

INSTRUCTOR: Daniel Ranweiler  
EMAIL: [danranweiler@humnet.ucla.edu](mailto:danranweiler@humnet.ucla.edu)  
OFFICE HOURS: TR 3-4PM, and by appointment  
LOCATION: Online  
TA: Parker Rose ([parkerrose@humnet.ucla.edu](mailto:parkerrose@humnet.ucla.edu))

COURSE: Philos 166  
TIME: TR, 1:00–3:05PM  
LOCATION: Online  
URL: <https://bruinlearn.ucla.edu/courses/165594>  
ZOOM: ID: 939 5022 6071; Passcode: 296306

# PHILOSOPHY OF LAW – PUNISHMENT AND PARDON

Mercy is sensibility's feeling of justice.

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—Ludwig Feuerbach

## Course Description

In this course we will investigate the nature of punishment as a legal response to criminal wrongdoing. Starting with the question of its aims and justification, we will survey a number of forward- and backward-looking theories of punishment before turning to the topic of forgiveness and mercy in the criminal law. Our discussion will focus on the nature and compatibility of juridical practices like pardon, clemency, and commutation with the stated aims of punishment, taking special consideration of recent calls for the abolition of prisons and greater implementation of restorative justice practices. Additional topics may include a look at the role of moral luck in punishing unsuccessful criminal attempts, but also an examination of relevant distinctions such as the difference between legal punishment and interpersonal sanction, criminal and non-criminal legal liability, as well as punishment and other forms of legal remedy.

In the course of grappling with these questions, we will simultaneously work to develop and hone the following core set of skills:

1. Close reading of a text.
2. Formulating and articulating well-formed and insightful questions.
3. Writing clear and lucid prose.
4. Turning a rough idea into a polished piece of writing through the process of outlining, drafting, redrafting, and editing.
5. Charitably reconstructing, analyzing, and criticizing arguments.
6. Presenting and speaking to an audience.

## Requirements

**Active Participation (15%).** It is an expectation that you will do the required reading and actively take part in the discussion. *Active* participation means asking questions and engaging with the instructor, TA, and other seminar participants in a courteous and charitable dialogue about the

week's required readings. This usually entails regular attendance during lecture and section as well as frequent engagement in discussion during seminar, but can also be accomplished by taking part in other fora such as office hours. Half of the participation grade will be determined by your activity on Perusall, a collaborative reading and annotation platform that allows you and your classmates to leave comments, questions, and responses for one another on the week's readings. You will be assigned a grade for these interactions based on their timeliness and quality. In order to receive full credit for the Perusall portion of your grade, you must submit 7 or more *thoughtful* comments or questions spaced throughout each assigned reading. For more information on how comments will be graded, see the document entitled "How Perusall Works": <https://perusall.com/downloads/rubric.docx>. You can find a scoring example here: <https://perusall.com/downloads/scoring-examples.pdf>.

**Short Writing Exercise (15%).** At the end of Week 1 you will be given a passage from one of the texts we have read and asked to write a short, 350–450 word (ca. 1.5–2 page) exposition of the author's argument due via the Turnitin link by **11:59PM ON FRIDAY (7/7) OF WEEK 2**. Your job is to offer a close reading of the argument, breaking it down into parts that are easy to understand, even for someone who is not in the course and hasn't read the text. You should detail and motivate the argument as clearly and concisely as possible, but you should not attempt to assess or otherwise criticize the argument. Think of the exposition as the first step in writing an argumentative essay.

**Scaffolded Final Writing Project.** In order to develop the skill of turning an inchoate idea into a polished piece of philosophical prose, the final paper will be broken up into distinct parts. This will allow for instructor and peer feedback at each stage of the writing process:

