

## Course Outline

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|-----------------------|---|--|
| <b>COURSE:</b>        | LAWS 4306-D – Criminal Law Issues: Global Incarceration   |  |
| <b>TERM:</b>          | Winter 2022   |  |
| <b>PREREQUISITES:</b> | LAWS 2908, CRCJ 3001 or CRCJ 3002 and LAWS 2301, LAWS 2302 and fourth-year Honours standing.  |  |
| <b>CLASS:</b>         | <b>Day &amp; Time:</b> Monday 11:35 am to 2:25 pm   |  |
|                       | <b>Room:</b> This course is offered online. Our meetings will be run “live,” during our regularly scheduled class time, using Zoom: <a href="https://carleton-ca.zoom.us/j/91236080326">https://carleton-ca.zoom.us/j/91236080326</a> |  |
| <b>INSTRUCTOR:</b>    | Hollis Moore (she/her)  |  |
| <b>CONTACT:</b>       | <b>Office Hrs.:</b> Wednesdays 8:30-9:30 am or by appointment (via Zoom).   |  |
|                       | <b>Email:</b> <a href="mailto:hollis.moore@carleton.ca">hollis.moore@carleton.ca</a>  |  |

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### CALENDAR COURSE DESCRIPTION

Selected issues and problems in the area of criminal law. The topics may vary from year to year depending on demand and interest and are announced in advance of registration.

### COURSE DESCRIPTION



*Patchwork of Prisons* – Forest Bright  
([Link](#))

In recent decades, prison populations throughout the world have dramatically expanded. As of October 2021, more than 10.77 million people were held in penal institutions throughout the world, either as pre-trial detainees/remand prisoners or having been convicted and sentenced (Fair and Walmsley 2021). What role has criminal law played in the development of carceral expansion and over-incarceration? How do jail(able) subjects (Schept 2015) – those people most directly affected by criminalization and incarceration – experience and contest uneven carceral expansion? How are we complicit in mass imprisonment and how might a global perspective that centers traditionally marginalized perspectives enable us to think against the grain of carceral common sense? Throughout the course we will grapple with these questions.

Students will read detailed accounts of imprisonment in North America, South America, and other areas of the world. These studies foreground the complex experiences of groups marginalized through criminal law. We will begin with Indigenous and Black race-radical feminist auto-ethnographic approaches to the theorization of criminal justice systems (or the carceral state). This framing will orient the remainder of our inquiry. Key topics will include: The political economy of punishment and resistance; challenges, limitations, and benefits of conducting ethnographic research with people who are incarcerated; the applicability of concepts/theories derived from research conducted in Western Europe and North America for grasping dynamics and experiences of incarceration in the Global South; prison-society relations; and gendered practices of incarceration.



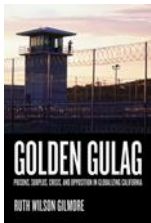
Image from *The Prison in Twelve Landscapes* (directed by Brett Story)

## LEARNING OBJECTIVES

Upon successful completion of this course, students will be able to:

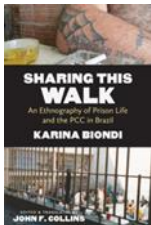
- ⊙ Describe how you have been socialized within; touched/targeted/punished by; resistant to; and/or complicit with the carceral state.
- ⊙ Connect Indigenous and Black race-radical feminist theories of the carceral state to both your own experiences/understandings as well as other scholarly examinations of imprisonment.
- ⊙ Explain uneven carceral expansion, from a political-economic perspective, and identify its effects.
- ⊙ Define classic prison studies concepts and assess their value in the context of contemporary ethnographic studies of imprisonment in the Global North and South.
- ⊙ Discuss the prison as a colonial, gendered, classed, and race-making institution.
- ⊙ Identify prison-society connections, analyze their significance, and evaluate concepts that have been developed to grasp these connections.
- ⊙ Demonstrate a basic understanding of ethnographic research, specifically how ethnographic questions and methods can enrich our understanding of incarceration.

## REQUIRED TEXTS



Gilmore, Ruth Wilson. *Golden Gulag: Prisons, surplus, crisis, and opposition in globalizing California*. Univ of California Press, 2007.

- Available for purchase from [OCTOPUS Books](#) (9780520242012 Golden Gulag - Gilmore, R.W. \$36.95).
- Although I **strongly recommend** that you acquire your own hard copy of this text (we will be reading the full book), an electronic copy is available through ARES.



