moral philosophy suggest that adequate moral understandings have something to do with the idea of objective obligations that rational people can come to know, and that moral understanding cannot be reduced to the idea of positive law, social convention, or personal desire. It is a matter of dispute, however, whether a formal decision criterion involving the ideas of justice and harm can account for all cases where we judge a moral transgression to have occurred (for example, incest,
using contraceptives, between consenting adult brother and sister) [Feinberg 1980, Perelman 1963]. Furthermore, there is disagreement in the moral philosophy literature about whether there are such things as natural or objective rights as described in the Bill of Rights (MacIntyre 1981) and about whether reference in moral justification to the commandments of a superior or divine being set forth in "sacred text" is to be classified as an instance of positive law, level two, as Kohlberg classifies it [1981, chap. 9], or natural law, level three [Dworkin 1977]. There is disagreement about whether the theory of free contract or the idea of consent can provide a comprehensive or even compelling account of the sources of obligation to those shared expectations that constitute a society. In other words, it is not a settled fact that all Kohlberg's proposed criteria are mandatory features of any rationally based moral understanding. Some of the proposed criteria may be discretionary or permit rational alternatives or substitutes. There may be other rationally based moral codes besides the one proposed. Kohlberg may not have sufficiently distinguished between mandatory versus discretionary features in his conception of postconventional understanding. There may be alternative postconventional moralities for which no place has been provided in his scheme.

An Evaluation of Kohlberg's Cognitive Developmental Theory

The Strength of the Theory

It is widely acknowledged in moral and legal philosophy that moral understandings are not the same as conventional understandings. The difference is exemplified, for Americans, by the difference in the way they understand their obligation, construed to be moral, to feed their children, versus their obligation, construed to be conventional, to send their son to school in pants instead of a skirt. One of the more defensible ways to distinguish the two types of understanding is by reference to the abstract idea of natural moral law basic to Kohlberg's scheme.

One way to think about the abstract idea of natural moral law is to imagine that there are certain standards to which social practices, man-made rules, and personal desires must conform if those practices, rules, and desires are to be valid. These standards are natural, in at least two senses. First, adherence to those standards is thought to lead factually to certain ultimate, important, or categorical ends of life like liberty, equality, safety, salvation, or the elimination of suffering. Secondly, the standards themselves are thought to be objective
or external, hence natural. Just as the shape of an object is said to in-
here in that object regardless of a human perceiver, so too, certain ac-
tions (starving a child to death) are thought to be wrong independent
of any human acknowledgement of it. The wrongness is there regard-
less of whether anyone recognizes it as such. Declaring that a round
object is square does not make it so. So too, an action that is wrong
by virtue of natural law cannot be made right by any declaration,
vote, or legislation.

To select a parochial example, in those places in the world
where the idea of natural law is associated with the idea of natural
"rights," there are certain freedoms (speech, travel) that are placed be-
beyond the realm of the subject and out of the reach of majority vote,
above convention and consensus. Of course, a government, a state, or
a court may fail to realize its objective obligations and may fail to
grant its citizens any rights at all. But, according to those who believe
that civil liberty is part of the natural order of things, the obligation is
present nonetheless. Being objective it does not go away for having
been misperceived.

Kohlberg is probably on the side of the angels in his use of the
abstract idea of objective obligations to describe the nature of genuine
[or pre-conventional] moral understandings. It is the appeal to an ob-
jective ought, a natural law, that genuine moral understanding is
about, both in Kohlberg's scheme and in the schemes of most moral
philosophers. Nonetheless, Kohlberg's account of moral development
and his conceptual scheme have been the target of much legitimate
criticism. Before summarizing those legitimate criticisms, however,
it is necessary to digress for a moment to discuss Kohlberg's most re-
tent reformulation of his theory.

The Reformulation

Kohlberg's recent reformulation of his theory [Kohlberg, Levine, and
Hewer 1983] is a lucid but complex statement, packed with revisions,
qualifications, concessions, and several new distinctions. It is com-
plex enough to dazzle even the most sympathetic critic. An unsym-
pathetic critic might view the reformulation as the beginning of the
epicycle stage of the theory. "Soft" stages are now distinguished from
"hard" stages. Two substages [A and B] are introduced within each of
Kohlberg's stages to accommodate the Piagetian distinction between
autonomy and heteronomy. And while a "soft" seventh stage is added
to the scheme, the previously proposed "hard" stage six is dropped be-
cause it is not an empirically identifiable form of moral reasoning
[1983, 60].

The domain of the theory is narrowed. What was once to be a
theory of moral development is now described as a theory of justice
reasoning. Kohlberg, Levine, and Hewer (1983, 19) write: "We admit,
however, that this emphasis on the virtue of justice in Kohlberg's
work does not fully reflect all that is recognized as being part of the
moral domain."

The claims of the theory are weakened. Kohlberg, Levine, and
Hewer (1983, 63) state that they agree with their critics that genuine
post-conventional moral understandings need not be tied to any par-
ticular normative ethical position. They accept the criticism by
Carter [1980] that "'what Kohlberg really achieves with clarity is
nothing more than a sequential typology of development in moral
thinking from selfishness to altruism, and from situation-specific
rules to universalizable and irreversible judgments of principle.'" Carter
probably overstates the case. For Kohlberg has not discovered
that adults are typically principled or universalistic post-conventional
thinkers, and stage one egoism is not a frequent empirical occurrence,
even among children (Snarey 1985). What Kohlberg has firmly estab-
lished empirically is that, with his interview methodology and
scheme of concepts, children are more likely than adults to justify
action verbally by reference to the subjective feelings of the self, and
that adults make more reference to social and political institutions-
majority vote, the state, the law—in discussing their obligations. The
only empirically established sequential typology emerging from the
Kohlberg framework is the shift in verbal justifications from refer-
ence to self to reference to social institutions. Research concerned
with how society and social institutions are represented by mature
adults does not support the idea of a sequential end point on the side
of abstract universal principles. Most adults in most societies stabi-
lize at stage three with a conception of society built up out of the mu-
tual reliances and interdependencies, and the specific agreements and
obligations, associated with particular status or role relationships—
husband to wife, parent to child, friend to friend, stranger to stranger

It is ironic that with the publication of his "current formula-
tion" there is somewhat less clarity about what it is that Kohlberg
believes. Some of his most fundamental reformulations are difficult
to reconcile with each other, and his thinking seems to be in the mid-
ang of a, perhaps productive, process of change. For example, Kohl-
berg, Levine, and Hewer state that "at this point, our stage findings do
not allow us to claim evidence for certain normative ethical conclu-
sions which nevertheless remain Kohlberg's own philosophical pref-
ference for defining the ontogenetic end point of a rationally recon-
structured theory of justice reasoning. In particular we cannot claim either that there is a single principle which we have found used as the current empirically highest stage, nor that that principle is the principle of justice or respect for persons. There may be other principles” (1983, 65). They allude to alternative principles such as “responsible love,” and they acknowledge the existence of a rationally appealing “morality of particularistic relationships” (see Gilligan 1982). This particularistic morality need not be based on such principles as “contract” or universal respect for persons but is founded instead on such ideas as loyalty, caring, and responsibility (1983, 20). Yet later in the text Kohlberg, Levine and Hewer [1983, 75] assert: “We claim that there is a universally valid form of rational moral thought process which all persons could articulate, assuming social and cultural conditions suitable to cognitive-moral stage development” (our emphasis).

One way to reconcile the two apparently contradictory assertions would be to postulate that Kohlberg’s idea of a single, universally valid form of moral reasoning does not include, as a mandatory feature, the principle of justice or respect for persons but only some very general features like the abstract idea of an objective obligation. The problem with that attempted reconciliation is that Kohlberg quite clearly wants to deny that any moral principles are culturally variable “in a fundamental way” (1981, 73–74). He wants to assert that all divergences of moral belief can be reconciled by rational principles and methods (1982, 73–74). To eliminate the apparent contradictions in the text, one is tempted to ask: Are the principles of justice and respect for persons, then, not “fundamental” principles? Are discrepancies between normative ethics founded on justice versus those founded on particularistic relationships, loyalty, caring, and benevolent love, not to count as “differences in moral beliefs”?

Kohlberg’s theory has become a perplexing and shifting target, which, given its current complexities and flexible epicycles, is more difficult to represent in 1985 than it was in 1982. At present, the theory that is influential in the field is the one that preceded the current reformulation, and it is that theory that we have tried to represent. Nevertheless, the only criticisms of Kohlberg worth considering are those that still seem relevant after reflection on his latest reformulations. It is to those enduring criticisms that we now turn.

The Limitations of the Theory

Is cognitive development stagelike? One criticism of Kohlberg’s theory addresses his claim that the development of rational reasoning, specifically the attainment of the cognitive stage of formal operational thinking as described by Piaget, is a precondition for genuine moral understanding. Unfortunately, the moral development literature has not clarified what is purely logical, as distinct from what is purely moral, about moral concepts like commitment, harm, duty, trust, or rights. Empirical studies have been inconclusive on the relations between performance on Piagetian logical tasks and performance on Kohlberg’s moral dilemma interview (Haan, Weiss and Johnson 1982).

Moreover, the Piagetian account of cognitive development has taken a beating in recent years (Shweder 1982). It has come to be acknowledged that human cognitive growth is not very stagelike, and no single cognitive stage (preoperational, concrete operational, formal operational) is a characteristic property of an individual’s cognitive functioning. The most recent comprehensive review of Piagetian concepts concludes that “the experimental evidence available today no longer supports the hypothesis of a major qualitative shift from preoperative to concrete operational thought” (Gelman and Baillargeon 1983, 167).

One implication of that evidence is that how an individual functions in Kohlberg’s scheme may depend on what he or she is thinking about. Varying the manner of presentation of a problem limits the generality of a conclusion about conservation of number or liquid quantity. Similarly, by changing the content of a moral dilemma it may be possible to alter the modal stage response of a subject. For example, a subject may be stage four when thinking about stealing, but stage three when thinking about extramarital sex (see Gilligan, et al. 1971).

Doubts about whether moral growth is very stagelike are reinforced by two facts. Approximately one-third of the responses of a typical subject come from stages other than the modal stage, and for any particular subject almost all responses come from only two stages, typically in a two to one ratio. As a theoretical structure Kohlberg’s scheme has three levels, each divided into two stages. Hence, in theory, there are six stages. As an empirical phenomenon, however, stages one, two, five, and six occur rarely in pure form among adults, and stages one, four, five, and six occur rarely in pure form among children. The typical child mixes concepts and principles from stages two and three. The typical adult mixes concepts and principles from stages three and four. The main thing that distinguishes children from adults is that adults stop talking about personal likes and dislikes and start talking about social institutions and social systems. Both children and adults talk about social roles and status ob-
lizations (which, as we shall discuss later, may be a promising starting point for an alternative conception of a rationally based postconventional morality). In the study of moral development, it may be time to set aside the theoretical machinery of Piaget’s stage theory of cognitive growth. The evidence suggests there are diverse concepts and forms of reasoning available to children and adults. What we do not yet understand is how the particular case one thinks about and the way it is represented make it more or less difficult to engage in one form of reasoning or another.

*Is the test biased in favor of Westernized elites? A second criticism builds on Kohlberg’s observation that certain populations receive higher stage scores than others. While it is not true, as is sometimes claimed, that men score higher than women on Kohlberg’s moral development interviews (Walker 1984; Snarey 1985), social class is a major correlate of stage level. On a worldwide scale, the highest scores are achieved by Israelis of European origin, upper-middle-class Americans and Western-oriented members of the urban elite in countries like Taiwan and India. Some critics see this as an indication of bias in Kohlberg’s scheme (Simpson 1974). An alternative interpretation, compatible with Kohlberg’s theory, is that processes of rational reasoning and opportunities to engage in Socratic dialogue are unequally distributed across human populations. In other words, upper-middle-class Americans are more rational than lower class Americans, Israelis of European origin are more rational than Israelis of African or Middle Eastern origin, and urban elite populations in Taiwan and India are more rational than traditional rural populations in those countries.

The thesis that there is an unequal distribution of rationality across populations has both supporters (Hallpike 1979) and critics (Cole and Scribner 1974; Shweder 1982a, 1982b, 1982c). It is important, however, to distinguish this thesis from a less controversial one with which it is sometimes confused, namely the thesis about the distribution of self-consciousness or deliberate meta-analysis. It is widely acknowledged among cognitive anthropologists and cross-cultural psychologists that individuals and populations do differ in the extent to which they reflect on what they know and explicitly formulate it. Few researchers would deny that those who are schooled are better at self-reflection and more likely to think about or even write down the rules for moral or logical thinking (see Scribner and Cole 1981). Self-consciousness about thinking probably is a useful cross-cultural and developmental variable. Not everyone has good verbal access to their own processes of rational reasoning.

Notice, however, that the thesis about meta-analysis has nothing to say about the types of rational processes available to a person or people. There is an important difference between implicit versus explicit understanding of principles. The fact that some cultures are more rationalized (self-reflective or "meta") than others does not mean that they are more rational. What is controversial is the question of the distribution of rational reasoning processes, as distinct from the mental skills of self-reflection, verbal access, and meta-analysis.

*Why is postconventional thinking so rare? A third criticism comes closer to the concerns of this chapter. Perhaps the most striking research finding using Kohlberg’s scheme is that very few people are postconventional thinkers. On a worldwide scale, only 1 or 2 percent of all responses are pure postconventional, and mixed conventional/postconventional responses (so-called stage four/five) account for only about 6 percent of responses (Snarey 1985). Even pure postconventional responses are infrequent. The vast majority of responses fall within the loose boundaries of the conventional level of understanding (stages three and four). If one accepts Kohlberg’s moral dilemma interview methodology and the underlying interpretive logic of his scheme, then one must conclude that almost all adults in all cultures conceive of virtue as conformity with the subjective preferences of the group, and most never attain the idea that there are objective obligations that take precedence over the preferences and will of the group. That conclusion is not consistent with several more ethnographically based research findings on moral codes (Read 1955; Ladd 1957; Malinowski 1926; 1976; Firth 1951; Fortes, 1959). Firth’s remarks on the Tikopia are typical of ethnographers’ accounts of moral codes: “The spirits, just as men, respond to a norm of conduct of an external character. The moral law exists in the absolute, independent of the Gods” [quoted in Nadel 1957, 270–71]. Moreover, if the idea of objective obligation does not occur to most people in most societies, it would suggest that most members of our species adhere to a rationally inadequate conception of morality. Not surprisingly, that conclusion has led some moral development researchers to raise doubts about Kohlberg’s interview methodology, the logic of his conceptual scheme, or both.

The Methodological Critique: Why Is Postconventional Thinking Rare?

Kohlberg’s theory of moral development is about the development of moral understandings, yet his moral dilemma interview methodology
is a verbal production task that places a high premium on the ability to generate arguments, verbally represent complex concepts, and talk like a moral philosopher. It is hazardous to rely on such a procedure when studying moral understandings because one of the most important findings of recent developmental research is that knowledge of concepts often precedes their self-reflective representation in speech. Young children know far more about the concept of number, causation, or grammaticality than they can state. As Nisbett and Wilson (1977) have put it, people “know more than they can tell.” A distinction is needed between implicit, tacit, or intuitive knowledge of a concept and the ability to state explicitly the knowledge one has.

To clarify the distinction between implicit and explicit knowledge of principles, consider research on adult understandings of natural language grammar. Most people do not have good verbal access to their own available concepts or intellectual processes. The ability to describe grammatical principles is a rather poor index of an individual’s knowledge of the grammar of his language or of his ability to discriminate between grammatical and ungrammatical utterances. Most competent speakers of a language can make use of grammatical decision rules without being able to state what those rules are. Researchers would not confuse a theory about the development of grammatical competence with a theory about the development of the skills of a grammarian.

That, curiously, seems to be what has happened in the study of moral understandings. Those who study moral understandings with Kohlberg’s moral dilemma interview have reduced the study of moral concepts to the study of verbal justification of moral ideas. The study of moral understanding has been narrowed, by methodological fiat, to the study of what people can propositionalize. That is dangerous because what people can state is but a small part of what they know.

Kohlberg’s interview methodology requires subjects to access verbally their moral concepts, produce moral arguments, and talk like a moral philosopher. Several researchers (Turiel 1979, 1980; Nucci and Turiel 1978; Nucci 1981, 1982; Nucci and Nucci 1982; Smetana 1981a, 1981b, 1982, 1983; also see Shweder, Turiel, and Much 1981, Shweder 1982a) have relaxed the demand characteristics of the moral dilemma interview situation, requiring only that subjects be consistent in their responses to direct probes about the objective versus consensual status of moral versus conventional obligations. For example, children are asked whether an obligation is merely relative to the child’s group or universally binding. "Suppose there is another country where parents and schools allow children to [pull each other’s hair; wear no clothes at school]. Is that all right?" Others [e.g., Much and Shweder 1978] use a somewhat different technique and look at distinctions drawn between moral and nonmoral obligations, as revealed in the way children use language in “situations of accountability” to justify or excuse apparent violations of normative standards.

The findings from that research, where subjects are permitted to display their understandings by means of responses to simple, direct probes [or through naturally occurring language use], suggest a different portrait of the emergence of moral understandings, at least among children who are exposed to the family and school practices of Western liberal democracies. Probing their subjects about the impersonality, alterability, and relativity of obligations, Turiel, Nucci, and Smetana discover that even young children [ages three to five years] have an implicit understanding of the idea of an objective obligation. Young children distinguish moral rules (the prohibition on destroying the property of others without their permission) from conventional rules (it is wrong to eat horses but not wrong to eat cows; it is wrong for a boy to wear a dress to school every day). They recognize that, unlike conventional obligations, moral obligations cannot be altered by majority vote or the preferences of this or that group.

