

The negative effects of regulating morality

Qin Hongling

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Abstract: The primary objective of regulating moral values is to rapidly and efficiently improve public morality by making it mandatory by law. This begs the question: is it possible to “force” people by legal means to have a moral conscience? The role of moral values in controlling behaviour depends neither on divine spiritual duty (as with certain religions) nor on an authority exerting influence on the public (the law). Although morality may be influenced by external pressures (such as public opinion) it essentially depends on the independence and free will of human beings. For immature children and adolescents who have not developed the mental capability for determining their moral values, moral constraints depends essentially on the influence of others together with a few restrictions. However, for mature adults who are able to exercise their free will, morality is undoubtedly determined by conscience and personal beliefs and characterised by free will and the power to act. In other words, given the way moral laws work and the psychological basis of the process, one may conclude that if they cannot withstand external influences or are in conflict with them, then moral constraint will be of no use and may even have the reverse effect.

The author believes that since the law can only reflect the most widespread and basic morals in society, and can only control human behaviour and not rectify the conscience, any such law would:

1. Merely reinforce the basic, recognised, social morality,
2. Only deal with moral requirements related to human behaviour,
3. Only confirm mandatory moral criteria.

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