

**FORCE AND FEAR, CRIME AND PUNISHMENT  
SUMMER 2021 (Term III)**

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**Synchronous Meetings:** Tuesdays &  
Thursdays 2:30 - 5:30pm  
**Office Hours:** By appointment

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## **Course Description**

This course will consider the laws, institutions, and principles governing the use of coercive practices and policies by public authorities, such as police and courts, in modern democratic states such as Canada. The modern penal welfare state, social determinants of crime, coercive policies, and the measures associated with criminal justice systems will be critically examined from historical, theoretical, and practical perspectives. The power of actors, stereotypes, and determinants of crime will serve as a preliminary focus, setting the stage for a more intensive review of modern methods of force and of the criminal justice system. This course will address state power, social-relations, and the role of criminalization in alleviating or reinforcing methods used for control and punishment against individuals at the level of criminal law.

## **Course Objectives**

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

- Develop and express informed arguments about the criminal justice system, the role of courts, the penal welfare state, and the prison system
- Identify modern methods of crime and punishment and the role of fear in society
- Understand controversies surrounding the modern criminal justice system and related public policies
- Explain the relationship between the state, crime, and other non-state actors
- Articulate sociological and political insights and theoretical frameworks about the process of criminalization and causes of crime
- Carry out original research on a question or problem associated with the study of force, fear, crime and punishment.

## **Required Materials and Texts**

Ruddell, Rick. 2020. *Exploring Criminal Justice in Canada Paperback*. Oxford University Press US.

Available at: <https://www.vitalsource.com/en-ca/products/exploring-criminal-justice-in-canada-rick-ruddell-v9780199033768>

Students will also be assigned articles from academic journals or other sources concerning specific topics for discussion. These readings will be available electronically through the McMaster libraries and/or posted on Avenue to Learn.

## **Class Format**

This course is taught over 7 weeks, comprising of two synchronous lectures (Tuesdays & Thursdays) per week. Students are expected to attend the synchronous meeting weekly and complete weekly readings.

## **Course Evaluation – Overview**

1. Take home test: Due July 10 (15%)
2. Three short papers: Due dates in A2L & class schedule (30%), each worth 10%
3. Essay proposal: Due July 13 (10%)
4. Research essay: Due August 5 (25%)
5. Final exam: Due August 8 (20%)

## **Course Evaluation – Details**

*\*All written assignments can be single spaced and should be submitted by uploading on Avenue to Learn by 11:59pm on the due date assigned.*

### **1) Take-Home Test (15%) due on July 10, 2021**

The mid-term test will consist of multiple choice, true/false, and or short style questions. The test will be made available (unlocked) on July 8 (posted to A2L by 11:59 pm) and completed tests are due on July 10 by 11:59 pm (submitted to A2L). The content of the test will focus on foundational elements and theoretical underpinnings covered in the first few weeks of the course.

### **2) Essay Proposal (10%) due on July 13**

Completing the proposal will serve as a precursor to the essay. Completing these parts respectively will help you to continue to develop and refine your topic and arguments. A list of terms, intended to assist in brainstorming, will be posted on Avenue.

You should choose a topic of your own choice that is relevant and that involves an empirical example of something involving criminal justice systems broadly, such as issues related to force and fear, crime and punishment. You should make an argument with reference to some of the legal, sociological, and or political perspectives discussed in the course content and found in other scholarly materials.

The research proposal (1500 word maximum) is a developed plan, or “roadmap” for the paper. The proposals are expected to provide the following: a tentative title, a working thesis statement, a brief description of the main/substantive arguments (likely 2-4) you intend to advance in support of your thesis, reference to empirical example(s) that you can use to articulate or explore your position(s), remarks about how the paper relates to course themes, concepts and/or theoretical perspectives, and how your paper hopes to contribute to knowledge. A working bibliography is also required (including some materials assigned in class readings/text and at least 3 additional scholarly/peer reviewed articles)

### **3) Research Essay (25%) due on August 5**

The final essay will be an independent analytical, argumentative and or descriptive essay with an original thesis and supporting points. You should apply and engage with ideas, concepts and theories from lectures, readings, and other scholarly sources. The paper should utilize the textbook and at least 6 additional scholarly/peer reviewed articles). It should also state and respond to some counterarguments to the position taken in your paper, and the paper should make some reference to historical and or current examples of criminal justice. The essay is to be 3500-4000 words. You may use any citation style, but you are expected to use only one style consistently. To avoid late marks, paper must be uploaded to Avenue to Learn by midnight on August 5 [see note under "Policy for deadlines" below].

### **4) Three Short Papers (30%), each worth 10%**

Due dates posted on A2L and under class schedule below.

Students must complete and submit three critical short papers (each 1-2 pages, that is 500-1000 words max.) A week prior to the due date you will be provided a broad question that your paper must respond to (see A2L or course schedule below) so that you may begin to develop your ideas. These questions will be based on readings and lectures.

**NOTE:** You are provided the optional opportunity to write 4 short papers; *if you opt* to write 4, only the 3 highest marks will count. In this case, the lowest score will be dropped.

### **5) Final Take Home Exam (20%) due on August 8, 2021**

There will be a final take-home exam for this course. It will be comprehensive and include short-answer questions and one essay question. The exam will be made available (unlocked) on August 6 (posted to A2L by 9 a.m.) and completed exams are due on August 8 by 11:59pm (submitted to A2L). The exam will draw on all course materials (lectures, readings), and you may consult these materials when writing your answers.

