

The University of Calgary

Sociology 421.11 INTERNATIONAL LAW, CRIMINAL JUSTICE AND SOCIAL CONTROL IN LATE MODERNITY Winter 2008

Instructor: Dr. Christie Barron

Class: Wednesday 6:00pm – 8:50pm in ST 064

Office Hours: Wednesday 4:00pm – 5:00pm or by appointment
Office: SS 902
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Please only use email for quick questions or to set up an appointment.

COURSE CONTENT AND OBJECTIVES

This course focuses on contemporary transitions in governing deviance and crime in an international context. In particular, we will look at the changing nature of regulation and justice in Canada, the United Kingdom and the United States. We will also consider the current social, economic and political environments in order to assess the topical issue of policy transfer between countries. The implications of the growing centrality of risk assessment, prevention and actuarial justice will be considered throughout. Topics will include: new directions in social control theory; strategies of crime prevention; changes in the youth justice system; the rise of mass incarceration in Western societies; hate crime; terrorism and global social control; crime control in the community; the regulation of drug use.

REQUIRED READING

The required texts are available at the U of C Bookstore:

1. Garland, D. (2001). *The Culture of Control: Crime and Social Order in Contemporary Society*. Oxford: Oxford University Press.
2. Innes, M. (2003). *Understanding Social Control: Deviance, Crime and Social Order*. Maidenhead: Open University Press.
3. Soci 423 *Book of Readings*.

This selection of readings also constitutes part of the material to be examined. The following articles are located in the Book of Readings:

1. Rose, N. (2000). "Government and control." *British Journal of Criminology*. 40(2): 321-339.
2. Young, J. (1999) *The exclusive society: social exclusion, crime and difference in late modernity*. London: Sage publications.
Chapter Three: "Cannibalism and Bulimia." Pages 56-95
3. Kemshall, H. (2003). *Understanding risk in criminal justice*. Maidenhead: Open University Press.
Chapter Two: "The role of risk in criminal justice and penal policy." Pages 26-47.
4. Kempf-Leonard and Peterson (2000). "Expanding realms of the new penology: The advent of actuarial justice for juveniles." *Punishment and Society: The International Journal of Penology*. 2(1): 66-97.
*remainder of article will be posted on Blackboard
5. Pitts, J. (2001). "The new correctionalism: young people, youth justice and New Labour" in Matthews and Pitts (eds). *Crime, disorder and community safety: a new agenda*. London: Routledge. Pages 167-191.
6. Wacquant. L. (2001). "Deadly symbiosis: when ghetto and prison meet and mesh." *Punishment and Society*. 3(1): 95-134.
7. Jacobs, J. (2002). "Hate Crime: Criminal Law and Identity Politics" *Theoretical Criminology*. 6(4): 481-484.
8. Perry, B. (2002). "Hate Crime and Identity Politics." *Theoretical Criminology*. 6(4): 485-491.
9. White, R. (2002). "Hate crime politics." *Theoretical Criminology*. 6(4): 499-502.
10. Moore and MacLean Rennie. (2006). "Hated Identities: Queers and Canadian Anti-hate Legislation." *Canadian Journal of Criminology and Criminal Justice*. 48(5): 823-836.
11. Bell, C. (2006). "Subject to Exception: Security Certificates, National Security and Canada's Role in the 'War on Terror.'" *Canadian Journal of Law and Society*. 21(1): 63-83.
12. Ventura, Miller and Deflem. (2005). "Governmentality and the War on Terror: FBI Project Carnivore and the Diffusion of Disciplinary Power." *Critical Criminology*. 13: 55-70.
13. Muzzatti, S. (2004). "Criminalising Marginality and Resistance: Marilyn Manson, Columbine and Cultural Criminology." In Ferrell, Hayward, Morrison, Presdee (eds). *Cultural Criminology Unleashed*. London: The GlassHouse Press. Pages 143-152.

14. Bowling, B. (1999). "The rise and fall of New York murder: zero tolerance or crack's decline." *British Journal of Criminology*. 39(4): 531-554.
15. O' Malley, P. (2002). "Drugs, risks and freedoms: Illicit drug 'use' and 'misuse' under neo-liberal governance." In Hughes, McLaughlin and Muncie (eds). *Crime Prevention and Community Safety*. London: Sage Publications. Pages 279-296.

