

Course Information Sheet and Syllabus

1. The purpose of this class is to consider a variety of philosophical issues relating to the punishment of crime. We will consider these issues with reference to the administration of criminal justice throughout American history.
2. Course texts:
Crime and Punishment in American History, Lawrence Friedman
Course Packet
3. There will be a mid-term(130 points) and final exam (130). The exams will most likely consist of a set of short answer questions and several brief essays (about 1-2 paragraphs). The exams are designed for you to show me that you have a critical and detailed understanding of the readings and of material covered in class (including films). Some of the exam items will be drawn strictly from readings. The final will not be cumulative. You will also be asked to write a two page (double spaced) position paper on a topic to be assigned. The paper will be worth 40 points.

Exams are graded on a curve in the sense that I generally set the cutoff for a BC at the median score for an exam and adjust the other grade cutoff points with respect to the BC cutoff. The cutoffs for grade levels on the final grade are set as the sum of the cutoffs for the grade level on the individual assignments. The paper will give you an opportunity for extended writing on the specified topic, and it will also require you craft your own philosophical position on the topic.

4. Tentative Course Schedule

1. May 19: Course Introduction/
2. May 21: Friedman, ch 1-10
3. May 28: Friedman, ch 11-20
4. June 2: Review of Moral Theory (Handout)/ Altman (1)*
5. June 4: Freedman (7)*
6. June 9: MID TERM EXAMINATION/Whitely (2),* Brandt (3),* Moore (4),* Wasserstron (5),* Rawls (6)*
7. June 11: Whitely (2),* Brandt (3),* Moore (4),* Wasserstron (5),* Rawls (6)*
8. June 16: Whitely (2),* Brandt (3),* Moore (4),* Wasserstron (5),* Rawls (6)*#
9. June 18: van den Haag (8),* Bedau (9),* Dow (10),* Welch (11),* Wiseman (12)*#
10. June 23: van den Haag (8),* Bedau (9),* Dow (10),* Welch (11),* Wiseman (12)*#
Paper due
11. June 25: FINAL EXAM

VI. SOME GENERAL COMMENTS:

(A) My Office is in Coughlin Hall 132; tele. Ext is 6857 (Phil Dept). My email account is john.jones@marquette.edu . My faculty web page is web page: <http://academic.mu.edu/phil/jones/> (the web page will contain the syllabus; the review of ethics theory; review sheets for the exam, etc.) Office hours will be on an appointment basis. I will generally have a few minutes before and after class. You can contact me by email or by phone to set up appointments.

(B) You are expected to take exams and turn in assignments on the due dates. No makeup exams will be given except for serious reasons such as illness, a death in the family, etc.

(C) It will be necessary for you to complete readings in a timely manner. Remember that in philosophy, we are very concerned with defining and justifying positions through careful argumentation and precise use of language. It is not enough to know just what positions people hold; you must also know why they hold those positions and how and for what reasons one position differs from others. You cannot understand this without reading the material; you will not get it if you only read the material on time.

(D) Attendance is required.

* = article in course packet; # -- exact order for reading articles TBA

Table of Contents for Course Packet

- 1) Altman, Andrew, "Criminal Law," in *Arguing about Law*, chap 5 (CP 1-19)
- 2) Whitely, Diane, "The Victim and the Justification of Punishment," *Criminal Justice Ethics*, Summer/Fall 1998, pp. 46-8. (CP 20-3)
- 3) Brandt, Richard, Retributive Justice and Criminal Law (CP 24-37)
- 4) Moore, Michael, "The Moral Worth of Retribution" (CP 38-59)
- 5) Wasserstrom, Richard, "Punishment" *Philosophy and Social Issues*, 1980, 122-30 (no more bib info available in Adams, *Philosophical Problems in the Law*) (CP 60-6)
- 6) Rawls, John, "Two Concepts of Rules," *The Philosophical Review*, pp. 3-13. (CP 67-78)
- 7) Freedman, Monroe, "The Adversary System and the Rights of Defendants" (CP 79-80)
- 8) van den Haag, Ernest, "In Defense of the Death Penalty: A Practical and Moral Analysis," *Criminal Bulletin* 14,1 (1978): 51-68. (CP 91-6)
- 9) Bedau, Hugo, "Capital Punishment" (CP 97-106)
- 10) Dow, David, "The Problem of Innocence" (CP 107-112)
- 11) Welch, Bud, "Speaking out Against the Execution of Timothy McVeigh," (CP 113-7)
- 12) Wiseman, Christine, "Representing the Condemned: A Critique of Capital Punishment" (CP 118-32)

XanEdu did NOT include internal page numbers for the course packet. I numbered mine and have included those numbers in parenthesis after each entry (CP pp-pp). I would encourage you to number your packet as well.