

## MORAL REASONING OF FILIPINO CHILDREN IN CONFLICT WITH THE LAW

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### ABSTRACT

*This study identifies how children in conflict with the law detained in a youth rehabilitation center justify the crimes they have committed. Interviews conducted in Filipino were done to 40 participants. Poverty conditions of the participants, pressure from gangs and feelings of injustice given by the person who was victimized were given as justification for committing crimes. Feelings of remorse were felt if they perceive that the persons victimized were physically frail but were absent to those who have committed crimes against affluent people.*

*The research findings support Gilligan's (1988) differences in moral reasoning among males and females. In instances of murder for example, male participants justify their offenses by stating that it is justice to kill those who did them wrong or have hurt their ego. For female participants, murder is committed because they perceive their victims are perpetrators of crimes who would continue to do injustice to other people. Murdering them would mean an end to injustice to other people.*

*It is recommended that CICL be taught values education through addressing higher ordered thinking skills in the area of moral reasoning. Ill-fate and not violating the law is seen as the reason behind being penalized. In this case, they should be trained on how to make socially-appropriate decisions and be taught that there are consequences to actions that violate the law. They should be educated on the value of work and engage in productive activities that would help them have sources of livelihood in order to avoid recidivism.*

*It is obvious that poverty propels the participants who are accused of crimes against property to violate the law. With this, skills training and jobs have to be provided for by the local government units in order to minimize this problem.*

**Keywords:** Moral reasoning, Filipino children in conflict with the law, values education for children in conflict with the law.

### INTRODUCTION

Children in conflict with the law (CICL) commit crimes in 2005, The United Nations Children's Emergency Fund reported to have an estimate of 4,000 CICL in detention centers in the Philippines (Dolan, 2004).

Whether the offense is petty or grave, there are reasons behind each offense. An offender uses moral reasoning as a justification for committing crimes. Moral reasoning is defined as individual or collective practical reasoning about what one ought to do, given situations that involve morality (Gert, 1998). In this research, moral reasoning is used to probe on the reasons why crimes were committed. On the other hand, moral judgment is defined as a detailed process of reasoning and involves justification of the rightness and wrongness of a particular act and is sanctioned by one's conscience and ethical act (Kohlberg and Colby, 1987). It involves the creation of consistent rules and higher-ordered thinking skills that

justify actions and can be influenced by schooling (Nado, Kelly and Stich, 2006). Since most of the participants of the study barely finished elementary, the researcher focused on their moral reasoning.

Moral reasoning can be influenced by culture (Turiel, 1994, Hauser, 2005), society (Turiel, 1994), parental norms (Grusec and Goodnow, 1994), and peer relationships (Kruger, 1992). Kohlberg assumed that moral reasoning plays a central role in moral action (Diver-Stammes and Thomas, 1995). Moral reasoning provides unity to the many complex processes such as judgment and decisions (Brendixen, Schraw, and Dunckle, 1998). Researchers have hypothesized that moral reasoning of juvenile delinquents is less mature than non-delinquents (Brugman and Aleva, 2004).

Erikson (1980) said that adolescents are in the stage when the crisis of identity versus identity diffusion should be resolved. Juvenile delinquency takes place when there is failure of adolescents to deal with the demands placed on them (Santrock, 1998). Thus, offenses are committed when the adolescent cannot cope with life's problems.

This study identifies how CICL use moral reasoning vis-à-vis the crimes they have committed. Through this study, educators can identify curricular inputs for values education among CICL.

## RESEARCH PARTICIPANTS

Participants of the study are CICL detained in a youth rehabilitation center that gives special education services. The name of the center and the real identity of the participants are withheld for purposes of confidentiality. The data presented in this study is based on interviews done from Feb 1, 2011 to August 20, 2012. Initially 148 CICL were interviewed about their concerns and desired educational programs. They were asked if they could talk about their offenses. Of the 148 CICL, 40 participants were chosen. There were two females and 38 males who participated in the study. The undistributed sample in terms of gender can be attributed to the fact that there are more male offenders than females (Corrado, Odgers & Cohen, 2000; Cabilao, 2004; Fields & Abrams, 2010). These participants agreed to talk about their offenses; are conversant in Filipino and have admitted to do or participate in the crimes being accused to them. In the discussion, code names were assigned to them for purposes of confidentiality. There were 15 participants who were not allowed to join the study as they were undergoing disciplinary actions because they committed other offenses while they were in the Center. The CICL who were not included said that they were victims of frame-up or mistaken identity. They refuse to elaborate on their cases.

## Demographic Profile

The research participants' ages, offenses and parental information are discussed in this section.

