Welcome to Philosophy of Criminal Justice! Let me begin in an unusual way by telling you what this course is not about. This course is not a philosophy of law course, though we will begin with some of the basic tenets of the tradition of legal thought. This course is not about the procedures of the criminal justice per se either, though we will discuss the knots and bolds of the American system. The main focus of this course is the philosophy of crime, punishment and forgiveness. Why do we punish? Is it for the sake of the past? The sake of the future? Are there alternatives to punishment? Is there a difference between punishing and penalizing? To illustrate these issues, we will focus on the death penalty in the United States and elsewhere. We end our semester with the question of forgiveness and the Truth and Reconciliation Committee in the South Africa after the demise of the Apartheid regime.

You must check your Villanova email regularly; I will often send reading tips as well as other resources via email.

Also, I would like to ask you to visit, everyday, thehungersite.com. It allows you to donate a cup of food for free, once a day. We will talk about world hunger later in the semester but please don’t wait until then to visit this site.

**Texts:** Readings with a "W" next to them will be available on WebCT.


**Requirements:**

**Class participation** 20% -- Philosophy is dialogical. Any successful philosophy class requires an active participation on your part. In this class, especially, your participation is the key to a successful semester for all of us -- like a good community, we must cooperate and learn from each other. This portion of the grade will represent your attendance and participation. I fully realize that some people are not comfortable speaking in class -- this is why we will have an email discussion list, allowing you to comment and raise questions outside of the classroom. Your "e-participation" will count toward this grade as well. Also, if you have more than 5 unexcused absences, you will fail the course (F). Attendance is 5% of the grade; each unexcused absence counts for one point. Tardiness will not be tolerated and may count as an absence.

**Reaction Papers** 20% (each) -- You must write two reaction papers (1000 words). The first is due before the fall break; the second is due before our Thanksgiving break. These papers will help you prepare your final research project. Specific instructions will be emailed to you two weeks prior to the due date.
Event Paper 10% -- On October 6th, Villanova University will have the honor of receiving Bishop Desmond Tutu. Attendance to this event is mandatory. You may choose to write a paper about this event, or you may choose to come to a visit to Graterford State Penitentiary. This will be an evening visit, which is not mandatory but highly recommended. We will discuss these events more in detail during the semester. These papers are due within ten days of the event in question.

Research Paper 30% -- As a final project, you will have to write a research paper, on of the themes that we have covered in class. But you must also go beyond the sources provided to you in class. Of course, I will help you in your investigation and will provide you with as many additional sources as you need. The goal of this paper is to give you the opportunity to investigate an aspect of Criminal Justice. You must choose a topic and discuss it with me by the first week of November. This final version of this paper is due on the last day of class.

Regarding Villanova University's Grading Policies and Procedure, please see:

http://www.registrar.villanova.edu/docs/student_grading.html

Your grades will be based on the following scale:

- A : 95-100
- A - : 91-94
- B+ : 88-90
- B : 85-87
- B- : 82-84
- C+ : 79-81
- C : 76-78
- C- : 73-75
- D+ : 70-72
- D : 63-69
- F : anything below 62

Academic Integrity:

You must pay special attention to the rules of academic integrity. No form of academic misconduct will be tolerated. See http://www.vpaa.villanova.edu/academicintegrity/code.html for more detail. Notice that, according to the Academic Integrity Code of Villanova University, the "academic penalty will be determined by the student's instructor. Typically, a student who violates the academic integrity code in a course will receive an F for the course, or, at the discretion of the instructor, a less severe penalty." Let me also add that the plagiarism rules also apply to drafts that you submit. In a nutshell, plagiarism will indisputably result in an "F" for the course.

READING AND MEETING SCHEDULE

W.08/25 Introduction to the Course & its Requirements

M.08/30 Bix, "Natural Law Theory" W
W.09/01 Coleman & Leiter, "Legal Positivism" W
M.09/06 Labor Day – No Class
W.09/08 Leiter, "Legal Realism," W
M.09/13 Shiner, "Law and Morality" W

W.09/15 Kant on Punishment W / Hegel on Punishment W
M.09/20 Mabbott “Punishment” W / Feinberg “Expressive Function W
W.09/22 Bentham on Punishment W / Mill on Punishment W
M.09/27 Brandt “Utilitarian Theory of Punishment” W / Menninger “Crime of Punishment” W

W.09/29 Reiman, “Introduction” & “Chapter One”
M.10/04 Reiman, Chapters “Two” & “Three”
W.10/06 Reiman, Chapter “Four” and “Conclusion”

_Nobel Peace Prize Winner Bishop Desmond Tutu speaks at the Pavillion/ Attendance mandatory_

M. 10/11 Fall Break – Read Foucault
W.10/13 Fall Break – Read Foucault

M.10/18 Foucault, “Part One”
W.10/20 Foucault, “Part Two”
M.10/25 Foucault, “Part Three”
W.10/27 Foucault, “Part Four”

M.11/01 DDP, Chapter One
W.11/03 DDP, Chapter Two
M.11/08 DDP, Chapter Three
W.11/10 DDP, Chapter Four
M.11/15 DDP, Chapter Six
W.11/17 DDP, Chapter Seven
M.11/22 DDP, Chapter Eight

W.11/24 Thanksgiving Break – Read Krog

M.11/29 Krog 3-74
W.12/01 Krog 74-150
M.12/06 Krog 150-233
W.12/08 Krog, 233-293
M.12/13 Krog, 293-387