

Example of morality as a basis for defining criminal essay

[Law](#), [Criminal Justice](#)



There has long been debate on what exactly is considered a crime. Many will classify crime as causing harm to others, while others say a crime is an act that negatively impacts a society. Many believe that it depends on the situation. There is one group of beliefs that leads to a bit more controversy—those who define crime on a moral basis, which is inherently flawed.

The biggest issue with defining particular conduct as criminal on a moral basis is the nature of morality. Morality is defined as “ a descriptive account of social mores or personal convictions about the general kinds of behavior in which people in a society should engage” (http://www.academia.edu/215622/Crimes_Against_Morality). Morality is dependent on the society in which they exist, and although some of “ accepted behaviors” are obvious (i. e. murder, rape, etc.) and should be defined as criminal due to harm caused to individuals and society, there are other “ morals” that are not so straightforward. One crime, in particular needs to be reevaluated because of its inherent nature. An article by Carpenter and Hayes classifies three ambiguous “ crimes against morality”: prostitution, pornography, and homosexuality (http://www.academia.edu/215622/Crimes_Against_Morality). There is argument that prostitution and pornography can lead to violent crimes; however, homosexuality is put under this same umbrella and incorrectly so. Seeing that homosexuality as immoral came from the Bible, and we now know so much more about it—specifically that it is not a choice, but a biological disposition, these morals haven’t shifted with the times, nor what should be considered a crime. There are plenty of immoral acts that are rightfully considered crimes and

should be, but this isn't always sufficient basis for what should be considered a crime. Harm to others would be more appropriate.