SOC6406H
Sociology of Crime and Law II: Punishment on the ‘Margins’ of the State
Fall 2020: Mondays: 4-6 p.m. Seminar Room: SOC 240

Gail Super
Assistant Professor
Department of Sociology, Rm. 250
Gail.super@utoronto.ca
Office Hours: By appointment
Course Website: See Quercus

Course Description
The term “punishment” generally connotes the lawful exercise of state power after a finding of guilt in a criminal court. This course examines punishment in ‘marginal’ spaces and punishments that take place outside of the formal criminal justice system. We will analyse various types of unlawful, but nonetheless legitimate, ‘non state’ led ‘penal phenomena’ as well as state imposed punitive forms of control such as administrative detention, park exclusion orders, and onerous ‘punishment-like’ bail conditions. All of these entail various forms of punitive spatiotemporal restrictions and, as such, our discussions will focus on punishment as a ‘bordered’ process – highlighting its spatial, institutional, and jurisdictional boundaries. We will draw on an eclectic range of literature - including from the fields of punishment and society, border criminology, carceral and legal geography, vigilantism, and critical bordering studies. In doing so we will link our discussions to debates about the relationships between legitimate (and illegitimate) forms of public authority, violence, order, and penal power.

Course Outcomes:
- **Analytical skills**: Students will hone their analytical skills by reading, commenting on and using a variety of interdisciplinary scholarly sources in order to analyse punishment as a sociological phenomenon which is imposed beyond the criminal courts.
- **Facilitating skills**: Students will enhance their seminar facilitation skills by leading at least one seminar.
- **Informal intellectual discussion skills**: students will enhance their discussion skills through participating in seminar and online discussions.
- **Critical writing skills**: Students will develop their critical writing skills through different writing modalities—brief responses to readings, brief replies to colleagues’ responses, and sustained development of argument in an essay.

**Evaluation components**

**ASSIGNMENTS**

<table>
<thead>
<tr>
<th>COMPONENT</th>
<th>DESCRIPTION</th>
<th>DATE DUE (DD/MM/YY)</th>
<th>RELATIVE WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 6 Discussion Board Postings</td>
<td>See below</td>
<td>Ongoing</td>
<td>12</td>
</tr>
<tr>
<td>2. 6 sets of responses</td>
<td>See below</td>
<td>Ongoing</td>
<td>12</td>
</tr>
<tr>
<td>3. 2 guest lecture responses</td>
<td>See below</td>
<td>TBA</td>
<td>6</td>
</tr>
<tr>
<td>4. Seminar facilitation</td>
<td>See below</td>
<td>Ongoing</td>
<td>20</td>
</tr>
<tr>
<td>5. Participation</td>
<td>See below</td>
<td>Ongoing</td>
<td>5</td>
</tr>
<tr>
<td>6. Outline or Abstract</td>
<td>See below</td>
<td>2 November</td>
<td>5</td>
</tr>
<tr>
<td>7. Essay</td>
<td>See below</td>
<td>30 November</td>
<td>40</td>
</tr>
</tbody>
</table>

1. **Discussion Board Postings – 12 points (2 x 6)**

Students are expected to write six discussion posts during the course of the semester.

**WHAT**: Posts should take the form of reactions to the week’s readings. Each post must be no longer than 400-500 words. They must discuss topics or questions arising from the readings and/or address specific questions or issues which I will flag in advance. You can use them to raise questions about confusing passages, to criticize controversial claims, to make connections across readings, highlight important themes, and/or to develop new ideas. Think of these posts as writing and thinking exercises rather than as finished products. I do not expect them to be polished, but I will be looking for evidence of thinking and engaging with the readings, by you. The idea is to get you into the habit of writing and recording your thoughts about the readings. These posts must be uploaded PRIOR to reading anyone else’s posts because they represent your original thoughts. You cannot submit a discussion board posting for a week that we have already discussed - your posting must be submitted before the seminar where we discuss the material that you are posting about. Details to follow.

**HOW**: Submit via Quercus in the thread and NOT as an attached file.
WHEN: You must post your reactions by 5 p.m. on the Thursday before the seminar. This is a hard deadline, to enable response posts (see below) by other students. You will not get credit for posts uploaded after the deadline.

2. **Response Postings - 12 points (2 x 6)**

Students are expected to write a minimum of 6 response postings.

**WHAT**: Choose at least two discussion posts from the same week and write a brief response to each. Each response counts one point. The responses can be short, around 250 words – they may be longer as well – but they should make some substantive engagement with at least two discussion postings (other than your own). **If you can see that a post already has a response then respond to some other post which does not.** I will be looking for evidence of actual thinking and engaging with the posts to which you are responding. The idea is to create a community of scholars. There is no post or response which is not worth responding to – whether or not you agree with it. All dialogue must be respectful (details to follow).

**HOW**: Submit via Quercus in the thread and NOT as an attached file.

WHEN: You must post your response postings by noon on the day of the seminar. This is a hard deadline to enable the seminar presenter and/or the instructor to get a sense of how to structure the discussion, what the issues are, what the main questions are etcetera. You will not get credit for posts uploaded after the deadline.

