

Morality and Homicide among Young Killers¹

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A moralidade entre jovens condenados por homicídio é abordada por meio de equilíbrio ou polaridade, quando o autoempoderamento se torna central para o relato. Os sentimentos são analisados como uma fonte de fundamentos plausíveis para o agir, embora não necessariamente adequados ou legítimos de acordo com um código de comportamento convencional. O medo, em um sentido de desespero e ameaça, e a raiva, ligada ao poder e à excitação, foram recorrentes. Percepções de autoengrandecimento e de polaridade em vez de equilíbrio, sem menosprezo da vítima ou de apresentá-la como desonesta, revelaram uma tendência. O castigo estava frequentemente ligado à privação de contatos com a família, sugerindo a relevância social dos familiares, particularmente das mulheres, nos homicídios e nos relatos. Em **Moralidade e homicídio entre jovens assassinos** uma nova abordagem é sugerida, a fim de avaliar as alegações morais em homicídios por jovens, dirigidas a audiências alternativas para além do sistema de justiça criminal.

Palavras-chave: violência, relatos, jovens, narrativas, apresentação de si

Morality among juveniles convicted of homicide is approached through balance or polarity, while self-empowerment becomes central for accounts. Feelings are analyzed as a source of plausible grounds for acting, though not necessarily suited to or legitimate according to a conventional code of behavior. Fear, in a sense of despair and menace, and rage, connected to power and excitement, were recurrent. Perceptions of self-enhancement and polarity rather than balance, without belittling the victim or presenting her as disreputable, marked a trend. Punishment was often linked to deprivation of contacts with family, suggesting social relevance of relatives, particularly women, in killings and accounts. A novel approach is suggested for assessing moral claims in homicides by juveniles, addressed to alternative audiences beyond the criminal justice system.

Keywords: violence, accounts, juveniles, narratives, self-presentation

Crime and morality: from predicting to accounting for wrong-doing

Violence among youngsters, particularly from lower classes, has usually been linked in criminology to personality development associated with family and educational failures, resulting in selfishness among subjects usually described as short-term oriented, territorial, gregarious, motivated by pleasure rather than profit and little concerned about consequences of their behavior (BIRKBECK, 2006; GABALDÓN and SERRANO, 2001; REISS and ROTH, 1993; GOTTFREDSON and HIRSCHI, 1990). Some scholars think severe deprivation is a predictor of juvenile violent behavior (ZUBILLAGA, 2007, pp. 585-586), assuming the rise of negative affects following frustration and anger (AGNEW, 1995, p. 383). Claiming territories as real or symbolic spaces for domination has been suggested to be associated as well to such a behavior (PEREA, 2003; see KATZ, 1988, Chap. 4). These views

seem to be rooted in a criminological tradition of juvenile alternative codes (WILKINSON and FAGAN, 2001), well developed by subcultural approaches in the fifties and sixties of the last century (COHEN, 1981; CLOWARD and OHLIN, 1996; WOLFGANG and FERRACUTI, 1967). Framing behavior within a code assumes a judgment about what is convenient or appropriate when facing a broader audience. This was anticipated in 1939 by *differential association* theory: learning and reproducing crime would happen *within intimate personal groups*, and would include *direction of motives, drives, rationalization and attitudes* (SUTHERLAND, 1995, p. 160). Criminological approaches, either with respect to juveniles or adults, remained anchored, until the end of the 1960s, in the assumption that crime and violence implied behavior against moral rules widely shared in society, which would have to be suspended or neutralized before engaging in criminal acts (SYKES and MATZA, 1957). Nevertheless, with the development of the labeling approach (BECKER, 1988; LEMERT, 1996), dramaturgy and stigma (GOFFMAN, 1970) and accounts (LYMAN and SCOTT, 1968), an emerging approach on negotiation of identities among different audiences questioned the idea of a uniform, shared and widespread moral environment against which most deviant or criminal acts could be evaluated and judged. Nonetheless, recent perspectives such as the situational action theory still consider a kind of uniform morality as a yardstick to predict both deliberate and routine criminal activity, even if the content, measurement and diversity of moral rules are a matter of persisting dispute (RODRÍGUEZ and BIRKBECK, 2017).

In the case of homicide, morality has been mostly approached through the attributes and social relevance of the victims, which would contribute to risk exposure and intensity of victimization itself (cf. BLACK, 2011; KATZ, 1988) or would elicit a demonstration of the degree of morality implied in aggression (BIRKBECK and GABALDÓN, 2001), a question first incorporated into the situational approach to crime through the idea of supporting parties (FELSON, 1993). Among approaches emphasizing violent intercourse between victim and victimizer, moral focus has been centered on challenged identities in terms of superiority or inferiority (ATHENS, 2005; LUCKENBILL, 1977). Moreover, lately it has been suggested that homicide could be assessed as a heroic act, praising survivorship as a basis for an identity with a heavy moral load, enhancing the status of the killer (SEPÚLVEDA and ANTILLANO, 2020).

