

FORCE AND FEAR, CRIME AND PUNISHMENT

Fall 2020

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Lecture: Content – Avenue to Learn;
Q & A - Tu. 1:30-2:20, Thur. 12:20-1:30

Room: Virtual

Office: KTH 543

Office Hours: By appointment

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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 and as a basis for understanding historic and continuing systemic discrimination against citizens on the basis of class, race, religion, gender and/or sexual orientation.

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 and other democratic countries. 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

- Various journal articles and other assigned readings available through McMaster University libraries.

Class Format

Primary course content will be delivered through on-line, pre-recorded lectures available on Avenue to Learn.

In addition to the pre-recorded lectures, the class is scheduled for two one-hour instructor led sessions and one one-hour tutorial/teaching assistant led session per week.

The instructor times will be used to clarify and answer any questions arising out of lecture content.

The teaching assistant led times will be used to clarify and answer any questions arising out of the weekly readings and to provide information, assistance and advice on or about assignments and evaluation methods.

As the assessable material will be delivered through pre-recorded lectures, there is no requirement that students keep current with the course schedule. However, instructor and teaching assistant sessions will follow the course schedule during their sessions and will be dedicated to clarifying course materials related to the topics associated with each specific week.

In addition, assessments will also be based on and graded on the course material relevant to the assignment as set out in the weekly course schedule.

Course Evaluation – Overview

1. Actors Reflection Paper	25%	due October 20, 2020
2. Methods Reflection Paper	25%	due November 19, 2020
3. Final Take Home Exam	50%	due December exam period

Course Evaluation – Details

Actors Reflection Paper (25%), due October 20, 2020

Students will write an eight to ten page paper (exclusive of bibliography and title page) based on and referencing the course content from the first section of the course that focuses on the relevant actors in the criminal justice system.

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 further developing one of the major themes of the course.

The question will be distributed on Avenue to Learn two weeks before the due date.

Methods Reflection Paper (25%), due November 19, 2020

Students will write an eight to ten page paper (exclusive of bibliography and title page) based on and referencing the course content from the second section of the course that focuses on the methods used by state actors in the criminal justice system.

The question will ask students to reflect on the lecture content and readings for that specific section of the course as a means of reinforcing the course content and further developing one of the major themes of the course.

The question will be distributed on Avenue to Learn two weeks before the due date.

Final Take Home Exam (50%), 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.

Weekly Course Schedule and Required Readings

Week 1 – September 07, 2020

Introduction to Course Content

Readings:

None

Week 2 – September 14, 2020

Overview and Theories of the Criminal Justice System

Readings:

Riddell, Troy Q. 2010. "What Can Political Science Contribute to the Study of Criminal Justice in Canada" *Canadian Journal of Criminology and Criminal Justice* 52(3), 321-340.

Gabbay, Zvi D. 2005. "Justifying Restorative Justice: A Theoretical Justification for the Use of Restorative Justice Practices" *Journal of Dispute Resolution* 2, 349-397.

ACTORS

Week 3 – September 21, 2020

The State, the Police and Methods/Forms of Policing

Readings:

Deukmedjian, John Edward. 2006. "From Community to Intelligence: Executive Realignment of RCMP Mission" *Canadian Journal of Criminology and Criminal Justice* 48(4), 523-542.

Yule, Carolyn and Rachel Schumann. 2019. "Negotiating Release? Analysing Decision Making in Bail Court" *Canadian Journal of Criminology and Criminal Justice* 61(2), 45-66.

Week 4 – September 28, 2020

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.

Rollwagen, Heather and Daniel Beland. 2012. "Responding to Calgary's "Gang War": A Political Sociology of Criminological Ideas" *Canadian Journal of Criminology and Criminal Justice* 54(2), 141-168.

METHODS

Week 5 – October 05, 2020

Torture and Surveillance

Readings:

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

Fuller, Samuel. 2018. "Torture as a Management Practice: The Convention Against Torture and Non-Disciplinary Solitary Confinement" *Chicago Journal of International Law* 19(1), 102-144.

Week 6 – October 12, 2020

Reading Week

Readings:

None

Week 7 – October 19, 2020

The Criminal Justice System and Sentencing

Readings:

Reid, Andrew. 2017. "The Relative Utilization of Criminal Sanctions in Canada: Towards a Comprehensive Description of Sentencing Outcomes" *Canadian Journal of Criminology and Criminal Justice* 59(4), 429-460.

Roberts, Julian V., Nicole Crutcher and Paul Verbrugge. 2007. "Public Attitudes to Sentencing in Canada: Exploring Recent Findings" *Canadian Journal of Criminology and Criminal Justice* 49(1), 75-107.

Week 8 – October 26, 2020

Incarceration, Jails, Prisons and Penitentiaries

Readings: Readings:

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

Zinger, Ivan. 2016. "Human Rights and Federal Corrections: A Commentary on a Decade of Tough On Crime Policies in Canada" *Canadian Journal of Criminology and Criminal Justice* 58(4), 609-627.

Week 9 – November 02, 2020

Post Incarceration Restrictions

Readings:

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

McKay, Tasseli, Megan Comfort, Christine Lindquist and Anupa Bair. 2016. "If Family Matters: Supporting Family Relationships During Incarceration and Reentry" *Criminology & Public Policy* 15(2), 1-14.

