

## Course Outline

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<b>COURSE:</b>	<b>LAWS 4306B – Criminal Law Issues: Global Incarceration</b>
<b>TERM:</b>	<b>Winter 2021</b>
<b>PREREQUISITES:</b>	<b>LAWS 2908, CRCJ 3001 or CRCJ 3002 and LAWS 2301, LAWS 2302 and fourth-year Honours standing.</b>
<b>CLASS:</b>	<b>Day &amp; Time: Tuesday 2:35-5:25 pm.</b>
	<b>Room: All Courses in the Winter 2021 term are offered online. Seminars in this course will be run “live,” online, during our regularly scheduled class time, using the Zoom conferencing platform.</b>
<b>INSTRUCTOR:</b>	<b>Hollis Moore</b>
<b>CONTACT:</b>	<b>Office Hrs.: Friday 9-10 am or by appointment (via Zoom).</b>
	<b>Telephone: N/A</b>
	<b>Email: hollis.moore@carleton.ca</b>

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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**

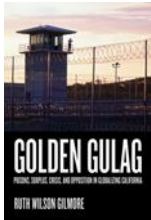
In recent decades, prison populations throughout the world have dramatically expanded. As of September 2018, more than 10.74 million people were incarcerated around the globe (Walmsley 2018). What role has the criminal law played in the growth of mass incarceration? How do jail(able) subjects (Schept 2015) – those people most directly affected by criminalization and incarceration – experience and contest uneven carceral expansion? How are we complicit in mass incarceration and how might a global perspective that centers marginalized perspectives enable us to think against the grain of carceral common sense? Throughout the course we will grapple with these questions.

This course addresses global incarceration ethnographically. Students will read fine-grained 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 abolitionist lens 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.

**LEARNING OBJECTIVES**

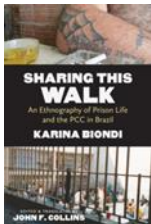
Upon successful completion of this course, students will be able to:

- ⊙ Describe how you have been socialized within; touched/targeted/punished by; resistant to; and/or complicit with maintaining the carceral state.
- ⊙ Connect Indigenous and Black race-radical feminist theories of the carceral state to both your own social location and the ethnographic study of imprisonment.
- ⊙ Explain uneven carceral expansion, from a political-economic perspective, and identify many of 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 frameworks that have been developed to grasp these connections.
- ⊙ Demonstrate how ethnographic questions and approaches may enrich our understanding of incarceration specifically and contemporary social issues more generally.

**REQUIRED TEXTS**

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

- Ordered to be available for purchase from [OCTOPUS Books](#) (9780520242012 Golden Gulag - Gilmore, R.W. \$42.95).
- Although I strongly recommend that you acquire your own hard copy of the text (we will be reading the full book), an electronic copy will be available through ARES when the term begins.



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, although we will be reading the full book and I strongly recommend that you acquire your own hard copy, an electronic copy will be available through ARES when the term begins.



Electronic Course Pack: Available through CuLearn (Online Films and PDFs)

**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.

Précis and Presentation	20%	Individualized Deadlines
“Front Row” Seminar Contributions (3 seminars)	15%	Individualized Deadlines
Attendance & Course Engagement (best 8 of 11 graded weeks)	10%	Ongoing
Essay #1	25%	Friday Feb. 12 <sup>th</sup> 11:59 pm
Essay #2	30%	Friday April 9 <sup>th</sup> 11:59 pm

**Précis and Presentation (20%)**

Once during the term, you will be responsible for leading the discussion of a course reading. **By no later than 2:30 pm on the Monday before your presentation (24 hours before your presentation)**, you should post your summary (précis) of the reading in the *PRESENTATION FORUM* (max. 500 words). Your summary should cover the following: (1) the main argument of the reading; (2) the literatures and/or arguments the author is responding to; (3) the intellectual location of the author (field, subfield, intellectual orientation); (4) the ways the argument is supported; (5) methodological and or ethical/political issues the article raises; (6) an interesting connection to another reading from your week (7) questions for discussion (~2 questions) – see handout on “Crafting Quality Questions.” *If your précis is posted too late for the class to read it, it will be marked down.*

Note: although discussants are responsible for one reading, they should be prepared to think/speak about it in relation to the other readings from the same week as well as the most relevant readings from previous weeks.

Discussants will be responsible for initiating and partly facilitating the discussion of their readings. Each discussant’s remarks (based on their précis) should be < 10 mins. Additional time will be allocated for questions and discussion.

**“Front Row” Seminar Contributions (15%)**

While I would love to see ALL your faces during seminar, I understand that this may not always be possible. To make sure we get to see some different faces throughout the term, and to enable me to better assess your individual contributions to the course, we will use a system called Front Row where, each seminar, approximately six students (who are *not*

playing the role of discussant for that class) will be scheduled to have their cameras on for the duration of the session. **Those in the ‘virtual front row’ for a given class are expected to play an active, leadership role in discussion. You will pick your days (3 different seminars when you are not already the discussant), so you know which days you will be in the Front Row ahead of time.** If you have concerns about being on camera, please make an appointment with me as soon as possible. My assessment criteria will be released in advance.