**Ages:** The participants' ages range from 15 to 21 years old. Table 1 presents the frequencies of ages.

**Table 1. Ages of the Participants**

<i>Offense</i>	<i>Frequency</i>	<i>%</i>
21	2	5
20	0	0
19	7	18

18	7	18
17	15	38
16	7	18
15	2	5
Total	40	100%

Majority (38%) of the participants are 17 years of age. Participants who are above 18 years old have been committed to the center at a younger age. Their prolonged stay in the Center is attributed to the delays in court procedures. Case hearing of the crimes of drug peddling, homicide and murder take a longer time to examine than cases of petty theft.

**Offenses Committed:** The Center classifies offenses in six categories as there are quite a number of cases charged. Table 2 presents the offenses committed by the research participants.

The following are the offenses committed:

**Table 2. Offenses Committed**

<i>Offense</i>	<i>Frequency</i>	<i>%</i>
Crimes Against Property	22	55
Crimes Against Person	7	18
Crimes on Drugs	7	18
Crimes Against Chastity	2	5
Prohibition under special law	2	5
Total	40	100

Offenses that involve stealing such as theft, robbery and hold-up are classified under *crimes against property*. Offenses that involve assault, murder, homicide and physical injury are classified as *crimes against persons*. Possession, usage and peddling of drugs such as marijuana, shabu and cocaine are *drug-related violations*. Offenses that involve carrying of deadly weapons and firearms are included under *prohibition under special law*.

The other participants being accused of crimes against persons were involved in gang wars. Gangs are commonly known as troublesome youth groups (Decker, Van Gemert & Pyrooz, 2009; Feinstein, 2003). In the Philippines, gangs are involved in different crimes such as drugs, kidnapping, carjacking and organized theft. Different gangs also have the tendency to fight against each other.

## RESEARCH METHODOLOGY

This research is descriptive in nature. Interviews in Filipino were conducted. Field notes were written as the Center does not allow any form of electronic recording. The responses written were read to the participants to make sure that what was transcribed is correct. Verbatim

responses and themes of their responses were identified in the discussion of results. All verbatim responses in Filipino have corresponding English translations.

### Concepts about Morality Vis-À-Vis Crime Committed

Different concepts of morality vis-à-vis the crimes committed were given by the participants of the study. Some of the participants would justify their offenses because of poverty. Others would do offenses due to gang affinity or ill-feelings towards their enemies.

### On Crimes against Property

All of the participants said that they steal from people because they have to meet a need. These needs are either to sustain a vice such as drug abuse to earning to meet family expenses. Those who are members of gangs attribute their offense to *pakikisama* (comradeship).

Some participants of the study are forced to steal as they are the family's breadwinner. In this case, both parents are unemployed. Jose, 17, narrates, "*Ako ang nagtatrabaho sa aking pamilya at natukso akong magnakaw ng cellphone. Mabilis kumita ng pera. Akala ko noon tama iyon.*" (I am the one who works in the family so I got tempted to steal cellphones. I earn money fast. Before, I thought it was the correct thing to do.). Ljzendoorn and Zwart-Woudstra's (1995) study concludes that adolescents who come from very poor families that are forced to work justify their theft to family circumstances. For them, poverty makes their offenses legitimate. Theft and other forms of stealing are usually done by people who have incomes at the poverty range and this is the most common form of law violation (Gebremikael, 2003).

Those with snatching offenses said that they do not carry deadly weapons. They just grab things from people and then run as fast as they can in order to escape. Jonathan, 17, narrates, "*Kami ng barkada ko, nang-aagaw lang. Kailangan ko lang ng pera dahil mahirap ang buhay. Ako, di ako nagdadala ng patalim dahil ayaw kong manakit. Ang kailangan ko lang ay pera. Mas masama ang manakit o makapatay. Lalaki ang kadalasan kong ninanakawan kasi hindi sumisigaw at hindi nila napapansin na nadukutan na sila. Sa pagkakataong ito [na nahuli ako], nadisgrasya lang ako dahil kinuyog ako ng taong bayan. Sumigaw kasi yung babae nung hinablot ko ang bag. Mahirap nakawan ang babae...sumisigaw. Malas nakawan ang babae kasi matinis ang boses kapag sumigaw at naririnig kaagad. Nakukunsiyensiya ako kung babae kasi naririnig ko yung sigaw lagi sa utak ko o binabangungot ako.*" (Our group engages in snatching only. I just need money. I do not bring sharp weapons as I do not want to hurt anyone. I only need money. It is worse to hurt or kill someone. I often steal from men as they do not scream and they do not easily notice that something has already been stolen from them. When I got caught, I fell in ill-fate as I was mobbed. The woman who I stole her bag shouted. It is difficult to steal from women as they shout. It is bad luck to steal from them as they screech and people quickly hear their voices. My conscience bothers me always as I hear their voices often in my mind or I have nightmares on it.). People who are engaged in petty theft do not have the intention of using force, unless provoked (Ngale, 2009). In this example, Jonathan and his peer group have no intentions of hurting anyone as they find it worse to do so. It can also be noted that the concept of *conscience* is present. Youth offenders also have moments wherein they contemplate on their actions and develop some sort of guilt (Brusten, Stams & Gibbs, 2010). In cases wherein the victim was hurt, feelings of remorse also haunt the offender (Dolan, 2004). His response also suggests that he believes in some superstitions in snatching.

