**Brief Summary**

**Criminal Justice and Society**

Why do we need a criminal justice system? What would happen if there were no laws? Using a philosophical foundation, we explore the dynamic nature of the social contract in maintaining public order in society. The social contract is a metaphor that helps us understand the role of government, and therefore of criminal justice, in society.  It also is relevant to the concept of legitimacy, in which the people accept that a government has the right to govern, since such acceptance is essential for an effective justice system.

There is still much disagreement about morality and effectiveness within the criminal justice system.  While the public tends to assess criminal justice system goals based on their outcomes (ends), scholars seek to use empirical data to assess both the methods (means) and the ends. These differences ultimately lead to competing moral perspectives that influence criminal justice policies, which may be based on both personal and societal definitions of morality, justice, and crime.

**Morality and Justice**

What constitutes "morality" and "justice" is not easily agreed upon and therefore is the subject of much debate. The values that underlie discretionary decisions made by persons in criminal justice agencies (e.g., police officers, judges, correctional officers) are based on notions of morality, as illustrated in the hypothetical Lover's Lane scenario.  Morality also influences decision making through the development of strategies and tactics to address crime.

Psychologist Lawrence Kohlberg identified six moral stages that, he argued, each person tends to proceed through over the course of her life. Kohlbert’s six stages illlustrate how different persons may have different ideas about how morality is defined, resulting in difference on their position on moral issues. This can be illustrated with reference to the morality of physician-assisted suicide.

**Tendencies of Idealists and Pragmatists**

Learning about different philosophies can help us understand why there are disagreements on questions of morality, crime, and justice, and how individuals decide what is or is not moral in criminal justice (and other) contexts. While idealists may focus primarily on ideas about the broad goals of the criminal justice system, pragmatists are primarily interested in making decisions on the basis of empirical evidence.

**Five Concepts of Morality**

The moral concepts of knowledge, self, deity, the nature of the universe, and death form the basis for decisions about morality.  Idealists and pragmatists have opposing perspectives about each of these concepts, but individuals should apply these perspectives as they form paradigms through which they work to address moral questions.