

Course Outline

COURSE: LAWS 5004F – Law, Crime and Social Order

TERM: FALL 2015

CLASS: **Day & Time:** Wednesday, 11:35 am - 2:25 pm
 Room: Please check with Carleton Central for current room location

PROFESSOR: Dr. Dale C. Spencer

CONTACT: **Office:** Loeb D597
 Office Hrs: By Appointment
 Telephone: Ext. 8096
 Email: dale.spencer@carleton.ca

Academic Accommodations:

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/>

OFFICIAL COURSE DESCRIPTION

Examines issues of crime control and state security through topical, in-depth investigations into contemporary problems. Focus is on critically analyzing the criminal justice system, and crime control strategies, as order maintenance /social control.

GENERAL COURSE DESCRIPTION

This graduate level seminar involves an exploration of the lines of inquiry engendered at the intersections of biopolitics, crime, and security. We will be examining what happens to security

practices when life is taken as the central referential object. This course departs from traditional geopolitical discourses and critically engages with the manifold tendencies and trajectories that have both informed neoliberal governance and found expression in its contemporary reformulation. This course begins with a survey of key theoretical pieces, including the work of Foucault, Agamben, Arendt and Mbembe. The lines of debate between these key thinkers on biopolitics and security will be utilized in relation to the contemporary spread of surveillance technologies, the targeting of ‘risky’ spaces and ‘dangerous’ populations, and anti-terrorism and crime prevention practices. The seminar will also focus on current debates regarding torture and biosecurity.

Course Objectives

1. To read and discuss a variety of theoretical perspectives and empirical investigations of issues related to the biopolitics, crime and security, utilizing legal, historical, criminological, sociological, philosophical and interdisciplinary perspectives.
2. To assist in the development of critical reading, writing, presentation, discussion, and analytical skills through class participation, presentations, and written assignments.

REQUIRED TEXTS

Campbell, T. C., & Sitze, A. (Eds.). (2013). *Biopolitics: a reader*. Durham: Duke University Press.

P. T. Clough & C. Willse (Eds.), *Beyond biopolitics: essays on the governance of life and death*. Durham: Duke University Press.

- Books can be purchased at Octopus Books, 116 Third Avenue.

GRADES

The following table illustrates the relationship between letter grades, percentages, and levels of achievement relative to the expectations for MA and PhD students.

Grade	Percentage	Description
A+	90-100	Exceptional work that is technically flawless and original. Work demonstrates insight, understanding and independent application or extension of course expectations; often of publishable quality.
A	85-89	Excellent work that demonstrates a very high level of integration of materials/ relevant scholarship. Work demonstrates insight, understanding and independent application or extension of course expectations.

A-	80-84	Very good quality work that represents a high level of integration, comprehensiveness and complexity, as well as mastery of relevant techniques/concepts.
B+	77-79	Represents a largely satisfactory level of integration, comprehensiveness, and complexity; demonstrates a sound level of analysis with no major weaknesses.
B	73-76	Acceptable work that fulfills the minimum expectations of the course. Represents a satisfactory level of integration of key concepts/procedures. However, comprehensiveness or technical skills may be lacking.
B-	70-72	Acceptable and somewhat fulfills the course expectations. Work reveals some deficiencies in knowledge, understanding or techniques.
C+	67-69	<p>Unacceptable work at the graduate level. Represents an unacceptable level of integration, comprehensiveness and complexity. Mastery of some relevant techniques or concepts lacking.</p> <p><i>(Carleton University requirements: "A grade of B- or better must normally be obtained in each course credited towards the master's degree" and a grade of B- must be obtained in each course credited towards the PhD. Grades below B- may result in the student's removal from the Program. See http://calendar.carleton.ca/grad/gradregulations/administrationoftheregulations/#11)</i></p>
C	63-66	
C-	60-62	
D	50-59	
F	0-49	Fail. Unsatisfactory performance, even though student completes course requirements including submission of final paper/ completion of final exam.

EVALUATION

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

Research Paper Proposal and Sample Bibliography (5%):

This assignment involves the development of a specific research question and research parameters for your final paper. The abstract (2 double spaced typed pages including references) should briefly outline the thesis, issues, and arguments you will present in your final paper. Try to choose a clearly delineated and manageable topic and avoid embarking on vast research enterprises. The bibliography should present the literature you propose to use to address these issues. The bibliography is expected to conform to the minimum requirements for the final research paper (see below). You do not have to include sources from the syllabus, but it is strongly encouraged.

Presentation (25% - 12.5% per presentation):

Each student will conduct **two** presentations*. See sign-up sheet.

Presentations will introduce the class to the major issues related to the designated topic, will synthesize the required reading of the respective week, and will evaluate the material in terms of its strengths and limitations (presenters are encouraged to include their own views, criticisms, and interpretations).

The presenter will prepare a presentation of approximately 30 minutes in length. The remainder of the class will be dedicated to a discussion of the issues. The use of visual aids is encouraged as the aim of the presentation is to promote class discussion and debate not only on the content of the material but also on the general theme.