3. **Two guest lecture responses- 6 points (3 x 2)**

**WHAT**: We will have two guest lectures during the course of the semester. Listen carefully to what the lecturer is saying, hone in on the nuances and tenor of their lectures. Think about what they are arguing and what they are emphasizing. Craft a response to the lecture, taking into account the readings, the subsequent discussion, and how this made you reappraise (or not) your initial reaction towards the material. As with the discussion posts I do not expect these to be polished, but I will be looking for evidence of actual thinking and engaging with the lecture and the discussion. You may post a discussion post; your set of response posts; and a guest lecture response in the same week (i.e. in relation to one seminar or one set of readings) but you may also separate them out. Details to follow.

**HOW**: Submit via Quercus in the Discussion Board thread and NOT as an attached file.

WHEN: You must post your response by 10 p.m. on the evening of the lecture. This is a hard deadline to enable you to process your thoughts and respond while the discussion is still fresh in your mind. You will not get credit for responses uploaded after the deadline.

4. **Seminar facilitation: 20 points**

**WHAT**: Each week one student (or perhaps two depending on enrolment) will lead a discussion on a regular session’s topic after I have given a brief lecture. Plan to make a 30 minute in-class
presentation about the week’s readings, raise critical questions, and set forth topics for discussion. The presentation is not to be a summary of the readings but instead an in depth engagement with them. You will then gather additional comments about the presentation and reaction posts from other class participants as a catalyst for further discussion. I will mark your presentation primarily on your ability to critically engage with the readings (and your classmates’ reactions) and set the stage for a quality and in depth discussion that uses the texts as the departure point for the discussion. Details to follow.

**HOW**: **One week in advance** you must furnish me with a skeletal outline or facilitation plan, including excerpts and page numbers from the readings, around which you will frame your discussion. This means that you will have to have read the material at least 8 days in advance of the date on which you are facilitating. The outline will count 5 points out of the total of 20. If you do not submit one then you will lose the 5 points.

**WHEN**: You must sign up online in Week One. Sign up is on a first come first serve basis.

5. **Participation : 5 points**

This is not about who talks the most during seminars. I value quality (such as when students make comments that stay close to the text) over quantity. I understand that some of you may be reluctant to talk during class, particularly early on in the course. Feel free to come to my virtual office hours and talk over any of the readings or your assignments. I consider this to be “engagement” with the course and will take it into consideration when determining this part of your grade. Posting more than the minimum amount of responses is another form of engagement. So too, is sharing something on the discussion board which you think is relevant. This may take the form of a blog post, a tweet, a newspaper article, a song, or a poem etc. You must briefly explain why you are sharing it - “I’m sharing this song because it has a good beat” won’t quite suffice. I am happy to talk with you at any point during the semester to give you my thoughts on your course engagement. Students who miss more than one seminar during the term will lose one mark (out of the five) per additional seminar missed. Details to follow.

6. **Outline or Abstract: 5 points**

**WHAT**: The purpose of this assignment is to give you a low stakes opportunity to think about your final essay. What are your top two areas of interest? What is your research question (even if it is a rough question); or what are your top two questions that you want to explore further? What will you be arguing? Discuss at least some of the literature which you plan to (even if only tentatively) draw on in your essay. This should be no longer than two double spaced pages TNR 12. It can also take the form of an abstract – in which case it should be no longer than 1000 words. Details to follow.

**HOW**: Your outline or abstract must be submitted on Quercus. Make an appointment to discuss your ideas with me **before** you do this - **by no later than Friday 23 October**.

**WHEN**: 3 p.m. on 2 November. Late penalty: 2 % per day. Submissions that are more than 7 days late will not be accepted.
7. Essay: 40 points

WHAT: Students must submit a 5000 word (20 pages TNR double spaced) Essay. You have a large degree of freedom for your final paper: the idea is that it will serve as a basis for your further research and/or be useful to your own scholarship. The Essay must draw on the course themes and/or assigned and supplemental readings as a point of departure. In other words, you must engage with some of the issues or questions raised during the course and in the readings. Your Essay may take the form of a 1) critical literature review which discusses a specific question or issue raised in the course; 2) a research proposal pertaining to a course theme, or 3) a research paper on some aspect of punishment, broadly construed. It could also take some other form – as long as you **discuss your idea with me beforehand**. A critical literature review must incorporate readings from the required and supplemental reading list plus additional sources relevant to the topic, and it must be geared towards a specific angle, issue, or question - related to the course themes. The research proposal must include a literature review, a statement of research questions, and a detailed methods section outlining how data will be collected and analyzed. The research paper must involve an investigation of a relevant topic and will normally incorporate original research around a specific research question and speak to the literature that you draw on and refer to in your paper. Details to follow.

HOW: via Quercus. Further details about Turnitin to follow.

WHEN: 3 p.m. on 30 November. Late penalty: 2 % per day. Submissions that are more than 7 days late will not be accepted.