The Turiel, Nucci, and Smetana research suggests that young children understand the idea of an objective obligation. It also suggests that what children know is not necessarily revealed during a Kohlbergian interview. More directed probes may be needed to get at their implicit understandings. For example, children sometimes say such things as “it is wrong to steal because you’ll be caught and sent to prison” [an apparent egoistic, preconventional response]. However, when probed directly—”what if you would not be caught, you would get away with it?”—many of those same children maintain that stealing would still be wrong, and it would be wrong even if your father told you to do it, and even if most people voted to make it right. When children say “it is wrong to steal because you will be punished” they often mean “wrong things get punished, and stealing is punished because it is wrong." They do not usually mean “it’s the punishment that makes something wrong.” What children know and intend to communicate is not equivalent to the literal and surface interpretation of their often feeble attempts to identify and state in words the abstract principles underlying their judgments.
The Conceptual Critique: Why Is Postconventional Thinking Rare?

A second reaction to Kohlberg's finding that so few people around the world exhibit genuine moral understandings is to question the underlying interpretive logic of his scheme (Shweder 1982a, 1982b; Shweder and Miller 1985). One reason so few people are postconventional may be that most people reject the particular conceptual reference points from which Kohlberg constructs his notion of a rationally appealing objective morality. It is important to recognize that for a person to reject Kohlberg's postconventional level of moral understanding is not the same as defining morality as positive law or subjective preference, there may be alternative conceptual starting points from which rationally to construct an objective morality. That type of critique of Kohlberg's interpretive logic is associated with the position that there are "divergent rationalities" in the moral domain (Shweder 1986).

The idea of "divergent rationalities" in the moral domain can be analyzed into the following claims. (1) There exists more than one rationally defensible moral code. (2) In any moral code with rational appeal, some concepts are "mandatory"; without those mandatory concepts the code loses its rational appeal. Other concepts are "discretionary"; they permit replacement by alternative concepts whose substitution into the code would not diminish its rational appeal. (3) Every moral code that is rationally defensible is built up out of both mandatory and discretionary concepts. The rational appeal of a moral code would be diminished, it would become empty, if it were divested of all discretionary concepts. (4) Kohlberg's particular conception of postconventional morality is not advocated by most rational thinkers around the world because they reject one or more of the particular discretionary concepts incorporated into his scheme.

What are the mandatory and discretionary features built into Kohlberg's conception of postconventional morality? As far as we can judge, there are at least three mandatory features. Those features have broad appeal among moral philosophers and are candidates for moral universals. There are also at least six discretionary features. Not all rational thinkers will find those particular features rationally appealing; they may elect to construct a moral code with substitute concepts or principles.

The three mandatory features are the idea of natural law, the principle of harm, and the principle of justice. The six discretionary features are a conception of natural law premised on natural "rights," a conception of natural law premised on "voluntarism," "individualism," and a "prior to society" perspective; a particular idea of what or who is a "person"; a particular conception of where to draw the boundaries around the "territories of the self"; a conception of justice in which likenesses are emphasized and differences overlooked; and, finally, a rejection of the idea of divine authority. We consider briefly each of these features.

Mandatory feature 1: The abstract idea of natural law. The idea of natural law has already been described at some length. The idea is implicated whenever we speak of a discrepancy between what is and what ought to be. The idea of natural law implies that there are certain practices and actions that are inherently wrong regardless of how much personal pleasure they might give us and despite the existence of rules or positive laws that might permit their occurrence. It is the idea of an objective obligation.

Mandatory feature 2: The abstract principle of harm. The principle of harm states that a legitimate ground for limiting someone's liberty to do as they want is a determination that harm is being done to someone. Life in society is made up of the direct and indirect effects of people's actions and inactions. Every rationally appealing moral code defines what consequences are permissible and justifies the regulation of certain actions by reference to their harmful effects, however those are conceived.

Mandatory feature 3: The abstract principle of justice. The principle of justice states that like cases must be treated alike and different cases differently (Hart 1961). Alternatively, what is wrong for one person is wrong for any similar person in similar circumstances (Singer 1963). The principle of justice is the normative or prescriptive side of the abstract idea of categorization. In effect, the principle of justice forces us to group people into those we treat one way [in like fashion] and those we treat another way [in like fashion]. Any social categorization [kin versus nonkin, teacher versus student] implements the principle of justice by defining the kinds of people there are to have similar or different kinds of relationships with.

Discretionary feature 1: A rights-based conception of natural law. One discretionary feature of Kohlberg's moral code is a rights-based conception of natural law. The feature is discretionary because not every rationally defensible moral code must be founded on a conception of natural "rights." A moral code may be founded on a con-
ception of natural "duties" or natural "goals" and remain rationally defensible. Dworkin [1977] has important things to say about the difference between rights-, goal-, and duty-based moral codes. He points out that while all moral codes may have some place for social goals, individual rights, and individual duties, rational moral codes differ significantly in the scales over which goals, rights, and duties range, and in the priority given to goals over rights, duties over goals. In a goal-based code, a good like "improving the general welfare" or "national security" is taken as fundamental and given priority. In a rights-based code, a right like "the right of all men to the greatest possible overall liberty" is taken as fundamental and given priority. In a duty-based code, a duty like "the duty to obey God's will as set forth in the Ten Commandments" is taken as fundamental and given priority.

It is crucial for Dworkin's conceptualization that rights, duties, and goals are not merely three idioms for saying the same thing. If they were merely idioms, then every right could, in principle, be translated without loss of meaning into a parallel duty or goal, every duty into a goal or right, every goal into a duty or right. There are two reasons why perfect intertranslation cannot be achieved.

For one thing, there are duties and goals without correlative rights. In India, for example, it appears that the duty of a householder to feed a guest is owed to some third party or force like God or Hindu dharma, without any implication that the guest has a right to be fed, and in our own historical tradition parents had duties towards their children long before children could make rights claims against their parents.

Secondly, as Dworkin notes, rights and duties are not perfectly intertranslatable because even in those cases where duties and rights correlate "one is derivative from the other and it makes a difference which is derivative from which." He points out that the idea that "you have a duty not to lie to me because I have a right not to be lied to" is quite different in meaning from the idea that "I have a right that you not lie to me because you have a duty not to tell lies." They are different in meaning because "in the first place I justify a duty by calling attention to a right, if I intend further justification it is the right I must justify, and I cannot do it by calling attention to the duty. In the second case it is the other way around."

Duty-based codes have several distinctive features. In a duty-based code attention is focused on the moral quality of individual acts per se, on the degree of conformity of each act to a code for proper conduct. It is the code that takes precedence and it is the code that is the object of interpretation and elaboration, while the individual per

se and his various "interior" states, preferences, appetites, intentions, or motives are of little interest or concern. The purity of the motive is less important than the quality of the act.

When moral codes are duty-based, the individual is supposed to match his or her actions to the code "or be punished or corrupted if he does not." The individual is not at liberty to deviate from the rule, or to call on others to do so. Within a duty-based code there is no such thing as a natural right (e.g., free speech) to encourage others to engage in wrong actions. In a duty-based code it would be incoherent to proclaim: "Do not impose your private morality on other people." Indeed, in duty-based moral codes, individual rights and the domain of what is private are typically subordinated to duties, and it is the duties associated with particular role relationships, of a wife to her husband, a host to his guest, that receive the most elaborate treatment in the code. It is the performance of duty, not the defense of liberty or personal conscience, that stimulates feelings of righteousness. To the extent that Kohlberg's scheme presupposes the existence of natural "rights" and gives them priority, the scheme will seem alien to any rational thinker who constructs a moral code on the basis of natural duties or natural goals.

Discretionary feature 2: Natural individualism in the abstract.
A second discretionary feature of Kohlberg's moral code is the priority given to individualism. Societies are built out of roles and statuses [mother-child, doctor-patient, teacher-student, etc.], for which there are performance obligations, and out of individuals, who have differential talents, abilities, powers, intelligences, resources, and beauty. Both are necessary for social action. A discretionary feature in any moral code concerns what is taken as more fundamental, real, natural, or of value: "roles and statuses" [the parts to be played] or "individuals" [the people who play the parts].

The most fundamental entity in Kohlberg's moral code is the "abstract individual." Kohlberg's individual is "abstract" in two senses. First, the individual is abstracted from society. Conceived to exist as an autonomous entity prior to or outside of the social arrangements in which he or she is found, hypothetically stripped of any distinguishing social identity, each individual is assumed to have an intrinsic, and equal, moral value quite apart from that which attaches to him or her as an occupant of a particular status. Second, the individual is abstracted out of his or her personality and divested of all distinguishing marks of character, such as differential power, intelligence, beauty, charisma; the abstract individual, by definition, has no individuality.
The abstract individual is the fundamental entity in Kohlberg’s scheme because society is viewed as a logically derivative product, formed when abstract individuals enter into a social contract. Kohlberg’s commitment to an abstract individual is most apparent in his attempt, following Rawls [1971], to derive a just society from the idea of a social contract forged under an aptly labeled “veil of ignorance.” Rawls and Kohlberg argue that a just society is the one to which any individual (free of duress and concerned only with self-interest) would voluntarily bind himself if he had to form a society ignorant of who the members of the society were going to be, that is, ignorant of his relative intelligence, talent, power. The most basic unit in Kohlberg’s moral code is a theoretically idealized individual abstracted from society and abstracted from his own psychological qualities.

An alternative approach to the rationalization of a moral code is to start with the assumption that social arrangements are primary or fundamental and to attribute moral significance to the universal fact of role differentiation (for example, within the family) and the unequal distribution of health, wealth, status, beauty, and intelligence across individuals. That view argues that a differentiated social morphology is part of the natural order of things, that the moral value of a person is dependent on the position occupied within a system of particularistic interpersonal relationships (see Read 1955) and that the moral value of a person can be measured by reference to the skills, talents, and psychological qualities that are his or her just desert. It judges as fair whatever actions ensure that the proportions between differentiated social functions and social roles are adapted to the society as a whole [see Dumont 1970]. This idea that social arrangements are part of nature, and that social forms are more permanent and fundamental than the individuals who happen to pass through them, has had its appeal to many rational thinkers.

**Discretionary feature 3: Who is a person?** A third discretionary feature in Kohlberg’s moral code is his substantive conception of what or who is a “person” or “moral agent.” Every moral code has some kind of more or less inclusive definition of who must abide by the standards of natural law and is entitled to just treatment and protection from harm. What is discretionary, however, are the category boundaries of the “person” or “moral agent.” The rational defensibility of a moral code is probably unaffected by such decisions as, for example, whether illegal aliens have the same rights as citizens of the state or whether such entities as corporations, fetuses, cows, or dogs should receive protection from harm.

Kohlberg adopts a relatively inclusive definition of moral agent and treats as moral equivalents prisoners and free men, men and women, citizens and aliens, children and adults, heathens and non-heathens. His definition of a moral agent does not include reuses, cows, fish, insects, plants, or other nonhuman living things. His definition is probably too inclusive for some rational thinkers who might argue that, just as the claims of one’s children ought to take precedence over the claims of a stranger, so too the claims of a fellow “tribesman” ought to take precedence over the claims of an outsider. His definition of a person may not be inclusive enough for other moral thinkers who might argue that life is continuous and that even animals have a soul and should not be bred and raised in order to be killed and eaten.

**Discretionary feature 4: Which territories of the self?** A fourth discretionary feature in Kohlberg’s moral code is his substantive conception of where to draw the boundaries around the “territories of the self.” Within any moral code “moral agents” or “persons” are entitled to protection from harm, yet, even after it is decided who is a “moral agent,” another discretionary decision must be made: how expansively to define the realm worthy of protection that surrounds the “person.”

In other words which invasions of which territories of the self are to be considered harmful attacks? Are the protected territories to include only our bodies and physical possessions, or are they to include also our feelings, reputation, and honor? Not all rational thinkers would care to defend the proposition that “sticks and stones can break your bones, but words can never harm you,” or that honor is always less important than life, so suffer the insult.

**Discretionary feature 5: Justice as equality.** A fifth discretionary feature is a substantive conception of justice in which likenesses are emphasized and differences overlooked. Kohlberg argues that justice requires every person’s claims to be treated as equal, regardless of the person [1981, 144]. What is moral vis-à-vis an American is moral vis-à-vis a Vietnamee, what is moral vis-à-vis a father is moral vis-à-vis a son [1981, 135]. Kohlberg believes that in employing the utilitarian rule for maximizing general welfare the only just thing to do is count each individual as equal to one unit, no weighting is allowed. Thus, saving more lives is better than saving fewer lives, regardless of who it is that is saved, the old or the young, the good or the wicked. That conception of justice is not implied by the abstract idea of justice, which merely states “treat like cases alike
and different cases differently." The abstract idea of justice does not state which likenesses or differences should count, whether or how they should be weighted, or how, in particular, like cases should be treated, other than being treated in the same way. When relevant differences can be cited it is not unjust to treat different cases differently. That is the reason why some rational thinkers argue that it can be a moral act to prohibit the son but not the father from casting a vote, and by analogy that no one should be allowed to vote who is uninformed about the issues or candidates or unable to exercise mature rational judgment. Within a population, rationality is not equally distributed, and some individuals may have greater vulnerabilities than others and require greater protection from themselves.

Discretionary feature 6: Secularism. A final discretionary feature of Kohlberg's code is a secularism that rejects divine authority [1981, 312–18]. That rejection is revealed when Kohlberg [1981, 315] argues that the statement "X ought to be done because it is a command of God [or is in the Bible, or is one of the Ten Commandments]" is equivalent to the statement "X is right because it is approved of by a majority of the Gallup Poll." In other words, the knowledge possessed by a superior or divine being set forth in sacred text has no greater epistemological status than majority votes or other expressions of the subjective preferences of a group of human beings. That idea commits Kohlberg to a particular, and in our view peculiar, definition of natural law, in which the only things that count as natural laws are things that human beings can discover for themselves [1981, 313], without the assistance of revealed or handed-down truths about right and wrong.

It is reasonable to presume that Kohlberg does not believe in superior beings who have privileged access to truths about natural laws. He seems to reject the idea that there might exist natural laws that human beings are unable to discover on their own, or that there might exist natural laws whose underlying rationale is difficult for mere human beings to understand, even after the natural law is revealed. Yet the idea of a superior or divine being (whose privileged access to truth is revealed in sacred texts) is neither incoherent nor irrational. Unless Kohlberg is prepared to argue that all rational thinkers must be atheists or that it is irrational to accept an account of the truth from beings thought to have superior powers of understanding, his attempt to equate divine commands with convention or group consensus must be seen as a discretionary act of a secular humanist that need not have universal appeal to all rational thinkers.

We have examined in some detail several discretionary features in Kohlberg's conception of postconventional moral understanding. Most of those features are variations on the idea that society has a rational foundation in a hypothetical social contract, and the related claim that the idea of an abstract, rational individual standing outside of, or prior to, society can be used as the fundamental and common measure of moral conduct. The underlying logic of Kohlberg's scheme is premised on voluntarism, secularism, and individualism, premises that not every rational thinker must adopt. There is the possibility that there is more than one form of postconventional thinking and that individualism is not the only premise out of which to construct a rationally appealing objective ethics.

We suspect that so few people around the world meet Kohlberg's criteria for postconventional thinking because they reject his particular rationalization of morality. Subjects classified as conventional thinkers [stages three and four] may be expressing an alternative form of postconventional thinking that cannot be easily classified within the terms of Kohlberg's scheme. We believe that is the case with our Hindu informants, as we shall see later. It may be true of Kohlberg's American informants as well.

Turiel's Social Interactional Theory: Overview and Evaluation

Overview

Turiel, Nucci, and Smetana examine the young child's implicit understanding of abstract moral principles like natural law or universalizability. The research, however, does more than just provide a methodological critique of Kohlberg's verbal production interview task; it suggests an alternative theory of moral development. One way to conceptualize their theory is to imagine that Turiel, Nucci, and Smetana have turned Kohlberg's three-level scheme on its side. Instead of three levels of understanding (egoistic, conventional, and moral) they posit three domains of understanding (personal, conventional, and moral) which are distinguished from each other by young children, and which undergo separate courses of elaboration, and increased sophistication (see figure 1.2). Moral understandings do not emerge out of conventional understandings but rather coexist with them during early childhood. The differentiation of what is moral from what is conventional is explained not by reference to the development of rational reasoning and exposure to Socratic dialogue but by reference to the distinguishing qualities of social interactional events. "Qualita-
tively distinct types of social interactions with different classes of events or actions lead to the construction of different types of social knowledge" (Smetana 1983, 134).

Turiel, Nucci, and Smetana accept Kohlberg's proposed criteria for distinguishing moral understandings from conventional ones, although they believe the distinction exists in early childhood. Morality refers to objective obligations concerning justice, harm, rights, and human welfare, and it is instantiated by actions [e.g., hitting and hurting, stealing personal property] that have an objective effect upon the well-being and rights of others. The idea of convention, in contrast, refers to certain actions that are right [or wrong] by virtue only of social consensus [e.g., men wearing pants instead of dresses; the idea that all work should stop on Saturdays for a day of rest].