- *Outline (5%).* On Tuesday of Week 3 you will be assigned a paper prompt. You are to write a succinct 1-page outline of your paper by **8:59AM ON TUESDAY (7/18) OF WEEK 4**. Your outline will be graded on a pass/fail basis and discussed in small groups during section. You are encouraged to schedule a one-on-one meeting with me or your TA as well.
- *First-Round Paper (25%).* Based on your outline and the informal feedback you received during class, you are to submit a polished 1,100–1,200 word (ca. 4.5–5 page) paper due via the Workshop link by **11:59PM ON SATURDAY (7/22) OF WEEK 4**. The First-Round Paper will receive a letter grade and feedback from your instructors in addition to comments from two of your classmates (see next item). You are encouraged to schedule a one-on-one meeting with me as well.
- *Peer-Review Comments (10%).* Two sets of Peer-Review Comments are due via the Workshop link by **11:59PM ON FRIDAY (7/28) OF WEEK 5**. These will consist in a series of questions asking you to offer constructive criticism of your peer-review partners' First-Round Paper. It is recommended, but not required, that you arrange to meet with your peer-review partners in order to discuss how to improve your papers. The Peer-Review Comments will be graded pass/fail, but you must complete both sets of comments in order to receive credit. Comments returned late will incur the usual late penalties, except if your peer-review partner's First-Round Paper arrives late. In that case you will not be penalized for the return of that set of Peer Review Comments as long as you return them within 48 hours of the Peer-Review Comments deadline. Moreover, if your peer review partner doesn't submit their First-Round Paper within

48 hours of the submission deadline, you will automatically receive full credit for that portion of the assignment and will not be required to provide comments to that particular peer-review partner. The time-sensitive nature of the Peer-Review Comments means that no extensions will be granted except in cases of documented emergency.

- *Expanded Final Paper (30%)*. You must submit a revised, expanded, and highly polished 1,500–1,600 word (ca. 6–7 page) final version of your First-Round Paper. It is strongly encouraged that you take into account relevant material from papers we read in the latter half of the course. The Expanded Final Paper is due via the Turnitin link by **11:59PM ON FRIDAY (8/4) OF WEEK 6**.

## Texts

Readings will be made available on Perusall. Register via Canvas by clicking the ‘Perusall 1.3’ link on the left-hand navigation panel of the course site. Please be sure to enter your UCLA Student ID number (with no dashes) when prompted.

## Grading and Late Policy

Unless otherwise stated, all assignments will receive a letter grade based on the UCLA 4.0 scale. Papers and presentations are due at the time and date specified. Work turned in late is considered to have been turned in the next day and will be penalized 1/3 of a grade (A to A-, B- to C+, etc.) for each day late (including weekend days). Email submissions will not normally be accepted, but if there is a problem with the course website, you must email a file (not a Google Doc link!). Unless otherwise noted and under appropriate circumstances, short extensions on papers may be granted so long as they are arranged 36 hours in advance of the deadline. Extensions will not be granted within 36 hours, short of documented emergency. **ALL ASSIGNMENTS MUST BE SUBMITTED IN ORDER TO PASS THE COURSE.**

## Accommodations

Students needing academic accommodations based on a disability should contact the Center for Accessible Education (CAE) at (310) 825-1501 or in person at Murphy Hall A255. When possible, students should contact the CAE within the first two weeks of the term as reasonable notice is needed to coordinate accommodations. For more information visit [www.cae.ucla.edu](http://www.cae.ucla.edu).

## Academic Integrity

Plagiarism of any kind will not be tolerated. Cite all sources consulted, including artificial-intelligence chatbots like ChatGPT (which should only be used with extreme caution). Students are expected to know and comply with University regulations regarding academic integrity, information about which is available here:

**Student Code of Conduct:** <https://www.deanofstudents.ucla.edu/studentconductcode>

**Academic Integrity:** <https://www.deanofstudents.ucla.edu/Academic-Integrity>

**Tips for Avoiding Plagiarism:** <https://guides.library.ucla.edu/citing/plagiarism/avoid>

If you have any question about what counts as a violation of academic integrity or how to cite your sources, please consult with me or your TA *before* you turn in your assignment. Err on the side of caution. Any standard citation style will do (Chicago, APA, MLA, etc.). If you aren't sure which to use, consider Chicago style author-date format: [https://www.chicagomanualofstyle.org/tools\\_citationguide/citation-guide-2.html](https://www.chicagomanualofstyle.org/tools_citationguide/citation-guide-2.html).

## Zoom Policy

It is a general expectation that students will attend lectures and section with their cameras turned on. While it is acceptable to turn off one's camera for short periods of time (e.g., when stepping away to use the restroom), it is pedagogically important that we be able to see one another in order to interact in a way that replicates the in-person classroom experience as closely as possible.