Recent approaches to morality among juveniles address dimensions beyond cognitive judgments, thus expanding the traditional view of moral development as an increase of abstract reasoning; in this sense, the affective dimension, related to feelings including sympathy and sharing, becomes important. It has been argued that emotions such as guilt, shame and empathy can arise in a situation without a moral reasoning process (FEILHAUER *et al.*, 2013, p. 711). Speaking about arousal states dominated by anger, some argue for a distinction between cool,

largely cognitive, and hot, basically an affective mode, which would evaluate information in a more intuitive way, largely unresponsive to outcomes and probabilities, then, separated from calculation (VAN GELDER and DE VRIES, 2014, p. 4). Recent research on the path of cognitive development of morality has pointed out that prosocial behavior among adolescents could be more related to social self- efficacy than to moral judgment and moral identity (PATRIK *et al.*, 2018). At any rate, morality is generally assumed to be a universally shared set of rules regarding perceived correctness of social behavior, honesty, and trustworthiness (CROCETTI *et al.*, 2019, p. 1010), related to institutions such as marriage, fidelity, parenthood, and family (PIZARRO *et al.*, 2019, p. 621), within the framework of the calculation of utility or value of actions, either for oneself, other individuals, and/or society, while avoiding harm to others should be considered a universal principle (YU *et al.*, 2019, p. 412). This universalism seems to spring from a Kantian perspective. In fact, KANT (2003, pp. 56, 77) attempted to explain human behavior as acts engaged with will, autonomy and liberty where only modalities of actions, maxims for will and the person itself, could qualify as good or bad; duty and obligation would be the exclusive designations for consequences of a moral command. This perspective became the basis for imputing juridical responsibility in modern times and impacted on possessive individualism, market economy and individual atomization, which is echoed by the utilitarian approaches developed afterwards. As will be explained later, this is not the only way in which morality was conceived by philosophy in the western world². In the following section, I intend to discuss how the philosophical discussion of morality has evolved along two axes, i.e. balance of interests and expression of self-empowerment. This fluctuation can be the basis or a primary typology for assessing the moral framework of behavior, including extreme violent episodes. This approach suggests that morality cannot be reduced to a uniform code, while either containment and balance, on the one hand, or self-affirmation and power of will, on the other, can claim to be alternative moral frames for proposing and sustaining discourses about and accounts of human behavior. Subsequently, I will try to apply such a distinction to explain young homicides' accounts of killings and perspectives for understanding morality in a broader framework of situational violence in the context of multiple and alternative social audiences.

Morality in philosophical discourse: between moderation and self-fulfillment

Morality is usually considered as a set of rules claiming general validity and aiming to guide human social behavior, by defining adequacy of individual actions to group expectations. In the following, I attempt to summarize the evolution of this concept within occidental culture

originating in Greek and Roman tradition, incorporated into European ideas and then extended to many other regions. These moral discourses have been incorporated into juridical, political, and economic institutions, and within the process of recent globalization, they claim to have a universal scope, despite the fact that cultural traditions and ways of life in other parts of the world still compete to make alternative, complementary or even antagonistic claims for morality (see BRICEÑO GUERRERO, 1980; CARRINGTON *et al.*, 2016; COYLE and SCOTT, 2021). Even if morality might vary according to different groups and audiences engaged in social interaction, its relevance in human behavior is inescapable, since actors who are able to know, to decide and to refuse to let others take over the responsibility for their behavior are part of a moral phenomenon (GADAMER, 1981, p. 279).

In Classical Greece morals had to do with conventionality, implying self-restraint for coexistence with others. Aristotle, in his *Grand Moral* (1966a, p. 518) distinguished between what would concern rational attributes of the soul, such as prudence, sagacity, wisdom and memory, from moral virtues, which would be the means for counteracting impulses. In the *Nicomachean Ethics* (ARISTOTLE, 1966c, pp. 255, 277), he stated that morality was a part of habits and customs, so no virtue was given by circumstances of birth; habits associated with moral proclivity would be reflective, depending on will and preference, thus a deliberate outcome, since we can only deliberate about things that are under our mastery. In the *Eudemian Ethics* (*Idem*, 1966b, p. 631) he summarized moral virtue as the whole of means dealing with the pleasures and pains every human being is subjected to in order to reach some kind of apathy as a moderating force against extreme sensations. This sensitive feature, not particularly visible among sociological or juridical approaches, puts in evidence two important elements rooted in the concept of morals: their conventional and disputable nature and their intentional and deliberative condition, rather than an unavoidable constraint. Aristotelian perspective follows a path through the axis pleasure/pain in which morality becomes a criterion to reach a middle point necessary for participating in and establishing relationships in life.

Surprising as it might appear, one of the most recent theoretical approaches towards morality bears on this same sense of equilibrium, even if severed from psychological overtones. For Black (2011), social space is given by distances between persons or groups according to the degrees of intimacy, inequality and diversity; any fluctuation within these dimensions implies a movement in social time, producing clashes of right and wrong and conflicts which, representing themselves further movements of social time, become moral time (*Ibid.*, p. 4). Morality would forbid the movement of social time, because the fundamental norm is to preserve the shape of social space (*Ibid.*, p. 11). Virtue is conceived as the best preservation of such a shape and the minimization of movements in social time: *Virtuous people do not get too*

close to those who are distant or too far from those who are close (Ibid., pp. 11, 15). Though morality would have to do with the maintenance of the proximity that should be prudent, acceptable and convenient, its most extensive domain is that of the cultural dimension, and patterns of overdiversity and underdiversity are sources of conflict. This is what Black calls expressiveness of social life: such movements would have different degrees from minor discrepancies in customs and uses to fundamental divergences related to religion and greater beliefs (*Ibid.*, p. 101). Conflicts can be of different proportions along the continuum tradition/innovation, showing a variety of reactions and intolerance in matters as ethnicity, identity, religion, art, science, insanity, primitivism, gender, conservatism and fashion. Blackian perspective approaches morality through the axis closeness/distance, where what is considered as appropriate and convenient, even if variable across places and stages in social evolution, is dependent on a proper distance in the relationship with others.

