

# LA374-15 Crime and Punishment

**26/27**

**Department**

School of Law

**Level**

Undergraduate Level 3

**Module leader**

Victor Tadros

**Credit value**

15

**Module duration**

10 weeks

**Assessment**

100% coursework

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

Punishment is perhaps the most severe and intrusive thing that states systematically do to their own citizens. Through criminal punishment lives are fundamentally altered typically for the worse. This is done at enormous expense. What, if anything, could possibly justify this brutal and costly enterprise? To what extent do our punitive practices depend on ideas of responsibility, and to what extent can these ideas of responsibility be vindicated? What should the scope of the criminal law be? And what kinds of conduct should be criminalised?

[Module web page](#)

### Module aims

This course is concerned with the philosophical questions that underlie practices of crime and punishment. It explores and helps students evaluate different theories of punishment and criminal responsibility as well as investigating non-punitive responses to serious wrongdoing. In so doing, it engages students with some fundamental ideas in moral and political philosophy including the permissibility of harming others, the nature of responsibility, the appropriate responses to wrongdoing and the legitimacy of state power.

At the end of the course students should have a grasp of the main theories of criminal responsibility and criminal punishment. Students should have an ability to develop, in a sustained

and sophisticated way, arguments about crime and punishment. Understanding is to be developed through critical reading, debate and discussion.

## Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

Conceptual Issues: State, Crime, Punishment

Theories of punishment: Consequentialism, retributivism, communicative theories and the duty view

Abolitionism

Theories of responsibility

The scope of the criminal law

Acts and omissions

Sexual wrongdoing and consent

Self-defence

## Learning outcomes

By the end of the module, students should be able to:

- Have a grasp of the main theories of punishment, including retributivism, consequentialism, communicative theories, and non-consequentialist views.
- Have a grasp of the main theories of criminal responsibility, and their relationship to the purposes of trials and punishment.
- Have an understanding of the normative significance of the criminal process.
- Understand the main moral and political ideas that underpin the evaluation of key features of the criminal justice system.
- Students should be able to understand, summarise, and critically engage with philosophical argument about the scope and content of the criminal law. They should be able to relate their views about the criminal law to some more basic and fundamental ideas in moral and political philosophy
- Students should be able to structure arguments to a high level and explore ideas in a group using real and hypothetical examples to help them.
- Ability to formulate arguments of their own through critical engagement with leading philosophical writers. They should be able to engage with a group orally, defending and adjusting their ideas in response to discussion as well as making critical interventions of their own. This is intended to bear fruit in their written work.

## Indicative reading list

[Reading lists can be found in Talis](#)

## Subject specific skills

No subject specific skills defined for this module.

## Transferable skills

No transferable skills defined for this module.

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## Study

### Study time

Type	Required
Seminars	18 sessions of 1 hour (12%)
Work-based learning	132 sessions of 1 hour (88%)
Total	150 hours

### Private study description

No private study requirements defined for this module.

### Costs

No further costs have been identified for this module.

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## Assessment

You must pass all assessment components to pass the module.

### Assessment group A3

	Weighting	Study time	Eligible for self-certification
Assessment component			
3000 word essay	100%	30 hours	Yes (extension)

Some suggested titles for essays will be distributed prior to reading week. Students are welcome to propose other titles to the class teacher.

Reassessment component is the same

## Feedback on assessment

Feedback via Tabula

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## Availability

## Courses

This module is Optional for:

- UPHA-L1CA Undergraduate Economics, Psychology and Philosophy
  - Year 2 of L1CA Economics, Psychology and Philosophy
  - Year 2 of L1CC Economics, Psychology and Philosophy (Behavioural Economics Pathway)
  - Year 2 of L1CD Economics, Psychology and Philosophy (Economics with Philosophy Pathway)
  - Year 2 of L1CE Economics, Psychology and Philosophy (Philosophy and Psychology Pathway)
  - Year 3 of L1CA Economics, Psychology and Philosophy
  - Year 3 of L1CC Economics, Psychology and Philosophy (Behavioural Economics Pathway)
  - Year 3 of L1CD Economics, Psychology and Philosophy (Economics with Philosophy Pathway)
  - Year 3 of L1CE Economics, Psychology and Philosophy (Philosophy and Psychology Pathway)
- UPHA-L1CB Undergraduate Economics, Psychology and Philosophy (with Intercalated Year)
  - Year 4 of L1CG Economics, Psychology and Philosophy (Behavioural Economics Pathway) (with Intercalated Year)
  - Year 4 of L1CH Economics, Psychology and Philosophy (Economics with Philosophy Pathway) (with Intercalated Year)
  - Year 4 of L1CJ Economics, Psychology and Philosophy (Philosophy and Psychology Pathway) (with Intercalated Year)
  - Year 4 of L1CB Economics, Psychology and Philosophy (with Intercalated Year)
- Year 2 of ULAA-M130 Undergraduate Law
- ULAA-M300 Undergraduate Law
  - Year 2 of M300 Law
  - Year 3 of M300 Law
- ULAA-M105 Undergraduate Law (3 year) (Qualifying Degree)
  - Year 2 of M105 Law (3 year) (Qualifying Degree)

- Year 3 of M105 Law (3 year) (Qualifying Degree)
- ULAA-M131 Undergraduate Law (4 Year)
  - Year 2 of M131 Law (4 year)
  - Year 4 of M131 Law (4 year)
- ULAA-M106 Undergraduate Law (4 year) (Qualifying Degree)
  - Year 2 of M106 Law (4 year) (Qualifying Degree)
  - Year 3 of M106 Law (4 year) (Qualifying Degree)
  - Year 4 of M106 Law (4 year) (Qualifying Degree)
- ULAA-M104 Undergraduate Law (Year Abroad)
  - Year 2 of M104 Law (Year Abroad)
  - Year 4 of M104 Law (Year Abroad)
- Year 2 of ULAA-M132 Undergraduate Law (Year Abroad)
- ULAA-M108 Undergraduate Law (Year Abroad) (Qualifying Degree)
  - Year 2 of M108 Law (Year Abroad) (Qualifying Degree)
  - Year 4 of M108 Law (Year Abroad) (Qualifying Degree)
- Year 4 of UIBA-MN32 Undergraduate Law and Business Studies
- Year 4 of UIBA-MN37 Undergraduate Law and Business Studies (Qualifying Degree) with Intercalated Year
- Year 4 of UIBA-MN36 Undergraduate Law and Business Studies with Intercalated Year (4+1)
- Year 3 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of ULAA-M133 Undergraduate Law with French Law
- Year 2 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 2 of ULAA-M134 Undergraduate Law with German Law
- Year 2 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 3 of ULAA-M110 Undergraduate Law with Humanities (3 Year)
- ULAA-M136 Undergraduate Law with Humanities (3 Year)
  - Year 2 of M136 Law with Humanities (3 year)
  - Year 3 of M136 Law with Humanities (3 year)
- ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
  - Year 2 of M113 Law with Humanities (4 year) (Qualifying Degree)
  - Year 3 of M113 Law with Humanities (4 year) (Qualifying Degree)
- Year 2 of ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
- Year 3 of UPHA-V700 Undergraduate Philosophy
- Year 4 of UPHA-V701 Undergraduate Philosophy (with Intercalated year)
- Year 4 of UPHA-V702 Undergraduate Philosophy (with Work Placement)
- Year 4 of UPHA-VL80 Undergraduate Philosophy with Psychology (with Work Placement)
- Year 2 of UPHA-V7ML Undergraduate Philosophy, Politics and Economics
- UPHA-V7MW Undergraduate Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law
  - Year 3 of V7MW Politics, Philosophy and Law
- Year 4 of UPHA-V7MX Undergraduate Politics, Philosophy and Law (with Intercalated Year)

This module is Unusual option for:

- UPHA-V7MW Undergraduate Politics, Philosophy and Law
  - Year 2 of V7MW Politics, Philosophy and Law

