

HUL 360: Selected Topics in Philosophy

Ist Semester, 2018-19

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Course description

This course will cover some central issues in the theory of criminal justice and its application to contemporary issues in India. Why are we ever justified in punishing those who have committed a wrong? What sorts of wrongdoings may we permissibly punish? On what basis can we determine the correct level at which to punish a crime? Does justice ever demand that a crime be punished by death?

While the focus of this course is philosophical, one of its aims is to achieve a deeper understanding of some criminal justice issues in the specific context of India. To this end, we will examine recent empirical literature on sentencing and the death penalty, among other topics.

Topics to be covered

1. Philosophical background: utilitarianism
2. What can be punished: the Harm Principle; current debates around s. 377 of the Indian Penal Code
3. What justifies punishment? Deterrence, retributive, rehabilitative restorative conceptions of justice
4. Elements of a crime in the Indian Penal Code: debates around rape law reform
5. Criminal responsibility: justification and excuse
6. Criminal due process: burden of proof; presumption of innocence; encounter killings
7. Sentencing: proportionality; the death penalty

Administrative details

Lectures: Monday, Thursday 5-6.30 pm, LH 422.

Readings will be available from SCOOPS and via piazza:

https://piazza.com/iit_delhi/summer2018/hul360 (password hul360)

You must bring hardcopies to class: laptops and other electronic devices are not allowed.

Contact: burra@hss.iitd.ac.in

Office hours: TBA

Attendance

There is no formal attendance requirement.

Evaluation

Pass marks: 30% (ditto for auditors)

Evaluation components:

Class notes	5%
In-class quizzes	10%
In-class writing	10%
Writing reflection	10%
Minor I	20%
Minor II	20%
Major	25%

Class notes: You will have to post class notes on piazza twice in the semester; the better of these two notes will be used to compute your grade for this component.

Quizzes: Every Monday you will be given a 1-mark closed book quiz at the start of class. Your grade for this component will be based on the top ten quizzes.

In-class writing: Every Thursday you will be given a short writing exercise, worth 1 mark. Your grade will be based on your performance in the top ten of these.

Exams: All exams will be closed-book exams: you will be permitted to bring an A4 sized sheet of paper for notes.