

Victimless crime

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Ethics paper in recent years have focused on the applied dimension of ethics. These applied ethics have implications on social morality and the legal system. They are at the interface of individual liberty and the social values. Victimless crime is one such important ethical dimension in today's world. The issues like Sexual freedom, Drug abuse and Suicide come under this category. This article provides clear and lucid information on the same.

In news: Victimless crime has increased in society.

Placing it in syllabus: Ethics

Dimensions

1. What is a victimless crime?
2. Types of victimless crime
3. Why should victimless crimes be punished?
4. Ethical stands in victimless crimes

Content:

What is a victimless crime?

- Victimless crime is a term used for certain actions that are **illegal, but which do not directly violate or threaten the right of any other individual**. E.g. Issues of drug addiction, abortion, homosexuality.
- This type of crime is **private in nature**.
- A **characteristic feature** of such laws is that since no third party is harmed, there is no one who has an immediate interest in complaining to the police and presenting evidence against the culprits.
- Victimless crime is mainly **related to awareness and**

unawareness of the victim for crime.

- He or she is a victim of crime but when the victim is unaware of crime and harm caused to him it is a case of victimless crime. Example: a person trespassing through a neighbors yard, without being observed or causing damage is committing the victimless crime.
- Many victimless crimes begin because of a desire to obtain illegal products or services that are in high demand.
- This crime tariff encourages the growth of sophisticated and well organized criminal groups.
- To enforce this kind of crime law, officials must engage in extensive monitoring, wiretapping and surveillance of suspects and the public.

Types of victimless crime:

- Offenses with arguably no material harm in which all parties are consenting between adults. E.g. prostitution, pornography and gambling.
- Crimes in which the damage caused is overwhelmingly borne by the perpetrator. E.g. suicide, truancy or drug use. As the perpetrator has chosen to suffer the effects of these offences, he or she is not a victim in the normal sense.
- Activities which are unsafe and could result in damage but specific instances do not. E.g. Traffic citations, trespassing, failing to follow safety rules.

Why should victimless crimes be punished?

- Victimless crime though doesn't harm third parties but for social interest it should be penalized.
- Even if the behavior in question harms no one else directly, there may be larger interests of society that need to be protected or furthered by criminal legislation.
- In the eyes of conservatives the upholding of moral

standards is one of those vital interests.

- Victimless consensual crimes have unique characteristics that make them an indirect threat to the privacy of innocent people.
- Victimless crimes are capable of creating gang subculture because of involvement of demand and money.
- Decriminalizing such crimes is against the moral values as they cost the core values of the society, diminish the quality of life and cause real harm to society.

Ethical stands in victimless crimes:

- Whether prosecution to consensual crimes should be maintained or should they be decriminalized is the topic to be debated.
- Arguments for maintaining the prosecution of victimless crime place the well being of society above the individual interests.
- Society as a whole is enhanced by locking up victimless criminal offenders.
- Drug abuse harms the productivity of society and also prostitution harms morality of society.
- Traffic norms when not obeyed sometimes become the cause of accidents.
- Health protection and youth protection is in the interest of society as reaping the benefits of demographic dividend is needed for the growth of any nation.

Hence victimless crime prevention is in need to protect the society interest and thus society has given state the power to punish such crimes. By decriminalizing such activities, although the cost of law enforcement would be controlled, in the long run the other costs would become unacceptably high.

Mould your thought:

1. What is a victimless crime? How does it have a bearing on society? Should such crime be punished?

Approach to the answer:

- Write definition with examples
- Write its effect on society
- Take a stand and write the supporting arguments
- Conclusion (depends on your stand taken)