

University of Toronto- St. George Campus
SOC326H1F-LEC5101
Summer 2019
SOCIAL CONTROL
Tuesdays and Thursdays from 6:00pm-9:00pm
Location: Robarts RL14190

Instructor Information

Instructor: Steven Hayle
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Office hours: Tuesdays and Thursdays from 4:30pm to 5:30pm in Room 225E
Quercus/Course web site: Quercus

Course Catalogue Description

This course examines how society has gone about controlling specific types of deviants (e.g., gang members, sex and drug offenders) and acts of deviance (e.g., organized crime, the deviance of social control agents). In examining these individuals and acts, attention is also directed to why they are defined as deviant and sanctioned, and why some types of deviance are less likely to be detected and sanctioned than others. Finally, consideration is also given to a range of sanctions that have been used to control deviance and the empirical evidence on their effectiveness.

Course Description

Sociology students are well aware that social control is an extremely complex phenomenon, which makes it so challenging and yet interesting to study. Due to its' complexity, it is often tempting (and enormously fruitful) to examine this phenomenon within the contexts that we are most familiar with, such as our home country, province, city, or even the community or neighbourhood where we live and work. To be sure, this strategy has led to extraordinary breakthroughs and advances in sociological knowledge and understanding. With that said, however, we can never hope to **fully** understand social control by only studying it within the confines of our own 'back yard'. There is so much more that we can learn about the ways in which members of society attempt to control the behaviours of others if we broaden the parameters of our analysis to encompass more than just our familiar terrain. But by doing so, we must also accept that the complex, puzzling, and unusual phenomena that we are studying are going to inevitably become even more complex, puzzling and unusual.

In this course we are going to complicate the study of social control by studying it on a global scale. This seems especially appropriate here at the University of Toronto, which is one of the most globally connected universities situated in the heart of the most cosmopolitan city in the world. Our primary goals will be to understand *how* and *why* practices of social control vary so significantly around the world. In the process we will develop a better of understanding of how the administration of criminal justice varies from country to country, and why it does so. We will approach this relatively untouched topic in sociology as 'explorers'. Although sociological theories will play an immensely important role throughout this course, it is important to appreciate that much of the theoretical work surrounding social control is written from a North American and/or Western European perspective. Consequently, it will often be the case that our primary mission is to encounter unexplored territory in the 'real world' of social control rather than to review the theories of the discipline. But be forewarned, our intention is not to learn and master everything there is to know about social control around the world. This will never be possible as the world is too big. Instead, we will take a 'peak' at some of the more interesting and unusual

variations we see around the world, and investigate them through sociological and interdisciplinary lens. Hopefully we will come away with a better understanding of social control that will be useful to us when we encounter this phenomenon both at home and abroad.

We will begin the course by introducing social constructionism and historical sociology, two theoretical tools which can be invaluable for studying and making sense of variation in social control practices around the world. After this, we will move forward by investigating a select number of areas in more depth and detail: including how and why definitions of crime and deviance vary internationally; how policing, courts and juries vary from country to country (or region to region), and what sentencing and punishment looks like around the world. Within each of these areas we will focus on specific topics. For example, we will examine specific activities that are legal in Canada but illegal abroad (or illegal in Canada but legal abroad) and try to make sense of these varying designations. We will investigate policing models from a select number of countries and examine them in depth. We will focus heavily on specific forms of punishment such as imprisonment and capital punishment, and explore them internationally. Lastly, we will spend some time focusing on the topic of drugs law and policy. We will study the remarkably varying ways in which different societies around the world have a) defined drug use/drug selling, and b) chosen how to control said activities. While we will be exploring these topics roughly in the order that they are presented above, it is important to understand that there is considerable overlap between each of these topics, and so we will be continually tacking back and forth between each of these themes as we progress through the course.

Prerequisites and Exclusions

Prerequisites: SOC201H1, SOC202H1, SOC204H1 & 1.0 FCE from SOC251H1/SOC252H1/SOC254H1

SOC212H1 is recommended.

Exclusion: SOC313H1

Note: Students without the prerequisites (or with the exclusions) will be removed from the course at any time without notice.

Learning Outcomes

1. Expansion of students' knowledge base and understanding of how social control operates around the world.
2. The development of the skill of **critical** socio-legal analysis.
3. The development of the skill of comparative research (i.e. researching legislation and policies in other parts of the world and comparing them to legislation and policies operating here in Canada).
4. Honing the skill of advancing clear, analytical, focused, logical, and developed written and oral arguments that are supported by strong evidence.
5. The development of effective written, oral, and electronic presentation skills, oral argumentation (in class participation), and academic writing (term paper).