Within the development of the national modern state, morality became close to the empowerment of the individual in a political community where central power could put at risk any divergence. In Spinoza's *Ethics*, morality is related to liberty, personal development and predictable behavior, where the state would have reached the monopoly of the force allowing for development of the full potential of the individual, favoring his interests. Acting would mean to produce something, inside or outside us, in a clear and distinct way, while affections would foster or impair the potency for acting; thus more adequate ideas would produce more acting, while less adequate ideas would lead to submission (SPINOZA, 1980, pp. 85-87). Affections are related to desire, joy and sadness, and for acting only desire and joy are positive moving forces (*Ibid.*, pp. 114- 115). Human beings might be drawn to act due to any affection, but joy is an advance to a more perfect state, which so-called good acts produce, while sadness implies a fall into a less perfect state, following so-called bad acts. Since education and parental influence determine approval or disapproval of different actions, everyone is repentant or exultant of an action according the education he/she has received (*Ibid.*, 1980, pp.116-120). This theory anticipates a psychology of morals based on reinforcement of mind states, minimizing the power of rules as an external constraint. The key to collective fulfillment would be the way in which individuals would aim to satisfy both utility and desire because guided by reason they will not desire anything different from what other individuals would not desire for themselves (*Ibid.*, pp. 135-136). Fostering joy and avoiding sadness, rather than acquiring goods, would be the compelling force for human behavior.

Nietzsche, in his *Genealogy of Morals*, viewed morality as a weakness rather than a virtue. His criticism was focused on the moral denial of power and vitalism as essential forces for real life (NIETZSCHE, 2010, p. 24). Being authentic establishes its own power,

only limited by the capability to make a promise, a rare liberty sprung by conscience (*Ibid.*, pp. 32-33). Damage and pain are mediated by guilt, a remembrance of a debt owed by the debtor to a creditor. This is the price for living under protection and being safe, without worrying about damage and hostility (*Ibid.*, p. 42). Gregariousness would be a way of compensating for a depressive state induced by a bad conscience or moral guilt, something absent among stronger people, who tend to separate from each other and to be uncomfortable within organizations (*Ibid.*, p. 95). Morality would be a feebleness, dominating people when remembering a debt and pushing them to associate with others to compensate for their weakness. An individual's performance is grasped through the axis strength/weakness, being morality a social constraint aiming to destroy individuality and the will for power.

It is possible to divide these main approaches toward morality in western culture into two general categories: one category emphasizes balance (Aristotle, Black), while the other emphasizes polarity (Spinoza, Nietzsche). Balance suggests a central optimum which would mean relief between extremes, either the Aristotelian middle term or the Blackian prudent degree of intimacy, inequality and diversity. Polarity suggests a shift towards one of the opposite sides, either to reinforce what is convenient, i.e. acting in Spinoza, or diminishing the will of power in Nietzsche. This dichotomy balance/polarity may be useful for interpreting the orientation of morality among individuals as a result of an extreme event, such as homicide, in which the most valuable asset of a human being is at the stake. This is a novel approach for approaching morality related to one of the most serious crimes, if not for predicting, for accounting, since narratives have the purpose to explain consequences for an untoward event regarding different audiences (LYMAN and SCOTT, 1968). Moral reasoning and attitudes have been usually approached through hypothetical vignettes and standardized scales applied mostly to convenience samples of infants or youngsters within educational environments, scarcely related to serious cases of crime and deviance (see PATRICK *et al.*, 2018; PATRIK and GIBBS, 2012; BARRIGA *et al.*, 2009). While some research based on narratives has contributed to identify stages, escalation and consolidation of violence, both in and out of the family (ATHENS, 1992), morality has not been a central issue. This new proposal can provide deeper knowledge on violent behaviors to be explained to audiences capable of evaluating and producing consequences for those who indulge in them, whether the audiences are related or not to the criminal justice system, a contribution to expand and to contrast primary concepts from outstanding moral thinkers in the context of situated experiences from highly deviant actors.

Setting and method

Data for this study come from 18 interviews carried out with juveniles sentenced for homicide in North Central Venezuela between 2017 and 2018. As a part of a broader research on situational properties of violent victimization (GABALDÓN, 2018), the general purpose was to approach the situational dynamic and the moral dimension of homicide through a semi-structured interview, which addresses both the episode, as freely described by its author, and the conditions contributing to or mediating the event. Perceptions on criminal procedures, adjudication, punishment or restitution as consequences for killing were also explored during the interviews. We had previous access to the files of the Public Prosecution indictments to be able to summarize the facts and legal qualifications of each case. We selected a convenience sample of 18 convicted killers, 14 to 17 years old, who were serving custodial sentences, three of them at a Police Detention Center in Caraballeda, Vargas State, and fifteen at a Juvenile Detention Center in Los Teques, Miranda State, Venezuela. This sample does not represent the universe of juvenile killers in Venezuela, both because they come exclusively from the highly urbanized north central part of the country and because homicide cases beyond the reach of the criminal justice system are overwhelmingly high³. Results from this study should be considered, thus, as a first attempt to assess young killers' evaluation of the situations leading to the homicide and their feelings about the most serious crime for which they can be prosecuted.

