

# FORCE AND FEAR, CRIME AND PUNISHMENT

## Fall 2019

**Instructor:** Greg Flynn  
**Email:** flynngr@mcmaster.ca  
**Lecture:** Mon 7:00 – 9:00  
**Room:** HSC 1A1

**Office:** KTH 543  
**Office Hours:** Tuesday 10:30 - 12:30

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## **Course Description**

The course is intended to give students a broader understanding of the use and impact of both subtle and overt means of coercion and force by democratic states as a means of controlling citizens.

It will explore the principles governing the use of coercive policies and actual force by public authorities and the impact on citizens in modern democratic states. It will examine the historical, theoretical and practical aspects underlying punitive, modern criminal justice and penal welfare systems as a base to an investigation of the use of and proposed use of coercive force in Canada. The preliminary focus on the actors involved and the meaning of fear in a political context and the labels and stereotypes that have been used to promote fear in recent years will set the stage for a more intensive review of the major contemporary and changing methods used by the state to alleviate or reinforce fear in the population and the effects of those mechanisms on citizen behaviour.

## **Course Objectives**

By the end of the course students should be able to:

- Identify various state actors that employ coercion and force in democratic states, and Canada in particular, as well as the target populations of the use of those policies and methods;
- Describe and explain the methods of coercion available to the state and the impact of those differing mechanisms on citizens in general and specific populations in particular;
- Analyze contemporary political and public policy issues from an introductory level critical perspective concerning the use of force and attempts to control differing groups of citizens in democratic states; and
- Conduct basic primary research using publicly accessible legal and/or political sources and databases.

## **Required Materials and Texts**

- Ruddell, Rick. 2017. *Exploring Criminal Justice in Canada*. Toronto: Oxford University Press.
- Various journal articles and other assigned readings available through McMaster University libraries.

## **Class Format**

The class is scheduled for one two-hour lecture session and one one-hour tutorial session per week.

The lecture session will be conducted in an interactive format with students having the opportunity to and being encouraged to ask questions concerning the information being provided to them.

The third hour of course time will be used as a tutorial session for more informal, guided and intensive discussions concerning course materials. The tutorial sessions will be conducted by teaching assistants from the department of political science and are designed to enable students to more fully explore the topics under consideration through a guided discussion with their peers. This provides students with the opportunity to ask questions, formulate their thoughts and discuss their opinions in a less formal environment.

Any student wishing to change their allocated tutorial slot may only do so through MOSAIC provided the tutorial has space. The instructor has no ability to open up additional tutorial spaces or change tutorial spots for students.

In addition to formal class time, students are also invited and encouraged to meet with the instructor during regular office hours or by special appointment to discuss course content.

### **Course Evaluation – Overview**

1. Tutorial Attendance and Participation - 30%, weekly beginning September 16, 2019
2. Reflection Quizzes – 0/10/20%, due October 07 and November 11, 2019.
3. Primary Research Summary – 30%, due November 18, 2019.
4. Final Exam – 20/30/40%, December exam period.

### **Course Evaluation – Details**

#### **Tutorial Participation (30%) – Weekly beginning September 16, 2019**

Participation in tutorial groups will account for thirty percent of the final grade. Students should note that participation is not synonymous with attendance and that only one-third of their tutorial participation grade will be based on attendance alone. At the outset of each tutorial, students will be asked to sign an attendance sheet indicating their presence for that week and it is the sole responsibility of students to ensure that they have signed the sheet.

Please note that signing an attendance sheet on behalf of someone who is not present in a tutorial session constitutes an offence under the academic integrity policy of McMaster University.

The other two-thirds of the student's participation grade is dependent upon their ability and willingness to regularly and intelligently contribute to the group discussions that take place in and through the tutorial group. In this regard, students may contribute in one of

three ways. First, they may make comments or ask or respond to questions asked during the course of the weekly discussions. Second, students may submit a brief summary of the weekly readings and pose two questions that they have after having completed the readings or that are not fully explained therein. These summaries and questions must be provided to the TA at the beginning of the tutorial for each week. Third, students may post comments on a discussion thread on Avenue to Learn for their individual and specific tutorial group after the tutorial session and only within a reasonable period of time after each tutorial and before the next scheduled tutorial meeting.

Only those students who have attended tutorial and signed the attendance sheet will have the option of having this third form of discussion contribute to their participation grade.

