

THE UNIVERSITY OF CALGARY
FACULTY OF SOCIAL SCIENCES
DEPARTMENT OF SOCIOLOGY
(www.soci.ucalgary.ca)

Sociology 625
Seminar on Deviant Behavior: Punishment
Winter 2008

Course Outline

Instructor: Dr. Erin Gibbs Van Brunshot
Time: Thursday, 2 – 5 p.m.
Room: SS 921
Office: SS 544
Phone: 220-7203
Email: begibbsv@ucalgary.ca
Office Hours: By appointment.

Required Reading:

Christie, N. 1981. *Limits to Pain*. New York: Columbia University Press.

Duff, R. A. and D. Garland. 1998. *A Reader on Punishment*. New York: Oxford University Press.

Foucault, M. 1995. *Discipline and Punish: The Birth of the Prison*. (2nd Ed.) New York: Vintage Press.

Garland, D. 1990. *Punishment and Modern Society: A Study in Social Theory*. Chicago: University of Chicago Press.

Course Description:

Accompanying steadily declining crime rates since the 1990s, North America's incarceration rates remain high, and higher than most Western democracies. [Although it is not necessarily appropriate to expect a straightforward relationship between crime and punishment.] Despite the prevalence of its use, incarceration has been subject to a number of criticisms on a number of different fronts. In terms of cost effectiveness, imprisonment is expensive relative to other measures – approximately \$110 000 per year to house a male inmate in a maximum security institution (about \$70 000 for medium to minimum security) compared to about \$2 000 for house arrest. Even more problematic is the effectiveness of imprisonment as a crime fighting measure. While some might argue that imprisonment indeed does fight crime by removing 'dangerous' individuals from circulation for a specified period, others would argue that the threat of imprisonment does little to deter other potential offenders from committing crimes.

Examining imprisonment and other forms of punishment as a response to crime requires that we carefully consider our expectations of punishment – what do we, as a society, hope to achieve by punishing those who have done wrong? Second, what are our assumptions about offenders and their motivations to offend? Do punishments reflect these assumptions? While the philosophy of punishment may set the course of punishment in a particular direction, the

practical application of punishment may in fact lead us to a much different place. Our focus here is on theories and philosophies of punishment and the implications of putting these philosophies into practice.

Course Content and Schedule:

Please note that the following is a tentative schedule. Further readings may be added and topics may change according to class discussion and interests.

Date:	For Discussion:	Reading:
Week One: January 14	Thinking About Crime and Punishment	
Week Two: January 21 Week Three: January 28	Introduction to Punishment: Christie provides an overview of issues that will form the basis of some of our discussions throughout the course: the role of the state and the law in punishment, the nature of man, the nature of society, etc.	Christie, Garland Ch. 1
Week Four: February 4	Foucault – Torture and Punishment: Focus is on the displacing of the body as the object of punishment; the demise of punishment as spectacle; torture as technique, investigation and punishment; centrality of property; symbolic communication; individualizing correction; technologies of power.	Foucault: Parts One and Two – Torture and Punishment
Week Five: February 11	Foucault – Discipline: Docile bodies; discipline; spatial distributions; time-tabling; partitioning; maneuvering; exercise; hierarchical observation; normalization; examinations; visibility; documentation; inspection; surveillance; individualization.	Foucault: Part Three – Discipline
Week Six: February 18	READING WEEK	
Week Seven: February 25	Foucault – Prison: (No) alternatives to prison; prison labour; production of delinquency; permanent documentation; condemned to recidivism.	Foucault: Part Four – Prison
Week Eight: March 3	Sociology and Punishment: Durkheim and Marx.	Garland Chs. 2-5
Week Nine: March 10	Sociology and Punishment: Foucault; Weber; culture; Elias.	Garland Chs. 6-10