According to the Organic Protection of Children and Adolescents Act (VENEZUELA, 2015), minors from 14 to 18 years old are subjected to a special criminal responsibility regime in which sentences for homicide can carry detention from 6 to 10 years in alternative or consecutive terms, with community work, rules of behavior and surveillance under parole (articles 624, 625, 626 and 628). In case of plea bargaining and full acceptance of the charges, the sentence is reduced by a third to a half (article 583). In our sample, sixteen adolescents had opted for plea bargaining and had been given a mean sentence of four years of detention plus two years of any or a combination of the alternative measures. Only two of them went to trial and got cumulative sentences between seven and ten years. The young people serving sentences were approached through the Public Attorney's Office for Family Protection and were willing to speak with us, on a confidentiality basis with the assurance that nothing mentioned in the interview would jeopardize their legal situation. They were also offered a university certificate of participation. Interviews lasted for an about one hour and were recorded and later transcribed with a pseudonym substituting the interviewee's name. The transcriptions were not edited and maintained the colloquial and spontaneous language of the interviewees.

The interviews were carried out from August 8 to September 5, 2019, at Los Teques Juvenile Detention Center and on September 19, 2019, at the Caraballeda Police Detention Center, by the author and his research assistant. Each conversation starts with comments about activities at the detention center, then goes on to a free account of the event which was the grounds for prosecution of the juvenile. The account includes the situational context of the event, purpose and means, circumstances and consequences from the homicide, to end with comments on the criminal process from its inception upon arrest by the police until sentencing by a judge. Sixteen out of eighteen cases were consummated homicides, while two of them were attempted homicides, resulting in injuries. Sixteen youngsters were male and two female. Half of the youngsters denied being authors of the homicide for which they were sentenced, though most of them acknowledged being present at the time and, in some cases, providing help or support. Among those who accepted being killers, two of them denied authorship in the cases for which they were prosecuted, but acknowledged having killed other people. The following analysis is focused on the accounts and reasoning of those who acknowledged being killers, since denying authorship does not allow the review of reasons, motives and explanations for the killings, as a personal account. At the end of the analysis, a brief recapitulation of the accounts of those not acknowledging themselves as killers is incorporated in the framework of perceptions related to penal prosecution and its context. Homicide, thus, is the focus and purpose of the analysis, as the ultimate and most serious act, either because it was consummated or, at least, because it was attempted with intentionality, which, at the same time, absorbs robbery or stealing, as in some cases could be assessed.

Situation and consequences

This section mostly bears on the questions: *tell us what happened* and *what do you think you win or lose with what happened*, although other segments from the conversation are used as well. Seven out of nine killers briefly described the situations of the homicides for which they were sentenced when asked to report what happened the day of the deed by the interviewer. These are the summaries of what they told us:

Karateca killed the victim during a burglary once the victim identified him inside the home. He and a mate got a tip from a friend about goods at the home of the latter's stepmother. They entered early in the morning hoping to find her asleep and gathered money, jewelry and mobile phones; a ring from a washing machine awoke the woman who, seeing them in the act, cried out

she knew who they were and would go after them, while cursing. The killer went to the kitchen, grabbed a knife and stabbed her 33 times in the neck.

Cantante, after several events involving misappropriation of goods and money from his home, killed a common-law brother by shooting the victim five times. He reported that the victim had aimed a gun at him some days before; thus, he decided to pick up a revolver, and following another encounter, when the victim pulled on his elbow to show dominance and superiority, he shot him dead.

Emproblemado said he had been with friends at a party where four other guys with guns began provoking and defying rivals. He mentioned previous arguments and acts of aggression from these guys who lived in another area of the slum. After exiting the party, two of the rivals followed a friend, who argued with them; when one of them pulled a gun, Emproblemado shot him twice and the other confederate four times.

Barbero said he had been in a severe argument with a former childhood friend who was a couple of years older, over misappropriation of money and theft, when the older guy menaced him with death, unless he abandoned the slum. After begging for himself and for his little daughter, since they would not have any place else to go, and receiving further disrespect and insults, he stabbed the guy at the neck several times.

Impulsiva, who was prosecuted for attempted homicide, said she had encountered, while walking with her sister, an older neighbor woman with whom they had had quarrels previously due to gossip and grievances. When insulted by the neighbor, she said she had lost her temper and attacked the woman with broken glass she had found nearby (according to the prosecution, a machete and an axe were involved) and had cut her in the face.

Balines said he had been at a picnic near a river with several mates, consuming drugs, when a presumably fight started between one of them and the victim, a child 12 years old who was invited (or induced) to attend. The leader of the group grabbed the child and strangled him with a cloth, while Balines helped to grab the victim by the feet, after which they threw him into the river, where he drowned.

Dateado, prosecuted for attempted homicide, said he had entered a home to burglarize it and was confronted by the owner, a middle-aged woman. After commanding her to remain seated and stay calm while he took jewelry and other goods, the woman resisted and grabbed him. Then he took a knife (which according to him was on a table nearby) and stabbed her several times in the neck.

Two of the adolescents, while denying being agents or participants in the homicides for which they were prosecuted, spoke about other homicides that they had committed. Cripy spoke about three homicides never prosecuted. The first one happened in the course of a robbery of an

off-duty police officer in an attempt to take his gun: when the latter opposed and tried to disarm the attacker, Cripny shot him in the face. The second occurred after the robbery of a truck with other confederates, when the driver, a public employee, was taken to a garbage dump and shot many times with fatal results. On the third occasion, he was with another mate, and the victim was an older and for some time hostile guy who attempted to hit him and his mate; this time the victim was stabbed in the neck. Conuquero described two homicides, neither of them prosecuted, although he admitted to having killed “at least ten times”. The first one he committed together with relatives and confederates by beating and stabbing a peasant worker who allegedly dismantled and sold parts of a motor vehicle they had appropriated and hidden in a lonely suburban area. In the second, he shot a guy who, allegedly, had spoken about killing him and his brother. Though in these cases we cannot take as proven the homicides, the interviewees (both of them are convicted of homicide) spoke fluently and in a frank way about violence and death, so we decided to include their reasoning and verbalizations as part of the corpus for assessing consequences, feelings, justice, punishment and repair regarding this crime.