Tutorial groups will focus on clarifying and applying the material discussed in lecture through a consideration of weekly questions, but could also include a discussion of contemporary political debates, albeit in light of the historical and theoretical perspectives associated with the issue.

### **Reflection Quizzes (0/10/20%), due October 07 and November 11, 2019.**

Students have the option of writing up to two take home quizzes based on the course content covered in the specific course section (i.e. Actors and Methods of Control). The question will ask students to reflect on the lecture content and readings for that specific section as a means of reinforcing the course content and developing the major themes of the course.

The questions will be distributed in lecture one week before the due date. Each paper is worth ten percent and each one that is submitted will result in a corresponding decrease in the value of the final exam. In other words, if a student does not complete an optional paper, the final exam will be worth forty percent; if a student completes one optional paper, the final exam will be worth thirty percent; and if a student completes both papers, the final exam will be worth twenty percent.

Where the grade on the final exam is higher than that of one or both of the quizzes, its value will be substituted for that of the quiz.

Due to the fact that these papers are optional, no MSAF requests will be accommodated and late papers will not be accepted.

### **Primary Research Evidence Summary (30%), due November 18, 2019.**

The purpose of the primary research evidence summary is to introduce students to the practice of conducting primary research and using it as evidence in support of the argument(s) they are making in their academic papers. It attempts to have students move beyond research relying on secondary sources (what other people say about data – eg.

academic journal articles) and focus on providing evidence directly from a source of that data.

While the instructor and/or teaching assistants will provide students with sources from which they can draw their primary research, students are also encouraged to find their own sources of primary data. Students should discuss with the instructor any primary data/evidence sources not provided by the instructor or teaching assistants.

Students have two options for completing the Primary Research Evidence Summary.

First, students may write an individual paper, consisting of a minimum of five primary sources.

Alternatively, students working in groups of two from within their tutorial may write a group paper, consisting of a minimum of ten primary sources. Unless agreed to in advance by all students in the group and the instructor, students will all receive the same grade for the assignment.

For either option, the primary research evidence summary should include an introduction and a brief summary of the research method undertaken, the findings of the research and a discussion of those findings.

The paper should be analytical in its approach – not just describe the relevant research, but also attempt to determine the underlying issues associated with particular policy and/or political outcomes.

Further instructions, a list of topics and additional resources will be provided to students by the middle of September.

### **Final Exam (20/30/40%), due December exam period**

The final exam will be based on all materials covered in the lectures and assigned readings throughout the course. The exam will provide an overall summary of the course for students and an opportunity to apply the material they have learned over the course of the term.

As discussed above in the optional reflection quizzes, the final exam will be weighted on both whether a student completed one or two of the reflection quizzes and their performance on those quizzes. The combination of exam and quiz grade weights will be determined to provide students with their highest overall mark in the course.

## **Weekly Course Schedule and Required Readings**

### **Week 1 – September 09, 2019**

**Introduction to Course Content**

Readings: None

**Week 2 – September 16, 2019**

**Overview and Theories of the Criminal Justice System**

Readings: Ruddell, Chapters 1 and 2.

Note: Tutorials Begin This Week

**Actors**

**Week 3 – September 23, 2019**

**The State, the Police and Methods/Forms of Policing**

Readings: Ruddell, Chapters 3 and 5.

**Week 4 – September 30, 2019**

**Citizens and Victims, Criminals and “Others”**

Readings: Fenwick, Helen. 1997. “Procedural ‘Rights’ of Victims of Crime: Public or Private Ordering of the Criminal Justice System” *Modern Law Review* 60(3), 317-333.

Ruddell, Chapter 4.

Notes: Optional Reflection Quiz 1 question distributed in-class.

**Methods**

**Week 5 – October 07, 2019**

**Torture and Surveillance**

Readings: Ruddell, Chapter 6.

Bloss, William. 2007. “Escalating U.S. Police Surveillance after 9/11: an Examination of Causes and Effects” *Surveillance and Society* 4(3), 208-220.

Notes: Optional Reflection Quiz 1 Due – no extensions or late submissions.

**Week 6 – October 14, 2019**

**Reading Week – No Class**

Readings: None Assigned

**Week 7 – October 21, 2019**

**The Criminal Justice System and Sentencing**

Readings: Ruddell, Chapters 7 and 8.

