**Malum in se /mél in síy/**. A wrong in itself; an act or case involving illegality from the very nature of the transaction, upon principles of natural, moral, and public law.

Grindstaff v. State, 214 Tenn. 58, 377 S.W.2d 921, 926; State v. Shedoudy, 45 N.M. 516, 118 P.2d 280, 287.

An act is said to be malum in se when it is inherently and essentially evil, that is, immoral in its nature, and injurious in its consequences, without any regard to the fact of its being noticed or punished by the law of the state. Such are most or all of the offenses cognizable at common law (without the denouncement of a statute); as murder, larceny, etc. Compare Malum prohibitum.


See Model Penal Code § 2.02. See also Criminal (Criminal intent); Knowledge; Knowingly; Premeditation; Specific intent.