Biondi, K. *Sharing this walk: An ethnography of prison life and the PCC in Brazil*. UNC Press Books, 2016.

- Ordered to be available for purchase from [OCTOPUS Books](#) (9781469623405 Sharing This Walk - Biondi, K. \$35.95)
- Again, we will be reading the full book and I strongly recommend that you acquire your own hard copy. However, an electronic copy will be available through ARES.



Electronic Course Pack: Available through Brightspace (contains links to films and additional required readings).

**EVALUATION**

Standing in a course is determined by the course instructor subject to the approval of the Department and 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 Department and the Dean.

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| Knowledge Translation  | 10% | Individualized Deadlines                             |
| “Front Row” Critical Summaries & Discussion Leadership (x3 @ ~ 6.67% each) | 20% | Individualized Deadlines                             |
| Attendance & Contributions to the Course                                   | 15% | Ongoing  |
| Auto-Ethnographic Essay  | 25% | Mon. Feb. 28 <sup>th</sup> @ 11:30 am (before class) |
| Take-Home Exam   | 30% | Range during exam period is TBD                      |

**Knowledge Translation (10%)**



In the first half of the course, we will be reading *Golden Gulag* by Ruth Gilmore (pictured on left). Gilmore provides an explanation of carceral expansion in California, which has been described as “the biggest prison-building project in the history of the world.” Importantly, based on her experiences as a scholar-activist, Gilmore also addresses community

responses and resistance to new prisons. In many respects, Gilmore’s work offers a series of conceptual and practical tools for organizing against prison expansion.



*Ottawa Citizen:* Local residents opposed to the plan to build the Greater Ottawa Correctional Complex in Kemptville gathered at the proposed location in early October. PHOTO BY TONY CALDWELL /Postmedia

In this course, we will collaborate to ‘translate’ Gilmore’s analysis, making her most relevant key points accessible to a predominately non-academic audience. Specifically, students will work in groups to create resources that could be useful to local activists who are organizing against the proposed prison in Kemptville (viz. members of the Coalition Against the Proposed Prison – CAPP – pictured on left).

Each group will be responsible for translating one chapter of *Golden Gulag*. Students will sign-up for a chapter in the first week of classes, this will determine your groups. The knowledge translation resources that groups create will be due by the class in which we are scheduled to discuss the corresponding chapter. Although a formal presentation is not required, at least one group member must introduce the rest of the class to their group’s knowledge translation resource. The class will then have time to ‘consume’ each resource before discussing the corresponding chapter. Resources might include: videos, pamphlets, podcasts, infographics, presentations, dramatic plays, etc. Whatever format you choose, your resource must provide an accurate and concise summary of Gilmore’s most important and relevant points that is accessible (and even *useful*) to an audience composed primarily of non-specialist members of the public.

Your resource should take us about 10 minutes to read/watch/listen to. The class will stop ‘consuming’ the resource after 12 minutes, even if there is more content remaining. Initially, all members of the group will receive the same grade. Then, each member’s grade will be modified (slightly increased or decreased) to reflect their individual contributions as assessed through a self- and peer-evaluation process, which will be explained in the first weeks of class.

### **“Front Row” Critical Summaries & Discussion Leadership (20%)**

While I would love to see ALL of your faces during seminar, I understand that this may not be possible. To make sure we get to see some different faces throughout the term, we will use a system called Front Row where, each meeting, approximately eight students will be scheduled to have their cameras on for the duration of the session. You will sign-up for your THREE “Front Row” appearances in advance. Those in the ‘virtual front row’ for a given meeting are expected to play an active, leadership role in discussion. If there is some reason that you cannot be on camera, please make an appointment with me to discuss your situation as soon as possible.

Before each of your Front Row appearances, you are required to submit a Critical Summary of the readings assigned that week (your Critical Summary must cover at least two of the required readings). An analytical format and grading rubric pertaining to the Critical Summaries will be provided in advance.

By no later than 11:30 am on the Sunday before your Front Row appearance (24 hours before class starts), you will share your Critical Summaries with the class (max. 750 words). *If your Critical Summary is posted too late for your classmates to review it before our meeting, it will be marked down (see below: Late Penalties).*

### **Attendance & Contributions to the Course (15%)**

I expect our meetings to feel like a community of intellectuals critically discussing material. This is a discussion-based, rather than a lecture-based, course. This means that we are mutually accountable for course discussion – you just as much as me – and that we all assume responsibilities for being prepared and present—in all senses of the word—for our meetings.

