

**INSTITUTE OF CRIMINOLOGY & CRIMINAL JUSTICE
CARLETON UNIVERSITY
WINTER 2018**

CRCJ4001-C – Sociologies of Punishment

Professor Nicolas Carrier
C567 Loeb
e. nicolas.carrier@carleton.ca
t. 520.2600 ext.1237
Office hours: Thursdays, 10-11am

CONTENT

Penal practices have always been a core concern of any serious attempts to theorize the modalities through which modern society is produced and transformed. This introductory seminar on the sociology of punishment proposes a selective overview of theoretical perspectives animating its contemporary iterations. This overview prepares the ground for a survey of contemporary issues and debates in the sociology of punishment, such as the spectacularization and memorialization of punishment, specialized courts, pre-trial detention, the internationalization of criminal law, the pains of incarceration, penology, mass incarceration, the so-called 'school-to-prison pipeline', and the radical critiques of the ideology of criminal justice forwarded by penal abolitionists.

OBJECTIVES

At the end of the seminar, students will have been introduced to the sociologies of punishment informed by Durkheimian, Marxist, Foucaultian and Garlandian perspectives, via both seminal theoretical work and contemporary empirical research on national and international penal practices.

- Understand and compare various sociological propositions on the interpretation of penal practices;
- Critically mobilize sociologically informed analysis of various penal phenomena.
- Develop a basic understanding of the moral, social and practical shortcomings of attempts to produce justice through the infliction of retaliatory harms.

MATERIAL

Students are expected to read the articles and book chapters detailed in the schedule (see below) before class.

All mandatory readings are available electronically on Ares.

Student or professor materials created for this course (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the author(s). They are intended for personal use and may not be reproduced or redistributed without prior written consent of the author(s).

EVALUATION

a) Participation in the seminar (15%)

b) 1st assignment (15%)

Due: variable

Critical summary, texts of a given seminar – 4-5 pages (annexes, bibliography and cover page do not count as pages)

c) 2nd assignment (15%)

Due: variable

Critical summary, texts of a given seminar – 4-5 pages (annexes, bibliography and cover page do not count as pages)

The first two assignments consist of critical summaries. In a short text, you identify the main arguments and ideas advanced in the two or three texts selected for a given week, and conclude by providing a critical assessment of these main ideas and arguments.

First summary: selected readings of any given week, Part I, week 2 to week 5.

Second summary: selected readings of any given week, Part II, week 6 to week 12.

You choose the bundle of texts you want to engage with and submit your assignment in class, the day we discuss the selected bundle of texts. For example, doing your first assignment on Foucault (week 4) means that you provide a critical summary of the pieces detailed in the schedule, and that you submit your assignment in our seminar on February 1.

d) Term assignment (55%)

Due: April 11

A critical criminological analysis of contemporary penal practices. The focus can be domestic or international; you can work on provincial, national or international penal practices. In a paper of 12-15 pages (annexes, bibliography and cover page do not count as pages), you produce a rigorous, theoretically informed, sociological analysis of penal practices.

Some remarks:

- *Evaluation will be guided by the following criteria:*
 - *Quality (clarity, rigor, precision, justification, depth, exhaustiveness);*
 - *Originality;*
 - *Finesse (dodging common sense, considering alternative points of view, sharp but prudent and well supported affirmations);*
- *I really don't care which font you use but choose a reasonable size, use the justify function in your word processor, use 1.5 line spacing, insert page numbers;*
- *Make a cover page;*

- *Secure your work with staples;*
 - *Print with black ink (except for eventual pictures, figures and so on);*
 - *Make sure all cited work appears in the bibliography (and by the way, I really suggest you don't try to rely on plagiarism...);*
 - *I don't accept submission of assignments through emails;*
 - *Any late assignment is penalized at -10% per business day (except on exceptional circumstances with supporting documentation);*
 - *Any assignment which is not directly handed in to me in class has to be dropped in the Criminology drop box (C562 Loeb).*
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Academic Accommodation

You may need special arrangements to meet your academic obligations during the term. You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www.carleton.ca/equity/>. 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 see the [Student Guide](#).

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 see the [Student Guide](#).

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://carleton.ca/pmc/students/dates-and-deadlines/>

Plagiarism

Students are reminded of the University regulations concerning plagiarism and other instructional offenses as outlined in the Undergraduate Calendar. The policy can be found at

<https://carleton.ca/registrar/academic-integrity/>

The University Senate defines plagiarism as “presenting, whether intentionally or not, the idea, expression of ideas or work of others as one’s own.” This can include:

- 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;
- submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgement in any academic assignment;
- using another’s data or research findings;
- failing to acknowledge sources through the use of proper citations when using another’s works and/or failing to use quotation marks;
- handing in “substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs.”

Plagiarism is a serious offence which cannot be resolved directly with the course’s instructor. The Associate Deans of the Faculty conduct 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.

In accordance with the Carleton University Undergraduate Calendar, the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50			

SCHEDULE

I – Introduction – January 11

PART ONE: THEORETICAL FOUNDATIONS

II – Durkheim – January 18

Durkheim, É. (1900[1969]). Two Laws of Penal Evolution, *University of Cincinnati Law Review*, 38, 32-60.

Durkheim, É. (1893[1965]). Mechanical Solidarity through Likeness, in Durkheim, É., *The Division of Labor in Society*, G. Simpson (trans.), New York: The Free Press, 70-110.