**Week 8 – October 28, 2019**

**Incarceration, Jails, Prisons and Penitentiaries**

Readings: Readings: Ruddell, Chapter 9

King, Roy D. 1999. "The Rise and Rise of Supermax: An American Solution in Search of a Problem" *Punishment & Society* 1(1), 163-186.

### **Week 9 – November 04, 2019**

#### **Post Incarceration Restrictions**

Readings: Ruddell, Chapter 10.

Pinard, Michael. 2010. "Reflections and Perspectives on Re-Entry and Collateral Consequences" *Journal of Criminal Law and Criminology* 100(3), 1213-1224.

Note: Optional Reflection Quiz 2 question distributed in class.

### **Effects**

### **Week 10 – November 11, 2019**

#### **The Prison Industrial Complex and Private Actors, Public Goals**

Readings: Schlosser, Eric. 1998. "The Prison Industrial Complex" *The Atlantic Monthly* (December).

Feeley, Malcolm. 2002. "Entrepreneurs of punishment: The legacy of privatization" *Punishment & Society* 4, 321-344.

Notes: Optional Reflection Quiz 2 Due – no extensions or late submissions.

### **Week 11 – November 18, 2019**

#### **Privatization of Policing and Security**

Readings: Burbidge, Scott. 2005. "The Governance Deficit: Reflections on the Future of Public and Private Policing in Canada" *Canadian Journal of Criminology and Criminal Justice* 47(1), 63-86.

Note: Primary Research Evidence Summary Due in class.

### **Week 12 – November 25, 2019**

#### **Race, Ethnicity, Gender and Poverty**

Readings: Roberts, Dorothy E. 2004. "The Social and Moral Cost of Mass Incarceration in African American Communities" *Stanford Law Review* 56(5), 1271-1305.

Moloney, K.P., B.J. van den Bergh and L.F. Moller. 2009. "Women in Prison: The central issues of gender characteristics and trauma history" *Public Health* 123, 426-430.

Note: Last Week of Tutorials

## **Week 14 – December 02, 2019**

### **December 04, 2019 – Exam Preparation**

Readings: None

## **Course Policies**

### **Submission of Assignments**

Written assignments should be provided to the instructor, either at the beginning of class or during office hours prior to class. As a last resort, assignments can be submitted to the box outside of the political science office after hours (date-stamped for the following day) or to the Department of Political Science Office during regular business hours. Assignments will not be accepted that are slipped under the instructor's or any other door.

Papers received by e-mail or fax will not be accepted without the prior express permission of the instructor on each assignment.

### **Grades**

Grades will be based on the McMaster University grading scale:

<b>MARK</b>	<b>GRADE</b>
90-100	A+
85-90	A
80-84	A-
77-79	B+
73-76	B
70-72	B-
67-69	C+
63-66	C
60-62	C-
57-59	D+
53-56	D
50-52	D-
0-49	F

### **Late Assignments**

Students should make all reasonable attempts to submit papers on the due date. In the event that a legitimate extension is required, students should speak to the instructor ***in advance*** of the due date to make the appropriate arrangements for such an extension. Requests for an extension submitted by e-mail will not be considered – you must speak to the instructor in person.

Examinations and/or assignments related to this and other courses do not constitute or qualify as exceptional circumstances or legitimate excuses.

Late papers may be penalized at the rate of five percentage points per working day for each day of delay, up to a maximum of one week. After one week, the instructor may refuse to accept any late assignments in the absence of proper medical certification justifying an inability to fulfill academic requirements on a prolonged basis. Papers accepted after one week of lateness, in addition to the daily deduction, will be subject to a further deduction of one full letter grade (ie. A to B, B to C) per each week of lateness.

The instructor reserves the right to not provide any comments or feedback on papers submitted after the original deadline, whether an extension is granted or not and whether any other late penalties are applied.

### **Absences, Missed Work, Illness**

Students should make all reasonable efforts to attend and are responsible for the material covered in each and every scheduled class. However, it is understood that some absences are unavoidable and students should make every effort to catch up on missed materials and the instructor will provide reasonable assistance to assist a student. In this regard, students should attempt to obtain lecture notes or other class materials from their colleagues in their tutorial and/or the broader class before seeking assistance from the instructor concerning missed lecture and/or class content.

