

Course Outline

COURSE: LAWS 3903 A - Selected Legal Topics
Canadian Correctional Policies In Historical Perspective

PREREQUISITES: LAWS Third Year Standing

TERM: Fall 2007

CLASS: Day & Time: Tuesday 11:35 - 2:25
Room: 3165 Mackenzie Building

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

CONTACT: Office: D586 Loeb (assignments and mail should be addressed to C473 Loeb)
Office Hrs: Tuesday and Wednesday 3:00 p.m. - 4:30 p.m.
(also often available immediately after class)
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Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations and March 14, 2008 for April examinations. With regard to accommodations for religious obligations and pregnancy, please see <http://www.carleton.ca/law/accommodations.htm>.

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; 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 from 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, notably Penal Reform International (to reach this site go to www.penalreform.org/ or 'google' search 'Penal Reform International'), and Prison Privatization International (also accessible via 'google').

REQUIRED READINGS

1. **The Persistent Prison? Rethinking Decarceration and Penal Reform** by Maeve McMahon. Toronto: University of Toronto Press. 1992. This is 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 consult relevant media sources including work by Dan Gardner and Jake Rupert of the *Ottawa Citizen*, and the socio-legal work of CBC journalists including Maureen Brosnihan, Rosie (Robert) Rowbotham, and David Cayley.

ADDITIONAL READINGS

Students are expected to demonstrate initiative in consulting additional readings relevant to course topics, and especially in the course of essay preparation. To assist you in this a selection of readings have been placed on reserve for this course at the MacOdrum library. A preliminary identification of the readings can be made by consulting the library's website.

EVALUATION PROCEDURES

- **Attendance 6%** Class attendance is mandatory.
- A **final examination** of 2 hours duration during the formal examination period (December 6-22, Saturdays included). Closed book. **50%** The examination will consist of multiple choice (20%), 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.
- An **essay** [10-12 pages maximum], typed, double-spaced, 12 font (Times New Roman), plus title page, table of contents, endnotes and bibliography due at the beginning of class

on **Tuesday November 6** [44% of final mark]. Any essays completed prior to this should be deposited at the Law Department in the essay 'drop box' at C473 Loeb. 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 required 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.*

Essays based mostly or completely on Internet-based sources are not acceptable, and will be penalized. Your primary sources should be scholarly/academic/research based sources (as opposed, for example, to government reports).

Always keep a hard copy of your assignments.

Your paper will:

- Clearly identify the correctional phenomena, the jurisdiction/s, historical periods and questions or arguments that you will address;
- Explain why historical analysis is an appropriate methodology;
- 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.
