

# Ethical theories and criminology



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### **Four Ethical Theories and How They Relate to Criminology**

This paper will cover four ethical theories and how they relate or don't relate to the field of criminology today. The four theories deal with ethically making the right decisions and what influences the actions. Every action has a reaction and the reaction is the consequences of every action. The outcome of the consequences can dictate whether or not a theory can be justified as moral or immoral. The four theories are Utilitarianism, Virtue ethics, Divine command theory, and Hedonism. These four are very important in the world we live in each in its own decision making process, but the main question that this paper will answer is does these theories have a strong impact in the field of criminology. The first theory is Utilitarianism. The way Utilitarianism is measured is solely by how useful or helpful an action is. How does an action contribute to all people's pleasure or happiness determines the moral worth of the action. The problem with Utilitarianism is when a person does not do what is right even if doing so causes pain or does not make the recipient feel better or does not bring the recipient pleasure at the end of the action. The principle of Utilitarianism demands to approve or disapprove every action, according to the affects of the action if it appears to improve or reduce the happiness of the person or persons' that are at interest. According to Mill (1861) he believes that acts should be classified as morally right or morally wrong only if the consequences are of such significance that a person would wish to see the acting person required, not merely influenced when acting in the preferred manner. What this means is that every act should be measured by its consequences and the recipient of the action would wish or want the acting person to make the same choice without being influenced by outside sources. In the notion of consequences the

Utilitarianism includes all of the good and bad produced by the act, whether the consequences occur after or during the action is being performed.

### **Summary**

In the field of criminology Utilitarianism occurs on both sides of the law-enforcement. If I was to look from the side of law-enforcement there are many situations where Utilitarianism is affective. First, the main role of law is to serve the community and provide help and safety to the public. When something goes wrong and the outcomes of the actions from the law are not pleasing to the public then that action is not considered to be moral. On the other hand if a person is killed in order to save others by the justification of the law, this makes the outcome pleasing to the majority and so the action could be seen as morally correct. Secondly, I will look at how helpful the public is to the success of the law. This could be seen as a form of Utilitarianism or not, depending on the situation. For example a crime happens and members of the community are called as witness, this would be looked at as a moral action. There is another side to this, the person who committed the crime is not getting any pleasure or happiness from the witness and so on the criminal side this action is not Utilitarianism. The second theory is Virtue ethics. Virtue ethics focuses or highlights moral character of a person depending on a person's job or requirements. In some ways Virtue ethics has a close relationship with Utilitarianism, because Virtue ethics also emphasizes on the consequences of actions. The difference is that Virtue ethics is not measured depending on the consequences, but Virtue ethics says that all acts are either good or evil, regardless of the consequences that follow. The main focus of Virtue ethics is helping people

develop good character traits, such as kindness and generosity and less on what rules should we follow. By developing these traits it will allow people to make the correct decisions without having to be in a role or job. Virtue theorists work with people to help them break bad character vices such as anger or selfishness which stand in the way of becoming a good overall person. With every theory there are problems that arise and with Virtue Ethics the problem is that developing character traits is not as simple as it may seem. Although the common moral decisions may come easily to people as to doing what is right, but there are many moral dilemmas that require a person to take careful reasoning and thinking before committing to a decision. According to Cline (2009) having the right character traits is just not enough for a person to make the right decisions, there are just no guarantees. There is nothing that shows that a person with good character is more likely to make the right decisions. In the field of criminology Virtue ethics has a major role, because every decision made within the law is viewed on the action itself regardless of the consequences. If the action was within the law and of good judgment then regardless of the consequences of that action it can still fit within the ramifications of being Virtue ethics, because the act is viewed as moral. Whenever you work in any field of criminal justice I believe that you have to develop good characteristics, because you deal with people's lives. And as Cline said it takes more than good character to make the right decisions it take good morals. The third theory is called the Divine command theory. Just by the name it lets me better understand how decisions are measured as wrong or right. When I hear divine I think of higher power or God is in control of the situation. According to Austin " Divine command theory includes the claim that

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morality is ultimately based on the commands or character of God, and that the morally right action is the one that God commands or requires" (Austin, 2006, pg 1). What this means is that mankind is in some ways dependent on God and our moral responsibility consists in obedience to God's commands. Also, Austin believes that within the divine command theory of ethics that an act cannot be said to be either moral or immoral, because God either commands us or prohibits us from doing it. So the only way to classify an act as being morally wrong is by committing an act that God prohibits us from doing.

### **Conclusion**

According to Augustine, (2008) the form of Divine command theory can be characterized by pointing out two major features. First, " it is an analysis of only one set of moral concepts to be specific; it is an analysis of " right," " wrong," " ought," and the other concepts that figure in the branch of normative ethics known as " the theory of moral obligation." Second, " not all uses of the terms " right," " wrong," etc., are linked to divine command; and, of those that are, not all are linked to the same set of commands" (Augustine, 2008 pg 1). In the field of criminology Divine command theory really does not apply to the law, because it is more of a person's personal religious beliefs. When I think of criminology, I don't think that every decision being made is viewed as being based on God's commands and being obedient to what God permits or prohibits. The fourth and final theory that this paper will cover will be Hedonism. There are two types of hedonism that I will talk about in order to give an overall explanation of what hedonism means. " Nature has placed mankind under the governance of two sovereign

masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do" (Bentham 1789). Hedonism is a philosophy that says that pleasure has an ultimate importance in humanity. The first form of hedonism is motivational hedonism. Motivational hedonism claims that only pleasure or pain is what motivates a person. Bentham (1789) believes that if pain and pleasure determines what a person will do that makes them a hedonist when it comes to the determination of their actions. The second type of hedonism is normative hedonism. Normative hedonism says that only pleasure has value and only pain has disvalue, but anything that might cause or prevent the pleasure or pain is independent of normative hedonism. In the field of criminology Hedonism I believe does play a small part, more on a personal effect. I think that we act out of what feels good to ourselves and to make others feel good, while moving away from pain or what does not feel good. In law when decisions are made they are made based on previous pain or unpleasantness that had been inflicted on other. And to stop the pain of innocent people members of the law make decisions based on what will eliminate pain and cause happiness