

Course Outline

COURSE: CRCJ4600 – Sociologies of punishment

TERM: Winter 2024

PREREQUISITES: CRCJ 2100, fourth-year standing, and enrollment in a B.A. or Minor in Criminology and Criminal Justice, or by permission of the Institute.

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

PROFESSOR: Nicolas Carrier

CONTACT: **Office:** DT1719
 Office Hrs: Tuesdays, 9:30am-11am
 Telephone: 6149
 ***Email:** nicolas.carrier@carleton.ca

*You must use your Carleton email address in all correspondence with the professor.

Link to Brightspace page:

ACKNOWLEDGEMENT & AFFIRMATION

ANISHNABE

Ni manàdjiyànànig Màmìwininì Anishinàbeg, ogog kà nàgadawàbandadjig iyo akì eko weshkad. Ako nongom ega wikàd kì mìgiwewàdj.

Ni manàdjiyànànig kakina Anishinàbeg ondaje kaye ogog kakina eniyagizidjig enigokamigàg Kanadàng eji ondàpinangig endàwàdjìn Odàwàng.

Ninìsidawinawànànig kenawendamòdjig kije kikenindamàwin; weshkinigidjig kaye kejeyàdizidjig.

Nigijeweninmànànig ogog kà nigànì sòngideyedjig; weshkad, nongom; kaye àyànikàdj.

ENGLISH

We pay respect to the Algonquin people, who are the traditional guardians of this land. We acknowledge their longstanding relationship with this territory, which remains unceded.

We pay respect to all Indigenous people in this region, from all nations across Canada, who call Ottawa home.

We acknowledge the traditional knowledge keepers, both young and old.

And we honour their courageous leaders: past, present, future

COURSE DESCRIPTION

This introductory seminar on the sociology of punishment proposes an overview of theoretical perspectives animating its contemporary forms. This overview prepares the ground for a survey of contemporary scholarship and issues in the sociology of punishment.

PRECLUSIONS

None

LEARNING OUTCOMES

The successful completion of the seminar contributes to the following learning outcomes (LO) of undergraduate programs in Criminology & Criminal Justice:

LO1: Identify, describe, explain and apply the key concepts and theories employed in a multidisciplinary criminology, which not only draws on psychological, sociological, and legal knowledge, but also on historical, philosophical, political and cultural forms of knowledge.

LO2: Explain the relevance of systemic oppression and social justice to contemporary criminological issues.

LO3: Explain the implications of criminological research for criminological policy and practices.

LO4: Demonstrate clear and effective communications skills, including but not limited to written and oral communications, for both academic and non-academic audiences.

LO5: Articulate the benefits and limits of criminological, social, psychological, and legal knowledge and the implications of these.

LO6: Analyze and problem solve through critical thinking.

LO7: Apply knowledge of methodological research strategies used to understand, interpret, evaluate, and create social science research.

TEXTS

All the required readings are accessible through Omni and on Brightspace.

COURSE CALENDAR.

January 11 – Week 1 – Introduction

January 18 – Week 2 – Punishment as a sociological object

Fassin, D. (2018) What is punishment, in Fassin, D. *The will to punish*, New York: OUP, 32-62.

Zedner, L. (2016). Penal subversions: When is a punishment not punishment, who decides and on what grounds? *Theoretical Criminology* 20(1), 3-20.

January 25 – Week 3 – Punishment as a sociological object II

Garland, D. (2018). Theoretical advances and problems in the sociology of punishment, *Punishment & Society* (20)1, 8-33.

Hamilton, C. (2023). Radical right populism and the sociology of punishment: Towards a research agenda, *Punishment & Society* 25(4), 888-908.

February 1 – Week 4 – Punishment and inequality

Garland, D. (1990). Punishment as ideology and class control. Variations on Marxist themes, in *Punishment and Modern Society: A Study in Social Theory*, Chicago: University of Chicago Press, 111-130.

Phelps, M.S. and D. Pager (2016). Inequality and Punishment: A Turning Point for Mass Incarceration?, *Annals of the American Academy of Political & Social Science*, 663, 185-203.

Vanneste, C. (2022). Inequality and penalty: The hidden side of a complex relationship, *European Journal of Criminology*, 19(3), 394-318.

February 8 – Week 5 – Policing

Harkin, D.M. (2015). The police and punishment, *Theoretical criminology*, 19(1). 43-58.

Levi, R. (2009). Making counter-law. On having no apparent purpose in Chicago, *British Journal of Criminology*, 49, 131-149.