Consequences from homicide go beyond the most obvious, legal deprivation of liberty. Other effects came out from comments on sentencing. Among the most frequently mentioned was the loss or severe impairment of family rapport. All the killers mentioned dismay due to physical restraint, loneliness and emotional distance from close relatives, particularly mothers, daughters and sisters, i.e., feminine personages, as the worst thing they experienced as collateral damage for their crimes. Cantante explained the harshness of being separated from and not seeing his little daughter; Cripny mentioned having lost time with his family; Emproblegado spoke about the suffering of his mother as a consequence of the homicide; Barbero claimed to have lost his family and expressed regret at not being able to see his little daughter growing older; Conuquero stressed the suffering of his family; Impulsiva regretted being distanced from her family and the *broken hearts* she produced with her crime; Balines was frustrated because of rarely or never seeing his family; and Dateado said he suffered because he could not be close to his family. Karateca, despite having mentioned he lost his family, commented as a gain that after the crime his mother became more tolerant and closer to him. With respect to support, material contributions and affective closeness, fathers were almost always absent from these accounts and seldom were they recognized as a guiding or providing figure. These complementary accounts put in evidence the relevance of family ties, particularly through feminine personages, in the experience of young homicides, and will be discussed later when considering audiences for the relevant accounts.

Other consequences had to do with what these adolescent killers perceived to be some personal improvement after the killing. Cantante mentioned as a gain to have reached intelligence and knowledge, adding that his taste in music was enhanced afterwards. Cripny

spoke about reflection, repentance and study, as positive consequences from being jailed. Emproblemado mentioned having learnt that it is better to avoid problems and exercise self-control than to confront, coinciding with Conuquero who stated: *I will never go back to such a slum*. Impulsiva mentioned to have reflected on and controlled her impulses, acknowledging that being sentenced was the best because otherwise she probably would have gone back and hurt the victim again. This is the only case when a direct positive effect of the sentence was recognized. Balines said to had learnt the value of work and helping the family, which he would endeavor to do once free. And Dateado said he had realized that the damage was to himself, because punishment and separation from society was suffered by him, not by others.

Feelings⁴ when killing

This section mostly concerns the interviewees responses to the questions of *what emotions did you experience during and after the event*, and whether *the victim deserved to die*, although other segments from the conversation are incorporated. I use the term *feeling* as a comprehensive category for perceptions about their mind states at the moment of killing, which imply a moral argument, i.e. something that can be addressed to and understood *by others*, even if not approved, as a reason for acting in such a way. In this sense, morality implies explanations to be communicated and sustained, despite the fact that they are not accepted by some audiences, in particular by formal social control agents like police officers, prosecutors and judges. This is an alternate, even broader, way for assessing morality, compared to one concentrated on justifications and excuses, one that can represent a way for restating an identity before an audience and, certainly, can contribute to a clarification of deviance as considered in an interactional framework, as has been suggested by Lyman and Scott (1968, pp. 47, 62). Morality assessed through *feelings* means that an alter, either a mate, a friend, a relative and even a listener like the interviewer, is able to hear and to share grounds that are *plausible* though not necessarily *good, reasonable or legitimate* according to a code of behavior. In fact, in some cases these killers accepted punishment for their wrongs, single or cumulative, even when their sentences did not match the case for which they were prosecuted. Morality, then, has to do with statements about a *practical decision* (see Aristotle, Kant, above) which is enriched and qualified within a vivid experience rather than dealing with an abstract reasoning. It has to do, thus, with a post factum account instead of an imperative related to practical questions.

Two main feelings emerged through the comments during the interviews. One was fear, related to a sense of despair and menace, which is associated with defense, protection of integrity

and reduction or resolution of a direct threat and further danger, not exclusively at the moment of the action but in a near and predictable future. The other was rage, related to a sense of power, excitement, physical arousal, adrenaline and rush, directed to react to frustrations, to enhance self-prestige or to curtail humiliation, which can emerge at the moment or as a consequence of cumulative misfits, due to a chain of previous and reiterative fights, deprecations, aggressions or antagonism. While fear could be related to instrumental behavior, in order to gain protection and safety, and rage to expressive behavior, in order to affirm identity, there is not a clear-cut separation between them, since defensive acts could respond to cumulative attacks, and rage and rush can join and mix with defense. These were the feelings related by the males in the sample. The only female in this sample emphasized the main feeling as to have become *blind from rage...* as for *when I got blind I do not recall* (4), which is not the case among the males, who stated more controlled emotions despite the rush surrounding the event. Revenge, which is a usual motive mentioned by both social control agents and scholars for explaining violence (see RIEDER, 1984, p. 133), can be related both to fear and preventive defense when it is viewed as a triggering motive for responding to previous aggressions in a way to curtail the reiteration (see GABALDÓN, 2020), as well as to rage when it is perceived as the culmination of a no longer tolerable humiliating behavior.