**Academic Integrity**

Copying, plagiarizing, falsifying medical certificates, or other forms of academic misconduct will not be tolerated. Any student caught engaging in such activities will be referred to the Dean’s office for adjudication. Any student abetting or otherwise assisting in such misconduct will also be subject to academic penalties. Students are expected to cite sources in all written work and presentations. See this link for tips for how to use sources well: [http://www.writing.utoronto.ca/advice/using-sources/how-not-to-plagiarize](http://www.writing.utoronto.ca/advice/using-sources/how-not-to-plagiarize).

According to Section B.I.I.(e) of the *Code of Behaviour on Academic Matters* it is an offence "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."

By enrolling in this course, you agree to abide by the university’s rules regarding academic conduct, as outlined in the Calendar. You are expected to be familiar with the *Code of Behaviour on Academic Matters* [http://www.artsci.utoronto.ca/osai/The-rules/code/the-code-of-behaviour-on-academic-matters](http://www.artsci.utoronto.ca/osai/The-rules/code/the-code-of-behaviour-on-academic-matters) and *Code of Student Conduct* [http://www.viceprovoststudents.utoronto.ca/publicationsandpolicies/codeofstudentconduct.htm](http://www.viceprovoststudents.utoronto.ca/publicationsandpolicies/codeofstudentconduct.htm) which spell out your rights, your duties and provide all the details on grading regulations and academic offences at the University of Toronto. Normally, students will be required to submit their course essays to Turnitin.com for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in
the Turnitin.com reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of the Turnitin.com service are described on the Turnitin.com web site.

**Accessibility Services**

It is the University of Toronto's goal to create a community that is inclusive of all persons and treats all members of the community in an equitable manner. In creating such a community, the University aims to foster a climate of understanding and mutual respect for the dignity and worth of all persons. Please see the University of Toronto Governing Council “Statement of Commitment Regarding Persons with Disabilities” at http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppnov012004.pdf. In working toward this goal, the University will strive to provide support for, and facilitate the accommodation of individuals with disabilities so that all may share the same level of access to opportunities, participate in the full range of activities that the University offers, and achieve their full potential as members of the University community. We take seriously our obligation to make this course as welcoming and accessible as feasible for students with diverse needs. We also understand that disabilities can change over time and will do our best to accommodate you. Students seeking support must have an intake interview with a disability advisor to discuss their individual needs. In many instances it is easier to arrange certain accommodations with more advance notice, so we strongly encourage you to act as quickly as possible. To schedule a registration appointment with a disability advisor, please visit Accessibility Services at http://www.studentlife.utoronto.ca/as, call at 416-978-8060, or email at: accessibility.services@utoronto.ca. The office is located at 455 Spadina Avenue, 4th Floor, Suite 400. Additional student resources for distressed or emergency situations can be located at distressedstudent.utoronto.ca; Health & Wellness Centre, 416-978-8030, http://www.studentlife.utoronto.ca/hwc, or Student Crisis Response, 416-946-7111.

**Equity and Diversity Statement**

The University of Toronto is committed to equity and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect. As a course instructor, I will neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual in this course and wish to be alerted to any attempt to create an intimidating or hostile environment. It is our collective responsibility to create a space that is inclusive and welcomes discussion. Discrimination, harassment and hate speech will not be tolerated. Additional information and reports on Equity and Diversity at the University of Toronto is available at http://equity.hrandequity.utoronto.ca.

**Mode of Instruction**

Course delivery will be dual – students are expected to attend in-person seminars in Room 240 or to attend remotely and synchronously via Zoom. In other words, students are expected to attend seminars, whether virtually or in person. While the latter option is preferable (for pedagogical reasons), if students choose the synchronous online option, they must register for each lecture in
advance, by no later than Sunday 5 p.m. If students do not register for the online option then I will assume that the in-person option has been chosen. Students must register for a Zoom account using their UTORid and password (Web Portal Login: https://utoronto.zoom.us). During the course of the semester, depending on the circumstances, I may make changes to the course delivery mode.

**Course Schedule and Class Seminar Details**

**September 14: Overview of course.**


**Further Reading**


**September 21: Penal Power and Penal Excess**


**Further Reading**


September 28 : Punishment, Revolutionary Justice, and State Formation


Further Reading


October 5 : Punitiveness


Further Reading


October 12 – Holiday: No Seminar

October 19: Bordering, Sovereign Power, and ‘Periphractic Marginalization’


Further Reading


October 26 (drop deadline) Carceral space


Further Reading


November 2 (Abstract due): Jurisdiction, Scale and Legal Pluralism (Guest Lecture: Professor Mariana Valverde)


Valverde M. 2009 Jurisdiction and Scale: Legal ‘Technicalities' as Resources for Theory. Social & Legal Studies. 18: 139


Further Reading

November 8 Reading week : No seminar

November 16 Punishing mobility (Guest Lecture Dr. Ana Ballesteros Pena)


Further Reading

November 23 – Banishment


Further Reading

November 30 (Essay Due) : Lynching in peripheralised spaces


Further Reading