Students are encouraged to actively participate in conversations around the weekly readings and core themes. However, given the current size of the class, those who are not in the “Front Row” are not *required to have their cameras on or to speak*, except in breakaway rooms. Rather, the expectation is that you will listen attentively and contribute questions or comments if/when you are moved to do so. If the number of students enrolled in the course diminishes, expectations regarding cameras and spoken contributions may shift.



Course contributions include but are not limited to your participation in class discussions (e.g., by asking informed questions and sharing your developing understanding of course materials) and the completion of regular ‘exit-tickets,’ before each meeting ends.

I will keep a record of your weekly attendance and contributions. To provide flexibility and accommodate unexpected life events, students may miss up to two seminars, for whatever reason, without penalty. If illness or other issues arise that cause you to miss more than two seminars, please schedule a meeting with me to discuss.

**Auto-ethnographic Essay<sup>1</sup> (25%)**

This assignment is inspired by the activist-scholarship of Julia Sudbury (Oparah), Stormy Ogden, Lisa Cacho, and Lena Palacios: in particular, their auto-ethnographic essays “grounded” in race-radical/critical race feminist activist-scholarship.

You will produce an essay (6-8 pages) that creatively and critically analyzes a memory, artifact, or lived experience that speaks to how you have been socialized within, touched/targeted/punished by, resistant to, and/or complicit with maintaining the prison regime. I encourage you to think through what it means – for yourself, your family, and your community – to be simultaneously privileged by, oppressed by, and complicit with systems of domination, control, and violence.

The initial step of this assignment is to free write. In auto-ethnographic work, that means writing the “story” of a memory, artifact, or lived experience in simple terms, *with no analysis*. In essence, your “story” or narrative becomes the data from which your analysis can grow or be grounded.

The second step is for you to produce the more polished, worked-through, edited, and analytical paper: the one that has worked with the data, reflected upon it, and pulled in and grounded *theoretical materials*. Refer to at least two required readings and at least two additional *scholarly sources* (e.g., from the recommended course readings, other classes you have taken, or your own research).

**Take-Home Exam (30%)**

The exam will require students to respond to essay questions. The exam will assess students’ mastery of course content, their capacity to engage in analysis and synthesis, and their ability to communicate effectively in writing, specifically in the form of a scholarly, argumentative essay. To be successful, students must carefully read and grapple with all required materials.

With permission from the instructors, students may write research papers instead of the final exam. Students wishing to pursue this option should consult with the professor as soon as possible.

**LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

Late *Auto-Ethnographic Essays* will be penalized at a rate of **2% per day** (including weekends and holidays).

Late *Critical Summaries* will be penalized at a rate of **2% per hour**. Critical Summaries submitted more than 12 hours late will receive an automatic grade of zero.

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting *less than 7 days*, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

*Extensions for longer than 7 days will normally not be granted.* In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

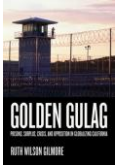
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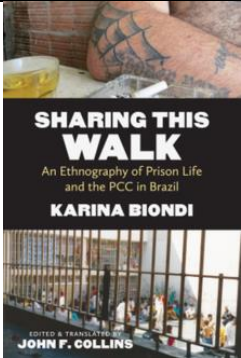
<sup>1</sup>This assignment has been adapted from the lesson plan provided by Palacios 2016.