Maurutto, P., K. Hannah-Moffat and M. Quirouette (2023). Punishing the non-convicted through disclosure of police records, *British Journal of Criminology*, 63, 1368-1383.

February 15 – Week 6 – Bail and remand

- Webster, C. (2022). Remanding justice for the innocent. Systemic pressures in pretrial detention to falsely plead guilty in Canada, *Wrongful conviction law review*, 3(2), 128-155.
- Pelvin, H. (2019). Remand as a cross-institutional system: Examining the process of punishment before conviction, *Canadian Journal of Criminology and Criminal Justice*, 61, 66-87.
- Russell, E.K., B. Carlton and D. Tyson (2022). Carceral churn: A sensorial ethnography of the bail and remand court, *Punishment & Society*, 24(2), 152-169.

February 22 – Winter Break –**February 29 – Week 7 – Judging and sentencing I**

- Hunter, R., S. Roach Anleu and K. Mack (2016). Judging in lower courts: Conventional, procedural, therapeutic and feminist approaches, *International Journal of Law in Context*, 12(3), 337-360.
- Lynch, M. (2019). Focally concerned about focal concerns: A conceptual and methodological critique of sentencing disparities research, *Justice Quarterly*, 36(7), 1148-1175.
- Tata, C. (2007). Sentencing as craftwork and the binary epistemologies of the discretionary decision process, *Social & Legal Studies*, 16(3), 425-447.

March 7 – Week 8 – Judging and sentencing II

- Brissette, E. (2020). Bad subjects: Epistemic violence at arraignment, *Theoretical Criminology*, 24(2), 353-369.
- Hanan, E.M. (2021). Talking back in court, *Washington Law Review*, 96(2), 493-560.
- Nir, E. and J. Musial (2022). Zooming in: Courtrooms and defendants' rights during the COVID-19 pandemic, *Social & Legal Studies*, 31(5), 725-745.

March 14 – Week 9 – Incarceration I

- Crewe, B. (2016). The Sociology of Imprisonment, in Jewkes, Y., Crewe, B. and J. Bennett (Eds.), *Handbook on Prisons, 2nd Edition*, New York: Routledge, 77-100.
- Hayes, D. (2017). Proximity, Pain, and State Punishment, *Punishment & Society*, 20(2), 235-254.
- Haggerty, K. and S. Bucerius (2020). The proliferating pains of imprisonment, *Incarceration*, 1(1), 1-16.

March 21 – Week 10 – Incarceration II

- O'Connell, S. and A. Laniyonu (2023). Race, gender, and risk assessments in Canadian federal prison, *Race and Justice*, doi: 21533687231153993
- Struthers Montford, K. and K. Hanna-Moffat (2021). The veneers of empiricism: Gender, race and prison classification, *Aggression and Violent Behavior*, 59, 1-9.
- Carrier, N. (2023). Monstrosity, correctional healing, and the limits of penal abolitionism, *Crime, Media, Culture*, 19(1), 95-113.

March 28 – Week 11 – Incarceration III

- Evans, J. and J. House (2024). "A prison is no place for a pandemic": Canadian prisoners' collective action in the time of COVID-19, *Punishment & Society*, doi: 14624745231194276
- Maycock, M. (2022). 'Covid-19 has caused a dramatic change to prison life'. Analysing the impact of the Covid-19 pandemic on the pains of imprisonment in the Scottish Prison Estate, *British Journal of Criminology*, 62, 218-233.
- Maruna, S., G. McNaull and N. O'Neill (2022). The Covid-19 pandemic and the future of the prison, *Crime and Justice*, 51(1), 59-103.

April 4 – Week 12 – Restraining punishment

- Parkes, D. (2019). Punishment and its limits, *Supreme Court Law Review*, 88, 351-367.
- Goshe, S. (2019). The lurking punitive threat: The philosophy of necessity and challenges for reform, *Theoretical Criminology*, 23(1), 25-42.

April 10 – Term paper due

EVALUATION

	Grade	Due date
I. Participation	10%	N/A
II. Presentation	10%	Variable
III. Review essay	20%	Variable
IV. Outline of term paper and preliminary bibliography	5%	February 29
V. Ethnographic reflection	15%	March 14
VI. Term paper	40%	April 10

*** All components must be completed to get a passing grade ***

I. Participation (10%)

To participate means to actively and meaningfully take part in the seminars' exchanges.

II. Presentation (10%)

Every student will be tasked to present 1 of the assigned readings in class. Responsibilities will be distributed in week 1. In a short presentation (5-10 minutes), you i) explain the objective of the contribution (what is the text aiming to achieve); ii) identify the key arguments of the text; iii) critically engage with the text, identifying 2 limits of the contribution and addressing 2 questions to the text that shall be used to nurture a productive collective discussion. More details will be provided in class.