Date:	For Discussion:	Reading:
Week Ten: March 17	Punishment as Institution: Classic utilitarianism, moralists, role of the state, unitary versus mixed theories, consequentialism, non-consequentialism, desert, retributivism.	Garland Chs. 11-12 Duff and Garland (Ch. 1: Duff and Garland)
Week Eleven: March 24	Practical and Theoretical Issues and Implications: Burden of self-restraint, consent, coercion, community, Marxism, symbolic aspects of punishment, symbolic condemnation, punishment vs. penalty, vindictive resentment, functions of punishment, public reprobation, paternalism, paternalistic punishment, theory of forfeiture, censure, proportionality, unfair advantage.	Duff and Garland (Chs. 2-5: Murphy, Feinberg, Morris, von Hirsch)
Week Twelve: March 31	Practical and Theoretical Issues and Implications: Parsimony, interchangeability of punishment, intermediate punishment, "right of retaliation", cardinal vs. ordinal magnitude, Minnesota sentencing guidelines, discretion, prosecutorial power, human nature, rehabilitation, deterrence, reductivism, rationality.	Duff and Garland (Chs. 6-9: Tonry, Zimring, Wilson, Walker)
Week Thirteen: April 7	Practical and Theoretical Issues and Implications: Audience, communication, filtration, focusing, prevention and morality, dangerousness, prediction (anamnesic, actuarial, clinical), preemptive strike, risk, burden of proof, probability, sanction, typical vs. atypical, individual vs. representative.	Duff and Garland (Chs. 10-12: Mathieson, Morris, Hirst)
Week Fourteen: April 14	Practical and Theoretical Issues and Implications: Rehabilitation (and models of), logic of punishment, rehabilitation as right, moral inculcation, justice model, inequality, reciprocal obligation, abolition, sanctuary.	Duff and Garland (Chs. 13-15: Rotman, Carlen, Bianchi)

Evaluation:

Evaluation for this course will consist of three primary components: class participation; reflection papers; and a term paper.

1. **Attendance and class participation:** Students are expected to come to class prepared and ready to discuss the readings each week. Although all are expected to read the course material, students will be assigned responsibility for leading the discussion associated with specific readings or specific chapters. Responsibility for these readings will be determined in advance. This component is worth 10% of your final grade.
2. **Reflection Papers:** There will be four specific writing assignments over the course of this semester. Approximately every three weeks you must answer a question that asks you to

specifically address some aspect of your readings. These papers will be due the week after they are assigned. The **tentative** schedule for these papers is as follows:

Date assigned:	Date Due:
January 28	February 4
February 18	February 25
March 10	March 17
March 31	April 7

Each of these four papers is worth 12.5%, with this component of your final grade comprising 50%.

- Term Paper:** Term papers will consist of an in-depth examination of a specific punishment-related subject. For example, you may want to examine the notion of proportionality or “dangerousness”. Or, you may want to consider the theoretical implications of punishing specific groups – for example, young people, war criminals or terrorists. Papers must include a thorough theoretical review of the topic, as well as, where appropriate, a review of relevant empirical evidence. **A paper proposal will be due February 25/08.** Further information with respect to the term papers will be provided in class. Term papers are due during the exam period (specific date to be determined), and are worth 40% of your final mark.

Important Notes/Regulations:

A student seeking reappraisal of graded exams or exercises must discuss this work with the instructor within two weeks of the date the exam/assignment is handed back. Consistent with Faculty of Social Sciences regulations, the entire exam or assignment will be remarked, and the mark may be raised, lowered, or remain the same.

Academic Misconduct

Cheating is regarded as a serious academic offense. Students are advised to consult the University Calendar, which presents a Statement of Intellectual Honesty and definitions and penalties associated with cheating, plagiarism, and other academic misconduct.

The Freedom of Information and Protection of Privacy (FOIP) legislation

disallows the practice of having students retrieve assignments from a public place, e.g., outside an instructor’s office or the Department main office. Term assignments must be returned to students individually, during class, or during the instructor’s office hours; if a student is unable to pick up her/his assignment s/he may provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.

Academic Accommodation

Students with a disability, who require academic accommodation, must register with the Disability Resource Centre (MC 295, telephone 220-8237). Academic accommodation letters must be provided to course instructors no later than fourteen (14) days after the first day of class. It is a student’s responsibility to register with the Disability Resource Centre and to request academic accommodation, if required.