Like most of those accused of snatching interviewed by the researcher, Jonathan believes that it is bad luck (*malas*) to steal from a woman because she is deemed to be the weaker sex.

Enoch's (2010) theory on *moral luck*, states that offenders feel that their offense is worse when they have succeeded in committing it on someone who is deemed to be weaker. For the participants of the study, they all deem it bad luck to steal from a person who is weak.

To minimize feelings of guilt, Anton, 17, and member of the *True Brown Style Gang* said that they only steal from people who are rich. His gang is known for organized crimes of theft. Anton steals so that he can sustain his drug use. He argued that rich people can easily earn what he steals. "*Pagnanakaw ang solusyon ko para pantustos sa bisyo kong droga. Shabu, four times a week. Masarap ang walang tulog [na epekto ng shabu]. Mayayaman lang ang ninanakawan namin. Minsan, nanakawan naming ng P70,000 and isang Tsinoy. Nagsimula kaming magnakaw ng singsing o hikaw lang. Tapos, libu-libo na ang halaga. Marami kaming nananakaw. Pero minsan, nakukunsiyena ako dahil baka may pangangailangan sila. Pero sa bandang huli, iniisip ko na hindi naman nila mararamdaman ang ninakaw namin dahil mayaman sila.*" (Stealing gives me the money to sustain my vice. I feel good whenever I do not sleep when on shabu. I only rob from the rich. There was a time wherein I was able to steal Php70,000 from a Filipino-Chinese. Initially, my gang stole rings and earrings. Then, we progressed to stealing thousands of pesos. We stole a lot. But there are times when my conscience bothers me as the people I robbed may have needs. But in the end, I just think that they will not need the money I stole because they are rich.). Robbing from the rich is often justified by offenders as legitimate as they reason that they can always earn what was stolen (Farsides, 2007).

### Gang Affinity

Gangs have been linked to crimes. In the Philippines, gangs are behind crimes like kidnapping, carjacking, robbery and the drug trade. All of the CICL in the study are aware that their gangs brought them into trouble. However, they do not perceive their gang (locally termed as *tropa* or *pangkat*) negatively. Robert, 19, Bahala na Gang member, narrates "*Wala akong nakikitang masama sa tropa ko. Nagsasalusalo kami lagi kahit dito Center. Noong nasa laya pa ako, palaging may outing at inuman. Binibigyan pa nila ako ng boga (slang for cigarettes). Tumutulong sila sa akin kapag may gusto akong ligawan. Nung pinalayas ako ng mga magulang ko, sila ang kumupkop sa akin.*" (I do not see anything wrong with my gang. We eat together even if we are already here in the Center. When I was not yet in the Center, we went on outings and drinking sprees. They give me cigarettes. They help me in courtship. When I was disowned by my parents, they took care of me.) Percival, 17, fondly narrates, "*Pinapakain nila ako at binibigyan ng mga napitas nilang alahas.*" (They feed me and give me some of the jewelry that they stole). In these cases, gangs are perceived to meet their needs. In fact, all of the participants who are members of gangs admit that they love their *tropa* more than their families. For them, their *tropa* is their family.

Ricardo 17, *Original Batang Quiapo* member said "*Lagi kong kasama ang tropa sa lahat ng bagay. Tinutulungan ako sa aking problema at mas mahal ko sila kaysa sa pamilya. Di ko pinagsisisihan ang pagsali kahit na sila ang dahilan ng pagkakulong ko.*" (I am always with my gang. They help me with my problems and I love them more than my family. I do not regret joining even if they are the reason of my detention.).

John, 17, a *Sputnik Gang* member said that "*Katulad ng mga tatak (tattoo) ko sa katawan ko, nasa dugo ko na rin ang Sputnik. Walang iwanan hanggang kamatayan.*" (Like the tattoos that I have on my body, Sputnik is in my blood. I will not leave them until death). In fact, he confessed to have joined gang wars even if his life was on the line. He would carry homemade guns (*paltik*) and sharp objects such as knives and ice picks whenever his gang was engaged in riots. Other CICL accused of murder or homicide has allegedly killed a

member of the opposing fraternity. The discussion of some of the research participants can be seen in the proceeding section.

