The Benefits of Philosophical Analysis for Criminological Research, Pedagogy and Practice

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The skills and techniques of philosophical analysis, broadly construed, can enhance the professional practice of criminology. In this essay, we discuss the benefits of the philosophical metascientific work carried out in the philosophy of crime/criminology. We then turn to a discussion of how philosophical analysis of texts from the philosophical canon can help students of criminology to understand more incisively foundational issues of the discipline and key criminological concepts, as well as support theory development. We also explore ways philosophical training and collaboration with professional philosophers can support innovative criminological research. Finally, we advocate intensive engagement with philosophical ethics as a means for helping criminological educators, researchers, and practitioners to secure nuanced assessments of the rich ethical dimensions of criminology.

In this paper, we provide an overview of how each of four philosophical practices can inform the practice and pedagogy of criminology, and by doing so lay the groundwork for greater collaboration among philosophers and criminologists. In looking to identify how the practice and pedagogy of criminology could make use of philosophy and the tools of philosophical analysis, we first turn to the foundational role philosophy can play as developed in the philosophical metascience known as the philosophy of crime/criminology (Arrigo & Williams, 2006). Another important intersection between philosophy and criminology involves the use of works from the philosophical canon to ground theory development, provide important paradigmatic discussions of core ideas, and help students to acquire important analytical skills. A third area of investigation is the use of philosophical tools in social science research. We end the paper with a more sustained discussion on the benefits of developing a philosophical ethics for criminology.

Philosophical Metascience in Criminology

The philosophy of crime/criminology sits within the broader field of the philosophy of social science, and, like its counterparts from other fields such as the philosophy of mathematics and the philosophy of science, it is comprised of a collection of epistemological, ontological, ethical, and aesthetic positions that seek to explain the fundamental nature of the science and the conditions which define the possibility of its existence. However, unlike its more mature counterparts, the philosophy of crime/criminology is an underdeveloped field in its nascent stages (Arrigo & Williams, 2006, p. 15), and remedying this deficiency could lead to significant innovation in criminological pedagogy and research. This is why, as we explain in more detail below, we believe that criminology would be strengthened if degree programs in criminology provided students with relevant philosophical training, if criminological researchers directly engaged key philosophical issues, and if criminological researchers, teachers, and practitioners exploited opportunities for fruitful collaboration with professional philosophers.

To be sure, criminology is not dependent upon the philosophy of crime/criminology in any direct way; the conceptual relationship between the two fields is not that concrete. This fact is not unique to criminology. Mathematics, for example, is not dependent on results in the philosophy of mathematics (or not usually) – a fact about which many mathematicians are quite vocal. However, there are moments of fracture in the history of mathematics when long-held assumptions at the heart of mathematical practice were challenged by controversial results (e.g., Zermelo's choice axiom, the set-theoretic paradoxes, Gödel's incompleteness theorems). During these times, mathematicians engaged seriously in questions of philosophy in order to better define their own practices and resolve seeming contradictions that threatened their work.

Great controversies in a scientific discipline are rare and the application of philosophy in these cases is somewhat esoteric. However, we needn't wait for an upset in the field to take advantage of the benefits of increased philosophical engagement. The example of mathematics points to the kinds of benefits that support the engagement of criminologists in the philosophy of crime/criminology. These benefits include a more precise and incisive understanding of core concepts, methodologies and practices in the field, and the new perspectives gained by the kinds of analyses involved in the philosophical study of criminology can spark new avenues of inquiry and innovation. Philosophical engagement with the foundations of criminology stands as one powerful source of refinement and innovation in the field.

It is also worth noting that the benefit to criminology of engaging philosophy travels both ways. As Arrigo and Williams (2006) note, the specific details of criminology can lead to contributions in epistemology, ontology, ethics, and aesthetics. Thus, the discipline of philosophy can benefit from philosophical engagement by—and scholarly collaboration with—criminologists.

The Philosophical Canon in Criminology

Perhaps the most common use of philosophy for teachers of criminology is the assignment of works from the canon of historical philosophical texts. Students are asked to read the "great works" of philosophy that provide the first, and sometimes foundational, conversations on topics central to the study of criminology. The examples of this use are too plentiful to detail here, but include Socratic (Apology, Protagoras) and Aristotelian (Nicomachean Ethics) discussions of wrong action (incontinent behavior) and its relationship to appropriate punishment (Plato 1995; Aristotle 1995), Plato's discussion of justice in the Republic (1995), Dostoyevsky's discussion of crime in Crime and Punishment (1886/2006), Foucault's critique of Enlightenment assumptions in Discipline and Punishment: The Birth of the Prison (1975/1995), or Hobbes' discussion of the law in the Leviathan (1651/1996). In all cases, the readings present content that informs contemporary discussions on crime and provide a theoretical framework for those discussions.

