

LAWS 5004 – Law, Crime and Social Order  
Tuesdays and Thursdays 11:30 – 2:30  
Dawn Moore  
D583 Loeb  
Office Hours – before class or by appointment.  
Email: [Dawn\\_moore@carleton.ca](mailto:Dawn_moore@carleton.ca)

### **Course Synopsis**

This course exposes students to critical, theoretical understandings of crime, criminality and crime control. We will explore major political and intellectual movements concerning the ‘problem of crime’, addressing shifts in governmental rationalities, moves from welfarism to neoliberalism to what many now hail as the rise of neocoservativism and the roles of expert knowledges, disciplinary powers and risk discourses in the project of governing crime. In addition, we will concern ourselves with emergent critiques of contemporary criminal justice thought and practice, drawing here on feminist, post-structuralist, critical geography, queer theory and post-colonial studies.

We WILL NOT study how to fix or prevent crime, how to treat people who commit crimes, the effectiveness of remedies to crime (legal or social) or take on in anyway the ‘what works’ question.

### **Class Participation**

You MUST come to class PREPARED to contribute to the discussion. This means that you MUST do the readings for each class. I expect you to come to class each week with questions prepared for both clarification and discussion. What did you think was important? What didn’t you understand? These roadmaps will serve as the basis for your reading journals and will also help to shape class discussion.

### **Journals**

After each class I expect you to write a 2 – 3 page reflection on the week’s readings in which you engage critically with the material. I do not want to know if you agree or disagree with the author nor do I want you to summarize the readings (though you may have done that in your roadmap). Instead, I would like to see thoughtful engagement with the texts. Do they challenge your thinking (that’s the goal)? How? Anything that surprised you? Any notable absences? You may want to think about the journal as a way of holding an intelligent conversation with the scholars whose work we study. You may want to reflect back on other work we’ve studied and see how each reading relates. You may want to think about these readings in relation to your own work.

### **In Class Facilitation**

Each student will take responsibility for facilitating once class (with a partner if numbers warrant). A facilitation involves raising good questions and points of discussion from class materials. It DOES NOT involve summarizing the readings and it is not a performance of your intellect. A good facilitation will spark debate by guiding the class to the salient issues raised in the readings. It is your responsibility to make sure you understand the readings well enough to offer an interesting facilitation. I STRONGLY suggest you do the readings well in advance and talk to me if you do not understand.

### **Conference Attendance Report**

Because this class is overlapping with two great conferences that will both be held in Ottawa (Critical Perspectives in Criminology and Canadian Law and Society Association) you are required to attend at LEAST two panels out of the two conferences. You choose the panels. I would like you to turn in a 5 – 8 page written reflection on the panels you attended. This should include a BRIEF synopsis of the papers, and then, similar to your journals, a critical engagement with what you experienced. In addition to posing the same questions you would of the journals you can think about the kinds of questions that were asked of the presenters, the kinds of discussions the papers elicited and the diversity of scholarship currently circulating within critical criminology.

### **Grading Scheme**

Class participation	10%
Journal 1	10%
Journal 2	20%
Journal 3	30%
Facilitation	20%
Conference Attendance Report	10%

### **May 5 Introductions**

#### **May 7**

#### **Critical Framework**

Foucault, Michel. (1991) “Governmentality.” In the Foucault Effect.

Pavlich, G. (2001). “The Art of Critique or how not to be Governed Thus.” In Rethinking Law, Society and Governance: Foucault’s Bequest. Wickham and Pavlich (eds). Hart: Oxford.

Valverde, Mariana, Nikolas Rose and Pat O’Malley (2006). “Governmentality.” In Annual Review of Law and Social Science.

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1474131](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1474131)

### **Tuesday May 12<sup>th</sup> FIRST JOURNAL DUE**

#### **Discipline**

Foucault, Michel. (1977) Discipline and Punish: Generalized Punishment, Docile Bodies, The means of Correct Training, Panopticism (office door).