Aldrin, 16, said that, “*Sumama lang naman ako. Trip lang. Ok lang yun dahil hindi naman ako ang nagnakaw.* (I just join them. I just like it. It is just ok that I join them as I do not engage in stealing). Forney and Crutsinger’s (2001) study concluded that adolescents in gangs steal to please their friends who are doing such offenses. In the case of Aldrin, he merely wanted to give moral support to his gang mates whom he said that he accepted and treated like family. Gangs have their own culture and members of it, accept the prevailing norms on their activities (Webb, Ren, Zhao, He and Marshall, 2011).

### **On Crimes against Persons**

Male and female offenders who have committed murder have different ways of justifying their offense. The participants in the study are accused of murder because they have allegedly planned on how they would kill their victims.

Gilligan (1998) said that females have an ethic of care orientation and males adopt an ethic of justice orientation as females want to preserve relations and maintain harmony (Shumaker & Heckel, 2007). Females demonstrate care when it comes to making moral decisions whereas males are concerned with having justice served.

As discussed previously, gang members can commit murder for the sake of their group. All the male respondents felt that they were insulted by the persons that they killed. Two of the respondents committed murder because of what was announced in social media and heated arguments when they were online-gaming in a computer shop. Frederick, 18, said that, “*Kaaway ko talaga ang napatay ko. Kalaban din ng tropa ko. Masyado kaming minamaliit ng pangkat ko. Para mapatay ko siya, pinag-aralan naming mabuti ang mga galaw niya araw-araw. Sinundan namin siya nang hindi niya napapansin. Nang araw na mapatay ko siya, inabangan namin siya sa kompyuteran* (slang for computer shop). *Sinaksak ko siya ng ice pick. Natuwa ako dahil nasaktan ko ang kaaway ko. Nasaksak ko siya at napatay. Hindi na niya aapihin ang tropa ko! Pero kusa akong sumuko dahil nakunsiyensya ako. Sa aking pagsuko, hindi ko akalaing ikukulong ako.*” (The person I killed was really an enemy. He was also an enemy of my gang. He belittles us. In order to kill him, we studied his moves daily. We secretly followed him. On the day I killed him, we waited for him outside the computer shop. I stabbed him with an ice pick. He won’t insult my gang anymore! However, I surrendered to the authorities because my conscience was bothering me. As I surrendered, never did I think that I would be imprisoned.).

Similarly, Kenneth, 17, also committed murder because he felt that he got insulted and this was unjust. “*Kalaban ng barkada ko ang nasaksak ko. Nagkakapikunan kasi kami sa counter strike. Nang-aasar siya kaya inabangan namin siya. Ang iniisip ko noon, tama ang ginawa ko dahil nakaganti ako Wala akong pinagsisisihan kahit na nakulong ako.*” (I stabbed the enemy of my peer group. We were having heated arguments when we were playing counter strike. He was belittling us so we decided to plot against him. I thought that it was right to do it then. I am not regretting anything even if I got detained.). In this example, simple misunderstanding during a computer game led to a heinous offense. Kenneth reported that he felt no remorse because he believes that justice was served.

Ramil, 15, said that “*Kalaban talaga naming ang Pinoy Tikas. Nagkakaasaran kami sa Facebook. Kailangang maipagtanggol ang Commando. Sinaksak ko ang nang-aasar. Ok lang sa akin. Lagi kasi kaming inaapi. Trese pa lang ako Commando na ako at lagi akong nakakakita ng pang-aabuso sa amin ng Pinoy Tikas. Sobra na sila kaya tama lang ang masaksak ko sila.*” (The gang, Pinoy Tikas was really our enemy. We were hurling insults on

Facebook. I needed to defend my gang, Commando. I stabbed the person who was insulting us. It's fine with me. We were always insulted. I've been with Commando since I was 13 and I have always seen injustice done to us by Pinoy Tikas. They were going overboard already so I stabbed one of their members. ). When asked on what the insulting remarks were, Ramil answered that the opposing gang always said that they were no good. The opposing gang also cursed them often, causing them to retaliate and kill one of their members.

On the other hand, the only female participant in the study who is accused of murder did not think of herself being violated when she committed the offense. She told the researcher that when she was planning the offense, she thought of the young girls whose lives were destroyed because of pimping.