With respect to these two main types of feelings, killers qualified their responses according to the type of the original offence (i.e. homicide following robbery or homicide as the main purpose) and the circumstances related to the gender, closeness to or acquaintance with the victim. Nevertheless, these qualifications do not allow the prediction of specific motives according to the type of crime and the victim. For example, Karateca mentioned having perceived a risk of being accused if the victim of the robbery, a middle-aged woman, had regained consciousness after being made temporarily unconscious by a blow. Thus he decided to kill her with a knife, mentioning having been “extremely nervous” (8–9). This means that a threat is not only perceived as one implying overcoming physical resistance, but also one emerging from a possible surviving witness. Cripy, speaking about his first homicide while robbing the police officer, mentioned being “attacked” by him, which is why he decided to shoot (20–21). However, during a second robbery, once the driver was physically unable to resist and after praying for his life, Cripy decided to let him speak, then shot him fifteen times (the driver was a government officer). Cripy declared that he had felt like a “super hero”, the “owner of the world” and “the best of all of them” (24–25), which shows the killing was not carried out only to eliminate a possible menacing witness but executed in a moment of rush and excitement. It should be noted that menace and risk could be overestimated during the execution of a robbery. Dateado, after the victim of his breaking and entering rose up from the chair where he had

commanded her to stay, affirmed that she could have killed him because he did not know what her intentions were, and he stabbed her because he was desperate to get rid of her (7–8).

Power is echoed in cases when the relationship between the killer and the victim is an unbalanced one in favor of the latter, and the former achieves through the act of killing some sort of equilibrium. Cantante mentioned both the emotions of fear of a threat to his life and of humiliation due to the arrogance of the victim:

— (...) full of impulse, rage, difficult to explain, because I felt fear but rage as well because, being on the street, if he crossed my path I had to go away (7)... with the gun I felt power as well, and when he came again I thought: "if not now, never", because he would persist in menacing me until I got pissed off and then he would really have killed me (12).

A mixture of defense, rage and even loss of control is expressed by other killers, showing a combination of sensations. Emproblegado said he killed because the other guy wanted to kill him, and *if not that one, then another would, as life is like a great chess game*, but killing is not a calm act, but one spurting from rage and emotion: *blood was rushing through my body, I felt very fast, thinking... mind became blind* (15–18). Barbero, on the other hand, said: *we started an argument, he was shouting, talking a lot of bullshit and I acted... don't know how many times, ... and hit, hit at him until I became again reasonable, and then ran away* (5–6).

The perception of threat can come from coalition or belonging to a group, like a kind of collective turf. Conuquero, speaking about his second homicide, recognized that he had been *troubled because we were with them (our pals) and they (the rivals) said: those which stand with them, we should kill them as well* (13–15).

One could say that from these accounts, fear is mostly related to a cumulative state of overwhelming submission and acting would gain respect and recognition. This seems to be the case in homicides with homogeneity as regards age, gender and social condition between victims and killers. In the cases of robbery, fear was mostly associated with perceived negative consequences following the property attack, such as further prosecution and being prevented from fleeing the scene, and only exceptionally due to an immediate threat to the life of the agent. Rage, when clearly mentioned by interviewees, was mostly related to empowerment and overcoming an actual situation where submission and humiliation were overt and immediate. As primary feelings for solving and exiting from specific situations, both fear and rage relate to self-achievement rather than to a balance of interests. Since these feelings express a subjective state proposing an explanation for the aggressive act, they carry a moral significance. In this sense, a moral perspective centered more on *self-empowerment* than on *balancing interests* seems more akin to reasons given for killing. Homicides seemed not to be planned, but arose

from emotions and conditions, either between people who were acquainted or not, male or female, closer or more distant, in which the basic motivation proposed by killers to evaluate their behavior was deployment and affirmation of power.

Justice, punishment and repair

This section mostly focuses upon comments regarding the questions *do you think what happened was fair or correct*, and *when remembering, what do you think about more: punishment or repair*, although other segments from the conversation are used as well.

All but one of the killers considered the killing unjust or unfair. Only Conuquero stated without hesitation that his victim deserved to die because otherwise he himself would have been killed. Emproblemado came close, when stating that while he should not be allowed to kill anyone, it was necessary because the guys whom he killed would otherwise have tried to kill him. Other situations involving face-to-face attacks amongst confederates or partners elicited more or less explicit rejections: Cantante repeated the reason that Emproblemado gave regarding not being allowed to kill, despite his frustration at being overcome and abused by his older common-law brother and recognized the power of judges to sentence him for this crime in order to control further killing. Cripny, speaking about the homicide of the truck driver said the man did not deserve to die *because he had family and he was a human being*, adding that punishment, substantiated by real proofs, is adequate and just. Barbero said he shouldn't have acted as he did, and even Balines, who was shy and scarcely communicative denied it with a gesture when asked if it was fair to kill the boy at the picnic. Karateca stated that there was no reason to kill a woman he did not know at the moment of the robbery while adding that even in cases of someone trying to seriously injure his family he would now avoid meting out justice by himself, though this comment could be looked at as a opportunistic reasoning at the moment of the interview. Finally, Impulsiva and Dateado, sentenced both for frustrated homicides, recognized they shouldn't have acted as they did. The first said she figured how the situation would be for her own family in a situation like that, i.e. trying to resolve the health emergency following hurting the victim, and claimed that she had wrongly tried to mete out justice by herself when attacking the malevolent neighbor and accepted her sentence as fully deserved. The second, stated that the elderly female victim of the robbery, as a human being, should not have been made to die, a privilege for God, and accepted his sentence as just. In these latter cases, thus, there is a mixture of reasons between wrongful acts and women's vulnerability. None of the cases show any deprecation of the victims, nor an emphasis on them being disreputable, as

has been suggested by research grounded on data from a different culture (KATZ, 1988; BIRKBECK and GABALDÓN, 2001).