A convention is the idea of an obligation for which there is no natural law. It is the idea that the rightness or wrongness of an action (shaking hands when greeting another) is arbitrarily designated and historically limited to a social consensus that happens to have formed. It is arbitrarily designated in that, from an objective or rational point of view, what happens to be right or wrong [eating beef but not pork] could have been designated otherwise. Turiel, Nucci, and Smetana hypothesize that socially demanded behavioral uniformities [traffic regulations, dress codes] are functionally advantageous for coordinating social interaction among members of a social system. That functional advantage, they argue, is the major reason that any social consensus develops at all around such issues as what to wear, what to eat, how to eat, how to address others (first name or title) [see Lewis 1969].

Turiel, Nucci, and Smetana believe there are intrinsically moral events. They argue that, through social interaction, children quickly come to distinguish those events that inherently possess a moral quality [connecting them to issues of harm, justice, and welfare] from those events whose rightness or wrongness is merely an extrinsic matter of social consensus. Young children are said to develop the idea of a moral event and the idea of a conventional event and to distinguish them from each other because they have had direct experience with both types of events and have learned that they are not the same.

The Turiel, Nucci, and Smetana theory does not postulate that every event must be purely moral or purely conventional. The theory acknowledges fuzzy boundaries and various blending of types [Smetana 1983, Turiel and Smetana 1984, Turiel and Davidson, in press]. The theory does postulate the existence of enough pure moral events and pure conventional events to stimulate in the mind of the child a distinction between morality and convention.

For Turiel, Nucci, and Smetana, morality refers to objective obligations concerning harm, justice, rights, and the welfare of others. They argue that actions or events possess that moral quality if those actions or events involve physical or psychological harm, personal or private property, promises or commitments, or the allocation of scarce resources. Conventional events do not possess a moral quality, since their rightness or wrongness is acquired solely by virtue of social consensus, should such a social consensus develop. Those conventional events include food "customs," clothing "styles," sex-role definitions, forms of address, and sexual practices. According to the theory, ridiculing a cripple will be universally viewed by children as a moral event, while the norms prohibiting male business executives from wearing a dress to work will be viewed as conventional.

Turiel, Nucci, and Smetana credit young children with inferential ability to recognize the moral quality inhering in some events. These skills include means-ends analysis, the recognition of cause and effect connections, and simple forms of hypothetical and counterfactual reasoning (for example, "if everyone were to do that, then... "). Those cognitive skills make it possible to recognize the objective connection between pulling someone's hair and inflicting harm and the desirability of the presumption that such behavior is wrong, unless overridden by other moral considerations.

Young children are also credited with the ability to detect regularities in their social environment. They recognize that some ac-
tions are, for no apparent objective or rational reason, consistently considered wrong by members of the group. Turiel, Nucci, and Smetana argue this leads children to infer that conventionally based wrongness is arbitrary, relative to one's group, alterable by consensus, and less serious in the breach. According to the theory, conventional wrongs, but not moral wrongs, can only be learned through exposure to group consensus via social transmission processes—commands, sanctions, instructions. Moral wrongs are learned primarily through direct observation of the harm or injustice caused by a transgression.

Finally, Turiel, Nucci, and Smetana argue that children taken an interest in regulating, sanctioning, and intervening in other children's actions when those actions violate moral standards but remain relatively indifferent when children violate conventional norms for right conduct. Social conventions, they imply, are the concern of adults, not children.

In sum, Turiel, Nucci, and Smetana introduce an alternative methodology into the study of moral understandings, broad enough to include both implicit and explicit knowledge of moral concepts. They propose a theory of moral development in which moral understandings do not develop out of conventional understandings, but rather coexist with them from an early age. The central claims of the theory concern [a] the determinate content of moral versus conventional events [e.g., pulling hair vs. wearing brightly colored clothes to a funeral], and [b] the parallel series of oppositions [universal vs. relative; unalterable vs. alterable; serious vs. not serious; objective vs. subjective; inherent vs. extrinsic; rational vs. arbitrary; directly observed vs. socialized] that distinguish both moral events and the idea of morality from conventional events and the idea of convention.

An Evaluation of Turiel's Social Interactional Theory

The Strength of the Theory

The Turiel, Nucci, and Smetana research suggests that the mandatory principles of a rationally appealing moral code—the abstract or formal ideas of natural law, harm, and justice—are available between the ages of three and five years and can be elicited utilizing direct probes about the relativity, alterability, and importance of obligations. From the point of view of the young child, obligations are not overwhelmingly viewed as conventional, and, for at least a subclass of material events, the young child grasps the difference between objective, natural-law, reason-driven obligations and consensus-based, collective-preference, conformity-driven obligations. Happily, the research directs our attention to "social interaction" and to the child's intellectual and emotional appraisal of the consequences of his or her own actions (e.g., pulling someone's hair and making him or her cry), although the research gives relatively little weight to the way interactional events and their consequences are socially construed, or to the way children are assisted by others in appraising an event.

The Limitations of the Theory

Are events free of social meaning? One potential difficulty with the Turiel, Nucci, and Smetana theory is that it underplays the way ritual observances and customary practices involving food, sex, dress, the exchange of greetings, and terms of address may be linked through social meanings to mandatory moral principles like harm, justice, and natural law. The theory underestimates the potential importance and moral significance of events classified by the theory as conventional.

That tendency to overlook the role of social meaning in the development of moral understanding may be a by-product of Turiel, Nucci, and Smetana's definition of morality. Morality is defined not only by reference to the idea of natural law and objective obligation [a mandatory feature of any rationally appealing moral code], but by reference to natural "rights" [a discretionary feature]. And morality is defined not only by reference to the abstract idea of harm [a mandatory feature] but by reference to only certain kinds of harms [direct and intended physical and psychological attacks] on certain types of "persons," namely sentient beings [a discretionary feature]. Given that definition of morality, Turiel, Nucci, and Smetana have no difficulty identifying arbitrary assault (hitting and hurting), biased arbitration, and theft as prototypical examples of moral infractions. Yet with that definition of morality, how are we to classify the failure to perform funeral rites for deceased parents, or kissing and sexual foreplay between consenting adult brother and sister?

The theory is faced with a difficulty. On the one hand, the principle of harm could be broadened to include the distress or emotional upset that is caused when someone witnesses in others what they believe to be a violation of obligations. The concept of a "person" could be broadened to include such entities as the souls of deceased ancestors, God, nature, or anything else that is believed to be vulnerable to harm, insult, or abuse. Yet if the discretionary features which define a moral code are broadened in that way, it is no longer obvious why a domain of conventional events must be separated out from a domain of moral events; nudity or the violation of a dress code might be
emotionally upsetting to someone, hence a moral event. On the other hand, if morality is equated with such discretionary features as natural "rights" and direct physical or psychological assaults on a sentient being, then we must classify as conventional events the obligation to perform funeral rites for your parents, and the taboo on incest between cousins. That would be a misclassification from the point of view of most peoples of the world.

Such examples cannot be readily explained away as domain mixtures or second-order phenomena. It is not the case that our obligations concerning incest avoidance and a proper burial for the dead are understood as primarily conventional with secondary moral implications. On the contrary, at least for some peoples, the expectations associated with the incest taboo and funeral rites are the prototypes of a moral obligation.

An indirect, but fascinating, source of evidence on the issue of whether Turiel, Nucci, and Smetana's hypothesized domain of conventional events must be separated in development from the moral domain comes from Murdock's (1980) cross-cultural survey of theories about the causes of illness in 139 societies. Among the theories of illness surveyed by Murdock is the theory of "mystical retribution," in which acts in violation of some taboo or moral injunction cause illness directly (rather than through the mediation of some offended or punitive supernatural being). Murdock lists six major types of rules, injunctions, and taboos in order of the frequency with which their violation is associated with subsequent illness.

It seems reasonable to assume that a rule whose violation is thought to make you sick is perceived as important. Thus, it is noteworthy that many of the actions that are thought, on a worldwide scale, to cause illness are from the class of actions Turiel, Nucci, and Smetana classify as "conventional." Violations of food taboos (e.g., a Muslim eating pork) are at the top of Murdock's list. Violations of sex taboos (e.g., adultery and incest) come next. Next come violations of "etiquette" taboos, especially "breaches of appropriate behavior towards kinsmen, strangers or social superiors," and violations of "ritual" taboos, defined as "breaches of appropriate behavior toward the supernatural." Fifth on the list are violations of "property taboos" [theft, trespass], a class of actions that Turiel, Nucci, and Smetana classify as "moral." The final class of transgressions frequently associated with illness are violations of "verbal taboos" (e.g., "blasphemy or the use of forbidden words"). In Murdock's data on theories of illness through mystical retribution, actions classified by Turiel, Nucci, and Smetana as conventional (e.g., forms of address to social superiors) are not necessarily treated as different from actions classified as moral (e.g., theft).

Turiel, Killen, and Helwig (155-244) have noted that children and adolescents sometimes make distinctions between moral and conventional (nonmoral) events by weighing the seriousness of the transgression; the more serious breaches are considered moral. If seriousness of breach is an indication of the moral (versus nonmoral) quality of an event, and if the belief that a breach will cause illness is an indication of perceived seriousness, then the cross-cultural evidence surveyed by Murdock does not support the proposition that food customs, sexual practices, modes of dress and address, and ritual practices will be excluded from the moral domain. One possible conclusion consistent with Murdock's result is that if food customs, ritual observances, sexual practices, and modes of dress are inherently nonmoral, then perceived seriousness of breach is not a measure of what is moral (versus nonmoral). A second, more appealing conclusion is that there are no inherently nonmoral events. Nothing in the first-order interactional experience of events per se demands a distinction between morality and convention.

In a discussion of "domain mixtures," Smetana (1983, 134-41) stops just short of drawing that latter conclusion. Noting that events classified in her theory as conventional are not always viewed as conventional by her child informants, Smetana describes ways in which what she views as conventional events can be reinterpreted as moral. For example, a child addressing a teacher in front of the whole class by her first name or a child answering a question without raising his hand can be viewed as morally wrong by interpreting those events as psychological insults, unfair to the rights of others, causing injury, or hurting someone's feelings. While it is our view that there are other ways to moralize an event, for example, by reference to violations of natural duties, or by direct reference to a scriptural code of natural law, Smetana's observations on "domain mixtures" are sufficient to raise an important doubt for us about the inevitability of the development of domain distinctions between morality and convention in moral development. We are skeptical about the proposition that a class of nonmoral events must universally be distinguished from, and set in contrast to, a class of moral events in the minds of children and adults. We are skeptical because we do not believe there exists a universal class of inherently nonmoral events. Nor do we believe that every culture draws a distinction between what is moral and what is conventional, although some cultures do.

Is thinking free of social communication? A second potential difficulty with the Turiel, Nucci, and Smetana theory is that it underplays the importance of tacit and explicit social communication in
the interpretation of an event as moral. It is conceivable that there are certain actions [e.g., poking someone in the eye with a stick] whose wrongness young children might, in principle, be able to figure out for themselves by observing the consequence and empathizing with the victim, or by working out the counterfactual, “what if that had happened to me?” That is the type of self-construction process, through direct interaction, that Turiel, Nucci, and Smetana associate with the acquisition of primary moral understandings, processes of social communication, they argue, are decisive only in the acquisition of conventional obligations.

While it is possible to conceive of self-construction processes in the development of certain primary moral obligations, it seems to us an open empirical question whether the wrongness of moral actions is learned that way in practice. It is also an open empirical question whether wrongs that are learned through social communication will be viewed as conventional and consensus-based, deriving their authority exclusively from the commands of the parent or group. Whether an event is interpreted as moral or conventional—indeed, whether a distinction is drawn between morality and convention—may be related to how events are talked about and represented.

The relevance of social communication to moral development is highlighted by Edwards’ work [1985] on naturally occurring transgressions among Luo children in the South Nyanza district of Kenya. Edwards analyzed a corpus of 105 transgression events, observed in connection with a study by Carol R. Ember. The recorded events, which include verbatim transcripts of verbal accusations, commands, threats, excuses, and accounts between child caretakers (ages seven-and-a-half to sixteen) and their young charges, consist of violations that Turiel, Nucci, and Smetana classify as moral [e.g., aggression toward peers, aggression toward animals] and violations they classify as conventional [e.g., terms of address, displays of deference, appropriate greetings, etc.]. Edwards draws several pertinent and provocative conclusions from the analysis of her corpus.

First, with regard to events that Turiel, Nucci, and Smetana classify as moral [e.g., aggression toward small children or animals], “the victim’s response is not the main, and certainly not the only, source of information for Oyugs children. Luo culture contains strong prohibitions against the striking of infants and toddlers by older children. Adults clearly communicate to children, first, that infants and toddlers are too little to be beaten no matter what, and second, that hurting and striking small children is a punishable offense.” Furthermore, observations suggest that children are not left to construct moral rules concerning cruelty to animals on their own, by simply observing the victim’s response. Rather, aggressive children are assisted in inhibiting action by intervening adults and children, “who rely on great deal on the use of commands, threats and sanction statements to stop aggressive behavior.” Edwards points out that prohibitions against hitting and hurting and other forms of aggression require “enforcing by sanctioning agents to convince children that these matters are serious and not to be forgotten.”

Second, with regard to events that Turiel, Nucci, and Smetana classify as conventional, Edwards points out that the Luo “put a great deal of stress on proper social forms”—the correct use of titles, kinship, age and status terms, appropriate greetings, avoidance, and joking to communicate interpersonal difference in rank, status, and power. On the basis of the recorded episodes it appears that the Luo consider those events to be just as important as those events that we would view as harmful or unjust. Younger children are called by older children to account for violations of so-called conventional events, just as they are for violations of moral events. Indeed, Edwards argues that “justice, harm and welfare rules, on one hand, and conventional rules, on the other, are not necessarily learned in different kinds of social encounters.”

Third, with regard to the command, threat, and sanction statements that frequently accompany transgressions in both the moral and “conventional” domain, Edwards suggests that they do not lead the Luo child to conclude that rules are arbitrary or consensus-based, or that rules derive their force simply from punishment. She argues that in the Luo cultural context, commands and sanction statements convey information about the basic importance and unconditionality of rules. Luo children interpret a command or threat to mean, “These rules are not to be taken lightly. Obey them whether I am there or not.”

Fourth, with regard to the finding that American children view conventional rules [dress styles, forms of address, food customs, manners, and etiquette] as less important and more negotiable than moral rules, Edwards suggests that such a differentiation of convention versus morality may not be a developmental universal. At least for the Luo, relationships of status, power, age and kinship, and the proper forms of address, greeting, avoidance, and deferential display are understood as part of the moral-natural order of things and do not stand in contrast to morality. One is tempted to suggest that for the Luo, and for many other people as well, forms of address are as important as the status relationships they are meant to signal or express.

Turiel, Nucci, and Smetana may be able to accommodate the Luo evidence within their theory. They might argue, for example,
that, for the Luo, certain conventional events have moral implications that are lacking in our society. Two decisive questions would still remain. First, at what point do conventional events with moral implications become moral events with moral implications? Second, why is it not possible for all conventional events to become moral events with moral implications? If it is possible, then a domain distinction between morality and convention may not be a cross-cultural or developmental universal.

From Review to Preview

Kohlberg and Turiel have made important contributions to our understanding of moral development. But as indicated in our review, the cognitive-developmental and social interactional theories of moral development have raised as many conceptual and empirical issues as they have resolved. Several of those problematic issues are addressed in the cross-cultural developmental research from India and the United States reported below.

The research assesses Kohlberg’s central claim that conventional understandings precede moral understandings, and the Kohlbergian finding that children and most adults do not possess an idea of natural law or objective obligations. The research assesses Turiel, Nucci, and Smetana’s central claim that the distinction between conventional obligations and moral obligations is a universal of childhood and adulthood, and that some events are inherently moral and other events inherently nonmoral.

We have discovered through our research that moral events cannot be distinguished from conventional events on substantive grounds. For example, among orthodox Brahmins and Untouchables in India, eating, clothing and naming practices, and various ritual events are viewed in moral, rather than conventional, terms, and several practices [wife beating, sleeping in the same bed with a menstruating woman] that one culture views as harmful are not seen as harmful by the other culture.

Second, while we have discovered that some principles and practices [e.g., keeping promises, protecting the vulnerable, avoiding incest, justice, unpredjudiced judgment, reciprocity, respect for personal property] are strong candidates for universal features in any moral code, we are far less confident that there exists a universal class of inherently nonmoral events. Those “deep” moral principles that are shared across cultures do not characteristically lead to similar judgments about what is right or wrong in particular cases. Any event can be made moral by appropriately linking it to a deep moral principle.

Third, we have discovered (pace Kohlberg and Turiel) that, on a worldwide scale, the idea of convention plays a relatively minor role in everyday understandings of obligations. Postconventional moral conceptions of obligation represent the dominant mode of rule understanding held by all informants, Indian and American, child and adult, male and female. The postconventional emphasis in America is on the natural “right” to free contract, personal choice, and individual liberty. The postconventional emphasis in India is on the natural “duty” to respect the “truths” of Hindu dharma, which concern the justice of received differences and inequalities, the moral implications of asymmetrical interdependencies in nature [for example, parent-child], and the vulnerabilities and differential rationality of social actors.