Christine 16, said, "*Ok lang na napatay ko ang nagbubugaw sa akin sa mga foreigners. Lagi na lang akong pinagbibili sa kanila kahit hindi ko gusto. Naisipan ko siyang patayin nang nakita kong may iba rin siyang binibiktimgang mga bata. Hindi na sana bale kung ako lang. Pinagsasaksak ko siya ng ice pick hanggang siya ay mamatay. Iniisip ko noon ay naipaghiganti ko na lahat ng nabiktima niya. Ang iniisip ko noong pinatay ko siya ay kung mabubuhay pa siya, marami siyang bibiktimahin. Puro bata ang binibiktima niya. Ayoko nang masira ang buhay ng marami pang batang babae.*"(It was fine with me to kill the person selling me to foreigners in the flesh trade. She always pimped me to foreigners even if I did not like it. I thought of killing her when I saw her pimping other young children. It would be all right if I were the only victim. I stabbed her with an ice pick until she died. I was thinking then that I have avenged all her victims. I was thinking then that if she were to live, there would be more children who would be victimized. I do not want her to destroy the lives of young girls.)

Women are said to demonstrate a more caring attitude toward moral problem solving (Walker, 1989). Christine's case demonstrates that she had a protective instinct that involves care among the younger girls. She confided that she felt that these girls were like her sisters. Women also reason out morally through contextualizing relationships that are involved in every moral issue (Keefer, 1993).

### **On Crimes against Chastity**

Though rape has been re-classified in Republic Act 8353 under crimes against persons, the Center still classifies it under Crimes against Chastity to distinguish the fact that it is a sex offense. Republic Act 8353 or the Anti-Rape Law of the Philippines defines rape as an offense done by a man who has carnal knowledge of a woman under any of the following circumstances:" a. through force, threat or intimidation; b. When the offended party is deprived of reason or otherwise unconscious; by means of fraudulent machination or grave abuse of authority and d. when the offended party is under twelve years of age or is demented..." (Philippine Congress, 1997).

The participants who are accused of rape say that being in a romantic relationship justifies them having sex with their partners. Raynar, 15, argued that, "*Nagmamahalan kami ng girlfriend ko. Kinse anyos din siya. Natural lamang sa dalawang taong nagmamahalan na may mangyari sa kanila. Ginusto rin niya ang nangyari.*"(My girlfriend and I love each other. She is also fifteen years old. It is natural for lovers to have sex. She also permitted to what happened.). Apparently, based on records, Raynar coerced his girlfriend to have sex with him, making the parents of his victim to file charges against him.

Some men are confused with sexual consent cues made by women (Workman and Freeburg, 1999). In the case of Raynar, he thinks that being in a romantic relationship legitimizes having sex with his girlfriend. Raynar reiterated that his girlfriend had sex with him because

she loved him. Some women also may not think of an offense as rape if it involved their boyfriends (Kahn, Jackson, Kully, Badger and Halvorsen, 2003).

On the other hand, Ferane, 18 and being accused of gang rape said, "*Nadawit lang ako. Nagkainuman kami at sa bahay naming nangyari. Wala ang mga magulang ko nung nangyari. Lahat kami [babae at lalaki] sa barkada ay nalasing. Hindi ko naman ginawa yung panghahalay. Sila lang. Di dapat ako makulong kahit alam kong may nangyari.*" (I was just caught because the crime happened in our house. We all got drunk when it happened. I did not rape anyone. Only my friends did it. I should not get imprisoned because of what happened.). Ferane got an arrest warrant because he permitted his friends to commit the offense while in their house.

### **On Bringing Deadly Weapons**

Gang members would usually carry home-made weapons in order to protect themselves from their rivals. The participants who were accused of this crime said that they always have to carry weapons as they are always anticipating gang wars.

Mark, 17, has been formally accused twice. For his first offense, it was frustrated homicide because he tried to stab somebody during a gang war but failed in doing so. His second offense was illegal possession of deadly weapons. He narrated, "*May balak kasi kami tirahin noon. Hindi ko pinagsisisihan ang ginawa ko kahit na mali. Minalas lang kami at nahuli. Lagi akong nagdadala ng patalim. Minalas lang talaga noong araw na iyon.*" (My gang wanted to kill somebody then. I always bring deadly weapons. We just fell in ill-fate and got caught. It was just bad luck).

Similarly, Reynaldo, 17, said "*Proteksiyon ko sa sarili ang pagdala ko ng paltik. Bumibili lang ako noon ng ice cream dahil birthday ng kapatid ko. Inipit ko yung paltik sa garter ng shorts ko. Nahulog ito pagdating ko ng tindahan. Saktong may pulis na bumibili din. Ayun, minalas. Nahuli ako. Sa kinarami-rami kong beses na nagdala ng paltik, noon lang ako nahuli.*" (Bringing a paltik, a home-made gun, serves as my protection. I was just buying ice cream for my sister when it happened. I placed my gun in my shorts. It fell when I reached the store. Incidentally, a policeman was also there and I got caught. It was bad luck for me. I have brought a gun with me for a number of times but this is the only incident when I got caught.). Mark and Reynaldo attributed their being caught by the police to bad luck. Similarly, Filipinos would charge it to destiny or bad luck whenever circumstances do not favor them (Enriquez, 1990).