The pedagogical outcomes of assigning works from the philosophical canon go beyond the content of the positions and theoretical frameworks contained within them. Most philosophical texts notoriously are difficult – reading them well requires developing certain philosophical skills. These skills include, identifying, reconstructing and evaluating logical (argumentative) structures; isolating and outlining salient positions; developing counter arguments or counterexamples, describing and evaluating the structure of the text in its

entirety, and comparing positions found in other philosophical texts. All of these skills can enhance the student experience and study of criminology, and thus the use of these texts should not be limited to just reading them for a cursory description of content but should involve teaching students how to actively engage philosophical texts.

For these reasons, we conclude that serious engagement with philosophical texts is a significant means for enhancing the skills and insights of criminology students. To maximize these benefits, we advocate criminology instructors receiving specialized training in philosophical analysis and collaborating with professional philosophers as they design and deliver philosophically-oriented learning activities. This collaboration would also provide new contexts for the application of philosophical texts and as such enhance their use in the philosophy classroom as well.

The use of the philosophical canon also has benefits for practitioners and researchers in the field. The most important of these benefits is the development and extension of theoretical frameworks within which to discuss issues in criminology. To illustrate some of the many examples already found in the field, we refer readers to Agozino's (2003) use of Baudrillard to challenge assumptions of scientific objectivity in the practice of criminology, Goodrich's and Valverde's (2005) use of Nietzsche to develop a critique of legal theory, and Lyng's (2004) adoption of Habermas to discuss risk taking in criminal behavior. We are encouraged that this use of philosophical texts is well-established within criminology, and that its benefits are widely recognized.

Philosophy and Research Methodology

In a meaningful way, a research project is just a type of argument, presenting evidence (premises) intended to answer a research question (arrive at a conclusion), and a research method is the skeleton (structure) of that argument. As such, the logical tools developed within the fields of formal logic, philosophical logic, and informal logic (subfields of philosophy) are particularly well suited to describe the argumentative structures used in both qualitative and quantitative research. While some textbooks cover the basic structure of cause-effect experiments, briefly mention the syllogistic form, or distinguish between deductive and inductive arguments, more sophisticated logical formalisms are rarely used to explain or discuss the various methods used in research. We believe that, in addition to pedagogical benefits, the collaboration between philosophers and social scientists could lead to new areas of study, or greater nuances in existing areas, in the field of social science research design and methodology.

A second area of collaboration between philosophy and criminology is motivated by a simple philosophical observation. A research method is, in the simplest terms, a systematic means to arrive at knowledge. But, as a means of gaining knowledge, the selection of a research method requires that the researcher make assumptions about the appropriate means to acquire that specific knowledge, the kinds of objects the researcher can come to know, and the role of the researcher in that process. In other words, each research method is a formalization of a set of epistemological and ontological assumptions about the world and our place in that world. However, the benefit of this kind of philosophical discussion in the practice of social science research is seldom articulated and implemented. Textbooks sometimes provide cursory discussions of relevant issues in epistemology, ontology, or logic, and even when these discussions are more detailed they are often lacking appropriate sophistication and are idiosyncratic. Additionally, if we look

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at current research practice as presented in research articles in criminology, and social science more broadly, we find even fewer examples of the use of philosophical analyses.

This is not an indictment of current social science research methodology texts, pedagogies, or practices – the argument has not yet been sufficiently made that detailing the philosophical foundations of the various research methodologies improves outcomes for students, or that there are philosophical research techniques (Ross, 2006) that can add practical value to current research methods. We will begin that argument below by illustrating two examples of how philosophical analysis can provide insights into the practice of research.

Taxonomies of Learning Outcomes

Like other researchers into student learning, researchers who assess the efficacy of criminal justice education often develop a set of learning outcomes and a collection of mechanisms to collect data that provides information as to whether students are meeting the stated outcomes. Often, these outcomes are given a hierarchical structure (e.g., general-specific, Bloom's taxonomy, Maslow's needs hierarchy, Kolb's learning cycle) or organized across different categorical structures (e.g., Gardner's multiple intelligences, Perry's categories of knowing). For example, a common taxonomy of outcomes is to structure them using an embedded hierarchy. The larger hierarchy structures outcomes from specific/concrete to general/abstract (e.g., lesson outcomes to program outcomes) and within each of these levels, outcomes are ordered by cognitive complexity.