The idea of convention, the idea that obligations are consensus-based, relative, and alterable, is not absent from the interviews, but it occurs almost exclusively in the thinking of American adults and older American children. American children and adults express the democratic ideology that any collection of like-minded individuals is free to construct for themselves their own design for living, as long as other differently minded individuals are free to “exit” and form their own society. When a practice [serving pork meat but not dog meat for dinner] is viewed as conventional, typically it is by an American adult or eleven-to-thirteen-year-old. Orthodox Hindu informants make little use of the idea of convention. They view their practices as direct expressions of natural law. Among American children under age ten, there is not a single practice in our study that is viewed predominantly in conventional terms, although as American children get older, certain practices and events do evoke the idea of convention.

Fourth, we have discovered that the communication and the socialization of a moral code proceed rapidly over ontogeny and seem to influence the direction of developmental change in social cognition. The culture-specific aspects of a moral code seem to be acquired as early in childhood as the more universal aspects, although socialization pressures and communication channels seem to be far more intense and/or effective in Hyde Park than in Bhubeswar. There is relatively little evidence for a spontaneous universal childhood morality unrelated to adult attitudes and doctrines. For the most part, the moral thinking of Indian and American children is much like the thinking of adults in their respective cultures and distinct from the thinking of the children in the other culture.

Moreover, the directionality of change in moral thinking seems to be culture-specific. As Americans grow older they rely more on the idea of convention and become more pluralistic or relativistic in their
judgments. As Indians grow older they show a greater and greater tendency to view their practices as universally binding and unalterable.

While it is possible to argue from the data for a culture-specific domain distinction between morality and convention among American adults and older American children, the research suggests that the idea of a conventional practice does not necessarily stand in contrast to the idea of morality. Rather the idea of a convention may be a second-order moral concept, distinctive of a democratic world view with an ideology of free contract. In democratic societies with a preponderant free-market mentality, one ideally grants to people the natural right to freely choose the way they want to live, and the natural right to enter voluntarily into a covenant to "convene" a society with other free, like-minded individuals. The emerging consensus about how to organize a society becomes a natural source of obligations, and respect for the conventions set forth in the covenant becomes a moral obligation.

Finally, the research suggests that the abstract idea of natural law or objective obligation may be universal to childhood and adulthood while several discretionary features of moral codes, which help constitute the rationality of any particular code, need not be universal. There may be more than one type of postconventional moral understanding. Having previewed the major findings of the study we turn to the study itself.

The Development of Moral Understanding in Bhubaneswar and Hyde Park

Method

Informants. The American sample includes thirty male and thirty female children from each of the age ranges five to seven, eight to ten, and eleven to thirteen, as well as thirty male and thirty female adults, a total of 180 children and sixty adults. The informants, predominantly white, and of middle-class or upper middle-class background, are descendants of the reformed to secularized branches of the Christian or Jewish traditions. Most of the informants would describe themselves as Protestant, Catholic, or Jewish. Some of the adults would describe themselves as secular humanists or atheists. Few would describe themselves as orthodox. Children were recruited from schools in Hyde Park, the residential community surrounding the University of Chicago. The adults in the sample were, for the most part, parents of children attending these schools, although only children and adults from different families were recruited in the sample. While the majority of the adults sampled are Hyde Park parents, there are some informants who are not parents of school-age children.

The Indian sample consists of two subsamples, Brahman and "Untouchables." The Brahman subsample includes thirty male and thirty female informants from each of the age ranges five to seven, eight to ten, and eleven to thirteen, as well as thirty male and thirty female adults, a total of 180 children and sixty adults. The informants are orthodox Hindus residing in the old temple town of Bhubaneswar, Orissa, a residential community surrounding the eleventh-twelfth century Hindu temple of Lingaraj.

The Lingaraj temple is a pilgrimage site for Hindus from all over India. Most of the informants in the Brahman sample come from families in which at least one male member performs hereditary duties in the cycle of ritual activities in this functioning Hindu temple. The deity residing in the temple is Lingaraj, a form of the Hindu god Siva, represented through a stone lingam. Each day in the temple the deity is awakened, bathed, and dressed. Food is cooked for him and he is fed. He takes a nap. He holds audience. Functionaries from the resident Brahman castes assist him in these activities. They also serve as guides for pilgrims, possessing as they do hereditary privileges to escort pilgrims from designated districts throughout India. In addition to the scores of functions performed every day in the temple, there are astrologically determined dates during the annual cycle of the temple when the deity is brought out of the temple to, for example, visit his married sister, beg forgiveness for his sins at the nearby temple of the god of death [Yama], take a vacation to the temple of a maternal aunt, or go on an outing with his wife, the goddess Parvati.

Temple duty is not a full-time occupation for most of the adult male informants in the sample. Most are employed or engaged in other activities or occupations, as shopkeepers, tailors, civil servants, teachers, or property owners and landlords. Nevertheless, the status of the Brahman families in the sample is defined by their role in the ritual activities of the temple. The orthodoxy of the social and family practices of the Brahman community in the old town is not unrelated to their desire to maintain the sanctity of the temple and preserve the pilgrimage trade. All of the adult Brahman women in the sample have maintained traditional female roles in a Brahman household or joint family, as wife, mother-in-law, or widowed matriarch. Brahman children in the sample were recruited from schools in the old town community and from families familiar to the authors. The adults in the
sample were recruited by word of mouth through friendship networks from Brahman families resident in neighborhoods surrounding the Lingaraj temple.

The “Untouchable” sample includes thirty male and thirty female informants in the age range eight to ten years, as well as thirty male and thirty female adults. The informants are members of those castes referred to as “scheduled” castes by the government of India (scheduled for affirmative action programs), as Harijans or “children of God” by Gandhi, and as “unclean” castes by the local Brahmans. They come primarily from the local Bauri, Hadi, and Pana communities. The traditional occupations of these informants include agricultural labor, latrine cleaning, and basket making. The men and women in the sample regularly seek employment as physical laborers in road and house construction, stone quarrying, and harvesting. Informants from these “scheduled” castes reside either in the old temple town of Bhubaneswar or in neighboring villages. A few of the children were recruited through local schools. Many were recruited with the assistance of local members of the respective communities. Adult informants were recruited through friendship networks. According to local doctrine, members of “Untouchable” castes do not maintain their own sanctity and thus are not permitted to enter or come in contact with any holy ground. And in India there are many holy grounds, including the physical body of a Brahman, the house of a high-caste family, the purificatory waters of sacred rivers, ponds and wells, and all temples. Untouchables are not permitted entry to the Lingaraj temple.

The thirty-nine cases. The core of the study is an examination of American and Indian childhood and adult interpretations and understandings of thirty-nine behavioral cases. The thirty-nine cases, representing a range of family life and social practices, were developed over a period of several months on the basis of ethnographic knowledge of community life in Bhubaneswar and Hyde Park. Mahapatra is an anthropologist and a native resident of the old temple town. At the time the study began (October 1982) Shweder had previously conducted eighteen months of field research in Bhubaneswar.

The examination of informant interpretation was undertaken by means of a standard set of interview questions designed to assess an informant’s understanding of obligations as subjective versus objective or conventional versus moral. The interview questions are described below. Informants were also presented with a ranking task to assess the perceived seriousness of the potential transgression event in each of the thirty-nine cases. The thirty-nine cases were developed with several objectives in mind.

One aim was to determine the extent to which the social order is perceived as moral or conventional by children and adults in India and America. Thus, cases were selected to sample a set of existential issues that must be addressed by any social system. The existential issues of concern in this study are personal boundaries (what’s mine/what’s not mine), sexual identity (what’s male/what’s female), maturity (what’s grown-up or responsible/what’s childish or irresponsible), autonomy (am I autonomous and self-reliant/am I interdependent and mutually reliant), ethnicity (what’s our way/what’s not our way), hierarchy and status (who’s up/who’s down; how should life’s burdens and benefits be distributed), identification-empathy-solidarity (whose interests do I take into account/whose interests do I not take into account), personal protection (avoiding a power order or “the war of all against all”) and the “state” (what I want to do versus what the group wants me to do) [see Shweder 1982a]. Cases were developed that related to one or more of those issues.

A second aim was to test Turiel, Nucci, and Smetana’s hypothesis that a distinction between moral and conventional obligations can be drawn on substantive grounds. Thus, certain cases were selected to exemplify practices that Turiel, Nucci, and Smetana would classify as primarily conventional [e.g., regulations and restrictions concerning dress, food, terms of address, ritual practices, sex role definitions]. Other events were selected to exemplify practices that their theory would classify as primarily moral [e.g., regulations concerning property, promises, and physical and psychological attacks on another person].

A third aim was to identify principles and concepts that might be candidates for moral universals. The moral philosophy literature from Hobbes to Kohlberg suggests several candidate concepts: justice, harm, reciprocity, protection of the vulnerable, altruism, honesty, loyalty, the honoring of commitments, and various prohibitions related to theft, ingratitude, biased arbitration, arbitrary assault, and the use of irrelevant classifications. Cases were selected to represent those candidate principles.

The fourth and final aim in selecting a corpus of behavioral cases was to further the development of an ethnography of family life. Thus, culture-specific practices were included in the study, in addition to practices that might have a more universal distribution. Cases were developed having to do with sanctity [pollution], chastity and respect for status [central themes for Indians], personal liberty, privacy, and equality [central themes for Americans]. The thirty-nine behavioral cases are listed in Table 1.1. They are listed in order of the
Table 1.1: Thirty-nine Cases in order of Perceived "Seriousness of Breach" as Judged by Hindu Brahman Eight- to Ten-year-olds

1. The day after his father's death, the eldest son had a haircut and ate chicken.
2. One of your family members eats beef regularly.
3. One of your family members eats a dog regularly for dinner.
4. A widow in your community eats fish two or three times a week.
5. Six months after the death of her husband the widow wore jewelry and bright-colored clothes. [the widow]
6. A woman cooked rice and wanted to eat with her husband and her eldest brother. Then she ate with them. [the woman]
7. A woman cooks food for her family members and sleeps in the same bed with her husband during her menstrual period. [the woman]
8. After defecation [making a bowel movement] a woman did not change her clothes before cooking.
9. A man had a wife who was sterile. He wanted to have two wives. He asked his first wife and she said she did not mind. So he married a second woman and the three of them lived happily in the same house. [the man]
10. Once a doctor's daughter met a garbage man, fell in love with him and decided to marry him. The father of the girl opposed the marriage and tried to stop it because the boy was a garbage man. In spite of the opposition from the father, the girl married the garbage man. [the daughter]
11. A widow and an unmarried man loved each other. The widow asked him to marry her. [the widow]
12. A beggar was begging from house to house with his wife and sick child. A homeowner drove him away without giving him anything. [the homeowner]
13. In a family, a twenty-five-year-old son addresses his father by his first name. [the son]
14. It was the king's order, if the villagers do not torture an innocent boy to death, twelve hundred people will be killed. The people killed the innocent boy. So the king spared the life of the twelve hundred people. [the people]
15. A poor man went to the hospital after being seriously hurt in an accident. At the hospital they refused to treat him because he could not afford to pay. [the hospital]
16. A brother and sister decide to get married and have children.
17. The day after the birth of his first child, a man entered his temple [church] and prayed to God.
18. A woman is playing cards at home with her friends. Her husband is cooking rice for them. [the husband]
19. A father told his son to steal flowers from his neighbor's garden. The boy did it. [the boy]
20. While walking, a man saw a dog sleeping on the road. He walked up to it and kicked it. [the man]
21. Two people applied for a job. One of them was a relative of the interviewer. Because they were relatives, he was given the job although the other man did better on the exam.
22. Immediately after marriage, a son was asked by his parents to live in the same house with them. The son said he wanted to live alone with his wife and that he and his wife had decided to live in another town and search for work there. [the son]
23. A man says to his brother, "Your daughter's skin is dark. No one will say she is beautiful. No one will wish to marry her." [the man]
24. A father said to his son, "If you do well on the exam, I will buy you a pen." The son did well on the exam, but his father did not give him anything, spending the money on a carton of cigarettes. [the father]
25. Two brothers ate at home together. After they ate, the wife of the younger brother washed the dishes. [the wife]
26. A man had a married son and a married daughter. After his death his son claimed most of the property. His daughter got a little. [the son]
27. At night a wife asked her husband to massage her legs. [the wife]
28. A wife is waiting for her husband at the railway station. The train arrives. When the husband gets off, the wife goes and kisses him. [the wife]
29. There was a rule in a hotel: Invalids and disfigured persons are not allowed in the dining hall.
30. You went to a movie. There was a long line in front of the ticket window. You broke into line and stood at the front.
31. You meet a foreigner. He is wearing a watch. You ask him how much it cost and whether he will give it to you.
32. In school a girl drew a picture. One of her classmates came, took it, and tore it up.
33. A father, his eldest son and youngest daughter traveled in a boat. They had one life jacket. It could carry one person. The boat sank in the river. The father had to decide who should be saved. He decided to save his youngest daughter. The father and the eldest son drowned. [the father]
34. A letter arrived addressed to a fourteen-year-old son. Before the boy returned home, his father opened the letter and read it.
35. A young married woman went alone to see a movie without informing her husband. When she returned home her husband said, "If you do it again, I will beat you black and blue." She did it again, he beat her black and blue. [the husband]
36. In a family, the first-born son slept with his mother or grandmother till he was ten years old. During these ten years he never slept in a separate bed. [the practice]
37. A boy played hookey from school. The teacher told the boy's father and the father warned the boy not to do it again. But the boy did it again and the father beat him with a cane. [the father]
38. A man does not like to use a fork. Instead he always eats rice with his bare hand. He washes it before and after eating. He does this when he eats alone or with others.
39. Two men held hands with each other while they wait for a bus.

*Not considered a breach

perceived seriousness of the transgression involved, as judged by eight to ten-year-old Brahman children in the old town of Bhubaneswar.

The descriptions of the thirty-nine cases and the interview questions [to be described below] were developed first in English, then translated into Oriya [the state language of Orissa] for use with Indian
informants, and then back-translated into English for use with American informants.

The interview. Questions were developed to assess features of an informant's understanding of the nature of obligations. Some questions probed the extent and seriousness of the obligation. Other questions indexed the perceived impersonality or objectivity of the obligation, with special reference to the features of relativity and alterability. Responses to the questions make it possible to classify informant understanding along several axes and into several categories, including the distinction between conventional and moral obligations.

The thirty-nine cases were divided into three thirteen-case subsets for use with the standard series of questions. Each subset of cases was administered to one-third of the males and one-third of the females in each age-community subgroup. Having informants answer the questions concerning thirteen rather than thirty-nine cases was a strategy designed to avoid possible fatigue or boredom effects that might have resulted from a more lengthy interview. A list of the questions probes appears in table 1.2.

The questions can be viewed as criteria for distinguishing moral or objective obligations from conventional or consensus-based obligations while identifying those areas of conduct where it is perceived that one has the moral right to do whatever one wants. The first three questions assess the existence or nonexistence of an obligation and the perceived importance of the obligation, should one exist. Question 4, concerning self-regulation in the absence of external observers, indexes one aspect of the difference between moral and conventional obligations. Questions 5 through 7 tap the perceived universality (versus relativity) and unalterability (versus alterability) of obligations.

Obligations that are thought to be relative to particular groups and alterable by consensus or majority will are readily classified as conventional obligations. Obligations that are perceived as universally binding and unalterable are readily classified as moral obligations.

The perceived relativity of an obligation is a necessary but not sufficient criterion of conventional understandings, because obligations need not be perceived as universally binding to be perceived as objective or moral. It is not incoherent or self-contradictory for an informant to believe that a moral or objective obligation may be tailored to the special requirements of a population, its temperament, its climate, its local context. We return in a moment to the issue of how to classify obligations that are thought to be unalterable, but only binding on some particular groups and not other groups. Finally, question 8, concerning sanctions, and the perceived legitimacy or illegitimacy of outside regulation, makes it possible to identify cases where informants believe there is a moral right to freedom of choice to do what one wants.

Our use of the questions in assessing an informant’s understanding of obligations is illustrated in the following responses given by a hypothetical Brahman adult and American adult to case 4 (table 1.1), concerning a widow in your community who eats fish two or three times a week. First, the Brahman interview:

1. Is the widow’s behavior wrong? [Yes. Widows should not eat fish, meat, onions or garlic, or any “hot” foods. They must restrict their diet to “cool” foods, rice, dhal, ghee, vegetables.]
2. How serious is the violation? [A very serious violation. She will suffer greatly if she eats fish.]
3. Is it a sin? [Yes, it’s a “great” sin.]
4. What if no one knew this had been done? It was done in private or secretly. Would it be wrong then?
   Would it be wrong then?
5. Would it be best if everyone in the world followed the rule endorsed by the informant?
6. In (name of a relevant society) people do (the opposite of the practice endorsed by the informant) all the time. Would (name of relevant society) be a better place if they stopped doing that?
7. What if most people in (name of informant’s society) wanted to (change the practice)? Would it be okay to change it?
8. Do you think a person who does (the practice under consideration) should be stopped from doing that or punished in some way?