## **Class Schedule and Readings**

### **Part I: Law and the Criminal Justice System**

#### **Week 1 (June 22): Overview**

- Overview of course syllabus and course expectations

#### **Week 1 (June 24): Legal and Conceptual Foundations of Criminal Justice**

- Ruddell, Chapters 1, 2, and 6

### **Part II: Actors**

#### **Week 2 (June 29): The State, Police, Policing**

- Ruddell, Chapters 3, 4, and 5

#### **Week 2 (July 1): Holiday / No Class**

#### **Week 3 (July 6): Victims, Criminals, and Criminalization**

##### **Note: Short Paper 1 Due**

- Haley, John. "Rethinking Criminalization." *Willamette Journal of International Law and Dispute Resolution* 26, no. 1/2 (2019): \*Read Pages: 1-10; 13-21
- Ruddell, online chapter: Victimization
- Chiao, Vincent. "What is the Criminal Law for?." *Law and Philosophy* 35, no. 2 (2016): 137-163

#### **Week 3 (July 8): Gender, Youth, and Crime**

##### **Note: Take Home Test Due July 10**

- Ruddell Chapter 11
- Amanda Burgess-Proctor (2006) "Intersections of Race, Class, Gender, and Crime : Future Directions for Feminist Criminology." *Feminist Criminology*, Vol1 (Issue1) 27-47

### **Part III: Methods of Control and Coercion**

#### **Week 4 (July 13): Race and Ethnicity**

##### **Note: Essay Proposal Due**

- 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.
- Wortley, S. (1999). A northern taboo: Research on race, crime, and criminal justice in Canada. *Canadian Journal of Criminology*, 41(2), 261-274.
- Wortley, S. (2003). Hidden intersections: Research on race, crime, and criminal justice in Canada. *Canadian Ethnic Studies Journal*, 35(3), 99-118.

#### **Week 4 (July 15): The Criminal Justice System, Courts, and Sentencing**

- Ruddell, Chapters 7, 8
- Gabor, T. (2001). "Mandatory minimum sentences: A utilitarian perspective". *Canadian Journal of Criminology*, 43, 385.

#### **Week 5 (July 20): Poverty and Crime**

##### **Note: Short Paper 2 Due**

- Foster, L. (2016). Injustice under law: Perpetuating and criminalizing poverty through the courts. *Georgia State University Law Review* vol 33, 1-29
- 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 5 (July 22): Torture and Procedural Rights, Surveillance and Paramilitarization**

- Bloss, William. 2007. "Escalating U.S. Police Surveillance after 9/11: an Examination of Causes and Effects" *Surveillance and Society* 4(3), 208-220.
- Gamal, Fanna. The Racial Politics of Protection: A Critical Race Examination of Police Militarization. *California Law Review*, Vol. 104, No. 4 (August 2016), 979-1008
- Einolf, Christopher J. (2007) "The fall and rise of torture: A comparative and historical analysis." *Sociological Theory* 25, no. 2: 101-121
- Kenny, Paul D. "The meaning of torture." *Polity* 42, no. 2 (2010): 131-155

### **Part IV: Effects of Control**

#### **Week 6 (July 27): Corrections and The Prison Industrial Complex**

##### **Note: Short Paper 3 Due**

- Ruddell Chapter 9 \*Read pages: 238-253
- Ruddell Chapter 10
- Kontos, Louis. The irrationality of the prison-industrial complex. *Dialectical Anthropology* Vol. 34, No. 4, The Prison Reentry Industry (December 2010), pp. 575-576 (4 pages)
- 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 6 (July 29): Controlling Crime and The Privatization of Force**

- Feeley, Malcolm. 2002. "Entrepreneurs of punishment: The legacy of privatization" *Punishment & Society* 4, 321-344
- Roberts, D. E. (2003). The social and moral cost of mass incarceration in African American communities. *Stan. L. Rev.*, 56, 1271.

- Ackerman, A. R., & Furman, R. (2013). The criminalization of immigration and the privatization of the immigration detention: implications for justice. *Contemporary Justice Review*, 16(2), 251-263.

### **Week 7 (August 3): Post Incarceration and the Effects of Criminalization**

#### **Note: Short Paper 4 Due**

- Hall, T. L., Wooten, N. R., & Lundgren, L. M. (2016). Post incarceration policies and prisoner reentry: Implications for policies and programs aimed at reducing recidivism and poverty. *Journal of Poverty*, 20(1), 56-72.
- Seiter, R. P., & Kadela, K. R. (2003). Prisoner reentry: What works, what does not, and what is promising. *Crime & Delinquency*, 49(3), 360-388.
- Hadjimatheou, Katerina. "Criminal labelling, publicity, and punishment." *Law and Philosophy* 35, no. 6 (2016): 567-593.

### **Week 7 (August 5): Re-Cap for Final Exam**

#### **Note: Research Essay Due**

#### **Note: Final Exam Due August 8**

- No Readings
- Review of Course

## **Course Policies**

### **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**

The expectation for this course is that all components will be completed. Requests for extensions should be submitted through the MSAF process or made through consultation with the Instructor. Otherwise, late papers may be subject to a one letter



grade per day deduction. For example, an A- paper received one day late may be reduced to a B+.

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

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”.

### **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 will be using a web-based service (Turnitin.com) to reveal authenticity and ownership of student submitted work. Students will be expected to submit their work electronically either directly to Turnitin.com or via Avenue to Learn (A2L) plagiarism detection (a service supported by Turnitin.com) so it can be checked for academic dishonesty. Students who do not wish to submit their work through A2L and/or Turnitin.com must still submit an electronic and/or hardcopy to the instructor. No penalty will be assigned to a student who does not submit work to Turnitin.com or A2L. 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 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 behaviour 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 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.

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

- 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.

### **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.