RECOMMENDED READINGS

- Hannah-Moffat and O'Malley (eds.). (2007). *Gendered Risks*. Milton Park: Routledge-Cavendish.
- Young, J. (1999). *The Exclusive Society*. London: Sage.

STUDENT RESPONSIBILITIES

1. A careful and punctual reading of the required material. It is expected that assigned readings will be completed by the first class of each week.
2. Regular attendance at lectures and participation in class discussions and questions.
3. Students who are having difficulty with the course are advised to contact the instructor immediately to discuss the situation.
4. Keep this outline. It will be your course reference throughout the term. Students are responsible for familiarizing themselves with changes (additions, deletions, shifts) to this outline made in class.
5. **Exam/Test Policies:** You must provide advance notice to the instructor if you are unable to take an exam. All requests for deferral of an examination due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the physical or emotional problem rather than after recovery. Deferred exams may be allowed in the following circumstances: illness, domestic affliction or religious conviction. If you have missed an exam for a legitimate reason, you will be able to write a "make up" exam as close to the original exam as possible. The date and location will be at the convenience of the Sociology Department. Travel arrangements and misreading of the syllabus are not valid reasons for requesting a deferred exam. Deferred exams will not be granted if it is determined that just cause is not shown by the student.
6. **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.

7. **Safewalk:** The University of Calgary provides a “safe walk” service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the “Help” phones located around Campus.
8. **Ethics Research:** Students are advised that any research with human subjects--including any interviewing (even with friends and family), opinion polling, or unobtrusive observation--must have the approval of the Departmental Ethics Committee. In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required.

Academic Accommodation

Students with a disability, who require academic accommodation, need to register with the Disability Resource Centre (MC 295, telephone 220-8237). Academic accommodation letters need to 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.**

EVALUATION

Students are evaluated in four different ways:

1. CLASS PARTICIPATION 10%

This course is designed to allow students to benefit from a small group seminar experience. The intent is to create an interactive and respectful classroom environment to allow the instructor and students alike to listen, learn and critique. Students are required to attend and contribute to class discussion and debates. Student participation will be recorded for each class. To ensure fairness and equity, there will be a seating plan implemented on the second day of classes.

Students are also strongly encouraged to keep informed of current changes in law and policy through reading a local and national newspaper. This information will be required for some class discussions.

2. IN-CLASS TEST 30% **Wednesday 5 March 2007**

The format will be discussed in class closer to the date. All material up to and including **Week 6** will be included.

3. RESEARCH PAPER 50%
Due 2 April 2008

Students are required to submit a 15 page (please number pages), 12 font, double-spaced, formal research paper addressing one of the essay topics provided in the list of topics and readings. Although essay topics are provided, it will up to you to interpret the question in a specific way and to make this clear in your thesis statement and analysis. You are required to consult primary documents (for example, analyze relevant government policy documents) as well as text reading. Further guidance for the completion of this essay is as follows:

- You must outline a clear argument and use supporting data.
- The perspectives outlined in the first three lectures in relation to social control (i.e. the theories of Garland, Rose and Young) must be engaged with in relation to your specific topic even if this is critical engagement.
- The paper must be informed by an understanding of the changing nature of contemporary policy and to some degree law, if appropriate.
- The paper must critically engage with populist or common-sense assumptions with regard to crime and crime control.
- It must be analytical and not descriptive; it is an essay and not a 'review'.

The paper will be evaluated on the following basis:

15 marks – Course Objectives (degree of understanding and incorporating relevant theory, explanation and context)

15 marks – Persuasion of Argument (clear thesis statement, supporting topical sentences and coherent organization)

10 marks – Research Resourcefulness (quality of primary research and bibliographic sources)

10 marks – Quality of Composition and Referencing (grammar, spelling and proper referencing format)

4. IN-CLASS TEST 10%
Wednesday 16 April 2008

The final format will be discussed in class closer to the date. All material from **Week 8 to Week 13** will be included.

LATE WORK

With respect to both the Proposal and the Term Paper, late penalties will apply. Work submitted past the end of class on the due date will be assigned a penalty of **5% per day**.

For example, a paper submitted two days late which would have received a 60 will instead receive a 50. Extensions will not be permitted without appropriate medical documentation. It is the responsibility of students, not the instructor, to keep a copy of handed-in work.

Handing in Papers Outside of Class, Return of Final Papers, and Release of Final Grades

1. When students are unable to submit papers at class, they should make arrangements to hand in their papers directly to the instructor or teaching assistant rather than at the Sociology Department main office.
2. Final papers will not be returned through the Sociology Department main office. **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.
3. Final grades are not posted by the Sociology department. They are only available online.