Table 1.2: The Standard Questions

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<tr>
<th>Question</th>
<th>Response</th>
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<tr>
<td>1. Is [the behavior under consideration] wrong?</td>
<td>Yes. Widows should not eat fish, meat, onions or garlic, or any “hot” foods. They must restrict their diet to “cool” foods, rice, dhal, ghee, vegetables.</td>
</tr>
<tr>
<td>2. How serious is the violation?</td>
<td>A very serious violation. She will suffer greatly if she eats fish.</td>
</tr>
<tr>
<td>3. Is it a sin?</td>
<td>Yes, it’s a “great” sin.</td>
</tr>
<tr>
<td>4. What if no one knew this had been done? It was done in private or secretly. Would it be wrong then?</td>
<td>Would it be wrong then?</td>
</tr>
<tr>
<td>5. Would it be best if everyone in the world followed the rule endorsed by the informant?</td>
<td></td>
</tr>
<tr>
<td>6. In (name of a relevant society) people do (the opposite of the practice endorsed by the informant) all the time. Would (name of relevant society) be a better place if they stopped doing that?</td>
<td></td>
</tr>
<tr>
<td>7. What if most people in (name of informant’s society) wanted to (change the practice)? Would it be okay to change it?</td>
<td></td>
</tr>
<tr>
<td>8. Do you think a person who does (the practice under consideration) should be stopped from doing that or punished in some way?</td>
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</table>
5. Would it be best if everyone in the world followed the rule that widows should not eat fish? [That would be best. A widow’s devotion is to her deceased husband—who should be treated like a god. She will offend his spirit if she eats fish.]

6. In the United States, widows eat fish all the time. Would the United States be a better place if widows stopped eating fish? [Definitely, it would be a better place. Perhaps American widows would stop having sex and marrying other men.]

7. What if most people in India wanted to change the rule so that it would be considered all right for widows to eat fish. Would it be okay to change the rule? [No. It is wrong for a widow to eat fish. Hindu dharmas—truth—forbids it.]

8. Do you think a widow who eats fish should be stopped from doing that or punished in some way? [She should be stopped. But the sin will live with her and she will suffer for it.]

Next consider the American interview.

1. Is the widow’s behavior wrong? [No. She can eat fish if she wants to.]
2. How serious is the violation? [It’s not a violation.]
3. Is it a sin? [No.]
4. What if no one knew this had been done. It was done in private or secretly. Would it be wrong then? [It is not wrong, in private or public.]
5. Would it be best if everyone in the world followed the rule that it is all right for a widow to eat fish if she wants to? [Yes. People should be free to eat fish if they want to. Everyone has that right.]
6. In India, it is considered wrong for a widow to eat fish. Would India be a better place if it was considered all right for a widow to eat fish if she wants to? [Yes. That may be their custom but she should be free to decide if she wants to follow it. Why shouldn’t she eat fish if she wants to?]
7. What if most people in the United States wanted to change the rule so that it would be considered wrong for a widow to eat fish? Would it be okay to change it? [No. You can’t order people not to eat fish. They have a right to eat if they want.]
8. Do you think a widow who eats fish should be stopped from doing that or punished in some way? [No!]

It should be noted that questions 5 through 7 are asked regarding the rule or obligation that is endorsed by the informant and perceived by the informant as relevant to the case. In some cases, as in the Brahman example, this rule or obligation may concern the regulation or proscription of a particular practice. In some cases, as in the American example, the rule or obligation may concern the protection of an agent’s freedom of choice or autonomous decision making, in which case the interview assesses whether personal freedom in such matters is moral or conventional.

In the two sample interviews presented above neither informant viewed the dietary practices of widows in conventional terms. Although they disagreed about the morally right thing to do, both the Indian Brahman and the American viewed the issue as a moral issue. Both viewed the obligations involved as universally binding [questions 5 and 6] and unalterable [question 7]. For the Brahman the relevant obligation was a status obligation associated with widowhood and the continued mutual reliance of husband and wife. For the American the relevant obligation was the obligation to protect the personal liberties and zones of discretionary choice of autonomous individuals. For the American whether you eat fish or not is your own personal business. The right to personal liberty and discretionary choice concerning what you eat is a moral issue. The obligation to protect that liberty is an objective obligation. Neither informant argued that the obligations involved were relative to this or that group or alterable by consensus or majority vote.

Crossing the relativity versus universality criteria [questions 5 and 6] with the alterability versus unalterability criteria [question 7] produces four categories for classifying informants’ understandings of obligations. See table 1.3.

Classifying responses as conventional versus moral. Much of our discussion of conventional and moral obligations will focus on informant responses to question 5 and 6, concerning the relativity of obligations, and question 7, concerning the alterability of obligations. For the sake of that discussion it is useful to distinguish the idea of a universal moral obligation from the idea of a context-dependent or culture-specific moral obligation. It is also useful to distinguish further both those types of moral obligations from conventional ones.
that are perceived not only as context-dependent or culture-specific but also as alterable. Treating relativity (versus universality) and alterability (versus unalterability) as independent dichotomous variables in a $2 \times 2$ factorial design, we generate four possible types of understandings of obligations: universal moral obligations (universal and unalterable), context-dependent moral obligations (relative and unalterable), conventional obligations (relative and alterable), and a logically incoherent fourth category in which it is held that obligations are universally binding but can be altered by consensus in a particular society.

The understanding of obligations as universal moral obligations is exemplified by a Brahman informant who argues that it is wrong to let young children sleep alone in a separate room and bed because children awaken during the night and are afraid, and that all parents have an obligation to protect their children from fear and distress. The understanding of an obligation as a context-dependent moral obligation is exemplified by a Brahman informant who argues that an Indian parent has an objective moral obligation to physically punish his errant child, but that the obligation does not universalize to American parents because the temperamental qualities of American children make them less responsive to physical punishment and more responsive to warnings or reasoning. The understanding of an obligation as a conventional obligation is exemplified by an American informant who argues that it is all right for people in other cultures to eat dogs, just as it is all right for us to eat sheep, cows, or rabbits, and that the prohibition on Kentucky Fried Canine for dinner would cease to have force if most Americans wanted it to. After all, we raise turkeys for slaughter. Why not raise dogs for slaughter?

**Ranking task: Seriousness of violation.** A ranking task was administered to a subset of informants from the main sample. This subset included ten male and ten female children in each age-community subsample, ten male and ten female American adults, ten male and ten female “Untouchable” adults and twelve male and twelve female Brahman adults.

The thirty-nine cases, written on separate index cards, and also read aloud to most Indian children and some adults, were presented to informants for ranking. Informants were asked first to identify the cases in which they felt the practice under consideration was wrong. They were then asked to rank order those cases in response to the question, “How serious is each violation? Which is the most serious, the next most serious, and so forth?” To ease the cognitive demands of the ranking task, the ranking was undertaken in steps. Informants first divided the wrong behaviors into three or four gradations (e.g., minor offense, somewhat serious offense, very serious offense) and then rank-ordered the behavioral incidents within each subcategory. Ties were not permitted, except for the cases considered nonviolations.

Subsequent analysis of the data focused on the ranks accorded each of the thirty-nine cases, with the most serious breach numbered 1, and the least serious, 39. In that correlational analysis, cases considered nonviolations were considered ties and assigned the mean value of the nonoccupied rank positions. For example, in a case in which an informant judged four cases to be nonviolations, each of those incidents would be assigned the rank value of 37.5 (that is, the mean of the nonoccupied rank positions of 36, 37, 38, 39).

**Results**

The results section is organized around a series of questions posed below.

**Question 1: Are there, in fact, cultural differences in judgments about what is right and what is wrong?** Anthropologists have long noted the existence of major culturally based variations in judgments about what is right and wrong. Some anthropologists have even set as their task the understanding and explication of the unstated premises, metaphors, and lines of reasoning that lend ethical force and justification to those startling judgments of right and wrong (“It’s a sin to comb your hair during a thunderstorm”) that to an outsider seem opaque or bizarre.

Murdock (1980) describes the category of sin among the Semang people of Malaysia. For the Semang, the category of sin includes combing one’s hair during a thunderstorm or during the mourning period, teasing or mocking a helpless or tame animal, watching dogs mate, killing a sacred black wasp, sexual intercourse in the daytime, drawing water in a vessel blackened by fire, and casual informal behavior with one’s mother-in-law.

As far as we know, there is little reason to doubt anthropological accounts of cross-cultural differences in judgments of right and wrong. Some scholars, however, have raised doubts about whether those native judgments are moral judgments, while still others are skeptical that there is any moral justification for such errant judgments of right and wrong. Even Murdock (1980, 89) expresses the view that for the Semang the category of sin is “arbitrary and devoid of ethical justification,” and that to the extent the Semang conform at all to their prohibitions, it is merely out of fear of external sanctions by a superhuman, omniscient god.
Question 1 of the results section addresses the noncontroversial proposition that there are major cross-cultural differences in judgments of right and wrong. Question 2 addresses the more challenging issue of whether these judgments of right and wrong are, from the point of view of the native, moral judgments, or merely judgments about obligations perceived to be conventional or conformity-based. Later, in a discussion of the conceptual foundations of the Hindu code in everyday reasoning in Orissa, we will explicate some of the premises, principles, goals, metaphors, and lines of reasoning that give ethical justification, and thus "internal" force, to apparently alien judgments about what's right and what's wrong.

With regard to the thirty-nine practices and cases examined in this study [see Table 1.1] the judgments about what is right and wrong elicited from Americans and Oriyas are virtually independent. In contrast, there are high levels of agreement between Oriya Brahmins and Oriya Untouchables, with the notable exception of normative judgments about practices concerning widows (widows' diet and widow remarriage), practices over which there is considerable disensus within the Untouchable community. Henceforth in this essay "dissensus" of judgment refers to judgments of right (or wrong) shared by less than 75 percent of informants within an age-community subsample. Conversely "consensus" of judgments refers to agreement about what's right (or wrong) among at least 75 percent of informants within an age-community subsample. Since sex differences are not an important factor in the findings, the responses of males and females have been pooled within each age-community subsample.

Table 1.4 presents the intercorrelations (\( r \)) among the mean ranks of the thirty-nine practices in terms of perceived seriousness of breach, as judged by each age-community subgroup. Within the American community there are very high levels of mean agreement between each age group on the ranking task. On the average, American five-year-olds and American adults make very similar judgments about what is right and what is wrong \( (r = .86) \). Levels of agreement are also high within and across the Brahman and Untouchable samples (the average within India, between age group correlation = .59). In contrast there are weak negative intercorrelations between the mean rankings of Brahman children and adults versus the mean rankings of Brahman and Untouchable children and adults \( (\text{mean cross-cultural correlation} = -.21) \). At an unaggregated level of analysis, individual rankings of American adults intercorrelate with each other in the .60 range, Brahman adult rankings intercorrelate with each other in the .50 range, while American-Brahman rankings intercorrelate with each other in a range that varies around .00, in a slightly negative direction.

Table 1.1 lists the full ranking of the thirty-nine cases in terms of seriousness of breach as perceived, on average, by Brahman eight-to-ten-year-olds. To appreciate fully the magnitude of the cross-cultural differences in judgments about right and wrong, the reader should compare his own judgments of seriousness of breach with those shown in Table 1.1. With regard to the practices that are the focus of the study we seem to have found a relatively high consensus code, at least within each of the communities that are the focus of the study. There may, of course, be other issues over which there is more dispute within each community, and there may be other communities within each nation (e.g., the urban elite in India) who would display different patterns of judgment.

Over the entire set of cases, the judgments of our Oriya and American informants about right and wrong are virtually unrelated. The judgments are not uniformly opposed, nor are they typically in agreement. A display of the points of agreement and disagreement in normative judgments can be found in Table 1.5. Inspection of Table 1.5 reveals that, of the thirty-nine practices or cases, Brahman and American adults display similar judgments of right versus wrong concerning ten practices and opposed judgments concerning sixteen practices. For eleven other practices there is disagreement about what's right or wrong within one community or the other, although never in both.

What is not shown in Table 1.5, and is important to note, is the fact that several of the culture-specific wrongs are viewed by Brahman infor-
Table 1.5: Patterns of Disagreement and Agreement among American and Brahman Adults

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Type of Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Disagreement: Brahmans think it is right / Americans think it is wrong</td>
</tr>
<tr>
<td>26</td>
<td>Unequal inheritance, male vs. females</td>
</tr>
<tr>
<td>35</td>
<td>Beating disobedient wife</td>
</tr>
<tr>
<td>37</td>
<td>Causing an errant child</td>
</tr>
<tr>
<td></td>
<td>Disagreement: Brahmans think it is wrong / Americans think it is right</td>
</tr>
<tr>
<td>6</td>
<td>Eating with husband's elder brother</td>
</tr>
<tr>
<td>2</td>
<td>Eating beef</td>
</tr>
<tr>
<td>27</td>
<td>Wife requests massage</td>
</tr>
<tr>
<td>13</td>
<td>Addressing father by first name</td>
</tr>
<tr>
<td>1</td>
<td>Cutting hair and eating chicken after father's death</td>
</tr>
<tr>
<td>15</td>
<td>Cooking in clothes worn to deface</td>
</tr>
<tr>
<td>5</td>
<td>Widow wears bright clothes</td>
</tr>
<tr>
<td>17</td>
<td>Entering temple after birth</td>
</tr>
<tr>
<td>18</td>
<td>Husband cooks</td>
</tr>
<tr>
<td>10</td>
<td>Love marriage out of status</td>
</tr>
<tr>
<td>11</td>
<td>Widow remarriage</td>
</tr>
<tr>
<td>4</td>
<td>Widow eats fish</td>
</tr>
<tr>
<td>7</td>
<td>Menstruating woman cooks, etc.</td>
</tr>
<tr>
<td>25</td>
<td>Washing plates of husband's elder brother</td>
</tr>
<tr>
<td></td>
<td>Agreement: Brahmans and Americans think it is wrong</td>
</tr>
<tr>
<td>15</td>
<td>Ignoring accident victim</td>
</tr>
<tr>
<td>24</td>
<td>Breaking promise</td>
</tr>
<tr>
<td>30</td>
<td>Cutting in line</td>
</tr>
<tr>
<td>32</td>
<td>Destroying another's picture</td>
</tr>
<tr>
<td>20</td>
<td>Kicking a harmless animal</td>
</tr>
<tr>
<td>16</td>
<td>Incest—brother/sister</td>
</tr>
<tr>
<td>21</td>
<td>Nepotism</td>
</tr>
<tr>
<td>19</td>
<td>Stealing flowers</td>
</tr>
<tr>
<td>29</td>
<td>Discrimination against invalids</td>
</tr>
<tr>
<td>31</td>
<td>Asking foreigner for his watch</td>
</tr>
</tbody>
</table>

Practices with disensus in one or the other culture, with indication of consensus views of the other culture (B = Brahmanas, A = Americans)

<table>
<thead>
<tr>
<th>Brahman Disensus</th>
<th>American Disensus</th>
</tr>
</thead>
<tbody>
<tr>
<td>34 Father opens son's letter [A = wrong]</td>
<td>36 Ten-year-old sleeps with mocher [B = not wrong]</td>
</tr>
<tr>
<td>33 Father saves daughter over son [A = not wrong]</td>
<td>9 Polygyny [B = not wrong]</td>
</tr>
<tr>
<td>28 Kissing in public [A = not wrong]</td>
<td>12 Helping beggar [B = not wrong]</td>
</tr>
<tr>
<td>22 Neo-local residence [A = not wrong]</td>
<td>38 Eating with hands [B = not wrong]</td>
</tr>
<tr>
<td>14 Sacrificing innocent child [A = wrong]</td>
<td>23 &quot;No one will marry your daughter&quot; [B = wrong]</td>
</tr>
</tbody>
</table>

Mants as more serious transgressions than many of the events viewed as wrong in both cultures (see table 1.1). In the Oriya Brahman community it is considered a serious wrong for a doctor at a hospital to refuse to treat an accident victim because he is too poor to pay (table 1.1, no. 15), but that transgression is not quite as serious as a widow eating fish (table 1.1, no. 4), a relative eating beef (table 1.1, no. 2), or the fireborn son cutting his hair the day after his father's death (table 1.1, no. 1).

Tables 1.1, 1.4, and 1.5 illustrate what anthropologists have long known: different cultures display many differences in social and family practices and in ideas about what is right and what is wrong, and it is not always apparent at first blush, or to an outsider, why a particular event (like a widow eating fish or a man entering the temple the day after the birth of his child) is considered wrong at all.

It is, of course, important to recognize that the level of across-cultural normative agreement and disagreement discovered in our study, or any study, is relative to the particular cases selected for investigation. With sufficient cunning it might have been possible to preselect cases to demonstrate higher levels of agreement or disagreement. What we would claim for our own findings is that the thirty-nine cases sample a broad range of practices of importance in India or America and represent key issues in the moral philosophy literature. With reference to those practices and issues one discovers what anthropologists experience when doing fieldwork: many things viewed as wrong on one side of the Atlantic are not viewed as wrong on the other side.

A far more controversial question is whether a culture’s distinctive, and in many cases opaque, practices are invested with moral force. As noted above, Murdock described Semang sins as arbitrary cultural taboos without ethical justification. To what extent does the native agree with the anthropologist that culture-specific practices are conformity- or consensus-based matters of convention or “culture” rather than expressions of natural moral law or objective obligations? Later in the essay we will address the further question: Why is it that certain “innocent” events [e.g., cooking while menstruating] are viewed with disgust, outrage, or horror? What does the native know about such “innocent” events that we do not know? What does the native “see” in the event that we do not see? What premises, analogies, and lines of reasoning does the native use to comprehend the significance of the event and to render a judgment that it is morally wrong? Is there a rational ethical justification for such judgments?
Question 2: “Culture” from the native point of view: a moral or a conventional order? Our evidence suggests a strong tendency for informants to invest their practices with moral force and to view even their distinctive “cultural” practices from a naturalistic moral perspective. The dominant view among all informants, adult and child, male and female, American, Brahman, and Untouchable, is that society is a moral order, although the idea of a conventional obligation does play some part in the thinking of older American children and especially in the thinking of American adults. It is almost a non-existent form of thought in our India data.