After your time in the virtual front row, you will submit a brief (< 150 word) summary of your most significant contribution(s) to the seminar discussion.

### **Attendance & Course Engagement (10%) – Best 8 of 11**

As a seminar, I expect that our meetings feel much more like a community of intellectuals critically discussing material than anything resembling a “sage on the stage” or “hypodermic-syringe” model of education. 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 class meetings. If you anticipate multiple absences or if an unplanned event arises which impacts your attendance, you must see me immediately during office hours or by appointment.

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” or serving as a discussant, are not *required to have their cameras on or speak*. 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, greater participation may be required.

Course engagement includes contributing to class discussion (e.g., by sharing their understandings of course materials) and completing regular ‘exit-tickets’ before leaving class. However, participation is not solely based on in-class conduct, but an overall engagement with the course, including casual chats during office hours and other contributions (e.g. sharing news stories, videos, etc. in our CURRENT EVENTS, RECOMMENDATIONS, and REFLECTIONS [CRR] FORUM).

I will keep a record of your weekly attendance and course engagement. Ultimately, only your best 8, of a potential of 11 recorded weeks, will be counted.

**Essay #1 (25%)<sup>1</sup> – Autoethnographic Essay**

This assignment is inspired by the activist-scholarship of Julia Sudbury (Oparah), Joy James, Stormy Ogden, and Lena Palacios: in particular, their auto-ethnographic essays “grounded” in Indigenous and Black race-radical feminist activist-scholarship. For good models, please refer to the required readings for our second meeting on January 16<sup>th</sup> (see “Lecture Schedule” below).

You will produce a 5-6 page essay 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 analyzed paper: the one that has worked with the data, reflected upon it, and pulled in and grounded theoretical materials to help bolster your reading of it. Refer to at least two of the assigned readings from January 19<sup>th</sup> and at least two additional resources (from the required/recommended course readings; the list of resources and bibliography located at the end of Palacios’ (2013) lesson plan; OR your own research).

**Essay #2 (30%) – Short Research Essay**

You will submit a 8-10 page research essay at the end of the course. Your thinking about this paper should begin before reading week. This essay allows you to engage creatively and more deeply with some of the material covered in class, and to apply that knowledge to a question or case/example of your choice. You will also be required to supplement required course materials with at least three external or recommended scholarly sources (or a single, full-length ethnography).

Your research paper will either be based on primary sources (i.e. an ethnographic analysis of content/public discourse)<sup>2</sup> or secondary sources (with which you do something original). The paper must be theoretically grounded and demonstrate attentiveness to issues raised in the class. Below, I have listed several possible topics. Alternatively, you may identify your own topic that represents your emerging interests.

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1 This assignment has been adapted from the lesson plan provided by Palacios 2016.

2 Ethnographic content analysis involves locating, identifying, retrieving, and analyzing documents (or other “texts”) for their relevance, significance, and meaning.

- To what extent can prisons be (experienced as) homes?
- How does 21<sup>st</sup> century hip-hop, country, or some other genre of music construct the relationship between prison and society?
- What happened to the new Ottawa jail that was proposed in 2017 and how are people responding to the recent announcement of a new jail in Kemptville?
- Consider the category, “non-carceral.” How might one define or grasp the “non-carceral”? How are non-carceral phenomena produced and/or maintained?
- Critically assess the concept, “carceral state.”
- Consider the symbiosis of Carleton University and the Prison-Industrial Complex.
- How do Ontario (or Canada or some other region) media outlets represent imprisonment?
- Re-analyze the findings presented in a chapter of Dr. Moore’s dissertation on imprisonment in Brazil.
- Analyze contemporary art (e.g. that of Kent Monkman, an artist of Cree ancestry) and its engagement with the “transcarceral continuum.”
- Review and critically assess recent ethnographic work that analyzes the relationship between prisons and ‘favelas’ in the Brazilian context. (I’m happy to recommend sources!).
- What is the relationship between anti-prison activism in the Global North and South?
- What is the relationship between Indigenous and Black race-radical, feminist anti-prison studies and the ‘mainstream’ ethnography of imprisonment? (You may wish to focus on a newly published ethnography of imprisonment). Must (good) ethnographers be and/or engage with activists?
- To what extent would “the institutionalization of race-radical, transnational feminist prison studies in universities, prisons, or other institutions... extend, perpetuate, maintain or challenge the carceral state”? (Palacios, 164).

Regardless of topic/approach, I expect these essays to grapple with imprisonment through asking some of the same foundational, ethnographic, and abolitionist questions that we have explored in the course. My hope is that you also find new questions to ask and guide you along the way. Proper essay format and solid writing skills are expected and will be evaluated. A thesis statement and argument are required. Students are expected to incorporate my feedback on their first essay and, where applicable, demonstrate improvement in terms of writing competency.