This all may seem straightforward; however, there are several areas of imprecision that impact the validity of these structures and therefore impact the validity of the educational research developed using them. For example, there are inconsistencies within many implementations concerning how program/course/lesson outcomes are defined: What are the appropriate levels of generality in which to express them? How do we identify when one outcome falls under another outcome of greater generality? To address both these concerns, we would expect to see a set of criteria, definitions, and necessary and sufficient conditions to refine and delineate the concepts and relationships at issue. In addition to these criteria, definitions and conditions being consistent, well-formed and capturing the relevant concepts, we would also expect that they are meaningfully connected to student learning in important ways. Each of these expected results describes the results of an appropriate philosophical analysis.

Conceptual Analysis

In our second example of how philosophical techniques can enhance research, we discuss how sustained conceptual analysis allows researchers to identify and resolve conceptual confusion within their operational definitions. Lippke (1996) uses a conceptual analysis of punishment to argue that the crime reduction and retributive approaches to legal punishment rest on mutually incompatible philosophical assumptions. We submit that Lippke has identified philosophical tensions that are relevant to criminological research into "mixed" theories of legal punishment that seek to integrate crime reduction and retributive concerns.

Specifically, this stands as an example of a case where additional conceptual analysis of the main concepts allows criminological researchers to set up their research projects correctly: without additional

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philosophical analysis, attempts to define operationally variables related to mixed conceptions of punishment are likely to generate the conceptual tension and inconsistencies Lippke identifies. Put slightly differently, this is a case where sustained philosophical analysis allows researchers to operationalize their key concepts within a philosophical context that is conceptually richer and more sophisticated than operational definitions made solely in terms of research parameters.

Identifying and resolving conceptual tensions and contradictions is a key area for fruitful collaboration between philosophers and criminologists: philosophers have developed extremely powerful techniques and skills for diagnosing and resolving conceptual confusions and tensions, and there also exists a large body of philosophical literature addressing concepts central to criminological research -- in this case, for example, the writings on punishment by the philosophers Hegel (1821/1965), Hart (1968), and Rawls (1999).

Philosophical Ethics and Criminology

Philosophical engagement with ethics can enhance criminological pedagogy, research, and practice. Because it involves sophisticated reflective assessment of ethical issues and dilemmas, this activity is markedly different from non-philosophical ethical training that focuses on applying a set of pre-existing ethical standards to a few, usually simplified, case studies. The benefits of adopting a specifically philosophical perspective on ethics are significant: philosophical ethics provides its practitioners with skills and insight that allow them, first, to understand more fully complex, ethically-fraught situations, second, to more accurately plan ethically appropriate responses to these "messy" real-life situations, and, third, to more effectively implement ethical choices. In this section, we describe the benefits to students, researchers, and practitioners of criminology of attaining what we label a "philosophical ethical perspective."

Since much contemporary philosophy is highly technical and inaccessible to non-specialists, our claims about the importance of philosophical ethics for criminologists might seem implausible. Within the discipline of philosophy, however, applied ethics stands as a field that embraces practical relevance. The tools and techniques of applied philosophical ethics are accessible by criminological researchers, practitioners, and students, and our purpose is to discuss ways that the skillful application of these tools and techniques can benefit criminology.

Philosophical Ethics in the Criminal Justice Classroom

Pollock (1993) maintains that courses in ethics should be included in every undergraduate and graduate criminal justice degree program. We too support the inclusion of ethics courses in criminal justice programs, but we also believe that these courses are most valuable when they are designed and delivered by instructors who have been trained in philosophical ethics. This may be accomplished by providing criminal justice professors with specialized philosophical training, by collaboration between criminal justice faculty and philosophers, or by instruction carried out by philosophical ethicists who have had relevant criminal justice training. We thus call for greater use of specialized philosophical skills and training in criminal justice pedagogy.

The approach we advocate requires distinctively philosophical content, focus, and objectives. With respect to content, a philosophically engaged criminal justice ethics course will discuss not only specific ethical standards, codes, and practices, but also the rational foundations on which those items rest. Students in a philosophically-informed ethics course will also learn philosophical methods of analysis and criticism and a basic understanding of normative ethical theories to assess and critique their own and others' ethical perspectives. As we explain below, the true power and relevance of a philosophical course in professional ethics rests on the ability to assess ethical attitudes and beliefs and decision-making processes from a foundational perspective.