GRADING SCALE

Please be aware that the grades for a course component may be scaled to maintain equity among sections and to conform to departmental norms.

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|----|-------|
| A+ | 95> |
| A | 85-94 |
| A- | 80-84 |
| B+ | 77-79 |
| B | 74-76 |
| B- | 70-73 |
| C+ | 67-69 |
| C | 64-66 |
| C- | 60-63 |
| D+ | 55-59 |
| D | 50-54 |
| F | <49 |

LECTURE SCHEDULE AND READING ASSIGNMENTS

This is designed to be a flexible schedule. When and how certain topics are covered in class may change, and we will complete the following *only* if time allows. Students are strongly advised to attend class to keep informed of any changes that may occur. Video material, which may include content not identified below, may be used to complement lectures where relevant and available. Video material used in class may be examined on the tests. As mentioned above, it is expected that assigned readings will be completed by the first class of each week to enhance class participation.

WEEK 1 – 16 January 2008 **Introduction to the course**

Readings: none

WEEK 2 – 23 January 2008 **Penal Modernism**

Readings:

Garland – Chapters 2-4
Innes – Chapter 3

Recommended Readings:
Young – Chapter 1

WEEK 3 – 30 January 2008 **New directions in social control theory: regulation and inclusion/exclusion**

Readings:

Innes – Chapter 1
Garland – Chapter 1 and Chapter 5
Book of Readings: Rose article
Young article (*will apply to in-class discussion and Week 4 lecture)

Recommended Readings:
Young – Chapter 4

WEEK 4 – 6 February 2008**New directions in social control theory: risk and actuarial justice**

Readings:

Innes – Chapter 4 and Chapter 9

Book of Readings: Kemshall article

WEEK 5 – 13 February 2008**The new youth justice: diversion or incarceration?**

Readings:

Garland – Chapter 6 and Chapter 7

Book of Readings: Kempf-Leonard and Peterson article and Pitts article

Essay topic: Analyze contradictions in the new youth justice system in relation to the contemporary nature of social control.

READING WEEK**WEEK 6 – 27 February 2008****The rise of mass incarceration in Western societies**

Readings:

Innes – Chapter 6

Book of Readings: Wacquant article

Recommended Readings:

Young – Chapter 5

Essay topic: “The astronomical overrepresentation of blacks in houses of penal confinement and the increasingly tight meshing of the hyperghetto with the carceral system suggests that, owing to America’s adoption of mass incarceration as a queer social policy designed to discipline the poor and contain the dishonoured, lower-class African-Americans now dwell, not in a society with prisons as their white compatriots do, but in the *first genuine prison society* in history.” (Wacquant 2002: 60). Discuss.

WEEK 7 – 5 March 2008**In-class test**

Readings: none

WEEK 8 – 12 March 2008
Race, hate crime and legal transitions

Readings:

Book of Readings: Jacobs article, Perry article, White article and Moore and MacLean article

Recommended Readings:
Young – Chapter 7

Essay question: Is the law the most effective way of dealing with the problem of hate crime?

WEEK 9 – 19 March 2008
Terrorism, anti-terrorism and global social control

Readings:

Innes – Chapter 8

Book of Readings: Bell article, Ventura, Miller and Deflem article

Essay topic: Discuss the implications of the ‘war on terror’ for the rule of law and global social control.

WEEK 10 – 26 March 2008
Crime control in the community: fear of crime, anti-social behaviour and ‘zero tolerance’

Readings:

Innes – Chapter 5 and Chapter 7

Book of Readings: Muzzatti article and Bowling article

Recommended Readings:
Young – Chapter 5

Essay topic: “The diversity of late modernity evokes a nostalgia for the inclusive, secure world of the past; the rise in crime and disorder characteristic of the period creates the demand for a quick fix, a panacea, in order to conjure back the secure streets and backyards of childhood memories” (Young 1999: 121-122). Discuss.

WEEK 11 – 2 April 2008**Drugs: criminalisation and decriminalization**

Readings:

Book of Readings: O'Malley article

Essays due

WEEK 12 – 9 April 2008**Course Review and Conclusions****Jeopardy trivia game**

Readings:

Innes – Chapter 10

Garland – Chapter 8

Recommended Readings:

Young – Chapter 8

WEEK 13 – 16 April 2008**In-class test**

Readings: none