**SCHEDULE**

| <b>Week</b> | <b>Date</b> | <b>Topics and Questions</b>  | <b>Required Material<br/>(Complete before lecture)</b>   |
|-------------|-------------|--|--|
| 1           | Jan.<br>10  | <b>Introduction</b> <ul style="list-style-type: none"> <li>- Review Outline</li> <li>- Sign-up for Knowledge Translation &amp; Front Row</li> <li>- Triggers &amp; Trauma</li> <li>- Guidelines for Constructive Engagement</li> <li>- Preview</li> </ul>  | Review: <ul style="list-style-type: none"> <li>- The Course Outline</li> <li>- The Report: <a href="#">Global Prison Trends 2021</a> <ul style="list-style-type: none"> <li>o Either skim the full report, watch the launch event, or carefully read the executive summary.</li> </ul> </li> <li>- The <a href="#">World Prison Population List (13<sup>th</sup> Edition)</a></li> </ul>   |
| 2           | Jan.<br>17  | <b>Foundations</b> <ul style="list-style-type: none"> <li>- What is Mass Incarceration?</li> <li>- Penal Spectatorship</li> <li>- Introduction to Indigenous and Black Race-Radical Feminism</li> </ul> <b>Film: <a href="#">State of Incarceration</a></b><br>(Canada, 2014, 45 mins).<br><br>*Front Row Begins | Simon, J., 2012. Mass incarceration: From social policy to social problem. <i>The Oxford handbook of sentencing and corrections</i> , pp.23-52.<br><br>Brown, Michelle. 2013. Penal spectatorship and the culture of punishment. In <i>Why prison</i> , Edited by David Scott. Cambridge University Press, pp.108-124.<br><br>Palacios, Lena. 2016. Challenging Convictions: Indigenous and Black Race-Radical Feminists Theorizing the Carceral State and Abolitionist Praxis in the United States and Canada. <i>Meridians</i> 15(1): 137-65.<br><br><b>Recommended</b><br>Steinmetz, Emily, DaRyndA, Inza, Mel V., Nač, Pandora, Roxanne, Sarai, and Forest Bright. "I Choose to Look Above the Prison Walls..." <a href="#">Anthropology News website</a> , November 15, 2019.<br><br>Reynolds, Tina. "Glossary of Terms." In <i>Interrupted Life: Experiences of Incarcerated Women in the United States</i> , edited by Rickie Solinger and Rebecca Sharitz. University of California Press, 2010. |
| 3           | Jan.<br>24  | <b>An Abolitionist Lens</b><br><br><b>Film: <a href="#">Shadow Boxing: A Chicana's Journey from Vigilante Violence to Transformative Justice</a></b> (2013, 15 mins).  | Palacios, Lena. "'Something Else to Be': A Chicana Survivor's Journey from Vigilante Justice to Transformative Justice." <i>Philosophia</i> 6, no. 1 (2016): 93-108.<br><br>Sudbury, Julia. "Challenging penal dependency: Activist scholars and the anti-prison movement." In <i>Activist Scholarship</i> , 27-46. Abington: Routledge, 2009.   |

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|   |         | <p>*Receive Auto-Ethnographic Essay Instructions</p>   | <p>Cacho, Lisa Marie. 2007. 'You Just Don't Know How Much He Meant': Deviancy, Death, and Devaluation." <i>Latino Studies</i> 5 (2): 182–208.</p> <p>Reynolds, Tina. "A formerly incarcerated woman takes on policy." <i>Dialectical anthropology</i> 34, no. 4 (2010): 453-457.</p> <p>Ogden, Stormy.<br/>2006. Pomo Woman, Ex-Prisoner, Speaks Out. <i>Color of Violence: The Incite! Anthology</i>: 164-70.<br/>-<br/>2005. The prison-industrial complex in Indigenous California. <i>Global lockdown: Race, gender, and the prison-industrial complex</i>: 57-65.</p> <p><b>Recommended</b><br/>Critical Resistance and Incite! "Critical Resistance-Incite! Statement on Gender Violence and the Prison-Industrial Complex." <i>Social Justice</i> 30, no. 3 (93) (2003): 141-50.</p> |
| 4 | Jan. 31 | <p><b>The Political Economy of Punishment: The U.S. (Part 1)</b></p> <ul style="list-style-type: none"> <li>- Hyper-incarceration</li> <li>- Uneven Carceral Expansion</li> <li>- Racialized Incarceration</li> <li>- Collective Struggle</li> </ul> <p><b>Guest Speaker:</b> From <a href="#">CAPP*</a></p> <p>*<i>Knowledge Translation Begins</i></p>  | <p>Davidson Buck, P. "With Our Heads in the Sand: The Racist Right, Concentration Camps, and The Incarceration of People of Color." <i>Transforming Anthropology</i> 3 (1992): 13-18.</p> <p>Gilmore, Ruth Wilson. <i>Golden Gulag: Prisons, surplus, crisis, and opposition in globalizing California</i>, 1-127. Univ of California Press, 2007.</p> <p><b>Recommended</b><br/>Davidson Buck, Pem. <i>The Punishment Monopoly: Tales of My Ancestors, Dispossession, and the Building of the United States</i>. Monthly Review Press, 2019.</p> <p>Kushner, Rachel. "Is Prison Necessary? Ruth Wilson Gilmore Might Change Your Mind." <i>The New York Times</i>. 17/04/2019.</p>   |
| 5 | Feb. 7  | <p><b>The Political Economy of Punishment: The U.S. (Part 2)</b></p> <ul style="list-style-type: none"> <li>- Critical Resistance</li> </ul>   | <p>Gilmore, Ruth Wilson. <i>Golden Gulag: Prisons, surplus, crisis, and opposition in globalizing California</i>, 128-251. Univ of California Press, 2007.</p>  |