Such a course distinguishes itself from a strictly philosophical course in theoretical ethics, which would focus on the fine points of ethical theory and may not discuss real-life situations and applications at all; and also differs from a less reflective course in applied ethics that focuses on describing and applying to case studies key ethical standards, but does not include philosophical reflection on, and assessment of, the rational and theoretical foundations of those standards. That this style of course differs from those commonly taught in philosophy and criminal justice programs is one reason why we call for philosophers and criminal justice specialists to work together to design and implement professional ethics courses for criminology students. A second reason is related to Kleinig's (1998) conclusion that many criminal justice ethics courses employ ethical theories in too abstract a manner: we believe that specialized philosophical training and skills provide conceptual tools for exploring in a sophisticated and nuanced way specific connections between ethical theories and real-life experiences and decision-making.

A philosophically engaged course in applied ethics will also have a distinctive focus, namely on the development of valuable philosophical skills. Relevant skills identified by Ross (2006) include sophisticated philosophical reasoning and argumentation, detecting fallacies and unvoiced assumptions, performing conceptual analysis, and planning and carrying out nuanced thought experiments. We add to this list the specifically ethical skill of using a richly creative ethical imagination to understand how others experience the world.

These skills can help one to recognize and interpret moral issues as they arise in real life, and especially so when they are developed and manifested in a philosophical manner. This occurs when the rich philosophical content we have described informs a nuanced discussion of ethics that better mirrors and engages real-life ethical complexities than do less sophisticated discussions or more simplistic applications of moral principles to artificial case studies. In this way, philosophical discussion, analysis, and argumentation provide superb preparation for applying students' ethical training to the situations they will

confront in the future. A course designed to do this will thus avoid what Caplan concludes are fatal flaws of shallow discussions of applied ethics: "oversimplifying, overidealizing, or underestimating the complexity of human behavior" (1980, p. 30).

Among philosophers who have discussed techniques for promoting this type of philosophical discussion, Callahan (1998) discusses strategies for achieving classroom emotional dynamics that promote deep philosophical engagement and Carpenter (2004) describes strategies for achieving this level of engagement in online discussions. Within the criminal justice literature, Pollock's (1993) discussion of reaching a systematic philosophical synthesis of key criminal justice concepts is an example of how a criminal justice educator has promoted sophisticated philosophical dialogue in criminal justice ethics courses.

This approach is especially well suited to adult learners who can discuss complicated situations they have experienced in their own professional lives, but also works well when a philosophically skilled facilitator introduces real-life complexities to a classroom of learners with little or no professional experience. For all learners, we believe that a philosophically sophisticated discussion can help students to understand the ethical significance of situations that are far more complicated than the pat examples and artificial case studies commonly found in textbook discussions of professional ethics.

A second and related skill that a philosophical course in ethics can provide is an enhanced ethical imagination. Philosophical reflection, analysis, and assessment of one's own ethical beliefs and attitudes, of the ethical consequences of public and institutional policies, and of cultural norms and values is an extremely effective way of overcoming "ethical parochialism." Engaging in this reflection cultivates the ability to understand the ethical perspectives of those different from oneself, and in this way allows students better to perceive how their actions and attitudes affect the members of the diverse communities in which they act. This ability to creatively project how others experience the world obviously has great practical relevance and is a key skill for allowing students to perceive and accurately interpret the ethics of complicated real-life situations.

A philosophical ethics course should also focus on the development of sophisticated analytical and critical skills that promote nuanced ethical decision- making, and especially decision-making in situations where there exists significant ethical disagreement. Increased analytical and imaginative sophistication allows students to confront differences in ethical perspective more constructively (e.g., without becoming defensive, offended, or relying on a vulgar moral relativism as a means for evading substantive ethical disagreement). A sophisticated philosophical discussion and assessment of moral difference can have two constructive outcomes. First, careful analysis may show that what initially seem to be irreconcilable ethical perspectives in fact rest on significant shared ethical commitments. Second, mutual recognition of these commonalities, in turn, can help students either to understand that it is possible to resolve their differences or can provide a basis on which future cooperation is possible even when such resolution is impossible.

Philosophical analysis also allows students to identify and discuss the sources of ethical conflict and disagreement in a sophisticated, incisive, and clear manner. Being able to articulate such differences in this way promotes creative imagining of diverse perspectives, provides useful data for assessments of ethical options, and can help students to reach decisions about how to act even when a real-life situation generates serious ethical disagreement. For these reasons, the skill of philosophical analysis is a key

element of the general "philosophical perspective" described above. The need to teach this skill effectively and efficiently is another reason why we believe professional ethics courses in criminology are strengthened by the involvement of professional ethicists.