6. The production of a high quality piece of writing that can be used by students as either a writing sample, the beginning of a larger project (i.e. Capstone, thesis, etc.), or a paper that could potentially be published in an undergraduate academic journal and/or presented at a scholarly conference.

Course Structure/Approach

The course will consist of 3-hour meetings. This class will be taught using a mixture of traditional lectures and more informal tutorial discussions. Each class will begin with housekeeping topics, such as discussing assignments, the class schedule, office hours, etc. Then, a student in the class will be invited to briefly discuss a current event they learned about from the news media that they feel pertains the course. What will then follow is a lecture that **builds** on the week's assigned readings. While the lecture will include material from the assigned readings, please note that there **often** will **not** be a considerable amount of overlap between lecture material and reading content. Sometimes, for example, the readings will provide background information for the lecture. Alternatively, a lecture might provide an *alternative*, *updated*, or even *opposing* perspective to what is found in that week's readings. Thus, in order to succeed in the course, it will be **important** for students to attend **all** lectures **and** keep up with **all** assigned readings. During the lecture portion of the class, the floor will always be open to questions, discussion, and debate, permitted there is enough time. Each lecture will include a brief discussion about any upcoming assignments or tests. During the final portion of the three-hour meeting, the class will be "flipped" in order to allow for significant portions of the discussion to be student-led. Students will have the opportunity during this portion of the class to raise questions about the lecture topics, assigned readings, upcoming assignments and tests. Students will have the opportunity to provide recommendations of topics or issues to cover in this portion of the class based on areas related to the course that they would like to explore in more depth than what is possible during the lectures and in the assigned readings. Students will have the opportunity to workshop pieces of writing at this time, including term paper thesis statements, essay outlines, and draft answers to test questions. They will have the opportunity to engage in collaborative learning by sharing findings from their term paper research with others, as well as collectively discussing opportunities, achievements, and challenges they face throughout the research and writing process of their term paper assignments. This portion of the class will also be reserved for any group-based activities including simulations, debates, mock trials, and oral presentations. While the goal is always to strictly adhere to the lecture schedule found below, please be advised that the class may, at any time, move ahead or fall behind in the schedule. The order of lectures might change, and lecture topics and/or assigned readings might change, be added, or eliminated. With that said, however, if there are any changes to the assigned readings, students will be provided with at least a week's notice, and the reading (like all others) will be provided on black bard. Changes will NOT be made to either the evaluation components or the grading criteria.

Textbook

Readings are available online through Quercus.

Evaluation Components and Grading Policies

Term Paper Proposal- Due Wednesday, May 17 at 6:00pm in class [10%]

The purpose of this assignment is to encourage students to begin thinking about, planning, and carrying out research for their final term paper assignment. For this proposal, students should choose what activity, law, and country they plan to be looking at for the purposes of their term paper. The first part of their proposal should entail a detailed description of the specific activity they are exploring. The second part

should provide a detailed overview of the law that either permits or prohibits it. They **MUST** reference a legal code to provide evidence of either the activity's legal or illegal status. The third part of the assignment is the student's opportunity to discuss their plans for moving ahead on the assignment, what types of sources they plan to consult (or have consulted already), what challenges they foresee themselves having to overcome (i.e. lack of research, too much research, language barriers in reading the research, etc.), and if applicable, any preliminary findings or analysis they have carried out (though I stress the preliminary findings/analysis are **NOT** required in order to do well on this assignment). In this section, students are expected to outline their research design and methods of data collection and analysis, drawing explicitly on skills they have developed in their previous methods courses. They must also introduce at least one **SOCIAL THEORY** covered in one or more of their previous courses that they think **MIGHT** be applicable to their research. The paper should be no more than 10 pages double spaced using size 12 Font, Times New Roman. Papers must strictly adhere to ASA style guidelines (not just internal citations and bibliography).

Term Paper Power Point Presentation- Due Wednesday, June 8 at 11:59pm on Portal [20%]

Students will submit on black board a power point presentation that provides an overview of their term paper. The purpose of the power point presentation is twofold: it is firstly to help students equip themselves with the skills necessary to create the highest quality power point presentation materials that would meet the standards of those routinely seen at international academic conferences. It is also to help students develop presentation skills such as how to clearly and effectively communicate complex arguments in relatively short amounts of time and/or space. The second purpose of the assignment is to encourage students to move ahead on the research and analysis for their term papers. Students will receive feedback on their presentations that they can use for their final term papers. Students will also have the opportunity to present their power points during the third hour of the class in the second half of the course.

