

## Reading Guide Punishment II

Readings for 24 March 2011

### READINGS (REQUIRED)

- [A] John Darley and Thane S. Pittman, “The Psychology of Compensatory and Retributive Justice” *Personality and Social Psychology Review* (2003), Vol. 7, No. 4, 324–336. (V\*2)
- [B] David Lewis, “The Punishment that Leaves Something to Chance” *Philosophy and Public Affairs*, Vol. 18, No. 1 (Winter, 1989), pp. 53-67. (V\*2)
- [C] Alan Kazdin, *Parenting the Defiant Child* (Houghton Mifflin, 2008), chapter 6 “Punishment,” pp. 126-140 (pp. 141-146 are optional).

**[A] John Darley and Thane S. Pittman, “The Psychology of Compensatory and Retributive Justice” (2003), pp. 324-336**

### Background

John Darley is the Warren Professor of Psychology at Princeton University and one of the best-known living social psychologists. His current research looks at decision making, with a specific focus on what underlies decisions to punish others for their transgressions. His earlier work included important articles on cooperative action and on the diffusion of responsibility. (Note that we encountered Darley’s work earlier this semester, both indirectly and directly: he was the dissertation director of Daniel Batson (whose work on moral hypocrisy we read during our first week), and – with Batson – is the author of the “good Samaritan” study that we discussed during Unit I.)

Thane Pittman is the chair of the psychology department at Colby College. His research focuses on human motivation and decision making. He has written on the difference between intrinsic and extrinsic motivations and their effect on decisions, and on the effects of regret and remorse on the likelihood of future action and procrastination.

In this article, Darley and Pittman review the psychological literature on what motivates people to punish others for transgressions. They draw some conceptual distinctions between punishment and forced compensation, and then offer their own model of the motivational differences between them.

### Passages to focus on/passages to skim

Please read the article in full.

## Reading Questions

- (1) According to Darley and Pittman, what distinguishes the impulse to compensate from the impulse to punish?
- (2) What is the difference between an action being done out of negligence, an act being done intentionally, and an act being done recklessly? With which outcome (punishment/compensation) is each intuitively correlated?
- (3) What are the two utilitarian motivations for punishment and the one non-utilitarian motivation for punishment, according to Darley and Pittman? Why do they think the non-utilitarian motivation is *non-utilitarian*?
- (4) What are the three moral emotions and how are they related to retributive judgments, according to Darley and Pittman?

**[B] David Lewis, “The Punishment that Leaves Something to Chance” *Philosophy and Public Affairs*, Vol. 18, No. 1 (Winter, 1989), pp. 53-67. (V\*2)**

## Background

David Lewis (1941-2001) is widely considered to have been one of the 20<sup>th</sup>-century’s most important philosophers working in the Anglo-American tradition. He is best known for his work in metaphysics, although he also made lasting contributions to philosophy of mind, philosophy of language, philosophy of science, epistemology, decision theory, meta-ethics, political philosophy, and aesthetics.

In the reading for today, Lewis puts forward a rationale for our current practice of punishing successful criminal attempts more severely than failed criminal attempts. His strategy invokes the concept of a penal lottery. He argues that a penal lottery is better justified on various grounds of evaluation than a system that punishes all crimes equally, regardless of success. Then he argues that our current practice is a special instance of a penal lottery, and is hence (though he admits, not conclusively) better justified than its alternative.

## Passages to focus on/passages to skim

Please read the article in full.

## Reading Questions:

As you read through the selection, keep in mind the following questions:

- (1) In section I, Lewis proposes and rejects six rationales for our practice of punishing criminal attempts more severely when they succeed than when they fail. What are they? Why does Lewis think they fail?
- (2) What new rationale does Lewis propose as a justification for punishing successful attempts more severely than unsuccessful ones?

- (3) What reasons does Lewis think count in favor of his proposal? (Note: he doesn't think any of these are conclusive)
- (4) Where do you come down on the debate over whether a penal lottery would deliver equal deserts for equally guilty criminals?
- (5) In what ways is our current practice like a penal lottery, according to Lewis?

**[C] Alan Kazdin, *Parenting the Defiant Child* (Houghton Mifflin, 2008), chapter 6 “Punishment,” pp. 126-140 (pp. 141-146 are optional.) (V\*2)**

### Background

See reading guide for 02.08.2011 (Virtue & Habit I).

### Passages to focus on/passages to skim

This is easy popular writing, and should not be difficult to get through quickly.

### Reading Questions:

As you read through the selection, keep in mind the following questions:

- (1) What does Kazdin mean when he says “Punishment teaches us what not to do. It does not teach us what to do”? How does this observation underlie his discussion in this chapter?
- (2) What, according to Kazdin, are some of the effects and side effects of punishment?
- (3) How might an advocate of “spare the rod, spoil the child” respond to Kazdin’s discussion in this chapter?
- (4) What implications, if any, do the issues raised by Kazdin about punishment in the context of parenting have for the question of punishment in a wider social context?

[Posted 03/10/11]