### **On Drug Abuse**

Participants of the study who have cases on drugs reported to have relatives involved with drug peddling who have served as negative role models. Aldrin, 17 said that both his parents are in jail. His father is in the National Penitentiary in Muntinlupa City and his mother is in the Women's Correctional Institution in Mandaluyong City. Both his parents are accused of drug peddling.

He said, "*Nakikita kong gumamit at magbenta ng droga ang mga magulang ko. Di naman nila ako pinilit ngunit noong ako ay magbinata, naisipan kong gumamit nito. Sa katunayan, ayaw nila akong gumamit. Pero naramdaman kong masarap mag shabu. Tuloy tuloy na akong gumamit nang palihim.*" (I saw my parents use and sell drugs. They did not force me to use drugs. When I became an adolescent, I thought of using drugs. In fact, my parents did not want me to use drugs. I felt good with shabu. I continually abused drugs secretly).

Hemovich and Crano's (2009) study concludes that fathers who abuse drugs are more likely to have their daughters do the same. Youth from dysfunctional families also are more likely



to abuse drugs (Jenkins and Zunguze,1998). Children who have parents as negative role models are more likely to imitate the negative behavior presented to them (Flouri, 2004).

Elaine, 16, said that she knew that peddling drugs is wrong. However, her live-in partner engages in such act. As a supportive partner, she wanted to be of help. "*Alam kong mali ang ginagawa kong pagbenta ng droga pero gusto kong tumulong sa live-in partner ko. Nung panahong nagkahulihan, siya lang dapat ang mahuhuli. Pero alam kong ka-relasyon ko siya at pareho kami ng ginagawa kaya nagpahuli na rin ako. Ayokong may masabi siya sa akin.*"(I know that peddling drugs is wrong. However, I want to help my live-in partner. When there was a police operation, he was the only one who was supposed to get caught. But I knew that we had a relationship. Both of us did it. I also made sure that I got caught. I do not want him to say something negative about me.). Again, this claim supports Gilligan's (1988) theory on moral reasoning that females value relationships when making moral decisions.

### Feelings of Remorse

All the participants, except for some who are being accused of murder and rape, have feelings of remorse present. Those being accused of snatching and theft feel guilty of what they have committed. In fact, as discussed earlier, some of them have nightmares of their victims screaming. Ruel, 17, being accused of snatching said, "*Sana hindi ko na lang ginawa.*" (I just wish that I did not do it). He deeply regrets snatching the moment he experienced lack of freedom.

Research has shown that offenders who lack remorse are most likely to commit crimes repetitively (Fialkov, 2009). In the case of Mark, as discussed earlier, he sees the need to protect himself and this gives him the reason to bring weapons all the time. Informal dialogs with the social workers also reveal that there are some CICL who are recidivists. CICL who are recidivists commit graver offenses for the second time they are caught. Sometimes, they commit the same offense even if they become adults already and are penalized in the city jail.

### Concepts of Corrective Justice

All of the participants agree that there should be justice given as a sanction to crimes. Jose, 17 and being accused of snatching said that, "*Tama na mapagdusahan ko ang mga kasalanang ginawa ko sa laya. Minsan ko lang itong nagawa at nalaman ko ngayon na ito ay mali.*" (It is but just that I get punished for the crimes I committed. I just did it once and I know now that it is wrong). Youth offenders who are not accustomed to crime would accept punishment better than recidivists (Andrews, Zinger, Hoge, Bonta, Gendreau and Cullen, 1990).

Justo, 17, accused of robbery said that "*Alam kong masama ang ginawa ko kaya dapat akong maparusahan. Pero para sa akin, masarap sa laya. Walang DSWD. May boga, drugs. Kapag may nanakaw na kami, nakakabili na ako ng boga at drugs. Kapag nagkaroon ng pagkakataon, baka pumoga ako kahit alam kong mali kasi hinahanap ng katawan ko ang bisyo*". (I know that what I did was wrong so I should be punished. For me, I like to enjoy a normal life outside bars. There's no DSWD and I have cigarettes and drugs. Whenever I steal and have money, I can buy cigarettes and drugs. If I had the chance, I would escape even if I know it is wrong.).

### Perceptions on How Education Can Help in Avoiding Recidivism

All of the participants, except for Justo believed that education can give them a brighter future. They said that if they had more skills, they would be able to have an alternative to committing crime.