Term Paper- Due Monday, June 17 at 11:59pm on Portal [30%]

Students will either choose an activity that is a) legal here in Canada but illegal in another country; b) illegal here in Canada but legal in another country; or c) illegal here in Canada and another country, however, the criminal punishment of such activity is significantly different in the other country compared to here in Canada (please see me if you choose to do this topic). Thus, you are focusing on a **specific** activity in a specific jurisdiction (state, country or region) whose legal status is *different* to that in Canada. For example, it cannot simply be murder or drug use; rather it must be first-degree murder in Canada, or cannabis possession in Colorado, etc. Students will draw on academic and/or non-academic resources to describe with detailed empirical evidence the social, political, economic, scientific, historical, geographical, and cultural factors and circumstances that explain why the activity is legal in your country of interest and not Canada, or vice versa. Terms papers should not exceed 20 pages double-spaced Times New Roman Font. Papers must strictly adhere to ASA style guidelines (not just internal citations and bibliography).

Final Examination- Scheduled by the Registrar's office (3 hours) [40%]

The final examination will be **CUMULATIVE** and will cover material from **BOTH** lectures and readings introduced throughout the entire course. Students will be expected to **demonstrate mastery** of course content, themes, theories, and concepts. No aids are permitted, however, the examination will consist of simply one **essay** question, and students will be provided with the exact wording of the essay question on the last day of the class. The essay question will require students to propose an argument and then, in a structured manner, support the argument with evidence from a) Lectures; b) Assigned readings; C) Term paper research; D) Other student's research; E) Previous course work; and F) Current events. Location

and time is to be determined by the registrar's office. The final examination schedule will run from June 19-26.

MAKEUP ASSIGNMENTS AND DEADLINE EXTENSION

Documentation from your Physician or College Registrar

If you miss a test or a paper deadline, **do not** contact the instructor or a TA unless you have followed the steps described here. Telling the professor or TA why you missed a deadline or a test will not be considered.

In case of **illness**, you must supply a duly completed **Verification of Student Illness** or Injury form (available at www.illnessverification.utoronto.ca). A doctor's note is acceptable, but **MUST** indicate the start and anticipated end date of the illness. **The form must be placed in a sealed envelope, addressed to the instructor, and submitted with your work** at class or during my office hours.

If a **personal or family crisis** prevents you from meeting a deadline, you must get a letter from your college registrar (it is a good idea anyway to advise your college registrar if a crisis is interfering with your studies). **The letter must be placed in a sealed envelope, addressed to the instructor, and submitted with your work** at class or during my office hours.

You must submit both forms within three days of the missed test or assignment. You are not entitled to write a make-up test if you wrote the regularly scheduled test. All requests will be screened and students eligible to write a make-up will be informed by e-mail.

ACADEMIC HONESTY

Cheating and misrepresentation will not be tolerated. Students who commit an academic offence will face serious penalties. Prevent plagiarism by ensuring that all work is properly cited. Please see below for a list (not exhaustive) of academic offences. If you require more information, please visit the Code of Behaviours on Academic Matters at <http://www.governingcouncil.utoronto.ca/policies/behaveac.htm>.

“It shall be an offence for a student knowingly: (a) to forge or in any other way alter or falsify any document or evidence required by the University, or to utter, circulate or make use of any such forged, altered or falsified document, whether the record be in print or electronic form; (b) to use or possess an unauthorized aid or aids or obtain unauthorized assistance in any academic examination or term test or in connection with any other form of academic work; (c) to personate another person, or to have another person personate, at any academic examination or term test or in connection with any other form of academic work; (d) to represent as one's own any idea or expression of an idea or work of another in any academic examination or term test or in connection with any other form of academic work, i.e. to commit plagiarism (for a more detailed account of plagiarism, see Appendix "A") ; (e) to submit, without the knowledge and approval of the instructor to whom it is submitted, any academic work for which credit has previously been obtained or is being sought in another course or program of study in the University or elsewhere; (f) to submit any academic work containing a purported statement of fact or reference to a

Each paper (the position paper and the social problems paper) **must be submitted twice:**

- (1) As a hard copy, at the start of class on the due date;
- (2) Online at <http://www.turnitin.com>, by the start of class on the due date.

Assignments not submitted through *Turnitin* will receive a grade of zero (0 %), unless a student instead provides, along with their position paper, sufficient secondary material (e.g., reading notes, outlines of the paper, rough drafts of the final draft, etc.) to establish that the paper they submit is truly their own. The alternative (not submitting via *Turnitin*) is in place because, strictly speaking, using *Turnitin* is voluntary for students at the University of Toronto.

Go to <http://www.turnitin.com> to submit your paper online. For access, enter the **class ID** and **enrolment password** (you will receive these before your first position paper is due). Students agree that by taking this course all required papers may be subject to submission for textual similarity review to *Turnitin.com* for the detection of plagiarism. All submitted papers will be included as source documents in the *Turnitin.com* reference database solely for the purpose of detecting plagiarism of such papers. The terms that apply to the University's use of the *Turnitin.com* service are described on the *Turnitin.com* web site.

