

Course Outline

COURSE:	LAWS 3308A
TERM:	Summer 2013
PREREQUISITES:	LAWS 2004 (no longer offered) LAWS 2301
CLASS:	Day & Time: Tuesday and Thursday 11:35am-14:25pm Room: Please check with Carleton Central for current room location
INSTRUCTOR:	Dawn Moore
CONTACT:	Office: D573 Loeb Building Office Hrs: TBA Telephone: (613) 520-2600 x. 3823 Email: Dawn_moore@carleton.ca

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

This course explores justifications and practices of punishment and social control from a socio-legal perspective. Why do we punish? Are prisons the best option? What are the purposes of punishment? Students are encouraged to explore these issues from a critical and theoretical perspective.

EVALUATION**(All components must be completed in order to get a passing grade)**

Journal 1	10%
Journal 2	25%
Journal 3	35%
Final Exam	30%

***LATE PENALTY of 5% per day will be applied to all assignments.** Given this is a truncated course NO EXTENSIONS will be granted except in the most extreme of circumstances.

Journals

Three times in throughout the term you are expected to turn in a journal that covers ONE of the preceding classes. This journal should be between 3 and 4 pages and should consider the following:
How does this reading make me think differently about punishment?

Does this reading connect with other things I've been thinking about or other things going on in the world?

What further questions are raised as a result of the reading?

Is there anything that doesn't make sense about what the author is saying or that the author has missed?

Good journals will also relate to class discussions and teaching materials. You can also incorporate into your journal news items, artistic representations of punishment, other books you've read and so on.

Materials

Where possible, I have opted for course materials available online (via web-sites or through online academic sources). Those materials not available online are available in a course pack which can be purchased from Octopus Books www.octopusbooks.ca. Octopus is located on Third Avenue in the Glebe.

May 7**How to Study Punishment**

Garland, David. (1991). *Punishment and Modern Society*. Chicago: University of Chicago Press. Ch 1.

May 9 NOTE: CLASS STARTS AT 12:30 TODAY**Traditional Justifications 1: Denunciation, Retribution**

Lacey, Nicola. (1988). *State Punishment: Political Principles and Community Values* 16 - 27

Garland, David. (1991). *Punishment and Modern Society*. Ch 2

May 14**Punishment and National Security: Incarcerating Terror Suspects****Guest Lecture: Jeff Monaghan**

French, Martin (2007). "In the Shadow of Canada's Camps," *Social & Legal Studies*, Volume 16, Issue 1, pp. 49 - 69

Ajzenstadt, Mimi and Ariel Barak (2008). "Terrorism and Risk Management: the Israeli Case," *Punishment & Society*, Volume 10, Issue 4, pp. 355 - 374

Monaghan, Jeffrey (2013). "Terror Carceralism: Surveillance, (in)Security Proliferation, and de/Civilization," *Punishment and Society*, 15(1):3-22.

May 16

Traditional Justifications 2: Deterrence & Incapacitation

Beccaria, Cesare (1973). "On Crimes and Punishments." in *Theories of Punishment*. Grupp (ed)

Mill, John Stuart. (1975). "Utilitarianism." in *On Liberty and Other Essays*. Gray (ed.)

Journal 1 Due (May cover either May 9 or May 14).

May 23

Traditional Justifications 3: Rehabilitation

Duguid, Stephen. (2000). *Can Prisons Work?* Ch 2

Moore, Dawn and Kelly Hannah-Moffat. (2005). "The Liberal Veil: Revisiting Canadian Penalty." In *The New Punitiveness*.

http://www.csc-scc.gc.ca/text/prgrm/cor-pro-2009-eng.shtml#_Toc231830432

May 28

The Right to Punish

Lacey, Nicola. (1998). *State Punishment: Political Principles and Community Values*. Ch 4 New York: Routledge.

McGillivray, Anne. (2004). *Child Physical Assault: Law, Equality and Intervention*. In *Manitoba Law Journal*. 30.

Journal 2 Due (May cover May 16, 21 or 23)

May 30: CLASS CANCELED

June 4

Punishing Bodies & Souls

Foucault (1977) *Discipline and Punish* Part 1 – Torture

Foucault, Michel. (1977). *Discipline and Punish: The Birth of the Prison*. Part 3 ch 2.

Sykes, Gresham. (1958). *The Society of Captives: A Study of Maximum Security Prison*. Princeton: Princeton University Press. Ch 4

June 6

The Condemned: Prisoners, Probationers, Parolees

Guest Lecture: Lisa Wright

Murphy, Johnsen & Murphy. (2002). *Paroled for Life* "Gayle"

Hucklebury, Charles. (2009). "Talking Points: How Language Functions as a Status Determinant in Prison." In *JPP* 18 (1/2).

Hartman, Kenneth. (2009). "The Other Death Penalty." In *JPP* 18 (1/2).

Moore, Dawn. (2007). *Criminal Artefacts: Governing Drugs and Users* – ch 5. Vancouver: UBC Press.

June 11

Modern Punishments?

O'Malley, Pat (1999). "Volatile and Contradictory Punishment." In TC. (3).
<http://tcr.sagepub.com/content/3/2/175.full.pdf+html>

Garland, David. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society*.
Chicago: University of Chicago Press. Ch 7

June 13

Political Economy of Punishment: The Prison Industrial Complex

Garland, (1991). *Punishment and Modern Society*. Ch 4

Moore & Hannah-Moffat. (2003). "Get Tough Efficiency" *Human Rights, Correctional Restructuring and Prison Privatization in Ontario*.

Schlosser, Eric (1998). "The Prison Industrial Complex." In *Atlantic Monthly*.

<http://www.theatlantic.com/magazine/archive/1998/12/the-prison-industrial-complex/4669/>

Journal 3 Due (May cover June 4, 6, 11 or 13)

June 18

Abolition and Other Alternatives

Braithwaite, John. (1999). "A Future Where Punishment is Marginalized> Realistic or Utopian?" in
UCLA L. Review.

<http://www.lexisnexis.com.proxy.library.carleton.ca/us/lnacademic/api/version1/sr?csi=7359&sr=AUTHOR%28Braithwaite%29+AND+TITLE%28A+future+where+punishment+is+marginalized%3A+Realistic+or+utopian%3F%29+AND+DATE+IS+1999&shr=t&secondRedirectIndicator=true>

Davis, Angela (2008). *Lecture on Penal Abolition*.

<http://www.lexisnexis.com.proxy.library.carleton.ca/us/lnacademic/api/version1/sr?csi=7359&sr=AUTHOR%28Braithwaite%29+AND+TITLE%28A+future+where+punishment+is+marginalized%3A+Realistic+or+utopian%3F%29+AND+DATE+IS+1999&shr=t&secondRedirectIndicator=true>