Justo said that “*Walang magagawa ang edukasyon. Basta pag nakalaya ako at wala akong makuhang trabaho hold-up.* (Gestures as if he were pointing a gun to someone) *Ang kinabukasan ko? Salvage! Tanggap ko na mapupunta ako sa city jail o sa Muntinlupa.*” (Education will not benefit me. If I had a chance to get out of the Center and I do not find a job, I will engage in hold-up again. My future? Summary execution! I accept the fact that I would land in either the city jail or the Muntinlupa penitentiary.). Based on informal reports coming from senior social workers in the center, a lot of their wards become victims of summary execution as their rival gangs would seek vengeance. Sometimes, in cases where only one gang member gets caught for a crime, the other gang members would decide to kill the person who got caught because they would think that information regarding gang behavior was reported to the authorities.

## CONCLUSIONS

Poverty conditions of the participants, pressure from gangs and feelings of injustice given by the person who was victimized were given as justification for committing crimes. Feelings of remorse were felt if they perceive that the persons victimized were physically frail but were absent to those who have committed crimes against affluent people. Male offenders would not like to victimize females because they believed that they belong to the weaker sex and that they are bothered by their conscience whenever they recall the event. Gang affinity was seen as a form of comradeship (*pakikisama*) despite the fact that gangs are engaged in theft and drugs.

The research findings support Gilligan’s (1988) differences in moral reasoning among males and females. In instances of murder for example, male participants justify their offenses by stating that it is justice to kill those who did them wrong or have hurt their ego. For female participants, murder is committed because they perceive their victims are perpetrators of crimes who would continue to do injustice to other people. Murdering them would mean an end to injustice to other people.

Participants would also attribute their being caught to bad luck (locally termed as *malas*) and not to violating the law. They think that they can continually commit offenses, provided that they do not fall in ill-fate.

Participants feel that corrective justice should only be given to those who are not poor or to those who have really committed offenses. For those accused of minor crimes, education is viewed as a mechanism for them to land better jobs in the future. For those accused of major crimes and are recidivists, they believe that engaging in crime is more profitable financially than formal schooling.

## RECOMMENDATIONS

It is recommended that CICL be taught values education through addressing higher ordered thinking skills in the area of moral reasoning. Ill-fate and not violating the law is seen as the reason behind being penalized. In this case, they should be trained on how to make socially-appropriate decisions and be taught that there are consequences to actions that violate the law. They should be educated on the value of work and engage in productive activities that would help them have sources of livelihood in order to avoid recidivism.

It is obvious that poverty propels the participants who are accused of crimes against property to violate the law. With this, skills training and jobs have to be provided for by the local government units in order to minimize this problem.

## IMPLICATIONS TO CURRICULAR PLANNING

Values education can help give direction on identifying social actions that are deemed acceptable or not acceptable. With this, a values education program that focuses on citizen's rights and responsibilities can be created for children in conflict with the law. Lessons on moral dilemmas and how decision making is done may be given in order for them to have socially and legally acceptable behavior.

## REFERENCES

- [1] Andrews, D. A. Zinger, I., Hoge, R. D., Bonta, J., Gendreau, P. & Cullen, F. T. (1990). Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology*, 28, 369-404.
- [2] Brendixen, L. D., Schraw, G. & Dunckle, M. E. (1998). Epistemic beliefs and moral reasoning. *The Journal of Psychology*, 132(2), 187-200.
- [3] Brugman, D. & Alev, E. (2004). *Developmental Delay or Regression in Moral Reasoning by Juvenile Delinquents?* *Journal of Moral Education*, 33(3), 321-338.
- [4] Brusten, Catherine, Stams, Geert, J. & Gibbs, John (2010). Missing the Mark . *British Journal of Developmental Psychology*, 26(2), 185-189.
- [5] Cabilao, F. (2004). *DSWD Programmes and Services for Children and Youth*. Quezon City: Department of Social Welfare and Development.
- [6] Diver-Stamnes, A. C. & Thomas, R. M. (1995). *Prevent, Repent, Reform, Revenge: A Study in Adolescent Moral Development*. Connecticut: Greenwood Press.
- [7] Dolan, M. (2004). Psychopathic personality in young people. *Advances in Psychiatric Treatment*, 10, 466-473.
- [8] Enoch, D. (2010). Moral luck and the law. *Philosophy Compass*. doi:10.1111/j.1747-9991.2009.00265.
- [9] Enriquez, V. (1990). *Indigenous Psychology*. Quezon City: Philippine Psychology Research Training House.
- [10] Farsides, T. (2007). The psychology of altruism. *The psychologist*, 20, 474-477.
- [11] Fialkov, M. (2009). Treating the Juvenile Offender. *Journal of American Academy Psychiatry Law*, 37(4), 557-577.
- [12] Forney, J. & Crutsinger, C. (2001). Juvenile delinquents' perceptions of shoplifting motives. *Journal of Family and Consumer Sciences*, 93(10), 31-35.
- [13] Flouri, E. Correlates of parents' involvement with their adolescent children in restructured and biological two-parent families: The role of child characteristics. *International Journal of Behavioral Development*, 28(2), 148-156.
- [14] Gert, B.(1998). *Morality:Its nature and justification*, NewYork:Oxford University Pres
- [15] Grusec, J. E. & Goodnow, J. J. (1994). Impact of parental discipline methods on the child's internalization of values: A reconceptualization of current points of view. *Developmental Psychology*, 30, 4-19.
- [16] Hauser, M. D. (2005). *Moral minds: how nature designed our universal sense of right and wrong*, New York: Harper Collins.
- [17] Jenkins, J. & Zunguze, S. (1998). The Relationship of Family Structure to Adolescent Drug Use, Peer Affiliation and Perception of Peer Acceptance of Drug Use. *Adolescence*. 33. Retrieved from [http://findarticles.com/p/articles/mi\\_m2248/is\\_132\\_33/ai\\_53870297/pg\\_6/?tag=content;coll](http://findarticles.com/p/articles/mi_m2248/is_132_33/ai_53870297/pg_6/?tag=content;coll)
- [18] Hemovich, V. & Crano, W. E. (2009). Family Structure and Adolescent Drug Use: An Exploration of Single-Parent Families. *Substance Use and Misuse*, 44(14), 2099-13.