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If you cannot submit your paper in class, go to room 225 at 725 Spadina Avenue by 5 p.m. on the due date, put a date/time stamp on the top page of your paper, put it into the drop box for 300-level courses, **then notify your TA that your paper is there.**

ACCESSIBILITY

If you require accommodations or have any accessibility concerns, please visit <http://studentlife.utoronto.ca/accessibility> as soon as possible.

Tentative Course Schedule

Please note that the lecture topics and readings are subject to change at any time throughout the semester. Advanced notice will be provided and changes will be reflected in assignment and examination expectations. Any additional or changed readings will be provided to students on black board.

PART A- CRIMINAL LAW

Lecture One- Tuesday, May 7- Welcome to Social Control!

TOPICS: Introduction to the course

Social Constructionism as a Theoretical Framework for Studying Social Control Cross-Nationally

ASSIGNED READINGS: “Absolutism: The Morality of Deviance” by Anne Hendershott

“The Constructionist Stance” by Joel Best

Lecture Two- Thursday, May 9: “What’s History got to do with it?”

TOPIC: Historical Sociology as an Analytical Framework and Methodology for Studying Social Control Cross-Nationally (Path Dependence and Increasing Returns Theory)

Variations in the Meaning of Crime and Deviance around the World

ASSIGNED READINGS: “Turning Points, Bottlenecks, and the Fallacies of Counterfactual History” by Randall Collins

Lecture Three- Tuesday, May 14: “The Medium is the Message...”

TOPIC: Media Representations of Crime and Deviance on Both Sides of the Atlantic

ASSIGNED READINGS: Two excerpts from *Folk Devils and Moral Panics* by Stanley Cohen.

PART B: CRIMINAL JUSTICE

Lecture Four- Thursday, May 16: “To Serve and Protect....Whom?”

TOPIC: Police Practices around the World

ASSIGNED READING: Excerpt from *Patterns of Policing: A Comparative International Analysis* by David Bayley.

Lecture Five- Tuesday, May 21: Lady Justice...A Citizen of the World

TOPIC: Trials and Juries around the World

ASSIGNED READING: *Comparative Criminal Justice*, Chapter 6 - “Systems of Trial” by Francis Pakes

Lecture Six- Thursday, May 23: The Right to Self-Government with Respect to Social Control

TOPICS: Customary Law and Indigenous Sentencing around the World

ASSIGNED READING: “Indigenous Sentencing Courts: Towards a Theoretical and Jurisprudential Model” by Elena Marchetti and Kathleen Daly.

“Delivering Justice in Indigenous Sentencing Courts: What this means for Judicial Officers, Elders, Community Representatives, and Indigenous Court Workers” by Elena Marchetti.

Lecture Seven- Tuesday, May 28: Punishment around the World I

TOPICS: Prisons around the World

ASSIGNED READING: Excerpt from David Garland’s *The Culture of Control*.

Lecture Eight- ,Thursday, May 30: Punishment around the World II

TOPICS: Capital Punishment around the World

ASSIGNED READING: Excerpts from Amnesty International and Human Rights Watch Reports

Lecture Nine- Tuesday, June 4: Justice for Youth Abroad

TOPIC: Youth Justice Systems around the World

ASSIGNED READINGS: *Comparative Youth Justice* by John Muncie and Barrie Goldson
“Italy- From Child Protection to Penal Populism” by David Nelken

PART C- CRIME POLICY

Lecture Ten- Thursday, June 6: “Just Say No!”

TOPIC: History of Drug Legislation in Canada, the US, and the UK

ASSIGNED READINGS: “The Social Origins of Narcotic Control Legislation” in *Panic and Indifference: The Politics of Canada’s Drug Laws* by P.J. Giffen et al.

“The Social Construction of Drug Scares” by Craig Reinerman.

Lecture Eleven- Tuesday, June 11: “Just Say Yes!”

TOPIC: Progressive and Tolerant Drug Policies around the World (In Comparison to Canada)

ASSIGNED READINGS: “The New Dutch and German Drug Laws: Social and Political Conditions for Criminalisation and Decriminalisation” by Sebastian Scheerer.

“Comparing Drug Policy Windows Internationally- Drug Consumption Room Policy Making in Canada and England and Wales” by Steven Hayle.

“A Tale of Drug Policy in Two Canadian Cities- Comparing Supervised Consumption Site (SCS) Policy Making in Toronto and Vancouver” by Steven Hayle

Lecture Twelve- Thursday, June 13: “Just Say No, Or Else!”

TOPIC: Conservative and Punitive Drug Policies in Canada and around the World

ASSIGNED READINGS: TBD