### **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

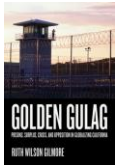
Late *essays* will be penalized at a rate of **2% per day** (including weekends and holidays). Late *précis* will be penalized at a rate of **2% per hour**. Précis submitted more than 10 hours late will receive an automatic grade of zero.

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>.

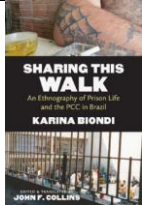
**Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

### SCHEDULE

Week	Date	Topics and Questions	Required Material (Complete before lecture)
1	Jan. 12	<p><b>Introduction</b></p> <ul style="list-style-type: none"> <li>- Email Listserv</li> <li>- Front Row and Discussant Sign Up</li> <li>- CRR Forum</li> <li>- Triggers and Trauma</li> <li>- Guidelines for Constructive Engagement</li> <li>- Preview</li> </ul> <p><b>Film:</b> <a href="#">State of Incarceration</a> (Canada, 2014, 45 mins).</p>	<p>Lena Palacios. "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, no. 1 (2016): 137-65.</p> <p>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.</p> <p><b>Recommended</b> Steinmetz, Emily, DaRynda, Inza, Mel V., Naë, Pandora, Roxanne, Sarai, and Forest Bright. "I Choose to Look Above the Prison Walls..." <a href="#">Anthropology News website</a>, November 15, 2019.</p>
2	Jan. 19	<p><b>The Lens of "Race-Radical," Transnational Women of Color Feminist Activists ('The Abolitionist Lens')</b></p> <p><b>Film:</b> <a href="#">Shadow Boxing: A Chicana's Journey from Vigilante Violence to Transformative Justice</a> (2013, 15 mins).</p> <p>*Front Row Begins</p> <p>*Receive Essay #1 Instructions: Auto-ethnographic essay</p>	<p>Sudbury, Julia. "Challenging penal dependency: Activist scholars and the anti-prison movement." In <i>Activist Scholarship</i>, 27-46. Abington: Routledge, 2015.</p> <p>Ogden, Stormy. "Ex-Prisoner Pomo Woman Speaks Out." <i>Social Justice</i> 31, no. 4 (2004): 63-69.</p> <p>Ogden, Stormy. "The prison-industrial complex in Indigenous California." In <i>Global Lockdown: Race, Gender, and the Prison-Industrial Complex</i>, 57-65. Abingdon: Routledge, 2009.</p> <p>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.</p> <p>Reynolds, Tina. "A formerly incarcerated woman takes on policy." <i>Dialectical anthropology</i> 34, no. 4 (2010): 453-457.</p> <p><b>Recommended</b> 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>

			Brown, Michelle. "Penal spectatorship and the culture of punishment." <i>Why prison</i> , 108-124. Edited by David Scott. Cambridge University Press, 2013.
3	Jan. 26	<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>Film:</b> <a href="#">Prison State</a> (Kentucky, 1h 23 mins.)</p> <p><i>*Student Presentations Begin</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></p> <p>Buck, Pem Davidson. <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>
4	Feb. 2	<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><b>Guest Speaker:</b> From <a href="#">CAPP</a></p>	<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 cuLearn for the schedule of required material.</i>			
5	Feb. 9	<p><b>Ethnographers Within Prisons</b></p> <ul style="list-style-type: none"> <li>- Access, Approaches, and Implications</li> <li>- Representation</li> </ul>	
<b>Essay #1 Due: Friday Feb. 12<sup>th</sup> 11:59 pm</b>			
6	<b>February 15 – 19, 2021 Winter Break, No Classes</b> <i>*Prepare for Week 7 (extra reading required)</i>		
7	Feb. 23	<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><b>Film:</b> <a href="#">The Visitors</a> (2009, 1h 5 mins).</p>	
8	Mar. 2	<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>	
9	Mar. 9	<p><b>The New Mass Carceral Zone: Latin America</b></p> <ul style="list-style-type: none"> <li>- The Punitive Turn in South America</li> </ul>	



		<ul style="list-style-type: none"> <li>- The Prison in Latin America</li> <li>- Anti-Blackness and State Violence</li> </ul>	
10	Mar. 16	<b>An Ethnography of Prison Life: Brazil (Part 1)</b>  <b>Film:</b> <i>Carandiru</i> (2003, 2h 28 min)	
11	Mar. 23	<b>An Ethnography of Prison Life: Brazil (Part 2)</b>	
12	Mar. 30	<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>	
13	Apr. 6	<b>Prison, Gender, Kinship</b>	
<b>Essay #2 Due: Friday April 9th 11:59 pm</b>			

### 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 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-B) 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 cuLearn): 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 précis?" 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 the Virtual Office whenever you encounter an uncertainty. If your issue has not already been addressed, please post your question. The objective is to create a repository of frequently asked (or common) questions.

### 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/studentsupport/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/>