

Philosophy of Criminality and Forgiveness Syllabus

Arizona Department of Corrections, Rehabilitation, and Reentry

Welcome to the Philosophy of Criminality and Forgiveness, a course for the Arizona Department of Corrections, Rehabilitation, and Reentry. As the title suggests, this course is broken into two chapters: one on criminality and the dubious notion of the born criminal; the other about forgiving and being forgiven. These materials are meant to complement each other in two ways. First, the two chapters create a path from discussing human error in the history of criminology to the way that we think about human error generally, maleficent or otherwise. Second, these chapters are meant to provide tools of perception to put into perspective the experience of moving through the criminal legal system and into a carceral experience. The purpose of this course is to provide the audience with new and unique ways to see the world, and themselves in it, upon reentry.

This course is divided into seven modules. The first three modules will address the content of the first chapter, focusing on philosophy. The last four modules will address the content of the second chapter, focusing on forgiveness.

Module 1

This module introduces the concept of applying philosophy to legal principles and the law. This is our beginning point – why does philosophy matter for the law? This module includes two journal exercises and includes the following reading:

Steven Walt, *What can the History of Jurisprudence do for Jurisprudence?* 101 Va. L. Rev. 977, 985 (2015).

Module 2

The second module of this course explains and demonstrates the theory of essentialism - that people have innate traits and characteristics - as it applies to criminology and the history of the criminal legal system. This module includes seven journal exercises and includes the following readings:

L.A. Paul, *In Defense of Essentialism*, 20 Philosophical Perspectives 333, 372 (2006).

Cesare Lombroso, *Criminal Man According to the Classification of Cesare Lombroso* 425, (Gina Lombroso-Ferrero et. al. eds., 1911).

Evan Thompson, *Fifteen Logical Fallacies You Should Know Before Getting Into a Debate*, The Best Schools Blog (Apr. 20, 2022), <http://www.thebestschools.org/magazine/logical-fallacies-know#causal-fallacy>.

Regina Bailey, *What is Phrenology: Definition and Principles of a Pseudoscience*, ThoughtCo. Blog (June 25, 2019), <https://www.thoughtco.com/phrenology>.

Maria Cohut, *Phrenology: The Pseudoscience of Skull Shapes*, Medical News Today Blog (Feb. 2, 2021) <http://www.medicalnewstoday.com/articles/phrenology-the-psuedoscience-of-skull-shapes>.

Steven Novella, *Phrenology: A History of a Science and a Pseudoscience*, NeuroLogica Blog (Jun 23, 2009) <http://www.theness.com/neurologicalblog/index.php/phrenology/history-of-a-science-and-a-pseudoscience/>.

Module 3

The third module of this course explores social constructionism – the idea that human characteristics are created through social interactions. This module also examines the construction of language, and how constructionism relates to criminology. This module includes seven journal exercises and the following readings:

Peter Berger, *The Social Construction of Reality: Treatise in the Sociology of Knowledge*, 2nd Rev. Ed. (2016).

Richard Delgado, *Critical Race Theory: An Introduction* 72 (Jean Stafanic et. al. eds., 3rd ed. 2017).

Laurie L. Dove, *When Irish Immigrants Weren't Considered White*, How Stuff Works Blog, <http://www.history.howstuffworks.com/historical-events/when-irish-immigrants-werent-considered-white.htm>.

Cynthia Vinney, *Social Constructionism Definitions, and Examples*, ThoughtCo. Blog (Mar. 29, 2019), <https://www.thoughtco.com/social-constructionism-4586374>.

Ashely Crossman, *An Overview of Labeling Theory*, ThoughtCo. Blog (Feb. 3, 2020), <https://www.thoughtco.com/Labeling-Theory>.

David Bearman, *Our Drug Laws Have Always Been Racist: America's Ugly History of Prohibition as a Tool to Oppress Minorities*, Alternet Blog (Aug 15, 2016), <http://www.alternet.org/2016/08/>.

Edwin M. Lemert, *Social Pathology: A Systemic Approach to the Theory of Sociopathic Behavior* (2nd 1972).

Francis T. Cullen, *Criminological Theory: Past to Present* 256 (Robert Agnew et. al. eds., 5th 2011).

Module 4

The fourth module of this course opens the second chapter, the chapter on forgiveness. This module introduces the philosophy of forgiveness and ways that it may relate to the legal system. This section includes one journal exercise and the following readings:

Christopher Crowley, *Unconditional Forgiveness and Practical Necessity*, in PHILOSOPHY OF FORGIVENESS VOLUME I 181-185 (2016).

Martha Minow, *When Should Law Forgive?* 145-146 (2019).

Module 5

The fifth module of this course explores philosophical perspectives on seeking and receiving forgiveness. This module is designed to provide the student with different and sometimes opposing

viewpoints on the concept of forgiving others. This module includes one journal exercise and the following readings:

J. Angelo Corlett, *Forgiveness, Apology, and Retributive Punishment* 43 *Am. Phil. Q.* 25, 32-33 (2006).

Nick Smith, *The Categorical Apology* 36 *J. Soc. Phil.* 473, 476-492 (2005).

Module 6

The sixth module of this course explores philosophical perspectives on forgiving others. This module includes one journal entry and the following reading:

Jeffrie G. Murphy, *Responding to Evil: Vengeance, Forgiveness, and Reconciliation*

Module 7

Module seven, the final module of this course, is a lesson in the philosophy of self-forgiveness. The readings take the student through the pros and cons of self-forgiveness and offers insights into self-forgiveness as a mechanism for moving forward. This module includes one journal exercise and the following readings:

Jaroslav Horowski, *Education for Self-Forgiveness as a Part of Education for Forgiveness* 55 *J. Phil. Education* 126, 131-135 (2021).

Michael J. A. Wohl & Kendra J. McLaughlin *Self-Forgiveness: The Good, the Bad, and the Ugly* 8 *Soc. Personality Psych. Compass* 422, 424-428 (2014).

Conclusion

The conclusion of this course includes ruminations on the concepts covered and one final journal exercise. Immediately following the conclusion is a short glossary of terms.