Comments on punishment and repair show a complementary picture of the moral meaning of homicide. Sentencing a crime is certainly a conspicuous way of punishing it, but talking about repairing could give some clues about perceptions of restorative justice, particularly among juveniles who are sentenced through what is supposed to be an educational process. According to the relevant legislation, explicit information must be given to them about procedures, legal, social and ethical reasons for the decisions, with the purpose of developing skills to get along together within family and other social environments (articles 543 and 629, Organic Protection of Children and Adolescents Act, Venezuela, 2015).

Five of these youngsters first mentioned punishment when asked to think about the consequences of their crimes, three of them mentioned repair and one was doubtful about what he thought. These references do not exclude the alternative, neither one nor the other implies a clear-cut distinction between suffering because of a specific act and compensating for damage. Karateca, spoke of punishment as a consequence for taking a life, but added immediately he had the opportunity to pick new conditions and show to himself he is able to do so (16–17). Cripuy said that, although he did not commit the homicide for which he was sentenced, he had been punished *for all the bad things I have done*, as an act of God, because he cannot repair the pain suffered by relatives of the victim and forgiveness is senseless (30, 35). Conuquero agreed with Cripuy that he was punished for *having done all those things in the street, to pay for them*, because since early childhood he been acting bad, while the way to repair would be to behave well in the future, not to do something in favour of the victim's family (28–29). Emproblemado also spoke about punishment as an act of God, *who is the only one who knows all*, because once the deed is done, reparation is impossible (20–21). And Balines straightforwardly accepted punishment *for having taken the life of a child* (14). Barbero was doubtful about whether he deserved to be punished or not, but considered punishment is mostly not to share time with the family, rather than any other thing (21–22).

Among those mentioning repair, Cantante spoke about *restoring my life*, arguing that punishment, either from parents or judges, does not have any effect on stopping things: he added restoring implied thinking of better things, moving ahead, leaving behind bad companions, alcohol and drugs (27–28). Impulsiva also talked about repair in the first place, as becoming *mature of mind and thinking better about things*, though she also recognized that she should be punished for what she did because she deserved it (23–25). And Dateado was the only one thinking about asking forgiveness from the surviving victim of his attack, because *I didn't have to do what I did, since she almost died from it* (17).

Two remarkable findings follow from this review of reasons. Firstly, punishment tends to be mostly perceived as the deprivation of contact with close family and relatives, rather than other restrictions, despite some of these killers having mentioned deprivation of liberty itself (Impulsiva), and beatings from the police before sentencing (Cripy). This association of punishment with family deprivation could have to do, at least partially, with the mild conditions of detention at the facilities where these youngsters were confined at the moment of the interviews. Nevertheless, salience of family in these comments, as in most parts of the interviews, shows an important pattern of affiliation among these youngsters, to which I will come back in the final section of this paper. Moreover, punishment seems to be dependent on alien forces (God, destiny, fate), and becomes somewhat separated from the act of killing. These statements were explicitly made by two of the homicides who denied being participants in the killings for which they were sentenced, but as well by others accepting full participation in the killing, as did Emproblemado and Barbero. Besides, repair is viewed uniformly as a way to improve him/herself, rather than to compensate, provide for or at least apologize to someone close to the victim, with the exception of Dateado, who explicitly recognized this purpose when referring to a surviving victim. These findings suggest that moral reasoning among these killers is closely tied to protecting themselves from present or future harm as a way to reach self-empowerment, which includes self-enhancement against submission. On the other hand, punishment appears as a contingency not related to their own responsibility, while any restoration and repair *vis a vis* the victim or their relatives is wholly absent; instead, if there is anything to repair, it has to do with the killer, as if it were a failing of oneself, instead of destruction or damage regarding someone else.

A review of reasons and perceptions from those youngsters denying, or at least, minimizing responsibility for the deed for which they were prosecuted and sentenced, show the reiteration of a pattern observed among those fully acknowledging responsibility for the homicides: punishment deals mostly with deprivation and suffering associated with disruption of family ties; it comes from alien and powerful forces rather than from human censorship over improper behavior, and repair has to do with ameliorating oneself, rather than with compensating or correcting an action damaging someone else.

The moral sense in homicide: balance of interests and empowerment of the self

In this essay I reviewed accounts from convicted juvenile killers in order to show the most relevant reasons and arguments for explaining the homicides and their consequences, using as a

framework a dichotomy of moral assessment along two main dimensions: balance of interests, linked to containment and keeping distance from others, represented by the perspectives of Aristotle and Black, and polarity linked to enhancing the self and fostering the will of power, represented in the perspectives by Spinoza and Nietzsche. Morality was assumed to be present in any act in which an actor knows, decides and takes responsibility for any behavior through a discursive speech directed to any audience able to listen, to share, and to understand, no matter whether approving or disapproving. Such a discourse would have a *plausible* condition, i.e. being framed within a meaningful context. Although varying in hierarchy or social distance, any audience can become a referee for those behaviors and accounts. Moral reasons were drawn from feelings expressed by the killers and their perceptions about victims, justice and consequences following from their acts, mostly in terms of punishment and repair. This analysis is not focused on reasons and justifications within the criminal process, which represents one, among others, of possible audiences for such accounts. We had no access to the judicial files except for the prosecution indictment and almost all the killers bargained for reduced charges without explaining their reasons through an effective adversarial procedure. Nevertheless, the outcomes from the interviews allow the analysis of reasons and arguments directed toward alternative audiences outside the criminal system, such as relatives, friends, acquaintances and even researchers, who become then capable of assessing the moral significance of homicide among the killers.