III – The Political Economy of Punishment – January 25

- Rusche, G. and O. Kirchheimer (1939[2003]). Social Conditions and Penal Administration in the Later Middle Ages, in Rusche, G. and O. Kirchheimer, *Punishment and Social Structure, with a new introduction by Dario Melossi*, New Brunswick: Transaction, 8-23.
- Garland, D. (1990). Punishment as Ideology and Class Control. Variations on Marxist Themes, in Garland, D., *Punishment and Modern Society: A Study in Social Theory*, Chicago: University of Chicago Press, 111-130.

IV – Foucault – February 1

- Foucault, M. (1974[2001]). Truth and Juridical Forms, in Faubion, J.D. (ed.), *Power: Essential Works of Foucault, 1954-1984, Volume 3*, New York: The New Press, 1-90.
- Foucault, M. (1975[1995]). Illegality and Delinquency, in Foucault, M., *Discipline and Punish. The Birth of the Prison*, A. Sheridan (trans.), New York: Vintage Books, 257-292.

V – Garland – February 8

- Garland, D. (1990). Punishment and Culture. Cultural Forms and Penal Practices, in Garland, D., *Punishment and Modern Society: A Study in Social Theory*, Chicago: University of Chicago Press, 193-211.
- Garland, D. (2001). The New Culture of Crime Control, in Garland, D., *The Culture of Control. Crime and Social Order in Contemporary Society*, Chicago: University of Chicago Press, 167-192.

PART TWO: CONTEMPORARY ISSUES IN THE SOCIOLOGY OF PUNISHMENT

VI – Penal Practices: Canadian Mélanges – February 15

- Hannah-Moffat, K. and P. Maurutto (2012). Shifting and Targeted Forms of Penal Governance: Bail, Punishment and Specialized Courts, *Theoretical Criminology*, 16, 201-219.
- Turbull, S. (2014). Aboriginalising the Parole Process: ‘Culturally Appropriate’ Adaptations and the Canadian Federal Parole System, *Punishment & Society*, 16, 385-405.
- Euvrard, E. and C. Leclerc (2017). Pre-Trial Detention and Guilty Pleas: Inducement or Coercion?, *Punishment & Society*, 19, 525-542.

February 22: Winter Break

VII – Penal Practices: American Mélanges – March 1

- Van Cleve, N.G. and L. Mayes (2015). Criminal Justice through “Colorblind” Lenses: A Call to Examine the Mutual Constitution of Race and Criminal Justice, *Law & Social Inquiry*, 40, 406-432.
- McGrew, K. (2016). The Dangers of Pipeline Thinking: How the School-to-Prison Pipeline Metaphor Squeezes Out Complexity, *Educational Theory*, 66, 341-367.
- Myers, R.R. and T. Goddard (2016). Virtuous Profits: Pay for Success Arrangements and the Future of Recidivism Reduction, *Punishment & Society*, <https://doi.org/10.1177/1462474516680209>

VIII – Penal and Carceral Drifts – March 8

- 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.
- Zedner, L. (2016). Penal Subversions: When is a Punishment not Punishment, Who Decides and on What Grounds?, *Punishment & Society*, 20, 3-20.
- Ben-Moshe, L. (2017). Why Prisons are Not “The New Asylums”, *Punishment & Society*, 19, 272-289.

IX – Penology and Penal Experiences – March 15

- 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.
- Sexton, L. (2015). Penal Subjectivities: Developing a Theoretical Framework for Penal Consciousness, *Punishment & Society*, 17, 114-136.
- Hayes, D. (2017). Proximity, Pain, and State Punishment, *Punishment & Society*, <https://doi.org/10.1177/1462474517701303>

X – The Globalization of Criminal Law – March 22

- Mégret, F. (2016). International Criminal Justice as a Juridical Field, *Champ pénal/Penal Field*, XIII, [online]: <http://journals.openedition.org/champpenal/9284>
- Bonacker, T. (2015). The Inclusion of Victims and the Globalization of Criminal Law, in Holzer, B., Kastner, F and T. Werron (eds.), *From Globalization to World Society: Neo-Institutional and Systems-Theoretical Perspectives*, New York: Routledge, 107-126.
- Kendall, S. (2015). Commodifying Global Justice. Economies of Accountability at the International Criminal Court, *Journal of International Criminal Justice*, 13, 113-134.

XI – Visualizing and Memorializing Punishment – March 29

- Brown, M. (2009). A, Prison Theory. Engaging the Work of Punishment, in Brown, M., *The Culture of Punishment. Prison, Society and Spectacle*, New York: New York University Press, 21-49.
- Kohm, S.A. (2009). Naming, Shaming and Criminal Justice: Mass-Mediated Humiliation as Entertainment and Punishment, *Crime, Media, Culture*, 5, 188-205.
- Kleuskens, S., Piché, J., Walby, K. and A. Chen (2016). Reconsidering the Boundaries of the Shadow Carceral State: An Analysis of the Symbiosis between Punishment and its Memorialization, *Theoretical Criminology*, 20, 566-591.

XII – Abolitionist Critiques of Criminal Legal Systems – April 5

- Carrier, N. and J. Piché (2015). The State of Abolitionism, *Champ pénal/Penal Field*, [online]: <http://journals.openedition.org/champpenal/9164>
- Carrier, N. and J. Piché (2015). Blind Spots of Abolitionist Thought in Academia: On Longstanding and Emerging Challenges, *Champ pénal/Penal Field*, [online]: <http://journals.openedition.org/champpenal/9164>
- Dilts, A. (2017). Justice as Failure, *Law, Culture and the Humanities*, 13, 184-192.