

**Devlin, *The Enforcement of
Morals***

Wolfenden Report

- the function of the criminal law is not to interfere in private morality, but instead to “preserve public order and decency, to protect the citizen from what is offensive or injurious, and to provide sufficient safeguards against exploitation and corruption of others.”

- Devlin: Almost no one agrees with this. We would have to legalize: “euthanasia or the killing of another at his own request, suicide, attempted suicide and suicide pacts, duelling, abortion, incest between brother and sister”

Full argument

Why the government has the authority to criminalize at least some self-regarding actions

P1	The government has authority to regulate anything necessary for preserving public order
P2	Shared ideas about morality are necessary to preserve public order
P3	Some of these shared ideas about morality are about the morality of self-regarding actions
C	Therefore, the government has the authority to regulate some self-regarding actions