### **Thursday May 14<sup>h</sup>**

#### **Welfarism and the Social**

Pasquino, Pasquale. (1991). “Criminology: The Birth of a Special Knowledge.” In the Foucault Effect (office door)

Garland, David. (2001). *The Culture of Control* ch 2

M. Ignatieff (1983) "State, Civil Society and Total Institutions: A Critique of Recent Social Histories" In S. Cohen and A. Scull (Ed) *Social Control and the State*. New York: Basil Blackwell.

D. Rothman (1983) *Social Control: The Uses And Abuses Of The Concept In The History Of Incarceration*" In S. Cohen And A. Scull (Ed) *Social Control And The State*. New York: Basil Blackwell.

## **Tuesday May 19**

### **Liberalism and Crime Control**

Rose, Nikolas. (2000). "Government and Crime Control." In *BJC*. 40. 321 – 39.

Ericson, Richard. (2007). *Crime in an Insecure World*. Ch 1.

Garland, David. (1996). "The Limits of the Sovereign State." In *BJC*. 36(4).

## **Thursday May 21**

### **Gender**

Lauren Snider. (2003). "Constituting the Punishable Woman: Atavistic Man Incarcerates Post-modern Woman." In *BJC* 43(2).

Smart, Carol. (1989). *Feminism and the Power of Law – Introduction*.

Spade, Dean. (2011). *Normal Life: Administrative Violence, Critical Trans Politics and the Limits of Law*. Ch 3.

## **Tuesday May 26 Second Journal Due**

### **Risk**

Ericson and Haggerty. (1997). *Policing the Risk Society*. Ch 1

O'Malley, Pat. (2004). *Risk, Uncertainty and Government*. Ch 7.

Hannah-Moffat, Kelly. (1999). "From Moral Agent to Actuarial Subject." In *Theoretical Criminology* 3(1).

## **Thursday May 28 (or 29)**

### **Critical Perspectives in Criminology Conference – University of Ottawa**

## **Tuesday June 2**

Guest: Dale Spencer

Crime and Masculinities

Readings TBA

## **Thursday June 4**

### **Conservatism and Punitiveness**

Pratt, John et al (2005). *The New Punitiveness: Trends, Theories, Perspectives*. – Introduction (od).

Moran, L. and B Skeggs. (2004). *Sexuality and the Politics of Violence and Safety* (ch 3). (od).

Lacey, Nicola. (2007). The Prisoners' Dilemma: Political Economy and Punishment in Contemporary Democracies. Ch 1. (od)

## **Tuesday June 9**

### **Criminal Identities**

Hacking, Ian. (1999). The Social Construction of What? Ch 4 (od).

Donohue, Erin and Dawn Moore (2009). "When is an Offender not an Offender? Power, the Client and Shifting Penal Subjectivities." In Punishment and Society. 11(3)

Goffman, Erving. (1961). Asylums: Essays on the Social Situation of Mental Patients and Other Inmates – Ch 2 (od)

## **Thursday June 11**

### **Actor-Network Theory**

Moore, Dawn and Rashmee Singh. "Seeing Crime: ANT, Feminism and Images of Violence Against Women." In Dufresne and Robert ANT and Crime Studies

Mopas, Michael. "Translating Critical Scholarship Out of the Academy: ANT, Deconstruction and Public Criminology." In Dufresne and Robert.

## **Tuesday June 16.**

### **Spatializing Crime**

Wacquant, Loic. (2000). The New "Peculiar Institution": On the Prison as a Surrogate Ghetto. TC 4(3) 377

Beckett, K and S. Hebert. (2010). "Penal Boundaries and the Expansion of Punishment." In Law and Social Inquiry. 35 (1).

Razack, Sherene. (2000). "Gendered, Racialized Violence and Spatialized Justice: The Murder of Pamela George" in Race, Space and the Law. (od)

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### ***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](mailto: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/>

### ***Plagiarism***

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at: <http://www.carleton.ca/studentaffairs/academic-integrity/>

### ***Department Policy***

The Department of Law and Legal Studies operates in association with certain policies and procedures.

Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

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