- Year 3 of V7MW Politics, Philosophy and Law

This module is Core option list A for:

- Year 3 of UMAA-GV17 Undergraduate Mathematics and Philosophy

This module is Core option list B for:

- Year 2 of UMAA-GV17 Undergraduate Mathematics and Philosophy

This module is Core option list C for:

- Year 4 of UMAA-GV19 Undergraduate Mathematics and Philosophy with Specialism in Logic and Foundations

This module is Option list A for:

- Year 4 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- UPHA-VL78 BA in Philosophy with Psychology
  - Year 2 of VL78 Philosophy with Psychology
  - Year 3 of VL78 Philosophy with Psychology
- Year 4 of UPHA-VL79 BA in Philosophy with Psychology (with Intercalated year)
- Year 3 of ULAA-M131 Undergraduate Law (4 Year)
- Year 4 of ULAA-M132 Undergraduate Law (Year Abroad)
- ULAA-M135 Undergraduate Law and Sociology
  - Year 3 of M135 Law and Sociology
  - Year 4 of M135 Law and Sociology
- Year 4 of ULAA-M133 Undergraduate Law with French Law
- Year 4 of ULAA-M10A Undergraduate Law with French Law (Qualifying Degree)
- Year 4 of ULAA-M134 Undergraduate Law with German Law
- Year 4 of ULAA-M10C Undergraduate Law with German Law (Qualifying Degree)
- Year 4 of ULAA-M113 Undergraduate Law with Humanities (4 Year) (Qualifying Degree)
- Year 3 of ULAA-M115 Undergraduate Law with Social Sciences (3 Year) (Qualifying Degree)
- Year 4 of UMAA-GV18 Undergraduate Mathematics and Philosophy with Intercalated Year

This module is Option list B for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)
  - Year 3 of ML34 Law and Sociology (Qualifying Degree)
  - Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 3 of ULAA-M130 Undergraduate Law
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology
- Year 2 of UMAA-GV18 Undergraduate Mathematics and Philosophy with Intercalated Year
- Year 2 of UMAA-GV19 Undergraduate Mathematics and Philosophy with Specialism in Logic and Foundations
- UPHA-VQ72 Undergraduate Philosophy and Literature
  - Year 2 of VQ72 Philosophy and Literature
  - Year 3 of VQ72 Philosophy and Literature

- Year 2 of UPHA-V7ML Undergraduate Philosophy, Politics and Economics

This module is Option list C for:

- UPHA-V7ML Undergraduate Philosophy, Politics and Economics
  - Year 3 of V7MP Philosophy, Politics and Economics (Bipartite)
  - Year 3 of V7ML Philosophy, Politics and Economics (Tripartite)
- UPHA-V7MM Undergraduate Philosophy, Politics and Economics (with Intercalated year)
  - Year 4 of V7MS Philosophy, Politics and Economics (Bipartite with Economics Major) (with Intercalated Year)
  - Year 4 of V7MQ Philosophy, Politics and Economics (Bipartite) with Intercalated Year
  - Year 4 of V7MM Philosophy, Politics and Economics (Tripartite) (with Intercalated year)

This module is Option list D for:

- UHIA-V1V5 Undergraduate History and Philosophy
  - Year 2 of V1V5 History and Philosophy
  - Year 3 of V1V5 History and Philosophy
- Year 4 of UHIA-V1V9 Undergraduate History and Philosophy (with Intercalated Year)
- Year 4 of UHIA-V1V6 Undergraduate History and Philosophy (with Year Abroad)
- Year 2 of UHIA-V1V7 Undergraduate History and Philosophy (with a term in Venice)
- UPHA-V7ML Undergraduate Philosophy, Politics and Economics
  - Year 2 of V7MR Philosophy, Politics and Economics (Bipartite with Economics Major)
  - Year 3 of V7MR Philosophy, Politics and Economics (Bipartite with Economics Major)

This module is Option list E for:

- Year 2 of UPHA-V7MW Undergraduate Politics, Philosophy and Law