Requests for the instructor to repeat a lecture or seminar discussion (either during office hours or at any other time) or provide access to the instructor's lecture notes are not reasonable requests for assistance.

In the event that students are unable to attend class or tutorials or complete required assignments, they should avail themselves of the MSAF policy or submit the appropriate medical or other documentation to their faculty office to support an accommodation request based on a prolonged absence. In the absence of either an MSAF or a faculty approved accommodation request, the instructor reserves the sole right to not accept any outstanding work in accordance with the late assignments policy.

If a student has submitted the appropriate documentation to their faculty and been granted an allowance for outstanding work or has received the approval of the instructor for the incomplete work, the instructor reserves the sole right to re-allocate the missed grades to other assignments.

Please note that an MSAF submission, where permitted, provides a three day extension for any assignment. In the event that students require a further period of time to submit their outstanding work, they must discuss any further extension with the instructor prior to the end of the three day MSAF extension. In the absence of a further approved extension, an assignment subject to an MSAF becomes a late submission after three days.

The filing of an MSAF does not relieve a student of the obligation to complete the outstanding assignment.

### **Avenue to Learn**

In this course we will be using Avenue to Learn. Students should be aware that, when they access the electronic components of this course, private information such as first and last names, user names for the McMaster e-mail accounts, and program affiliation may become apparent to all other students in the same course. The available information is dependent on the technology used. Continuation in this course will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

### **Turnitin.com**

In this course we may be using a web-based service (Turnitin.com) to reveal plagiarism. Students will be expected to submit their work electronically to Turnitin.com and in hard copy so that it can be checked for academic dishonesty. Students who do not wish to submit their work to Turnitin.com must still submit a copy to the instructor. No penalty will be assigned to a student who does not submit work to Turnitin.com. All submitted work is subject to normal verification that standards of academic integrity have been upheld (e.g., on-line search, etc.). For more information please refer to the [Turnitin.com Policy](#).

### **Academic Accommodation for Religious, Indigenous or Spiritual Observances (RISO)**

Students requiring academic accommodation based on religious, indigenous or spiritual observances should follow the procedures set out in the RISO policy. Students requiring a RISO accommodation should submit their request to their Faculty Office normally within 10 working days of the beginning of term in which they anticipate a need for accommodation or to the Registrar's Office prior to their examinations. Students should also contact their instructors as soon as possible to make alternative arrangements for classes, assignments, and tests

### **University Policies**

#### **Academic Integrity Statement**

You are expected to exhibit honesty and use ethical behavior in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity.

Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behavior can result in serious consequences, e.g. the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: "Grade of F assigned for academic dishonesty"), and/or suspension or expulsion from the university.

It is your responsibility to understand what constitutes academic dishonesty. For information on the various types of academic dishonesty please refer to the [Academic Integrity Policy](#).

The following illustrates only three forms of academic dishonesty:

1. Plagiarism, e.g. the submission of work that is not one's own or for which credit has been obtained.
2. Improper collaboration in group work.
3. Copying or using unauthorized aids in tests and examinations.

### **Academic Accommodation of Students with Disabilities**

Students who require academic accommodation must contact Student Accessibility Services (SAS) to make arrangements with a Program Coordinator. Academic accommodations must be arranged for each term of study. Student Accessibility Services can be contacted by phone 905-525-9140 ext. 28652 or e-mail [sas@mcmaster.ca](mailto:sas@mcmaster.ca). For further information, consult McMaster University's Policy for [Academic Accommodation of Students with Disabilities](#).

### **Faculty of Social Sciences E-mail Communication Policy**

Effective September 1, 2010, it is the policy of the Faculty of Social Sciences that all e-mail communication sent from students to instructors (including TAs), and from students to staff, must originate from the student's own McMaster University e-mail account. This policy protects confidentiality and confirms the identity of the student. It is the student's responsibility to ensure that communication is sent to the university from a McMaster account. If an instructor becomes aware that a communication has come from an alternate address, the instructor may not reply at his or her discretion.

### **Course Modification**

The instructor and university reserve the right to modify elements of the course during the term. The university may change the dates and deadlines for any or all courses in extreme circumstances. If either type of modification becomes necessary, reasonable notice and communication with the students will be given with explanation and the opportunity to comment on changes. It is the responsibility of the student to check his/her McMaster email and course websites weekly during the term and to note any changes.