Table 1.6 examines sixteen culture-specific practices [see table 1.5], practices about which there is clear-cut disagreement between Brahman and American adults about what is right and what is wrong. Table 1.6 indicates whether informants perceive the obligation associated with each practice as a universal moral obligation [unalterable and universally binding], a context-dependent moral obligation [unalterable but relative] or a conventional obligation [alterable and relative]. (See table 1.3 for a clarification of those distinctions.)

As indicated in table 1.6, the primary form of understanding among all informants is that the obligations associated with social practices are universal moral obligations. Understanding by reference to conventions occurs much less frequently than moral understanding. Notably, and in contrast to Kohlberg’s theoretical formulations, American adults engage in reasoning by reference to convention more frequently than American five- to seven-year-olds. Conversely, American five- to seven-year-olds are more likely than American adults to engage in moral [versus conventional] judgment and to view their own obligations and rights [e.g., individual freedom of choice in matters of food, clothing, marriage] as universally binding, unalterable obligations. That developmental increase in the use of the idea of convention and “relativism” seems to be a culture-specific conceptual change, about which more will be said later.

The basic finding with reference to question 2 is that social practices and institutions are not typically, and certainly not universally, understood as conventional forms, and are usually perceived as part of the natural-moral order of things by most natives. One secondary finding with reference to question 2 is that the idea of objective moral obligation may be more, not less, widely distributed than the idea of convention, and the idea of morality may be ontogenetically prior to the idea of convention.

Question 3: Can the distinction between moral and conventional events be predicted on substantive grounds? Is there some-

<table>
<thead>
<tr>
<th>Table 1.6: Sixteen Culture-specific Practices (see table 1.5) and Percentage of Responses of Each Type (see table 1.3)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Practice</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Live near source of water</td>
</tr>
<tr>
<td>Market meat at stall</td>
</tr>
<tr>
<td>Cook meat in home</td>
</tr>
<tr>
<td>Dress in new clothes (to increase)</td>
</tr>
<tr>
<td>Wash new clothes</td>
</tr>
<tr>
<td>Beating disobedient wife</td>
</tr>
<tr>
<td>Cutting straight child</td>
</tr>
<tr>
<td>Widows weave brother’s clothes</td>
</tr>
<tr>
<td>Widows after birth</td>
</tr>
<tr>
<td>Walking on husband’s older brother</td>
</tr>
<tr>
<td>Caring for chicken after father’s death</td>
</tr>
<tr>
<td>Washing clothes</td>
</tr>
<tr>
<td>Average</td>
</tr>
</tbody>
</table>

Note: UM = Universal Moral (unalterable and universal), CDM = Context-dependent Moral (alterable and relative).

thing about certain events, for example, food, clothing, forms of greeting, that makes them resistant to moralization! In our review of theories of moral development we asked whether the abstract idea of the moral and the abstract idea of the conventional have an objectively determinate content. That is to say, is there something about an event per se that determines whether the obligation associated with the event will be understood as moral or conventional? According to Turiel, Nucci, and Smetana’s “social interactional” theory, certain types of events (food, clothing, terms of greeting and forms of address, the sexual division of labor) have no inherent consequences vis-à-vis justice, harm, and the welfare of others. Those events are, according to the theory, inherently nonmoral, or at least resistant to moralization, and the obligations associated with such events are more likely to be understood as conventional or consensus-based. Other types of events (physical and psychological attacks, allocation of resources, etc.) do have inherent consequences concerning justice, harm and the welfare of others, and it is highly likely that the obligations associated with those events will be understood as moral.

Table 1.7 presents data on informants’ understanding of the moral versus conventional status of twenty-two practices. Eleven of those practices involve the type of material events (food, clothes, forms of address) theoretically defined as conventional by Turiel, Nucci, and Smetana. Those practices include the prohibition on eating beef, the restrictions on the color of clothes worn by widows, and the taboo against an adult son addressing his father by personal name. The other eleven practices involve the type of material events that would be theoretically defined as moral by Turiel, Nucci, and Smetana. Those practices include, for example, a husband physically beating a wife, a father breaking a promise to his son, and a child destroying a picture drawn by a schoolmate. For a full list of the twenty-two practices, see table 1.7.

In discussing the results presented in table 1.7 the first eleven events will be referred to as “moral-resistance” events. The second eleven events will be referred to as “moral-prone” events. The major claim we make for that division is that, within the framework of Turiel, Nucci, and Smetana’s theory, the eleven “moral-resistance” events ought to elicit relatively higher levels of reference to conventions than the “moral-prone” events, all of which are relatively pure moral events.

A noteworthy feature of table 1.7 is that both types of events are viewed predominantly in moral terms. The obligations associated with such events as food (the prohibition on eating beef), clothing (the prescription that widows must wear white clothes for the rest of their lives), or forms of address (the prohibition against addressing your father by first name) are not typically viewed as alterable and relative. The hypothesized “moral-resistance” events are readily moralized. Over all age groups and cultural communities the “moral-resistance” events evoke the idea of conventionality only 7 percent of the time. Even among American adults, who are most likely to view obligations as conventional, the “moral-resistance” events are viewed as conventional only 20 percent of the time.

A second noteworthy feature of table 1.7 is that for three subpopulations, all American, the “moral-resistance” events elicit higher levels of reference to convention than the “moral-prone” events. Differences in levels of reference to convention between the

<table>
<thead>
<tr>
<th>Reasoning vis-à-vis</th>
<th>Eleven Turiel-like “Moral-Resistant” Events</th>
<th>Eleven Turiel-like “Moral-Prone” Events</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>UM, CDM, CONV</td>
<td>UM, CDM, CONV</td>
</tr>
<tr>
<td><strong>Americans</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-13</td>
<td>46, 28, 20</td>
<td>79, 13, 05</td>
</tr>
<tr>
<td>8-10</td>
<td>61, 21, 17</td>
<td>89, 06, 03</td>
</tr>
<tr>
<td>5-7</td>
<td>68, 12, 06</td>
<td>89, 04, 02</td>
</tr>
<tr>
<td><strong>Brahmins</strong></td>
<td></td>
<td></td>
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<tr>
<td>Adult</td>
<td></td>
<td></td>
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<tr>
<td>Child:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11-13</td>
<td>68, 21, 01</td>
<td>79, 11, 06</td>
</tr>
<tr>
<td>8-10</td>
<td>69, 29, 02</td>
<td>81, 14, 00</td>
</tr>
<tr>
<td>5-7</td>
<td>66, 18, 05</td>
<td>78, 09, 06</td>
</tr>
<tr>
<td><strong>Untouchables</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adult</td>
<td></td>
<td></td>
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<tr>
<td>Child:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8-10</td>
<td>65, 27, 04</td>
<td>71, 20, 04</td>
</tr>
<tr>
<td>Average</td>
<td>66, 20, 07</td>
<td>82, 09, 03</td>
</tr>
<tr>
<td>Total Average of UM and CDM</td>
<td>86, 91</td>
<td></td>
</tr>
</tbody>
</table>
types of events are statistically significant \( t\text{-test}, p = .05 \) for the American children ages eight to ten and eleven to thirteen, and for American adults. The differences in levels of reference to conventions between the two types of events are not statistically significant for any of the Brahman or Untouchable subsamples, or for the American five- to seven-year-olds.

The idea that obligations are conventional seems to be most prevalent among American adults. Over all samples and all thirty-nine cases there are six instances where an event is more likely to be classified as conventional rather than moral. All those instances come from the response of American adults or American eleven- to thirteen-year-olds. Importantly, those six events are much like the type of events Turiel, Nucci, and Smetana have often used to exemplify their theoretical domain of inherently nonmoral or conventional events. The six events are those referring to food and eating practices (nos. 3, 38, 1), forms of address (no. 13), and social organization (nos. 9, 36). For the Brahman and Untouchable samples, and for the American five- to seven-year-olds, there is no difference in frequency of reasoning by reference to convention between the two types of events and little support for the idea of a universal domain distinction in the mind of children or adults between conventional and moral practices.

The evidence in Table 1.7 is not inconsistent with Turiel, Nucci, and Smetana's claim of a domain distinction between morality and convention in the reasoning of American subjects. For American subjects there are events that elicit relatively high levels of reasoning by reference to conventions, and those events are like the ones described by Turiel, Nucci, and Smetana. It is noteworthy, however, that even in our American sample, the idea of conventional obligations seems less pervasive, and begins to be evoked at a later age, than we had anticipated from the findings of earlier studies.

Methodological factors may explain the divergence between our findings and those of Turiel, Nucci, and Smetana. We find that reasoning by appeal to conventional obligations occurs relatively late among Americans and is a high-frequency mode of reasoning for only a restricted set of events. They find that such modes of reasoning by reference to convention occur early in childhood and are fairly common among Americans. A methodological factor that may explain that discrepancy concerns the specific questions used to assess the perceived relativity of obligations. Our interview questions concerning the "relativity" of obligations (Table 1.2, questions 5 and 6) required that informants judge whether another society would be a "better place" if it stopped engaging in practices (for example, eating dogs) that the informant disapproved of in his or her own society. It is possible that the probes used in previous research were not as stringent tests of the perceived relativity of obligations.

In previous research on the perceived relativity of obligations, subjects have typically been asked whether it is "all right" for another society to permit practices that are prohibited in ones own society. Unfortunately, the question is ambiguous and potentially misleading, especially for subjects who are hesitant to meddle in the internal affairs of other nations. It has been our experience that when a subject says it is "all right" for another society to do things differently, all they may mean is "what right do I have to tell another society how to live." Such subjects may say "its all right" even when they believe the practices of the other society are morally wrong. Thus, in our research an informant who stated (perhaps moved by a liberal impulse to respect cultural differences) that it is all right for people in Nagaland to eat dogs would not be scored relativistic unless he or she also agreed, under cross-examination, that Nagaland would not be a better place if they stopped eating dogs (Table 1.2, question 6).

The appeal to the idea of a convention is a rare occurrence among the Oriya Brahman and Untouchables and the American five- to seven-year-olds. The young American children, like their American elders, believe that it is not wrong for a twenty-five-year-old son to address his father by his first name. But, unlike the American adults, the American five-year-olds do not think it is acceptable for Indians to prohibit first name use. Nor do these children believe, as do the American adults, that it would be legitimate to prohibit the practice if a majority of Americans decided it was wrong to be so informal with one's elders. Indeed, the idea of a natural right to personal liberty is highly developed in the American five- to seven-year-olds, and they are less willing than American adults to delimit that right or to relativize it.

For the young American children (who believe one may address the father by his first name) and for the Oriya children and adults (who believe it is wrong to address the father by his first name), the issue is a moral issue, not a conventional one.

There is, however, one noteworthy difference between the "morality-resistant" events and the "morality-prone" events. Depending on the type of event, there seems to be a difference in the likelihood that informants will contextualize their moral obligations. Thus, while none of the events can be said to be truly "morality-resistant," and while the predominant view among all informants is that the obligations associated with social practices are universally binding and unalterable, there is a statistically significant tendency (t-tests) for the "morality-resistant" events to elicit higher levels of context-de-
ependent moral reasoning (unalterable but relative, see table 1.3) from the adults in all three communities [Untouchable, Brahman, and American] and from eleven- to thirteen-year-old Americans. The differences in levels of context-dependent moral reasoning between the two types of events are not statistically significant for any of the five- to seven- or eight- to ten-year-old samples or for the eleven- to thirteen-year-old Brahman sample.

That finding is supportive of Turiel, Nucci, and Smetana’s notion that not all obligations are of the same kind. On a worldwide scale, however, the crucial distinction is not between objective moral obligations and consensus-based, conventional obligations. Rather the distinction seems to be between context-dependent moral obligations and universally binding moral obligations. The obligations associated with food, clothes, terms of address, and sex roles are not typically perceived as conventional. However, in comparison with the obligations concerning physical assault, theft, and promises, the obligations associated with food and clothes are less likely to be universalized.

It is important to emphasize that when context-dependent moral thinking does occur, which is not often (20 percent with the so-called morality-resistant events; 9 percent with the so-called morality-prone events, see table 1.7), it is not because the practices in question are understood as arbitrary. On the contrary, a moral obligation is contextualized because the practice in question is viewed as distinctively expressive of, or adaptive to, the special conditions, temperament, or moral qualities of a population. One variant of that view is verbalized in the minority position among Brahmans that it is immoral for Brahmans to eat beef because [a] the human body is a temple in which a holy spirit dwells (what we call the “self” or the “witness” or the “observing ego” they view as a spirit or soul or deity); [b] beef is a “hot” food; [c] “hot” foods stimulate the body as a biological organism; [d] to stimulate the body as a biological organism is to violate the sanctity of the body as a temple in which a holy spirit dwells. But it is permissible for Americans to eat beef because the colder American climate will counteract the effects of the “hot” food.

As noted, that is a minority argument. Most Oriyas accept all the premises of that argument. But, additionally, most Oriya Brahmans also believe that the cow is an incarnation of the “first mother,” about whom there is much lore. They argue that we nurture our children using one of her holy gifts, her milk, and that even Americans should not eat their mother! For most Oriya Brahmans the taboo on eating beef is universally binding and its violation is a “great sin.”

A second variant of context-dependent moral thinking is contained in the minority position among Brahmans that it is immoral for a Brahman widow to wear brightly colored clothes and jewelry because [a] she will appear attractive, [b] if she appears attractive she will invite sexual advances, [c] if she gets involved with sex she will disregard her meditative obligations to the soul of her deceased husband and behave disloyally. But it is acceptable for American widows to wear bright clothes and jewelry because [a] it is the destiny of America, at its stage in its development as a civilization, to be a world conqueror and the ingenious inventor of technology, [b] the offspring of illicit sexual unions are more likely to be clever, dominating, and adventurous; [c] widow remarriage and other American practices, adolescent dating, and “love marriage,” encourage illicit sexual unions, thereby producing those qualities of character appropriate to the more elevated role of American civilization.

A more abstract formulation of that context-dependent moral argument goes something as follows. America is a young civilization. India is an ancient civilization. It takes a long time for a civilization to figure out and evolve good or proper practices and institutions, those that are in equilibrium with the requirements of nature. You should not expect the young to possess the wisdom of the old. America is doing what is fitting or normal for its early stage of development. Its practices are not arbitrary.

In sum, there is little support for the hypothesis that a distinction between moral and conventional obligations is a universal of early childhood, encoding in thought the substantive differences between “morality-resistant” events and “morality-prone” events. For all samples, the obligations associated with practices in the proposed “morality-resistant” domain are understood primarily in moral terms.

The evidence is not inconsistent with the hypothesis of a culture-specific distinction between morality and convention in the American sample. American adults and older children do seem to show significantly higher levels [although not high levels] of reasoning by reference to conventions for the proposed “morality-resistant” events (food, clothes, forms of address, etc.) over the proposed “morality-prone” events (physical and psychological harms, etc.). For a small subset of events (tabooed foods, polygyny, titles versus personal names, eating with your hands) the idea of conventional obligations predominates in the reasoning of American adults or older children.

In both cultures the proposed “morality-resistant” events seem to elicit higher levels [although, again, not high levels] of context-de-
pended moral thinking, whereby informants appeal to an unalterable objective obligation that is tailored or specifically adapted to the distinctive nature or environment of a particular group. Nevertheless, for all groups, the predominant understanding of the proposed “morality-resistant” practices is not that they are arbitrary, alterable, and relative, but rather they involve universally binding objective obligations that cannot be altered by consensus or majority vote.

**Question 4:** Is there universal agreement among young children about what is morally right and wrong? Do young children “spontaneously” develop their own moral code? By age five, the young children in our study are well on their way to expressing distinctive culturally appropriate judgments about what is morally right and wrong, the Oriya children sound very Oriya, and the American children sound very American. That, of course, is not to say that the capacity to feel “lowered” or “elevated,” “cleansed,” or “stained,” “pure” or “sinful,” or to experience empathy, outrage, dread, shame, disgust, terror, guilt, pride, virtue, or any other moral sentiment is culturally acquired. It is to suggest, however, that what one feels “lowered” by, empathy towards, disgust at, pride in, or outrage about (that is to say, how moral sentiments are directed) is related to a judgment, not necessarily conscious or even verbally accessible, that bears many of the markings of received understandings five years of age. The implication is that if children do subscribe to a universal moral code spontaneously generated independently of participation in social practices and socialization experiences, then researchers must search for it within the first four years of life. By age five, children around the world do not typically agree with each other about what is morally right or wrong.

As indicated in table 1.4, the rankings of the thirty-nine practices in terms of seriousness of breach by five- to seven-year-old Brahman and American children are virtually independent of one another ($r = - .12$), while the rankings display marked similarities to the rankings of adults in the respective cultures ($r = .62$ between Brahman five-year-olds and adults; $r = .85$ between American five-year-olds and adults).

Whatever divergence in moral beliefs exists at age five becomes greater with age. The process of reproducing, in the next generation, the premises, principles, metaphors, and intuitions that make it possible to participate in social practices and generate culturally appropriate moral judgments seems to be a continuous one that goes on well into adolescence and probably adulthood. That can be seen by comparing table 1.8 with table 1.5. Table 1.8 shows the areas of agreement and disagreement about what is right (or wrong) between Brahman and American five- to seven-year-olds.