EFFECTS

Week 10 – November 09, 2020

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 16, 2020

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.

Zedner, Lucia. 2006. "Liquid Security: Managing the market for crime control" *Criminology & Criminal Justice* 6(3), 267-288.

Note: Primary Research Evidence Summary Due in class.

Week 12 – November 23, 2020

Race and Ethnicity

Readings:

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

Satzewich, Vic and William Shaffir. 2009. "Racism versus Professionalism: Claims and Counter-claims about Racial Profiling" *Canadian Journal of Criminology and Criminal Justice* 51(2), 199-226.

Week 13 – November 30, 2020

Gender and Poverty

Readings:

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.

Chesnay, Catherine T., Celine Bellot and Marie-Eve Sylvestre. 2013. "Taming Disorderly People One Ticket at a Time: The Penalization of Homelessness in Ontario and British Columbia" *Canadian Journal of Criminology and Criminal Justice* 55(2), 161-185.

Week 14 – December 07, 2020

Conclusions and Exam Review

Readings:

None.

Course Policies

Submission of Assignments

Assignments should be submitted to the drop box on Avenue to Learn by the beginning of class on the respective due date.

Papers received by e-mail or any other means other than through submission on Avenue to Learn not be accepted without the prior express permission of the instructor on each specific assignment.

Grades

Grades will be based on the McMaster University grading scale:

MARK	GRADE
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.

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

McMaster Student Absence Form (MSAF): In the event of an absence for medical or other reasons, students should review and follow the Academic Regulation in the Undergraduate Calendar “Requests for Relief for Missed Academic Term Work”.

Courses with an On-Line Element

Some courses may use on-line elements (e.g. e-mail, Avenue to Learn (A2L), LearnLink, web pages, capa, Moodle, ThinkingCap, etc.). Students should be aware that, when they access the electronic components of a course using these elements, 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 a course that uses on-line elements will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

Online Proctoring

Some courses may use online proctoring software for tests and exams. This software may require students to turn on their video camera, present identification, monitor and record their computer activities, and/or lock/restrict their browser or other applications/software during tests or exams. This software may be required to be installed before the test/exam begins.

Authenticity / Plagiarism Detection

Some courses may use a web-based service (Turnitin.com) to reveal authenticity and ownership of student submitted work. For courses using such software, students will be expected to submit their work electronically either directly to Turnitin.com or via an online learning platform (e.g. A2L, etc.) using plagiarism detection (a service supported by Turnitin.com) so it can be checked for academic dishonesty.

Students who do not wish their work to be submitted through the plagiarism detection software must inform the Instructor before the assignment is due. No penalty will be assigned to a student who does not submit work to the plagiarism detection software. **All submitted work is subject to normal verification that standards of academic**

integrity have been upheld (e.g., on-line search, other software, etc.). For more details about McMaster's use of Turnitin.com please go to www.mcmaster.ca/academicintegrity.

Copyright and Recording

Students are advised that lectures, demonstrations, performances, and any other course material provided by an instructor include copyright protected works. The Copyright Act and copyright law protect every original literary, dramatic, musical and artistic work, **including lectures** by University instructors

The recording of lectures, tutorials, or other methods of instruction may occur during a course. Recording may be done by either the instructor for the purpose of authorized distribution, or by a student for the purpose of personal study. Students should be aware that their voice and/or image may be recorded by others during the class. Please speak with the instructor if this is a concern for you.

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 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.

Academic Integrity Statement

You are expected to exhibit honesty and use ethical behaviour in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity. **It is your responsibility to understand what constitutes academic dishonesty.**

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 behaviour 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. For information on the various types of academic dishonesty please refer to the [Academic Integrity Policy](#), located at <https://secretariat.mcmaster.ca/university-policies-procedures-guidelines/>

The following illustrates only three forms of academic dishonesty:

- plagiarism, e.g. the submission of work that is not one's own or for which other credit has been obtained.
- improper collaboration in group work.
- copying or using unauthorized aids in tests and examinations.

Conduct Expectations

As a McMaster student, you have the right to experience, and the responsibility to demonstrate, respectful and dignified interactions within all of our living, learning and working communities. These expectations are described in the [Code of Student Rights & Responsibilities](#) (the “Code”). All students share the responsibility of maintaining a positive environment for the academic and personal growth of all McMaster community members, **whether in person or online**.

It is essential that students be mindful of their interactions online, as the Code remains in effect in virtual learning environments. The Code applies to any interactions that adversely affect, disrupt, or interfere with reasonable participation in University activities. Student disruptions or behaviours that interfere with university functions on online platforms (e.g. use of Avenue 2 Learn, WebEx or Zoom for delivery), will be taken very seriously and will be investigated. Outcomes may include restriction or removal of the involved students’ access to these platforms.

Academic Accommodation of Students with Disabilities

Students with disabilities who require academic accommodation must contact [Student Accessibility Services](#) (SAS) at 905-525-9140 ext. 28652 or sas@mcmaster.ca to make arrangements with a Program Coordinator. For further information, consult McMaster University’s [Academic Accommodation of Students with Disabilities](#) policy.

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.

Extreme Circumstances

The University reserves the right to change the dates and deadlines for any or all courses in extreme circumstances (e.g., severe weather, labour disruptions, etc.). Changes will be communicated through regular McMaster communication channels, such as McMaster Daily News, A2L and/or McMaster email.