| <i>For remainder of course, see Brightspace for a detailed schedule of required readings.</i> |   |  |
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| 6   | Feb.<br>14  | <p><b>Ethnographers Within Prisons</b></p> <ul style="list-style-type: none"> <li>- Access, Approaches, and Implications</li> <li>- Representation</li> </ul>  |
| 7   | <i>February 12 – 25, Winter Break, No Classes</i> |  |
| 8   | Feb.<br>28  | <p><b>Classic Prison Studies, Contemporary Applications (Part 1)</b></p> <ul style="list-style-type: none"> <li>- Prisonization</li> <li>- The Society of Captives</li> <li>- Total Institutions</li> <li>- Rethinking prison worlds</li> </ul> <p>Film: <a href="#">The Visitors</a> (2009, 1h 5 mins).</p> |
| 9   | Mar. 7  | <p><b>Classic Prison Studies, Contemporary Applications (Part 2)</b></p> <ul style="list-style-type: none"> <li>- Discipline</li> <li>- Panopticon</li> <li>- Embodiment</li> </ul> <p>Film: <a href="#">The Blind Panopticon</a> (2019, 52 mins.)</p>   |
| 10  | Mar.<br>14  | <p><b>The New Mass Carceral Zone: Latin America</b></p> <ul style="list-style-type: none"> <li>- Southernizing Prison Studies</li> <li>- The Punitive Turn in South America</li> <li>- The Prison in Latin America</li> <li>- Anti-Blackness and State Violence</li> </ul>                                   |
| 11  | Mar.<br>21  | <p><b>An Ethnography of Prison Life: Brazil (Part 1)</b></p> <p>Film: <i>Carandiru</i> (2003, 2h 28 min)</p>    |
| 12  | Mar.<br>28  | <p><b>An Ethnography of Prison Life: Brazil (Part 2)</b></p>   |



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| 13   | April<br>4  | <b>The Prison-Society Relation</b> <ul style="list-style-type: none"> <li>- The Prison-Neighborhood Nexus</li> <li>- State of Carcelment</li> <li>- An institutionally capacious approach to punishment</li> <li>- Transcarceral Continuum</li> <li>- Sites of Confinement</li> </ul> |
| 14   | April<br>11 | <b>Prison, Gender, Kinship</b>  |
| <i>Take-Home Exam – Range During Exam Period (April 14-28)</i> |             |   |

### COMMUNICATION POLICY

- ☞ I am happy to discuss any aspect of the course materials and requirements with you in a conversation (over Zoom or the telephone). Please feel welcome to drop in during my virtual office hours (even if you don't have a pressing question). Talking to students is an important way for me to get feedback on the class and learn about events in the community. It is something I truly enjoy doing.
- ☞ I cannot maintain a frequent email correspondence with each of you. **Email should be used to request/make appointments, not to discuss course content or complex scenarios.**
  - All emails must contain the course code (LAWS 4306-D) in the subject line and be sent from your official Carleton email account.
  - I strive to respond to your emails within 48 hours, *excluding weekends*; if you have not received a reply within 48 working hours, **PLEASE RESEND IT.**
- ☞ **Virtual Office** (on Brightspace): This is the spot for your impersonal and quick questions, for example: "I'm having difficulty finding the article assigned for week 4..." "Where can I find my grade for the Knowledge Translation?" I'll monitor this discussion and provide timely replies. Students are also encouraged to respond to their peers' questions. You should get in the habit of consulting Virtual Office whenever you encounter an uncertainty. If your issue has not already been addressed, please post your question.

### ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

#### Pregnancy obligation

Please contact 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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities**

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) <https://carleton.ca/pmc>

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

**Survivors of Sexual Violence**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/studentssupport/svpolicy/>

**Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

**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: <https://carleton.ca/law/current-students/>