One noteworthy feature of table 1.8 is that there are fourteen practices about which the young children in both the cultures have strong convictions (75 percent agreement within a subsample) about what is right (or wrong). Across the two cultures, those convictions

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Type of Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Disagreement:</strong></td>
<td></td>
</tr>
<tr>
<td>Brahman children think it is right / American children think it is wrong</td>
<td></td>
</tr>
<tr>
<td>37</td>
<td>coming into an errant child</td>
</tr>
<tr>
<td>38</td>
<td>eating with hands</td>
</tr>
<tr>
<td>34</td>
<td>father opens son's letter</td>
</tr>
<tr>
<td><strong>Disagreement:</strong></td>
<td></td>
</tr>
<tr>
<td>Brahman children think it is wrong / American children think it is right</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>addressing father by first name</td>
</tr>
<tr>
<td>2</td>
<td>eating beef</td>
</tr>
<tr>
<td>8</td>
<td>cooking in clothes worn to defecate</td>
</tr>
<tr>
<td>1</td>
<td>cutting hair and eating chicken after father's death</td>
</tr>
<tr>
<td><strong>Agreement:</strong> Brahman children and American children think it is wrong</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>ignoring beggar</td>
</tr>
<tr>
<td>24</td>
<td>broken promise</td>
</tr>
<tr>
<td>23</td>
<td>destroying another's picture</td>
</tr>
<tr>
<td>20</td>
<td>kicking harmless animal</td>
</tr>
<tr>
<td>19</td>
<td>stealing flowers</td>
</tr>
<tr>
<td>7</td>
<td>menstruating woman cooks</td>
</tr>
<tr>
<td><strong>Agreement:</strong> Brahman children and American children think it is right</td>
<td></td>
</tr>
<tr>
<td>39</td>
<td>men holding hands</td>
</tr>
</tbody>
</table>

For the remaining twenty-five practices there was dissensus within one or the other community.

* The Oriya term for menstrual pollution is mano. The general term for pollution, which can also be specified and applied to menstrual pollution is chuma. Oriya children know those terms and associate with them certain menstrual practices (exclusion, no cooking by another, etc.). They are not, however, aware of the fact of bleeding. There is no adequate translation in English of mano or chuma for use in interviews with American children. The term “suckling,” which was used, is obviously inadequate. With regard to case 7 the translation problem is theoretically fascinating yet may be practically insurmountable. Thus, the results on case 7 for American children, and the apparent agreement between American and Brahman youth, must be discounted.
are virtually independent of one another. Brahman and American five- to seven-year-olds agree about the moral status of seven practices and disagree about the moral status of seven other practices.

A second noteworthy feature of Table 1.8 is that, at ages five to seven, there are still many practices about which children in one or the other culture have not yet formed a consensus. In adulthood the moral judgments of the two populations will still remain virtually orthogonal, but there will be many more practices [twenty-eight practices instead of fourteen] around which a consensus of moral understanding has emerged within each culture (see Table 1.5).

A final noteworthy feature of Table 1.8 is that, with the exception of driving away a beggar (no. 12), the wrongs about which Brahman and American five- to seven-year-olds universally agree are a subset of the set of wrongs about which there is universal agreement between Brahman and American adults. In other words, in areas of convergence in the moral judgments of young children, the children's views do not run contrary to adult views and may well have a common source in direct or indirect experience with routine social practices.

Table 1.9 compares the judgments of Brahman five- to seven-year-olds with those of Brahman adults. One feature to be noted in Table 1.9 is that, of the sixteen practices for which there is a clear consensus within the child and adult samples, there is no case in which the children's and adult's view of right and wrong deviate from each other. In no case do the children think "X" is wrong while the adults think "X" is right, or vice versa. Either the adults have acquired their judgments from the children or the children have acquired their judgments from the adults, or both the children and the adults have acquired their judgments through participation in the same social practices, or some combination of those possibilities.

A second finding illustrated in Table 1.9 is that there are twenty-three practices for which there is dissensus within either the adult sample or the child sample. That dissensus is typically among the children and not the adults. The one major exception is the practice of fathers opening and reading the mail addressed to their adolescent sons. The five- to seven-year-old Brahman children overwhelmingly think that practice is permissible while the Brahman adults are divided on the issue. In general, however, while the young children have many consensually shared views, the adults have convictions about many more issues. Not all practices are directly known or available to children, and it takes time to induce or comprehend the messages implicit in those practices that are directly experienced.

Table 1.9: Patterns of Disagreement and Agreement among Brahman Five- to Seven-Year-Olds and Brahman Adults

| Disagreement: Brahman children think it is right / Brahman adults think it is wrong | No cases |
| Disagreement: Brahman children think it is wrong / Brahman adults think it is right | No cases |
| Agreement: Brahman children think it is wrong / Brahman adults think it is wrong | No cases |

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Type of Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>cutting hair and eating chicken after father's death</td>
</tr>
<tr>
<td>2</td>
<td>eating beef</td>
</tr>
<tr>
<td>12</td>
<td>ignoring beggar</td>
</tr>
<tr>
<td>24</td>
<td>breaking promise</td>
</tr>
<tr>
<td>32</td>
<td>destroying another's picture</td>
</tr>
<tr>
<td>20</td>
<td>kicking innocent animal</td>
</tr>
<tr>
<td>16</td>
<td>incest—brother/sister</td>
</tr>
<tr>
<td>19</td>
<td>needling flowers</td>
</tr>
<tr>
<td>17</td>
<td>menstruating woman cooks, etc.</td>
</tr>
<tr>
<td>10</td>
<td>love marriage out of status</td>
</tr>
</tbody>
</table>

| Agreement: Brahman children think it is right / Brahman adults think it is right | No cases |

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Type of Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>36</td>
<td>ten-year-old asleep with mother</td>
</tr>
<tr>
<td>38</td>
<td>eating with hands</td>
</tr>
<tr>
<td>37</td>
<td>causing an errant child</td>
</tr>
<tr>
<td>39</td>
<td>men holding hands</td>
</tr>
</tbody>
</table>

Practice with less than 75% consensus within Brahman adults or Brahman children between five and seven years of age

<table>
<thead>
<tr>
<th>Practice</th>
<th>Is there consensus among children?</th>
<th>Is there consensus among adults?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eating with husband's older brother [6]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>&quot;No one will marry your daughter&quot; [23]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Unequal inheritance, males vs. females [26]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Cutting in line [30]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Wife requests massage [27]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Ignoring accident victim [15]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Polygamy [9]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Eating a dog [3]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Beating disobedient wife [35]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Widow wears bright clothes [5]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Entering temple after birth [17]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Husband cooks [18]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Discriminating against invalids [29]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Widow remarriage [11]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Nepotism [21]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Washing plates of husband's elder brother [25]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Widow eats lab [4]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Asking foreigner for watch [31]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Father opens son's letter [34]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Father saves daughter over son [33]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Non-local residence [22]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Kissing in public [28]</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Sacrificing innocent child [14]</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>
A third feature of table 1.9 is that the culture-specific and universal aspects of the adult code seem to be acquired or constructed in the same way, or by the same process. Stated more cautiously, culture-specific moral beliefs and universal moral beliefs are constructed at the same rate. There are nine practices that seem to be strong candidates for universal moral prohibitions across adults in all three populations, American, Orie Brahman, and Orie Untouchable. Those nine moral universalis are listed in table 1.10. There are fourteen moral prohibitions that are specific to Brahman adults [nos. 1, 2, 4, 5, 6, 7, 8, 10, 11, 13, 17, 18, 25, 27] and five prohibitions that are specific to American adults [nos. 14, 26, 34, 35, 37]. By age five to seven years, Brahman children have developed consensual moral convictions concerning four (44 percent) of those nine universal adult moral prohibitions [breaking promises, arbitrary assault, destruction of private property and incest]. American five to seven-year-olds have developed consensual convictions concerning seven (77 percent) of the nine prohibitions [all except incest and reciprocity-gratitude, asking for the watch, see table 1.10].

The same rate of acquisition seems to hold for the culture-specific moral practices and beliefs. Brahman five to seven-year-olds hold consensual convictions concerning five (35 percent) of the fourteen culture-specific Brahman adult moral prohibitions (see table 1.9), while American children of the same age hold consensual convictions about all five (100 percent) of the culture-specific American adult moral prohibitions. Thus, while it remains to be explained why the moral judgments of their respective cultures are being acquired more rapidly by American than by Brahman children, in both cultures young children seem to be constructing the universal aspects of their moral code at about the same rate as they are constructing the
culture-specific aspects of the code (44 percent versus 35 percent for Brahman children; 77 percent versus 100 percent for American children).

It seems reasonable to hypothesize that the same process, whatever that might be, is responsible for the construction of the universal and culture-specific aspects of the code. Little support is to be found in this evidence for the hypothesis that the universal aspects of the code are constructed one way [e.g., self-constructed through the personal observation of objective consequences] while the culture-specific aspects are constructed in different way [e.g., through acceptance of adult doctrines].

Whatever process explains the early similarity in the moral judgments of children (five years and older) and adults within a culture, it influences not only the content of judgments about right and wrong but also the more formal or structural aspects of those judgments. In the present context, what we mean by the formal or structural aspect of thinking is the idea of an obligation as a universal moral obligation [unalterable and universally binding] versus the idea of an obligation as a context-dependent moral obligation [unalterable and relative] versus the idea of an obligation as a consensus-based conventional obligation [alterable and relative].

There is a culture-specific directionality of change for some of the more formal or structural features of moral thinking. Thus, as Americans get older they are more likely to engage in reasoning by reference to convention and by reference to context-dependent moral reasoning, and less likely to engage in universal moral reasoning. Conversely, as Brahmins and Untouchables get older they are more likely to engage in universal moral reasoning, and less likely to engage in context-dependent moral reasoning or reasoning by reference to convention. Those culture-specific developmental trends are diagrammed in figures 1.3–1.5, where the average percentage of each type of response [universal moral, context-dependent moral, conventional] over all thirty-nine cases is indicated for all subjects interviewed in each age-community subgroup.

Examining the three types of thinking for each of the thirty-nine cases, the most general of all trends across the thirty-nine cases is the developmental waning of universalistic moral thinking in the American sample. While we cannot give a definitive interpretation to the trends displayed in figures 1.3–1.5 the five- to seven-year-old American children seem to believe there exists a universal natural right to eat beef if you want to, to choose your wife for yourself if you want to, to kiss your wife in public if you want to, to wear brightly colored clothes and jewelry even if you are a widow, if you want to. The

<table>
<thead>
<tr>
<th>Case No.</th>
<th>Type of Practice</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>keeping promises [a virtue]</td>
</tr>
<tr>
<td>32</td>
<td>respect for property [a virtue]</td>
</tr>
<tr>
<td>30</td>
<td>fair allocation [a virtue]</td>
</tr>
<tr>
<td>15</td>
<td>protecting the vulnerable [a virtue]</td>
</tr>
<tr>
<td>31</td>
<td>reciprocity–gratitude [a virtue]</td>
</tr>
<tr>
<td>16</td>
<td>taboo on incest [a virtue]</td>
</tr>
<tr>
<td>20</td>
<td>arbitrary assault [a vice]</td>
</tr>
<tr>
<td>21</td>
<td>nepotism [a vice]</td>
</tr>
<tr>
<td>29</td>
<td>arbitrary (&quot;biased&quot;) classification [a vice]</td>
</tr>
</tbody>
</table>
young American children are less willing than older American children and American adults to grant that rights to liberty in such matters are conventional or to accept that other societies can legitimately choose to do things differently. The developmental increase of universal moral thinking in the Indian sample is also relatively general across cases, while the higher average level of reference to conventions among American adults over young American children seems to be carried by a subset of cases, especially cases 1, 2, 3, 5, 13, 23, 25, 26, 27, 28, 34, 38 (see table 1.1).

There are several implications to the pattern of findings in figures 1.3–1.5. First, figure 1.5 raises the possibility that a distinction between moral and conventional practices may not be a universal of childhood or adulthood. The level of reference to conventional obligations in the Indian sample seems too insignificant to support the hypothesis of a universal domain distinction. Second, figure 1.3 suggests that obligations are not typically viewed as conventional or consensus-based by either children or adults. The idea of universal moral or objective obligations seems to be more widely distributed across ages and cultures than the idea of conventional obligations, and developmentally the idea of morality seems to take precedence over the idea of convention, even at an early age. Finally, taken to-
gether, figures 1.3–1.5 raise the possibility that the emergence of reasoning by reference to conventional or consensus-based obligations is a culture-specific development; however, the reason for the emergence of the idea of convention, in some cultures, like our own, but not in other cultures, like orthodox Hindu society, remains to be explained.

Far more research on these issues is needed, utilizing alternative methodologies. Directly probing about the relativity and alterability of family life and social practices, as we did in our study, is but one way to search for a domain distinction between conventional and moral obligations. Murdock’s [1980] work on illness as a perceived consequence of transgression and Edwards’ [1985] work on caretaker response to transgression suggest two other ways to study the degree of differentiation of domains. If a culture does distinguish conventional from moral obligations, that separation of domain might reveal itself in anything from differential patterns of emotional response to transgression to different types of sanctions or punishments. Reviewing our own research in light of Murdock’s cross-cultural survey on illness and Edward’s study of caretaker response in Kenya raises for us the strong possibility that the distinction between conventional and moral obligations is not a developmental universal.

Question 5: What are the universal and culture-specific aspects of moral codes? This essay is concerned with identifying the universal and culture-specific, mandatory and discretionary, features of rationally based moral codes. Given that aim, it is perhaps worth noting that to identify genuine differences in moral codes is to presuppose some common criteria for identifying moral issues. Meaningful differences presuppose a general likeness. However, contrary to Kohlberg’s view that there are no fundamental differences from culture to culture in the ideal form of a rationally based moral code (1981, 71–74), it is our view that all rationally based moral codes are alike in some ways (the mandatory features) and in some ways different (the discretionary features). And, because the ways that moral codes differ are rationally discretionary, those differences (for example, in the assertion or denial of divine authority) are likely to persist even in the face of cognitive development and Socratic dialogue.

For the moment we shall put aside the issue of universal moral emotions (see Kagan 1984, especially chap. 4, on that issue). We believe there are such universal emotions—empathy, shame, guilt, outrage, pride, repugnance, disgust—and we believe the emotional reactions of others, their anger, disappointment, or hurt feelings, can play an important cuing function in the acquisition of a moral code. Recent experimental research on "social referencing” in infants and young children [Feinman 1982; Feinman and Lewis 1983; Campos and Stenberg 1981; Bretherton 1984] suggests that internalization of the evaluations of significant or powerful others is a prepotent ontogenetic process that does not wait patiently for an oedipus complex to develop. By ten months of age, infants make use of the mother’s or experimenter’s verbally or nonverbally conveyed affective interpretations of events [for example, distress or pleasure at the entrance of a stranger] and modulate their own emotional and behavioral reactions accordingly.

We even believe that some emotional responses are retained in the presence of conscious reflection and deliberate judgment, and that feelings (for example, righteous indignation) can form part of a rational response to a perceived transgression. Within the terms of a rationally based moral code, actions that are wrong, sinful or polluting may make you feel guilty, angry, afraid, or disgusted, and they may, in some cases, even carry with them an obligation to feel that way.

To acknowledge the universality and functional importance of moral emotions is not, however, the same as saying that actions become wrong, sinful, or polluting because they make you feel guilty, angry, afraid, or disgusted, or that you believe that actions are wrong, sinful, or polluting because they were learned in association with feelings of guilt, anger, fear, or disgust. We would reject, as do our informants, a pure emotivist view of the meaning of moral discourse. You may feel guilty because you have transgressed, but the transgression is not defined by the guilty, and, in many cases, a transgression is a transgression whether you feel guilty or not. To understand why a transgression has become defined as a transgression is to look outward, away from the emotions, in the direction of the moral code as a rational organization of concepts and principles. That is what our research is about. Thus, in considering moral universals, we put moral emotions to the side, for the moment, and focus on the form and content of the code itself.

Table 1.10 lists those nine moral prohibitions that are shared by American adults, Brahman adults, and Untouchable adults. One noteworthy feature of table 1.10 is that the nine universal prohibitions listed are moral prohibitions. They are viewed by all informants as objective, unalterable, and universally binding prohibitions. That suggests that the idea of an objective obligation, the idea of morality as natural law, is a universal. As we have seen (see table 1.6), the abstract idea of natural law is displayed relatively early in life, certainly by age five.
A second noteworthy feature of table 1.10 is that it is difficult to decide on a proper level of abstraction for describing moral universals. Some would argue that universality arguments are merely arguments about the generality of coding categories: the less specific the content written into the coding category the more universal the category. While there is much merit in that argument (see Shweder and Bourne 1982 on the “higher-order generality rule” it overlooks the fact that the peoples of the world sometimes do argue about relatively particularistic issues [e.g., that such-and-such a color chip is the reddest red, or that the offspring of an incestuous union are more likely to be deformed or in some way grotesque; see Berlin and Kay 1969, Burton 1973], and they frequently disagree about more general issues [e.g., whether people have transmigratory souls or whether or not justice means “to each according to his needs”]). It is possible to discover pan-cultural universals without having to bleach one’s coding categories of all interesting substance.