- [19] Kahn, A., Jackson, J., Kully, C., Badger, K. and Halvorsen, J. (2003). Calling it rape: differences in experiences of women who do or do not label their sexual assault as rape. *Psychology of Women Quarterly*, 27(3), 233-243.
- [20] Keefer, M. W. (1993). Gilligan's Moral Orientation Hypothesis: Strategies of Justification and Practical Deliberation. Paper presented at the *Annual Meeting of the Society of Research on Child Development, March 25, 1993*. Retrieved on December 07, 2011, from <http://www.eric.ed.gov/PDFS/ED357236.pdf>
- [21] Kohlberg, L. & Colby, A. (1987). *The Measurement of Moral Judgment* (Vol. I). New York: Cambridge University Press.
- [22] Kruger, A. C. (1992). The effect of peer and adult-child transactive discussions on moral reasoning. *Merrill-Palmer Quarterly*, 38, 191-211.
- [23] Ngale, Ilongo Fritz (2009). Family Structure and Juvenile Delinquency: Correctional Centre Betamba, Centre Province of Cameroon. *Internet Journal of Criminology*. Retrieved on February 23, 2011, from [www.internetjournalofcriminology.com/Ngale Family Structure and Juvenile Delinquency.pdf](http://www.internetjournalofcriminology.com/Ngale%20Family%20Structure%20and%20Juvenile%20Delinquency.pdf)
- [24] Nado, J., Kelly, D. & Stich, S. (2006). Moral Judgment. *Routledge Companion to the Philosophy of Psychology*. Boston: Routledge.
- [25] Philippine Congress. (1997). Republic Act 8353. Anti-Rape Law of 1997. Retrieved on December 7, 2011, from <http://www.chanrobles.com/republicactno8353.htm>
- [26] Santrock, J. (1998). *Psychology*. Ohio: Mc Graw-Hill.
- [27] Shumaker, D. M. & Heckel, R. V. (2007). *Kids of Character*. Connecticut: Praeger.
- [28] Taylor, Elizabeth, Kelly, Janet, Velasco, S. & Reynolds, S. (2001) Is stealing a gateway crime? *Community Mental Health Journal*, 37(4), 34-359.
- [29] Turiel, E. (1994). Morality, authoritarianism, and personal agency in cultural contexts. In R. J. Sternberg & P. Ruzgis (Eds.), *Personality and intelligence* (pp. 271-302). Cambridge, England: Cambridge University Press.
- [30] Van Ljzendoorn, M. & Zwart-Woudstra, H. (1995). Adolescents' attachment representations and moral reasoning. *Journal of Genetic Psychology*, 156, 359-372.
- [31] Workman, J. & Freeburg, E. (1999). An examination of date rape, victim dress and perceiver variables within the context of attribution theory. *Sex Roles: A journal of research*. Retrieved from <http://business.highbeam.com/435388/article-1G1-57786728/examination-date-rape-victim-dress-and-perceiver-variables> .
- [32] Walker, L. (1989). A longitudinal study of moral reasoning. *Child Development*, 60, 157-166.
- [33] Webb, Vincent, Ren, Ling, Zhao, Jihong, He, N. & Marshall, Ineke, H. (2011). A comparative study of youth gangs in China and the United States Definition, Offending and Victimization. *International Criminal Justice Review*. doi:10.1177/1057567711418825.