

**Psychology 1002: Morality and Taboo**  
**Harvard Law School 47212A: Thinking About Taboo Subjects**  
**Course Syllabus**

**Instructors:**

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**Meeting Time:**

Monday, 4:45-6:45  
Science Center B

**Course Description:**

This course will deal with a variety of issues – at the intersections of law, psychology, moral philosophy and politics – which fall under the rubric of “taboos.” A taboo has been defined as “a ban or an inhibition resulting from social custom or emotional aversion.” In its adjectival form it has been defined as “excluded from use, approach or mention,” – as in a “taboo subject.” A “taboo” subject is different than a controversial subject. The latter is amenable to vigorous discussion, so long as all sides are presented. The former is deemed inappropriate for any discussion.

Among the general issues we will cover are the following: Psychological and legal aspects of morality, the moral sense, dangerous ideas, offensive ideas, and related topics. Can it ever be immoral to consider, research or evaluate taboo ideas, such as

ones about torture; revenge; innate group differences; the environment; colonialism; debunking religious, cultural, scientific and other “truths;” infanticide; misuses of the Holocaust and other disasters; overuses of charges of anti-Semitism, racism, sexism; or the legalization of distasteful but victimless practices? When is it rational, or moral, to choose to be ignorant?

One of the objects of the course will be to assess how to discuss, research and write about subjects or points of view that are deeply offensive to many in the community.

There are optional discussion sections, led by one or two Teaching Fellows. Times and places will be announced on the course web site.

Two small seminars are associated with this course: Psychology 2002 (led by Prof. Pinker) and HLS 46751A (led by Prof. Dershowitz). Each is limited to a small number of students, with and may be taken only with prior permission of the instructor.

### **Readings:**

Readings consist of excerpts from books (available at the Coop), chapters and essays collected in a coursepack (available from Gnomon Copy on Holyoke St.), and articles made available on the course web site.

### **Grading:**

The requirements represent a compromise between the practices in FAS and HLS. There are two take-home exams. One will be given out on March 12 and must be returned by the end of the following day. This is necessary for us to assign mid-term grades, as required by FAS. The other will be given out the last week of class, and will be due one week later. Both will ensure that students have read the assigned readings and can think analytically about their content.

**February 5: Introduction.** Are certain intellectual topics ever off-limits for moral reasons? Are there any questions whose answers we are better off not knowing?

Readings:

Pinker, S. (2007) Introduction to J. Brockman (Ed.), *What is Your Dangerous Idea?*

[Assigned Book: Available as electronic file until the book arrives at the Coop]

Dershowitz, A. (2002) *Shouting Fire*, pp. 191-195. [assigned book]

Dershowitz, A. (2004) *Rights from Wrongs*, pp. 175-181 [assigned book]

**February 12: The Logic and Psychology of Taboo.** Can one objectively show (from logic, game theory, and related disciplines) that public knowledge has significant, possibly harmful consequences? Is the human mind designed to treat certain questions as literally unthinkable, and to moralize and punish those who breach this wall?

Readings:

Tetlock, P. (2003) Thinking the unthinkable: Sacred values and taboo cognitions. *Trends in Cognitive Sciences*, 7, 320-324. [electronic]

Pinker, S. (2007) "Games people play," chapter from *The Stuff of Thought*. [electronic]

Rozin, P. (1997). Moralization. In A. Brandt & P. Rozin (Eds.), *Morality and health*. New York: Routledge.

**February 19:** President's Day holiday, no class.

**February 26: The basis of morality.** Is it moral to question the nature of morality – whether it is rooted in divine decree, platonic reality, human nature, or social convention?

Readings:

Dershowitz. (2004) *Rights from Wrongs*, pp. 1-136. [assigned book]

Nagel, T. (1970) *The possibility of altruism*, chapters 1-3, 9, 14.

Pinker, S. (2002) "The Fear of Nihilism" and "The Sanctimonious Animal" (short chapters from *The Blank Slate*). [assigned book]

**March 5: Religion and Atheism.** Why is it considered immoral in much of the world to question religion or affirm atheism? Should criticism of religion or religions be off-limits?

Readings:

Harris, S. 2006. *Letter to a Christian Nation*. [assigned book]

Dershowitz, A. (2002) *Shouting Fire* pp 201-220. [assigned book]

Gould, S. J. (1999) *Rocks of ages: science and religion in the fullness of life*.

**March 12: Taboo language and freedom of speech.** When, if ever, should speech be criminalized – when it contains obscene or indecent language, racial epithets, incitement to lawless behavior, denial of historical facts such as the holocaust?

Readings:

Pinker, S. 2007. "The seven words you can't say on television." Chapter from *The Stuff of Thought*. [electronic]

Kennedy, R. 2002. Chapter 1, "The protean N-word," from *Nigger: The Strange Career of a Troublesome Word*.

Dershowitz, A. *Shouting Fire*, pp 163-175. [Assigned book]

**MIDTERM TAKE-HOME EXAM HANDED OUT: Due midnight the next day (Tuesday night/Wednesday).**

**March 19: Academic freedom.** Should scholars be free to pursue any intellectual topic that interests them? Should they have fewer—or more—restrictions than people outside the academy, such as journalists? Should universities have speech codes of any kind whatsoever?