The research reported examines informants’ judgments about particular cases (kicking a sleeping dog, cutting into a line at a cinema). As it turns out, it is possible to discover moral universals at the “case” level of description: Brahmans, Untouchables, and Americans all agree, for example, that “it is wrong when a foreigner for the first time to ask him how much his watch costs and whether he will give it to you” [no. 31, table 1.1], and that “it is wrong for a hotel to make a rule that invalids and disfigured persons are not allowed in the dining hall” [case no. 29, table 1.1]. It is possible for a concrete case to elicit a universal reaction of moral repugnance.

There is, however, an understandable temptation to identify the more general or abstract principle underlying a judgment about a particular case. In table 1.10 we have given in to that temptation. Thus, case 31 [asking the foreigner for his watch] is described as “reciprocity” and case 29 [no invalids in the dining hall] is described as arbitrary (biased) classification. There is also a temptation to reduce the list of principles in table 1.10 to a smaller set of highly abstract ideas. Thus, for example, the taboo on incest could perhaps be reduced to the idea of protection of the vulnerable [protecting children from sexual exploitation], and perhaps the idea of justice and the presumption that harm is wrong could “cover” most of the “middle-level” principles listed in table 1.10. Under some description, at some level of abstraction, justice, harm, and protection of the vulnerable might qualify as “deep” universals of all moral codes.

The rub is that if one focuses only upon the abstract principles underlying a judgment about a particular case, the abstracted principles do not make it possible to predict informants’ judgments about particular cases. Thus, for example, while Oriya Brahmans disapprove of kicking a dog that is sleeping on a street [no. 20], they do not disapprove of beating “black and blue” a wife who goes to the movies without the husband’s permission [no. 35]. And, while they disapprove of unfair treatment [nepotism, no. 21, cutting in line, no. 30, the hotel rule excluding invalids, no. 29], they believe it is permissible for a married son to inherit far more than a married daughter [no. 26]. Indeed 60 percent of the female adult members of the Brahman community believe there is a positive moral obligation to save the life of the firstborn son over the life of the lastborn daughter if only one life can be saved [no. 33].

Needless to say, Oriya Brahmans do not view beating an errant wife as an instance of arbitrary assault, and they do not believe it is unfair to choose the son over the daughter in matters of life or inheritance. What Americans view as similar cases [kicking the dog, beating the wife] Oriyas view as quite different cases, and what Americans view as quite different cases [for example, addressing the father by first name, no. 13, and the wife requesting a massage, no. 27] Oriyas view as similar. The appeal to some small set of common abstract principles [justice, harm, protecting the vulnerable] does not help us understand or predict which cases will be seen as alike or different.

If we are to understand our informants’ moral judgments about particular cases we are going to have to understand the culture-specific aspects of their moral codes and the way those culture-specific aspects interact with the more universal aspects to produce a moral judgment. Oriya Brahmans, for example, believe that beating a wife who goes to the movies without permission is roughly equivalent to corporal punishment for a private in the army who leaves the military base without permission. For Oriyas there are rationally appealing analogical mappings between the family as a unit and military units (differentiated roles and status obligations in the service of the whole, hierarchical control, drafting and induction, etc.). One thing the family is not, for Oriyas, is a voluntary association among coequal individuals.

Discussion
Implications for Kohlberg’s Cognitive Developmental Theory

Our research in India and America suggests a portrait of the development of the understanding of obligations that differs from Kohlberg’s. If one relaxes the demand characteristics of the interview task, utiliz-
Implications for Turiel’s Social Interactional Theory

Turiel’s theory hypothesizes an early, universal differentiation of a domain of moral obligations from a domain of conventional obligations. The theory hypothesizes that certain obligations are “morality-prone” while other obligations are “morality-resistant” because the events they regulate do not involve issues of justice, harm, or the welfare of others. Our research suggests that the differentiation of moral events from conventional events is not necessarily developmental universal and that the distinction between morality and convention, useful as it is within certain cultural worldviews, may well be culture-specific.

While it is not possible to prove definitely that any event can be moralized (i.e., treated as an objective obligation related to harm and justice), within the framework of our research, a moral and a conventional domain could not be distinguished on substantive grounds. For orthodox Hindus in the old town of Bhubaneswar, food, clothing, terms of address, sex roles, and ritual observances are conceived of as part of the moral order. The received orthodox Hindu conception of objective obligations or natural moral law leaves little room for the idea that culture or society is conventional, consensus-based, and arbitrary rather than an expression of natural law. Within a culture like our own where the morality versus convention distinction does play a part, there are undoubtedly events that fall on the boundaries or partake of both domains, and it is relevant and important to ask the question proposed by Turiel, Nucci, and Smetana, “Which are the pure moral or conventional events and which are the mixed events?” Within orthodox Hindu culture, however, the relevant question may well be, “Are any events purely conventional?”

Implications for Future Research

Social communication. What has not been emphasized sufficiently in past research on moral development is that children discern the moral order as it is dramatized and made salient in everyday practices. Children are assisted in constructing their notions of right and wrong. The inferences they draw about the moral (its form) and what’s moral (its content), are, in substantial measure, personal reconstructions created within a framework of tradition-based modes of apperception and evaluation. The moral concepts of a people and their ideas about self, society, and nature are powerful ways of seeing the world that have been worked on, and applied to experience, over many generations. Every child is the beneficiary of a conceptual inheritance, received through communication with others.

Our “social communication” theory of moral development emphasizes the ways a culture’s ideology and worldview have a bearing on the ontogeny of moral understandings in the child. That highlighting is done by relating the ontogenesis of ideas about obligations to the representation of received premises and ideological tenets through routine social practices.

In our conception of “social communication,” morally relevant interpretations of events by local guardians of the moral order (e.g., parents) are typically presented and conveyed to young children in the context of routine family life and social practices. Those moral premises are carried by the messages and meanings implicit in the emotional reactions of others (anger or disappointment or “hurt feelings” over a transgression). They are carried by the verbal exchanges—commands, threats, sanction statements, accusations, explanations, justifications, excuses—necessary to maintain routine social practices. Indeed, moral premises may be expressed through, and hence are discernible in, institutionalized behaviors; and those premises may be validated by the child, and hence reinforced for the child, because they help make sense of the experience of routine practices. Finally, it is an assumption of our theory that the emerging moral intuitions or unconscious moral inferences of the child are not only the product of social practices but are also the grounding for the child’s later attempts to reflectively reconstruct its own moral code.

As an illustration of the social communication process we have in mind, consider the following case concerning one aspect of the socialization of moral understandings in the domain of pollution-purity-sanctity, with obvious implications for matters of interpersonal affiliation (see Shweder 1985, from which the following
illustration is drawn and partly excerpted, see also Shweder and Much, in press).

"Mara heici. Chhu na! Chhu na!" is what a menstruating Oriya mother exclaims when her young child approaches her lap. It means, "I am polluted. Don't touch me! Don't touch me!" If the child continues to approach, the woman will stand up and walk away from her child. Of course, young Oriya children have no concept of menstruation or menstrual blood; the first menstruation arrives as a total surprise to adolescent girls. Mothers typically "explain" their own monthly "pollution" to their children by telling them that they stepped in dog excrement or touched garbage, or they evade the issue. Nevertheless, Oriya children quickly learn that there is something called "Mara" (the term "chhuan" is also used) and when "Mara" is there, as it regularly is, their mother avoids them, sleeps alone on a mat on the floor, is prohibited from entering the kitchen ("Handi bahari heici"—"I'm out of the kitchen"—is a local euphemism for talking about menses), eats alone, does not groom herself and is, for several days, kept at a distance from anything of value. Children notice that everything their mother touches is washed. In interviews, most six-year-olds think it is wrong for a "polluted" ("mara") woman to cook food or sleep in the same bed with her husband, most nine-year-olds think that "mara" is an objective force of nature and that all women in the world have a moral obligation not to touch other people or cook food while they are "mara."

Oriya children learn that "touching" can be dangerous. They learn that "purity," "cleanliness," and status go together. Just as the pure must be protected from the impure, the higher status and the lower status must be kept apart or at a distance. These ideas are effectively conveyed in several ways. "Don't touch me!" is heard on many occasions in many contexts. There's not only the menstruating mother (whose status in the family is roughly that of an untouchable for three days, and who is sometimes discussed as possessed by an evil spirit while bleeding). There's the father who tells his children not to touch him in the interim between bathing (a purification rite) and worshipping the family deity. There's the grandmother who does not want her grandchildren to touch her or climb into bed with her until the child has removed all his "outside" clothes, which have become polluted ("chhuan") as the child mixed with lower castes at school. Those attitudes and sentiments towards "mara" or "chhuan" also get coded and expressed in a children's game on the theme, "pollution tag." Several children stand apart from a lone isolated child and all together chant and tease: "You ate in the house of a Hadi (the lowest Untouchable caste). Don't touch me! Don't touch me!" The children scurry off, pursued by the hand of the "polluted" child.

The culture is providing the child with a practical moral commentary in which one of the many messages is ultimately that menstrual blood, feces, and lower status go together. For the sake of physical and spiritual well-being, they must be kept at a distance from what is clean, pure, and of higher status. Daily bathing and acts of purification and cleanliness become associated with status elevation and feelings of personal well-being. Ultimately, one's body becomes conceptualized as a "temple" with a spirit, the self, dwelling in it. Keeping the temple pure becomes a major goal of daily life, in eating, in bathing, in avoiding contact with polluters and anyone of lower status.

The socialization process just described is affect-laden. The child wants to get in bed with his or her grandmother and is rejected. The child wants to approach the mother and is put off. The distress aroused in grandmother or mother can be palpable. Furthermore, the socialization process is carried by discourse that indexes a great deal of implicit knowledge. Since a great deal of what we call moral socialization is done through talking with others, the study of moral development calls for the identification of propositions about the way the world is and ought to be that are carried by discourse and other forms of symbolic action [see Much and Shweder 1978; Much 1983; Ochs and Schieffelin 1984; Shweder and Much, in press].

Finally, it is also interesting to note that the concepts that are inherited—pollution, impurity, separation, loss of status, purification, cleanliness—succeed at making sense of experience, from "the native point of view." Children reason, but not all the concepts they reason with are of their own making. Children observe the consequences of action, but those consequences include the encultured emotional reactions of others, and even those enculturated emotional reactions are interpreted for the child by others, using concepts from tradition-based doctrines about psychological and social functioning. The child of moral development, it turns out, is not a lonely subject and is rarely left alone.

Alternative postconventional moralities. Our analysis of the mandatory and discretionary features in Kohlberg's conception of postconventional morality raised the theoretical possibility of alternative rationally based moral codes, based on a conception of natural law, justice, and harm (mandatory features), yet not founded on individualism, voluntarism, natural "rights," secularism, or the idea of a social contract (discretionary features). In the light of our experience
in India and knowledge of the anthropological literature on moral codes, we think that it is more than just a theoretical possibility. We hypothesize that most adults around the world do not talk on Kohlberg's tasks like postconventional thinkers because they reject the discretionary features built into Kohlberg's definition of genuine moral understandings, not because they confuse objective obligations with consensus, convention, or positive law. There may be alternative rationally based moral codes that Kohlberg's scheme, founded on abstract individualism, voluntarism, and secularism, does not illuminate.

Our hypothesis implies that there is more than one way to rationalize a moral code and that the cluster of ideas associated with individualism, consent, voluntarism, promise, and free contract are discretionary rather than mandatory features of a rationally based moral code. The hypothesis raises the possibility that the ubiquitous stage three–four reasoning discovered by Kohlbergian researchers could be defended as a rationally based form of postconventional thinking, especially if interpreted in the light of a different set of discretionary moral concepts [see Gilligan 1982; Shweder and Much, in press].

One of the attractions of India for moral development researchers is the possibility that the orthodox Hindu moral code is an example of an alternative postconventional moral understanding. This is not the occasion to attempt a rational reconstruction of the moral judgments of our Hindu informants [see Shweder and Much, in press]. Such a rational reconstruction would distill the numerous arguments, analogies, and premises used by our informants in defense of their practices (e.g., arranged marriage, the prohibition against widow remarriage, etc.) and form them into an "ideal" argument structure. By an "ideal" argument structure we mean a reasoned defense of family life and social practice that is not vulnerable to the criticism that its empirical claims are false or that its reasoning is viciously contradictory.

Our interviews with Hindu adult informants are rich in arguments. A distilled argument, for example, might go as follows: "A marriage is something that affects so many people, relatives, ancestors, neighbors, and friends, in serious ways. How can you possibly leave it up to one young person, driven by lust and passion, to make a sound decision?" Informants often reason by reference to similes and analogies. One argument asserts, "The husband is a moving god and should be treated with comparable respect." Another argument holds, "The body is a temple with a spirit dwelling in it. Therefore impure things must be kept out of and away from the body." Factual claims are asserted, such as "Life on earth is organized around the division of things into male and female, and there is a natural asymmetrical interdependency between them"; or, "The family is a natural institution." Fundamental assumptions and premises are implicitly or explicitly announced: "Nature is just. Virtue is rewarded and vice punished"; "Souls reincarnate"; "Received inequalities [male over female, elder over younger, Brahman over Untouchable] are a form of just desert"; "The family is the ideal prototype for all social relationships."

What one finds in the reasoning of our Hindu informants is a preference for paternalism and asymmetrical interdependency, the idea that most people need to be protected against their own vulnerabilities, and a rejection of the idea of autonomous functioning and self-sufficient voluntarism. There is an inclination to view the family, not the marketplace, as the prototype of moral relationships. There is a corollary tendency to represent the moral order as a natural order built up out of status or role obligations (wife to husband, stranger to stranger) rather than out of promises or commitments between abstract individuals living in the marketplace of a free-contract regime.

It is our hunch that the arguments of our Hindu informants are informed by an alternative postconventional morality [Shweder and Much, in press]. A recent series of essays by the economist Schelling (1984), on the need to protect oneself against oneself, hints at one way for us rationally to reconstruct the Hindu code. States Schelling (1984, 100): "Actually, there is no a priori basis for confidence that enforceable contract is a generally good thing. People might just get themselves tied up with all kinds of regrettable contracts, and the custodians of legal wisdom might have decided that enforceable contract is a mischief. Suppose promises to second parties tended usually to get people into trouble, so that a wise legal tradition would readily excuse people from promises incurred in haste, or in passion or in disgust. Duress is recognized; if impetuousity were a problem, legally binding contracts might require something like a second or third reading before acquiring status. It is an empirical question whether the freedom to enter into contract, the freedom to make enforceable promises, or the freedom to emancipate oneself from a nicotine habit would prove generally to be a good thing."

What Schelling's remarks suggest is that, as a matter of fact, the human beings of a society may be highly vulnerable to exploitation or self-destruction and may not assume the idealized, and somewhat utopian, state of "voluntariness" presupposed by a free-contract re-
rime. When people in the real world agree to the terms of a contract, they may do so impetuously, or under duress, while angry or depressed, or without foresight, willpower, or knowledge of relevant information, or lacking the skill to calculate consequences properly. An unwed mother in postpartum depression signs a contract permitting a childless married couple to adopt her infant in exchange for a sum of money. Later, no longer depressed, and willing to return the money, she wants her child back. Does she have an obligation to honor her contract? The legal system of a free-contract regime tries to adjust for the discrepancy between the idealized presumption of a “voluntary” agent and the fact of “involuntary” choice by specifying conditions (fraud, duress) for disqualifying contracts, by mandating certain terms that must be included in any contract, and by withholding freedom to contract from certain classes of agents (minors, the insane). [See Kennedy 1982, for a discussion of those issues and the role of paternalistic motives in a free-contract regime.]

It is instructive to construct hypothetically an alternative postconventional moral code, starting with the assumption that agents are naturally vulnerable. Since agents frequently display features of “involuntariness”—weakness of will, impetuousity, emotiveness, ignorance, addiction, etc.—freedom to contract would not be deemed a general good. It either promotes exploitation, if the freedom is genuine and general, or promotes costly monitoring, regulations and correction by external authorities (judges and bureaucrats), if exploitation of the vulnerable is to be controlled.

Such an alternative postconventional conception of moral obligations might be self-consciously paternalistic, modeled after the family as a moral institution. It is noteworthy that in the Western legal-moral tradition, family obligations and law stand as a major exception to the general theory of free contract among autonomous, rational, voluntary agents [see Kennedy 1982]. In contrast, it appears that in orthodox Hindu thought the family is not the exception to the basic principles of the moral order but rather the prototype of the moral order. It is credible to argue that the family exists as an institution because of the natural vulnerabilities and interdependencies of its members. Through a complex of relationships based on mutual reliance (e.g., husband and wife), asymmetrical interdependency (e.g., parent to child) and the obligations and agreements associated with kinship status (father, son, mother, daughter) the family seems to be able to function without the necessity of either a contract or outside regulation. In nonabusive families, of which there are many, a combination of loyalty, deference, empathy, altruism, love, and hierarchy protects the vulnerable from exploita-

tion, while rewarding the powerful for caring for the weak. And all that is done without bureaucracies, legislatures, or the costly devices of centralized control.

Any rational reconstruction of a postconventional Hindu moral code is likely to be a rational defense of paternalism, sympathetic to the sentiment expressed in Tolkien’s famous trilogy about the Middle Earth in its latter days: “‘Few now remember them,’’ Tom murmured, ‘yet still some go wandering, sons of forgotten kings walking in loneliness, guarding from evil things folk that are heedless.’” In family relationships, we may come as close as we dare to restoring that lost sense of noble, or at least paternal-maternal, obligation.

References


