

Carleton University

Department of Law and Legal Studies

Course Outline

COURSE: LAWS 3903A

Selected Legal Topics: Canadian Correctional Policies in Historical Perspective

TERM: Fall 2013

PREREQUISITE: Third year standing

CLASS: Friday, 2.35-5.25pm

Room: Please check with Carleton Central for current room location.

INSTRUCTOR: Maeve W. McMahon B.Soc.Sc. MA (Criminology) PhD (Sociology)

CONTACT:

Office: Loeb D586

Office hours: Wednesday 12.30-1.30pm (also usually available immediately *after* class)

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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). For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE OBJECTIVES AND CONTENT: This course will examine Canadian corrections in historical perspective. While our primary focus will be on developments in Ontario during the decades following World War II, we shall also be examining the international evolution of Western penal systems during the nineteenth century (as affected by Enlightenment thought and the French Revolution). We shall further examine recent rates of imprisonment internationally, and how Canadian rates of imprisonment compare to those in other parts of the world.

The major development in Ontario and Canadian corrections during the post-war (II) period was the expansion of alternatives to prison from the late 1950s through to the 1970s (e.g. probation,

parole, ½ -way houses, and community service orders). We shall analytically examine related developments in the context of critical criminological debates about the alleged phenomenon of ‘net-widening’.

In addition to examining issues of imprisonment and alternatives, we will also address select topics with respect to correctional policies and experiences. These topics will include reflections on the revival of privatization in corrections in recent decades; on issues concerning mandatory minimum sentences; and on the situation of women in corrections, both as workers and as offenders.

The course objectives include facilitating students in better understanding, analysing and explaining historical developments in imprisonment and other forms of punishment, and especially during the latter half of the twentieth century. In particular, an objective is to facilitate students in identifying the variety of complex social, economic and political dynamics that have had an impact on evolving systems of punishment both locally and internationally. Another objective is to facilitate students in bringing an analytical eye to literatures concerning corrections - including academic, government, journalistic and reformist sources. In accordance with all of this, an objective is to familiarize students with important theoretical perspectives (e.g. the ideas of Michel Foucault, and of David Rothman) on the historical evolution of imprisonment, and of alternatives to prison, in the western world.

To facilitate student learning, we shall be making use of the Internet and exploring relevant websites. Relevant sites include the homepage of the Canadian Association of Elizabeth Fry Societies (CAEFS) and of the John Howard Society of Canada. Other relevant websites in getting started include ‘The Sentencing Project’ in the USA; the Journal of Prisoners on Prisons; the ‘Criminalization and Punishment Education Project’ (Ottawa); the ‘European Group for the Study of Deviance and Social Control’; ‘ICOPA’ (International Conference on Prison Abolition); and the ‘Smart Justice Network of Canada.’

REQUIRED READINGS

1. **The Persistent Prison? Rethinking Decarceration and Penal Reform** by Maeve McMahon. Toronto: University of Toronto Press. 1992. This will be available at the Carleton University Bookstore.
 2. **‘Canadian Correctional Policies in Historical Perspective’**, a course-pack compiled by Maeve McMahon, and available at the Carleton University Bookstore.
 3. Students will be encouraged to identify and consult relevant media sources.
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FIELD TRIP PAYMENT: On Friday November 8 we will have a class field trip to the Ottawa Jail at 75 Nicholas Street. Students will be asked to pay \$12 each on or by the third week of class to pay for our tour/guide. In the event of non-attendance this fee is not reimbursable. Our jail tour will be scheduled during class time.

EVALUATION PROCEDURES

- 1 **Attendance 6%** Class attendance is mandatory.
- 2 A **final examination** of 2 hours duration during the formal examination period (December 11-22, Examinations are normally held seven days of the week). Closed book. **[50% of final mark]**. The examination will consist of multiple choice (20%), True/False and short answers (20%), and an essay (10%). Students will be given detailed directions concerning preparations for the exam during the last weeks of the course.
- 3 An **essay** [10-12 pages maximum], typed, double-spaced, 12 font (Times New Roman), plus title page, table of contents, endnotes and bibliography due on **Friday October 18th at the beginning of class [44% of final mark]**.

Students will be presented with a list of potential essay topics to choose from. Students also have the option of choosing an alternative topic with the proviso that it is relevant to the materials covered in the course, and also subject to approval of the topic by the Instructor. It is expected that, as well as drawing from materials used in the course, students will locate additional relevant sources.

*Mark deductions will be applied for papers that are late without permission **or exceed the page limit**. Late assignments will be marked down by the equivalent of one half grade for each day that they are late. A medical certificate will be required to support any request for an extension. A hard copy of the essay must be submitted. They will not be accepted by e-mail.*

ALWAYS KEEP A HARD COPY OF YOUR ASSIGNMENTS.

Your paper will:

- Clearly identify the correctional phenomena, the historical period and questions or arguments that you will address;
- Provide clear supporting evidence for the historical analysis you present (acknowledging limitations of the historical record as appropriate);
- Explain how historical data and analysis have deepened your understanding of the phenomena examined by you.

In addition to this course outline, a detailed schedule of individual class topics, and associated readings, will be available for students.

**PLEASE CHECK OUT THE READINGS THAT ARE ON RESERVE AT THE LIBRARY FOR THIS COURSE.
THEY WILL BE USEFUL FOR YOU IN CHOOSING AND RESEARCHING PAPER TOPICS.**