

FORCE AND FEAR, CRIME AND PUNISHMENT
POLSCI 2C03
Winter 2023

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Course Description

This course examines the use of the criminal justice system, other coercive policies and the use of actual force by governments in Canada and other democratic states and the impact it has on citizens. What forms does force take, by whom and against whom? We will systematically open up this loaded question from multiple perspective. During the course introduction, we will become familiar with the theoretical bases for the use of coercion and force in democratic states. This will set the foundation for us to identify and analyze in three successive units, (a) the actors: who decides, who enforces, and who is acted on; (b) the methods: what are the methods, which are un/acceptable, what are their goals; (c) effects: how do the systems of coercion and force affect certain populations and what interests are involved. Overall, the course will equip students with analytical tools to understand the challenges that the criminal justice system and more broadly coercion in the state endeavours to address and the challenges it engenders in the process.

Course Objectives

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

- Identify the state actors associated with the use of force in Canada and other liberal democracies
- 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
- Critically examine how criminal justice systems disproportionately affects indigenous, racialized, gendered and poor populations.
- 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

- Rick Ruddell: Exploring Criminal Justice in Canada 2e (2020). Oxford University Press. ISBN-10 is 0199033757 and the ISBN-13 is 978-0199033751 (available for a 180-day rental in e-format)
- Other course texts will be available on A2L

Course Evaluation – Overview

1. Unit quizzes	(15% x 3=45%)	Feb 10, Mar 17, Apr 4
2. Papers	(20% x 2=40%)	Mar 3, Apr 15
3. Tutorial participation	(15%)	Ongoing

Course Evaluation – Details

Unit quizzes (15% x 3=45%), Feb 10, Mar 17, April 4

After each of the three units in the course, you will have a quiz (held through A2L) that covers the text and lecture material in that unit. The quiz will combine multiple choice and short answer questions. You will have 50 minutes to complete the quiz online. Each quiz is worth 15%.

Papers (20% x2=40%), due Mar 5, and April 15

Between the units, synthesizing what you learn, you will be given a question to respond in essay form that will have to draw on course material as evidence. Each paper is 6-8 pages long. Questions will be distributed two weeks before the deadline. Further instructions will be given closer to the assignments.

Tutorial Participation (15), ongoing

Details will be received in tutorials

Weekly Course Schedule and Required Readings

Week 1 (Jan 10-13) Introduction and Theory

Introduction and theory

Readings: Chapters 1 and 2 of Ruddell text

PART I: Actors

Week 2 (Jan 17-20)

Jan 17 – Theory

Readings: Chapters 1 and 2 of Ruddell text

Jan 20 – Courts and the Law

Readings: Chapters 6+7 of Ruddell text

Week 3 (Jan 24-27)

Jan 24 – Courts and the Law

Readings: Chapters 6+7 of Ruddell text

Jan 27 – Police

Readings: Chapters 4+5 of Ruddell text

Week 4 (Jan 31-Feb 3)

Jan 31 – Police

Readings: Chapters 4+5 of Ruddell text

Feb 7 – (Non)Citizens, Victims, Criminals

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.

Week 5 (Feb 7-10)

Feb 7 – (Non)Citizens, Victims, Criminals

Readings: Atak, I., Hudson, G., & Nakache, D. (2019). Policing Canada's refugee system: a critical analysis of the Canada border services agency. *International Journal of Refugee Law*, 31(4), 464-491.

Feb 10 – Test #1 (15%)

PART II: Methods:

Week 6 (Feb 14-17)

Feb 14-17 – Torture

Readings: Conrad, C. R., Hill Jr, D. W., & Moore, W. H. (2018). Torture and the limits of democratic institutions. *Journal of Peace Research*, 55(1), 3-17.

Readings: 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. (February 17th class is held online through zoom)

Week 7 Feb 20-24 – Mid-term recess, No Class

Week 8 (Feb 28-Mar 3)

Sentencing

Readings: Chapter 8 of Ruddell text

Week 8 (Mar 7-10)

Mar 7-Jails, prisons, penitentiaries

Readings: Chapter 10 of Ruddell text

Mar 10-Jails, prisons, penitentiaries

Streaming: Circles of Support and Accountability AND Yes, it's torture': Federal inmate on segregation and life on the inside (online)

Week 9 (Mar 14-17)

March 14 – post-incarceration restrictions

Readings: Chapter 9 of Ruddell text

March 17 – Test #2 (15%)

PART III: Effects:

Week 10 (Mar 21-24)

Privatization

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.

Week 11 (Mar 28-31)

Gender and race

Readings: 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.

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.

Week 12 (April 4-7)

April 4 – Test #3 (15%)

April 7—Good Friday (no class)

Week 13 (April 12)

April 12 Bonus on race and indigeneity

Watch first "Indigenous over-incarceration" on the Agenda with Steve Paikin. Then "The Spirit Within" (Bonus 2% reflection due April 16th in the dropbox based on the two films).

Course Policies

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

Written assignments are due in the Dropbox on A2L at 11:59pm on the due date listed on the course outline. Do not slip assignments under your prof's office door. Assignments will be assessed 10% late penalty every 24 hours after the due date, including weekends.

If you know that you will have a few assignments due in several classes on the same day, come talk to me about it early (at least a week before deadline) and a short extension may be granted. Extensions are official only in written form, when confirmed through email.

Readings, Email, Office Hours, and Other Rules:

Every student is responsible for all required readings. Some of the texts are more difficult than others. Students are expected to come to every class having read the reading assigned for that class.

I will be happy to meet with you in person or over Zoom, during a time that is convenient for both of us. Come, sit, relax and if you want to talk about the university in general or the course in particular, I'll be glad to see you. My rule for both email communication and office hours is that you meet me half way. (For example, just asking what does Proctor think of science or what is the meaning of life, doesn't give me anything to work with in order to help you out). Be prepared to tell me what you know and what you understand so that we can build on that basis to enrich your understanding and experience.

Sometimes, an email requires a very long response. If your email is really long and requires a long response, it is probably better for us to meet in person or over zoom so that we can have a back and forth and that will also reduce misunderstandings.

I will reply to emails within 24 hours (and usually much quicker), so if you do not get a reply from me within 24 hours, the wires must have crossed somewhere and you should email me again to make sure your email gets through. It doesn't bother me at all, just sometimes an email gets lost in the email box and I actually really appreciate it if you resend after the 24 hours, if I haven't responded to you.

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". In this course, an MSAF will give students an extra 3 days (including weekend) extension on the assignment that was MSAFed. There is no need to email your professor after submitting the MSAF. 3 days are automatically added to your assignment due date without penalty.

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.