

Second paper topics

Write a paper no longer than 1800 words, about 5-6 pages, on one of the following topics. Please turn your paper in to Sakai by 6pm on Saturday, April 12. Please put a paper copy of your paper in my box before class on Tuesday, April 16. Good luck!

Note that “consequentialist” and “utilitarian” are basically interchangeable terms; our readings use both to refer to the same kind of view.

1. Retributivist and consequentialist (utilitarian) theories of punishment have well-known problems. In our discussion of Feinberg’s essay “The Classic Debate,” we talked about several ways of combining these two theories. The idea was that the combined theory would overcome the defects of each part. Describe a way of combining the two theories. Describe a compelling objection that this combined view would face. What do you think? Is the combined view superior to either of the “pure” theories?
2. Describe the case for thinking that advances in neuroscience undermine the retributive theory of punishment, pushing us to something more like a consequentialist approach. What is the strongest reason for doubting that this is so? How would an incompatibilist reply? What do you think: does understanding the causes of criminal behavior show that retributivist ideas about punishment cannot be sustained?
3. Feinberg and Morris presented alternatives to the retributivist and consequentialist theories of punishment. Describe one of these alternatives: what does it identify as the purpose of punishment and what are the chief reasons for believing the theory? What strikes you as the chief objection that this theory faces? How would either Feinberg or Morris reply? What do you think? Can the theory overcome the objection or not?