III. Review essay (20%)

In an essay of 4 to 6 pages, you propose a review of the 3 texts assigned for a given week (you chose readings assigned between week 4 and week 11, inclusively). In the essay, you i) explain the objective of the contributions (what are the texts aiming to achieve); ii) identify the key arguments of the texts; iii) critically engage with the texts, discussing their value and their limits. Your essay has to be submitted no later than the day before our seminar. For example, should you choose to do your essay on the readings on bail and remand (week 6), the due date for your assignment will be February 14. More details will be provided in class.

IV. Outline of term paper and preliminary bibliography (5%)

In a short outline of 2 to 4 pages, you propose a coarse draft of your project for the term paper. The term paper will propose an analysis of contemporary penal practices; the outline has to present your object (e.g., solitary confinement), signaling social and academic contexts and identifying your objective and planned methodology (e.g., literature review, media analysis, etc.). The outline is followed by a preliminary bibliography, identifying sources you plan to mobilize in your term paper. A minimum of 10 academic sources (peer-reviewed journal articles, book chapters or books) has to be identified. Each source is followed by a short annotation (a few sentences) outlining its relevance for your term paper. More details will be provided in class.

V. Ethnographic reflection (15%)

In a reflection of 5 to 8 pages, you propose an educated reflection based on 2 periods of ethnographic observations in a lower criminal court in Ottawa. You will have spent 2 half-days (morning until lunch break, on two different days), unobtrusively observing processes through which criminalized individuals are dealt with by legal actors in the institutional context of the criminal court. Court dockets are public and published 24h in advance; they can be found here: www.ontariocourtdates.ca and help you decide when to do your observation and in which courtroom. A copy of the docket list for the days you went in court should be attached to your assignment. The reflection you are submitting should i) document your experience of being an observer in a criminal courtroom; ii) propose an account of the settings, interactions and discourses you have observed, and; iii) connect your experience and account to at least 2 to of the texts discussed in the seminar (any 2 texts from week 1 to week 8). More details will be provided in class.

VI. Term paper (40%)

In a term paper of 12 to 16 pages, you propose an analysis of contemporary penal practices. The paper has to locate its object (e.g., solitary confinement) in social and academic contexts. It has to explicitly develop a thesis building on sociologies of punishment, referencing a minimum of 15 academic sources (peer-reviewed journal articles, book chapters or books). More details will be provided in class.

Note on written assignments

Evaluation will be guided by the following criteria: i) quality (clarity, justification, depth, exhaustiveness); ii) originality; iii) finesse (precision, rigor, dodging common sense, considering alternative points of view, sharp but prudent and well supported affirmations).

Formatting: make a cover page; use 1.5 line spacing and a reasonably sized font; any referencing style can be used (use a single one throughout the assignment); the cover page and bibliography do not count as pages (i.e., an assignment of 4 to 6 pages means: 4 to 6 pages of text, plus a cover page, plus reference material).

Academic consideration for short-term incapacitation: “Short-term incapacitation” is illness, injury, or other extenuating circumstances beyond your control that can disrupt your ability to meet your academic obligations for five or fewer days. Depending on the circumstances, you may need to temporarily step away from your studies in order to take proper care of yourself. If you are missing coursework or midterm work due to short-term incapacitation, you can contact your instructor(s) directly to request academic consideration. You are not required to submit a medical note if your absence lasts five or fewer days. If your instructor(s) requests that you provide supporting documentation, complete the self-declaration form. Instructors have the right to determine appropriate consideration at their discretion.

Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own; and
- failing to acknowledge sources through the use of proper citations when using another’s work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course.

INTELLECTUAL PROPERTY

Classroom teaching and learning activities, including lectures, discussions, presentations, etc., by both instructors and students, are copy protected and remain the intellectual property of their respective author(s). All course materials, including PowerPoint presentations, outlines, and other materials, are also protected by copyright and remain the intellectual property of their respective author(s).

Students registered in the course may take notes and make copies of course materials for their own educational use only. Students are not permitted to reproduce or distribute lecture notes and course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

STATEMENT ON STUDENT MENTAL HEALTH

As a University student, you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. Here is a link to information about all of the resources, both on campus and off, that you may find helpful: <https://carleton.ca/wellness/>

ACADEMIC ACCOMMODATION

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes can be found at the below link: <https://students.carleton.ca/course-outline/>