Readings:

Speech codes from Macalester College, Drexel University, and Harvard University. [electronic]

Stanley Fish, "Conspiracy theories." *New York Times*, July 23, 2006. [electronic]

David Horowitz, "Academic Bill of Rights." [electronic]

Kors, A. C. & Silverglate, H. H. (1998) *The shadow university: The betrayal of liberty on America's campuses*. Introduction, chapter 1, chapter 5, chapter 7.

Kors, A. C. 2000. Thought Reform 101. *ReasonOnline*, March, 200. [electronic]

**March 26: Spring break, no class.**

**April 2 (to be rescheduled to another date that week): The Jews.** Why has the topic of the Jewish people drawn so much attention for thousands of years? Is it legitimate to try to characterize the Jews in economic, genetic, evolutionary, or political terms?

Pinker, S. 2006. Genes and Jews. *The New Republic*. [electronic]

Shulevitz, J., Tooby, J., & Starr, A. 2000 "Evolutionary psychology's Anti-Semite," and "Debating Fringe Academics: A Debate," *Slate*. [electronic]

Sowell, T. 2005. Are Jews generic? From *Black Rednecks and White Liberals*.

Dershowitz, A. (1997) *The Vanishing American Jew*, pp. 69-142.

**April 9: Free markets and human commodities.** Should we consider the advantages and disadvantages of a free market in any commodity that two parties are willing to trade, such as organs for transplant, adoption rights, and prostitution? How can we evaluate governmental policies that are designed to protect us against ourselves? Should drugs be decriminalized? Should the age of sexual consent be lowered? Should governments consider the eugenic or dysgenic consequences of policies such as child-care subsidies and immigration?

Fiske, A. P., & Tetlock, P. E. (1997). Taboo trade-offs: Reactions to transactions that transgress the spheres of justice. *Political Psychology*, 18, 255-297. [electronic]

Dershowitz, A. (2004) *Rights from Wrongs* pp 201-232 [assigned book]

- Nadelmann, E. (1989) Drug Prohibition in the United States: Costs, Consequences, and Alternatives." *Science*, 939-947. [electronic]
- Block, W. (1976) Defending the undefendable: The pimp, prostitute, scab, slumlord, libeler, moneylender, and other scapegoats in the rogue's gallery of American Society. New York: Fleet Press. Assigned: (1) Foreword by Murray Rothbard; (2) Introduction; (3) Commentary by F. A. von Hayek; (4) Chapter 1, "The Prostitute."
- Satel, S. (2006) Organs for sale. *The American*, 84-90. [electronic]
- Sandel, M. J. Markets, morals, and civic life. *Bulletin of the American Academy of Arts and Sciences*, Summer 2005. [electronic]
- Zelizer, V. A. (2005) *The purchase of intimacy*. Prologue and chapter 1.

**April 16: Race, IQ, and profiling.** Should the black-white test score gap be studied, and if so, should a genetic hypothesis be discussed and tested? Should legal policies (such as airport security or traffic stops) be color-blind regardless of the answers to these questions?

- Jensen, A. & Rushton, P. (2005) Thirty years of research on race differences in cognitive ability. *Psychology, Public Policy, and Law*, 11, No. 2, 235–294. [electronic]
- Nisbett, R. (2005) Heredity, environment, and race differences in IQ: A Commentary on Rushton and Jensen (2005). *Psychology, Public Policy, and Law*, 11, No. 2, 302–310. [electronic]
- Suzuki, L. & Aronson, J. (2005) The cultural malleability of intelligence and its impact on the racial/ethnic hierarchy. *Psychology, Public Policy, and Law*, 11, No. 2, 320–327. [electronic].
- Rushton, J. P. & Jensen, A. R. (2005) Wanted: more race realism, less moralistic fallacy. *Psychology, Public Policy, and Law*, 11, No. 2, 328–336. [electronic]
- Souter, D., & Clement, P. D. (2006) Discussion of desegregation case, U. S. Supreme Court, December 2006, pp. 20 ff in transcript. [electronic]

**April 23: Torture, corporal punishment, and capital punishment.** Should we evaluate the costs and benefits of forms of violent punishment like torture and execution, and adopt them if they reduce overall harm? Should we openly discuss policies for implementing them, such as warrants for coercive interrogation?

- Levinson, S. (2004) *Torture: A collection*. Chapters by Dershowitz, Scarry and Posner.

**April 30: The rights of the accused.** When someone is accused of rape, sexual harassment, child molestation, how should adjudicators weigh the likelihood of a false accusation? Is this tantamount to "condoning" the crimes?

- Crews, F. (1994) The revenge of the repressed, Parts I and II. *New York Review of Books*, reprinted (2006) in *Follies of the Wise: Dissenting essays*.

Dershowitz, A. (1996) *Reasonable Doubts: The O. J. Simpson case and the criminal justice system*. [assigned book]

**May 2: Last class. Wrap-up and discussion, with a guest commentator TBA.** Note that this is tentatively scheduled for Wednesday, rather than the usual Monday, because of a scheduling conflict. If a large number of students cannot attend, we will find another day.