Preliminary findings permitted the identification of two main feelings related to the killing, fear and rage, which suggests a heavily affective component in the behavior, not a surprise if we consider the youth of the killers. These feelings seem to be closely related to what would be *self-empowerment*, rather than *balancing interests*, i.e. proportionality in rejecting attacks and compensation for taking a life. Our subjects would be mostly oriented toward self-enhancement, thus pushed more by polarity than by balance. This trend does not imply negation or minimization of legal liability, as most of the killers accepted responsibility and recognized criminal justice, provided they would be found legally the effective, not the putative, actors in the homicides, while others acknowledged being punished for crimes different from those for which they were sentenced. Morality among these youngsters seems to be closer to *will, mastering, consciousness and affirmation*, than to excuses or justifications (see LYMAN and SCOTT, 1968), while punishment, frequently perceived as a matter of forces out of control and consequences from cumulative wrongdoing, seems to be detached from the specific infraction for which they were on trial.

An outcome from these interviews, which confirmed a previous perception among adult killers and closely related to the above-mentioned idea of self-empowerment (GABALDÓN, 2020), is that any cue to restoration, repair or compensation toward third parties is absent in the

narratives of the killers. When repair was introduced into the conversation, invariably the interviewees shifted toward mending themselves rather than considering the victim or their relatives, basically on the basis of the irreversibility of the loss of a life. To achieve this self-repair, they proposed avoiding future contact with risk situations, unsuitable companions or insalubrious geographical areas, or becoming trained, educated and capable of looking out for themselves and their families in the near future. While all these purposes could be plausible positive preventive effects sprung from the experience of killing, there is nothing here reflecting repentance and willingness to compensate, one way or another, for the loss suffered by relatives of the victims. This finding supports the assumption that self-empowerment is crucial for assessing the moral standing of these youngsters.

One could wonder to what audience are the statements, expressions and feelings addressed, considering that any moral account should have an audience to reach. Families of the killers are the third parties most frequently mentioned throughout the interviews, either describing the context of aging, living, nurturing and caring, or related to the situation for which they were sentenced, for helping while being prosecuted and even for suffering humiliation and pain when visiting and sharing with those under detention. Family, overwhelmingly, is related to feminine figures, whether mothers, grandmothers, sisters or daughters, reflecting a matrisocial pattern well-described for Caribbean societies within criminal and non-criminal environments (see MORENO *et al.*, 2007, vol. 1, p. 29; HURTADO, 1999, pp. 33-36). These family members are to be kept apart and protected from acts of killing, which are perceived to be typical masculine behavior. Though many killers mentioned episodes related to lovers and daughters in the development of turfs and conflicts, and while in several cases women were involved as victims of homicide related to robberies, in general, family women are assumed to be allies instead of antagonists when a killing arises, and are preserved from such events even as witnesses. One of the killers said that he would not even dare to kill in presence of his sisters while they were at the same party where the confrontation with the victim began, and another said the role of women in these situations would be to pray. But probably self-empowerment is a way of showing to a family capabilities of performing actions outside the home, such as acts of courage and independence, which could be thwarted inside the home, where feminine figures take control of behavior and resources (HURTADO, 1999, pp. 40-41). There can be other audiences relevant for this purpose, such as friends, confederates and neighbors, expressing alternative demands and expectancies, not necessarily homogeneous ones. I think this is a fertile ground to explore moral implications of crime and violence, demanding a more complete theoretical framework.

Finally, from this study a problem related to the criminal justice system becomes evident. It is likely to be perceived as inadequate or inappropriate as an audience for moral discourses. Previous

research showed extensive distrust in, or irrelevance of, this system among adult homicide offenders, either because of the cases being manipulated, the use of extreme coercive control by the police or because it would represent a distant and alien environment to provide ways for helping in solving disputes and conflicts (GABALDÓN, 2020). In the case of the young killers in this study, half of them said they had been falsely accused by the police, while judges sustained charges or induced guilty pleas without properly listening to the suspects. In general, criminal justice authorities were perceived as behaving as purely coercive forces, which would even disguise the opportunity for providing accounts by applying swift adjudication and punishment. As a consequence, the justice system is liable to become irrelevant as a setting for proposing and discussing moral claims about killing, in favor of alternative audiences. Further research is required in order to obtain a better understanding of the moral implications of crime and violence and the ways to design sustainable initiatives for controlling and minimizing their effects.

Notes

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² The developmental cognitive approach to morality is anchored to Kantian premises, not only regarding the autonomy of will and the categorical imperative related to the *practical reason*, but to the *transcendental knowledge* dealing with the structure and way which allow and organize such knowledge, a matter of the *pure reason* (KANT, 1978, p.58). KOHLBERG defines the purpose of his approach toward morality as conceptualizing and dealing with moral development as an increase of moral autonomy and a universal sense of justice, and claims that his work deals with form rather than content and is focused on cognitive structures as rules for processing information or for connecting experienced events, which is a Kantian perspective (KOHLBERG and HERSCH, 1977, pp. 54-56), even if applied to educational purposes (See also GIBBS, 2003).

³ An estimate for 2011 showed that arrests in homicide cases were only 19%, and those prosecuted by the Public Attorney were around 6% for all known cases, being the latter a lower proportion than those involving battery and domestic violence (GABALDÓN, 2013, p. 233).

⁴ In the following I employ *feeling* instead of *emotion* in a broader sense to avoid physiological overtones and ambiguities, even if the latter is widely used to address the affective dimension of morality. See Ciesla, Ioannou and Hammond (2018, p. 288).

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