Turning briefly to the design of a philosophical course in applied ethics, the philosophical content and focus described above require and support philosophical course objectives. First, the course must be designed to promote and assess the development of philosophical analytical, critical, and imaginative skills. Second, the course must be designed to construct and assess sophisticated ethical dialogue that engages ethical differences in a philosophically nuanced manner that avoids the dialogical traps of defensiveness, offensiveness, and the escape into relativism. Third, the course must be designed to provide students with insight and skills that allow them accurately to interpret and efficiently to respond to the true ethical complexity of the most important and challenging situations they confront in their professional lives. We submit that the philosophical ethical perspective that we endorse is uniquely effective at promoting these ends, and we therefore conclude that philosophers and philosophy have much to contribute in the criminal justice classroom.

We close our discussion of teaching and learning by noting that philosophical ethics is valuable in other parts of the criminal justice curriculum. For example, training in philosophical ethics brings many of the benefits described above to discussions of the ethics of research in research methods courses. Likewise, philosophical perspectives and skills could be useful in statistics courses that discuss the ethical use of statistical data. Just as adopting a philosophical perspective adds much to criminal justice students' study of professional ethics, so can nuanced philosophical assessments allow students to perceive and to analyze the complicated ethical dimensions of research and data use in real life. To summarize, the philosophical skills and perspective described above allow students to make better ethical choices in their personal and professional lives, and this outcome is significant throughout the criminal justice curriculum and beyond.

Philosophical Ethics in Criminological Research

Designing, implementing, and disseminating the results of research studies are rife with ethical significance. Ethical issues and dilemmas can arise in multiple contexts, including the actions of individual researchers, the actions of research teams, the treatment of research subjects, the gathering, storage, and dissemination of research data, researchers' relationships with the sponsors of research, and researchers' relationships with the scientific community. Moreover, various styles of research—experimental, historical-comparative, ethnographical, evaluative, etc.—each raise their own ethical issues and dilemmas. Issues of consent, anonymity, confidentiality, privacy, and accurate prediction of potential risk and potential benefit are also ethically significant.

The ethical perspective and the philosophical imaginative and analysis skills described above can help researchers to understand, to assess, and to anticipate ethical issues in their research. Just as students can use their grasp of the philosophical perspective to construct sophisticated and nuanced ethical dialogues that provide them with better insight and more accurate understanding of the ethics of complex situations, so too can researchers use that same perspective and the identical philosophical skills to secure a more comprehensive, more sophisticated, and more accurate assessment of the ethical consequences of their research.

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To be sure, researchers with no specialized philosophical training have designed ethical codes and practices of consequence and have used them effectively. Our analysis of applied philosophical ethics, however, leads us to conclude that researchers who either possess prior rigorous philosophical training, or who collaborate with professional ethicists in the design and implementation of their research, are better able to understand and to respond appropriately to the ethical obligations of their research than are those who do neither of these things. For the same reason, we advocate including professional philosophers who engage in applied ethics on institutional review boards and other bodies that participate in the design and oversight of research. If the philosophical perspective we have endorsed here is as powerful as we believe it to be, then there exists a significant opportunity for social scientists to collaborate with philosophers to improve professional ethical codes, standards, and best practices.

Philosophical Ethics in Professional Practice

For many of the same reasons that they are valuable to researchers and students, philosophical training or collaboration with philosophers can enhance the ability of criminologists and other criminal justice professionals to understand and respond appropriately to the ethical demands and challenges they confront in professional practice.

Just as researchers benefit from the ability to anticipate and to interpret complex the ethical consequences of their research, so too do practitioners benefit when they become adept at understanding and responding in nuanced ways to complicated or "messy" professional situations. Useful skills include recognizing the ethical significance of professional situations in an accurate and nuanced manner, acquiring a sophisticated and insightful understanding of ethical differences that exist within their communities, imagining diverse options for responding to ethical challenges and conflict, and using a sophisticated understanding to select an appropriate course of action. These, however, are all skills that are acquired—with unique efficacy, we have argued—through the study of philosophical ethics. We therefore conclude that there is significant benefit in providing practitioners with training in philosophical ethics within criminal justice degree programs, within professional development programs, or both. We also submit that criminal justice organizations could benefit from maintaining consultative relationships with professional ethicists who could provide special assistance with the most ethically challenging situations.

Conclusion

We have highlighted ways that philosophical training and skills can strengthen criminological education, research, and professional practice. The opportunities for innovation and improvement within criminology are significant, but realizing them requires increased engagement with philosophy, with the philosophical canon, and with ethicists and other professional philosophers.

We end with a call for creative collaboration between criminologists and philosophers to plan, implement, assess, and publish a wide range of cases of criminological philosophical engagement. The authors of this essay, both professional philosophers, welcome contact from criminologists interested in contributing to the innovative multidisciplinary scholarship that these engagements will ground.

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