



Philosophy of Law: Punishment (Writing Intensive, No prerequisites)

Philosophy 635: Mondays and Wednesdays from 1:10-2:30

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The United States invests more in punishment than any other nation—both in terms of financial expenditure and the loss of freedom for millions of convicts—yet this price does not appear to result in a safer society. Given this, we will ask fundamental questions regarding punishment:

What justifies punishment? What are the objectives of punishment? How should we accomplish those objectives?

How important are those objectives when compared with other objectives such as personal liberty?

Is punishment, as opposed to treating the “underlying causes” of crime such as poverty and inequality, the best means of addressing problems of criminal justice?

Can extreme forms of punishment such as death and torture be justified?

Why are "white-collar" crimes often punished so lightly compared with drug crimes?

Are prisons filled with the poor or because the poor commit more crimes or because the rich can avoid punishment?

Is the contemporary U.S. justice system racist?

This course will be run as a discussion-based seminar. Discussions will be intense, and students will share in the presentation of material. ***Students will submit 1000 word weekly response papers and write substantial midterm and final papers.*** I can be contacted at nick.smith@unh.edu if you would like to discuss any aspect of the course.

Texts:

The Wire, Seasons 1-5

Kant, *Metaphysical Elements of Justice*

Bentham, *Introduction to the Principles of Morals and Legislation*

Reiman, *The Rich Get Richer and the Poor Get Prison*

Davis, *Are Prisons Obsolete?*

Alexander, *The New Jim Crow*

Currie, *Crime and Punishment in America*

Foucault, *Discipline and Punish*