

Ph.D. Program in Criminal Justice  
The City University of New York  
Fall 2002

CRJ 83000  
Advanced Criminology  
Tuesday: 6:30 - 8:30 p.m.

Dr. Larry Sullivan  
Library, 2nd Floor  
Office Phone: x8265  
Office Hours: TBA

Purpose of Course

Prisons and punishment have long been touchstones for criminology. Scholars have recently stated that the prison remains central to the responses to and explanations for crime.... The prison underpins the very boundaries of our ideas of crime and penalty. Our purpose is to investigate the problematic issue of justifying punishment and prisons. Punishment is by its nature coercive and violent and hence presents a moral problem. But people commit criminal acts and the state imprisons or fines these offenders. We will explore what it is about crime that makes punishment an appropriate response to it. Discussion will include concepts such as responsibility, retribution, and desert, as well as manifestations of these philosophical issues in everyday life. The course will focus on punishment in a social context rather than solely on abstract ideas or normative theories. We will assess punishment both philosophically and as it is realized in its specificity. The course will attempt to apply the readings to present issues and controversies in the criminal justice field. Our goal is to understand punishment as a social institution and how our own experiences give punishment its practical meaning and determine its social effects.

Course requirements and grading criteria include: class attendance and participation (35%); 1-2 page written discussions of readings and topics (25%); a 10-15 page term paper (25%); and a class presentation of the paper (15%).

Required readings will consist of articles and chapters of books that represent the varieties of punishment theories. **All material will be online and on reserve in the Library. The course will be held in the Library Conference Room on the second floor of the Library.**

## SCHEDULE OF TOPICS AND READINGS (Provisional\*)

\*The schedule of readings is tentative and is subject to revision.

Week 1.

### INTRODUCTION

Michael Tonry and Joan Petersilia,  
American Prisons at the Beginning  
Of the Twenty-First Century, @ (1999)

Simon Hallsworth, Rethinking the Punitive  
Turn, @ Punishment and Society (2000)

2 - 3

### CULTURE, RELIGION, AND THE PROBLEM OF EVIL

Rene Girard, "Sacrifice," Violence  
and the Sacred

Jack Katz, Seductions of Crime (pp. TBA)

John Lyden, From Sacrifice to  
Sacrament: Repentance in a Christian  
Context, @ in Repentance (1997)

Jeffrey G. Murphy, Repentance,  
Punishment, and Mercy, @ in Repentance.

4.

### PUNISHMENT, RIGHT, AND RETRIBUTION

Marvin Hernberg, "Punishment and Duty,"  
Evil for Evil in Ethics, Law, and  
Literature, 1990

Alan W. Norrie, "Rationalising Juridical  
Individualism and the Rise of 'The  
Irrational': Hegel," Law, Ideology, and  
Punishment, (1991)

David Dolinko, "Some Thoughts About  
Retributism," Ethics, 1991

J.G. Murphy, "Marxism and Retribution,"  
Philosophy and Public Affairs, (1973)

5. March 1

### DESERT AND UTILITARIANISM

Ted Honderich, "Retribution," Punishment, The Supposed Justifications

Pall S. Ardal, "Does Anyone Ever Deserve to Suffer?" Queen's Quarterly, 1984.

Andrew Von Hirsch, "Penance and Personalized Desert," and "Degradingness and Intrusiveness," Censure and Sanctions, 1993

Jean Hampton, "The Moral Education Theory of Punishment," Philosophy and Public Affairs, 1984

Austerity:  
Public  
Amenities, @

Brandon Applegate, APenal  
Perceived Utility, Desert, and  
Attitudes Toward Prison

In American Journal of Criminal Justice  
(2001)

6.

### AUTONOMY AND EXCUSES

Stephen J. Morse, "Craziness and Criminal Responsibility," Behavior Sciences and the Law (1999)

Judith S. Neaman, "Insanity in the Twentieth Century," Suggestion of the Devil

Dan W. Brock and Allen E. Buchanan, AThe  
Genetics of Behavior and Concepts of  
Free Will and Determinism@, and Edward J.  
Larson, Criminal Determinism in 20th-  
Century America,@ in Jeffrey Botkin, et  
Rey et al. Genetics and Criminality.

7.

### THERAPY, REHABILITATION and RESTORATIVE JUSTICE

Edgardo Rotman, "Rehabilitation: How  
It Works," Beyond Punishment (1990)

Brandon Applegate, Francis Cullen, Bonnie  
Fisher, APublic Support for Correctional  
Treatment: The Continuing Appeal of the

Rehabilitative Ideal,@ in The Prison Journal  
(1997)

Mona Lynch, A Rehabilitation as Rhetoric,@  
Punishment and Society (2000)

Robert Wuthnow, ARepentance in Criminal  
Procedure: The Ritual Affirmation of  
Community,@ Repentance (1997)

Kathleen Daly, ARestorative Justice: The  
Real Story,@ Punishment and Society (2002)

8.

#### **PUNISHMENT AND THE STATE**

Wojciech Sadurski, "Theory of Punishment,  
Social Justice, and Liberal Neutrality,"  
Law and Philosophy (1989)

Jeffrey G. Murphy, "Retributism, Moral  
Education, and the Liberal State,"  
Criminal Justice Ethics (1985)

R.A. Duff, APenal Communities,@  
Punishment & Society (1999)

John Pratt, AEmotive and ostentatious  
Punishment: its decline and resurgence  
in modern society,@ Punishment &  
Society (2000)

9.

#### **PUNISHMENT AND SOCIETY**

David Garland, "Governmentality  
and the Problem of Crime: Foucault,  
criminology, sociology,@ Theoretical  
Criminology (2000)

Eamonn Carrabine, ADiscourse, government  
And translation: Towards a social theory  
of imprisonment,@ Theoretical Criminology  
(2000)

Pat Carlen, "Crime, Inequality, and  
Sentencing," P. Carlen and D. Cook,  
Paying for Crime (1989)

Nils Christie, "Conflicts as Property,"

**Outline of Paper Due**

10. **PENAL POSTMODERNISM**

ADavid Garland, APenal Modernism and Postmodernism, = Punishment and Social Control.

Jonathan Simon, AThe Society of Captives In the era of hyper-incarceration, @ Theoretical Criminology (2000).

Hans Boutellier, A Solidarity and Virtuousness, @ and Criminality and Liberalism, @ in Crime and Morality: The Significance of Criminal Justice in modern Culture (2000)

Post-

11 - 14 **ORAL PRESENTATIONS**

15. **PAPERS DUE**