* Depending on the size of the class, students may have to present with another student.

Critical Commentaries and Participation (30%): Students who are not presenting are expected to attend each presentation and are responsible for engaging in scholarly debate, posing critical questions, or raising scholarly points for discussion on the assigned readings and the presentation of the assigned readings (10%).

To promote class discussion and participation, each class member shall prepare a written critical commentary on the required readings (**two per week**) and be prepared to raise issues from their commentaries in class each week (20%) from week 2 through week 12.

Critical commentaries should briefly outline the central claims and issues, the central debates or points of comparison, and the scholarly strengths and limitations of material as you see it (interpretations of the material are encouraged). Commentaries must include at least two critical questions that will inform class discussion and stimulate debate of issues of scholarly importance. Each submission of critical commentaries must be 3-4 double-spaced typed pages in length and ***handed in on the day that the reading is assigned***. Students ***are not*** required to submit a critical commentary on the weeks that they are presenting.

****Do NOT ask to hand in late critical commentaries.***

Research Paper Assignment (40%):

For this assignment, students shall write an essay on a subject matter suitable to the course. It is important to utilize ideas, arguments, and concepts presented in class and in course readings and to discuss and critically evaluate the materials you use in your paper. The aim of the research paper is to synthesize, discuss, and assess (not simply describe or summarize) scholarly literature and to develop a conceptual analysis of the topic chosen.

Papers shall be **20 pages** in length and must be *typed* and *double-spaced*.

Composition of the Research Paper: The paper should reflect and communicate specific information from the writer to the reader. It should start with a statement of intentions and objectives, followed by a discussion and analysis of supporting and illustrative materials. Do not limit yourself to descriptive analyses only; employ relevant concepts and incorporate theoretical (or formal explanatory) frameworks within your study. In writing your essay, you should be able to summarize the thesis (major argument) in a brief statement or short paragraph.

Layout of the Research Paper:

Introduction: The introduction presents the theme or issues explored in the essay. It briefly outlines your approach to the topic and the major ideas and argument(s) advanced in the main body of the essay. This section is 1-2 pages in length.

Main body of the research essay: This section develops the main argument(s) of the essay. This main body should present your *theoretical framework* and review and assess the appropriate literature, while providing an exposition of the central points. The research theme, together with ideas relating to the central thesis, should be clearly presented and substantiated. Ideally, each paragraph should focus upon a major point related to the central argument(s) or theoretical framework. Internal headings and sub-headings are useful as a device to mark shifts in discussion while, at the same time, maintaining an integration of points to the central theme. This section is 16-18 pages in length.

Conclusion: This last section provides a brief summary of the essay's major argument(s) within the context of the central theme addressed. The conclusion is 1-2 pages in length.

Bibliography/ References: Each research paper must make direct references to appropriate course readings on your specific topic.

A minimum of **twenty** cited scholarly references is required including books, scholarly journal articles and academic quality book chapters on your selected topic by different social scientific authors. Do not draw heavily on a single source.

References to source(s) of information should include the author's surname, year of publication, and pagination as in the APA or Harvard style guide. **Do not use footnotes or endnotes.** Indicate on your cover page which referencing style will be used in the essay.

Citation of the sources must always be given for the following: all direct quotations; paraphrases of the statements of others; opinions, ideas, and theories not your own; and, information which is not a matter of general knowledge. Even when using proper citation, it is a mistake to place too much reliance on one source. Furthermore, direct quotations from one or more authors

should seldom occur in an essay and should not be longer than two or three sentences in length. All quotations of over four text lines should be indented and single spaced with quotation marks omitted. Quotations of any kind, however, must be acknowledged by a reference to the source, and include the page number(s). Quotations should be used as a way to emphasize a point or because the original author has an authority of expertise that can be best expressed by her/him).

SCHEDULE

Week 1: – Introductory Class – September 2nd, 2015

Week 2: – Theoretical Foundations I: Foucault, Biopolitics and Security – September 9th, 2015

Required Reading

Foucault, M. (2013). Right of Death and Power over Life. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Foucault, M. "Society Must Be Defended," Lecture at the *Collège de France*. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Week 3: Theoretical Foundations II: Biopolitics, Agamben and Security – September 16th, 2015

Required Reading

Agamben, G. (2013). The Politicization of Life. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Agamben, G. (2013). Biopolitics and the Rights of Man. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Recommended:

Agamben, G. (2013). Introduction: Homo Sacer: Sovereign Power and Bare Life. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Week 4: Theoretical Foundations III: Arendtian Response – September 23rd, 2015

Required Reading

Arendt, H. (2013). The Perplexities of the Rights of Man. In Campbell, T. C., & Sitze, A. (Eds.).

Biopolitics: a reader. Durham: Duke University Press.

Arendt, H. (2013). Selections from *The Human Condition*. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Week 5: Rethinking Biopolitics, Rethinking Security – September 30th, 2015

Required Reading

Mbembe, N. (2013). Necropolitics. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Blencowe, C. (2010). Foucault's and Arendt's "insider view" of biopolitics: a critique of Agamben. *History of the Human Sciences*, 23(5), 113–130.

