

## Foreword: Symposium on Vice and the Criminal Law

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An obvious, if somewhat perverse, attraction of criminal law for those who study it is that it involves the regulation of some of the darkest and most disturbing aspects of human behavior. If one is interested in observing the most wrongful, harmful, and anti-social kinds of conduct in which people are capable of engaging, the criminal law offers as promising a place as any to start.

Moral philosophy offers another body of work we might look to for insight into the evil that men do. Although moral philosophers have traditionally been interested more in the right and the good than the wrong and the bad, there is nevertheless a significant body of scholarship focused on the latter. This is true even, or perhaps especially, in the case of virtue theory, which, owing to its late twentieth century revival, can now plausibly claim to be the third major stream of Western moral theory, along with utilitarianism and Kantianism (see Anscombe 1958; Foot 1978; MacIntyre 1985). While much of this literature has focused on the ways in which our private and public lives are supposedly enhanced by the development of virtue, there is also an interesting, if modest, body of scholarship focused on how our lives are degraded by what is normally characterized as its opposite—namely, vice (see Skhlar 1984; Schimmel 1997; Taylor 2006).

So, the question arises: what exactly is, or should be, the relationship between vice and the criminal law? The six papers included in this symposium—written by leading scholars in law, philosophy, and the social sciences—are each, in their own way, addressed to this question. This brief introduction offers a roadmap to these papers and a highly preliminary framework for thinking about the vice/crime connection.

### The Concept of Vice

The terms “vice” and “vicious” can be understood in a number of different senses, both general and specific. First, vice can refer to an unspecified moral failing or bad character trait. A person who is “vicious”—literally, “full of vice”—is one whose character reflects

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