Massumi, B. (2011). National Enterprise Emergency: Steps Toward an Ecology of Powers. In P. T. Clough & C. Willse (Eds.), *Beyond biopolitics: essays on the governance of life and death*. Durham: Duke University Press.

Week 6: 'Control', Security and Risk – October 7th, 2015

Required Reading

Deleuze, G. (1992) Postscript on the Societies of Control. *October*, 59: 3-7.*

Parisi, L. and Goodman, S. Mnemonic Control. In P. T. Clough & C. Willse (Eds.), *Beyond biopolitics: essays on the governance of life and death*. Durham: Duke University Press.*

O'Malley, P. (1992). Risk, power and crime prevention. *Economy and Society*, 21(3), 252–275.

Huysmans, J. (2011). What's in an act? On security speech acts and little security nothings. *Security Dialogue*, 42(4-5), 371–383.

* To be presented together.

Week 7: Biopolitics, Crime, and 'Dangerous' Populations – October 14th, 2015

Required Readings

Spencer, D. (2009). Sex Offender as Homo Sacer. *Punishment and Society* 11(2): 219-240.

Debrix, F., & Barder, A. D. (2009). Nothing to Fear but Fear: Governmentality and the

Biopolitical Production of Terror. *International Political Sociology*, 3(4), 398–413.

McLean, K. (2011). The biopolitics of needle exchange in the United States. *Critical Public Health*, 21(1), 71–79.

Week 8: Surveillance, Security and Biopolitics – October 21st, 2015

Required Reading

Adey, P. (2009) Facing airport security: affect, biopolitics, and the preemptive securitisation of the mobile body. *Environment and Planning D: Society and Space* 27: 274-295.

Bell, C. (2006). Surveillance Strategies and Populations at Risk: Biopolitical Governance in Canada's National Security Policy. *Security Dialogue*, 37(2), 147–165.

Topal, C. (2011). Necropolitical Surveillance: Immigrants from Turkey in Germany. In P. T. Clough & C. Willse (Eds.), *Beyond biopolitics: essays on the governance of life and death* (pp. 238–258). Durham: Duke University Press.

Week 9: Reading Week

Week 10: Security and Torture – November 4th, 2015

Required Reading

Federman, C., & Holmes, D. (2005). Breaking Bodies Into Pieces: Time, Torture and Bio-Power. *Critical Criminology*, 13(3), 327–345.

Gregory, D. (2006). The Black Flag: Guantánamo Bay and the Space of Exception. *Geografiska Annaler. Series B, Human Geography*, 88(4), 405–427.

Welch, M. (2009). American “pain-ology” in the war on terror: a critique of “scientific” torture. *Theoretical Criminology*, 13(4), 451–474.

Macklin, Audrey (2008) From Cooperation, to Complicity, to Compensation: The War on Terror, Extraordinary Rendition, and the Cost of Torture. *European Journal of Migration and Law*, 10(1): 11-30.

Week 10: Biopolitics, Security, and ‘Race’ – November 11th, 2015

Required Reading

Amin, A. (2010). The Reminders of Race. *Theory, Culture & Society*, 27(1), 1–23.

Martin, R. (2011) From Race War to the War on Terror. *Beyond biopolitics: essays on the governance of life and death* (pp. 258–274). Durham: Duke University Press.

Giroux, H. A. (2006). Reading Hurricane Katrina: Race, Class, and the Biopolitics of Disposability. *College Literature*, 33(3), 171–196.

Week 11: Gender/Sexuality, Biopolitics and Security – November 18th, 2015

Required Reading

Clough, P. T. & Willse, C. (2011). Human Security/National Security: Gender Branding and Population Racism. *Beyond biopolitics: essays on the governance of life and death* (pp. 46–64). Durham: Duke University Press.

Fitzgerald, S. A. (2010). Biopolitics and the regulation of vulnerability: the case of the female trafficked migrant. *International Journal of Law in Context*, 6(3), 277–294.

Paur, J. (2011). “The Turban is Not a Hat”: Queer Diaspora and Practices of Profiling. In P. T. Clough & C. Willse (Eds.), *Beyond biopolitics: essays on the governance of life and death* (pp. 65–105). Durham: Duke University Press.

Week 12: Biosecurity and ‘Life’ – November 25th, 2015

Haraway, D. (2013). The Biopolitics of Postmodern Bodies: Constitutions of self in immune system discourse. In Campbell, T. C., & Sitze, A. (Eds.). *Biopolitics: a reader*. Durham: Duke University Press.

Lock, M. (2001). The Alienation of Body Tissue and the Biopolitics of Immortalized Cell Lines. *Body & Society*, 7(2-3), 63–91.

Braun, B. (2007). Biopolitics and the molecularization of life. *Cultural Geographies*, 14(1), 6–28.

Week 13: Class Summation – December 2nd, 2015

Hand in Final Research Papers