

SAN JOSE STATE UNIVERSITY
DEPARTMENT OF JUSTICE STUDIES

Seminar in Punishment (JS-208)

Fall 2008

Monday 5.30pm-8.15pm (MH 510)

Instructor

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Office Hours

Mon: 3pm-5pm

BT-451 (Business Tower)

COURSE DESCRIPTION

This seminar will offer a critical overview of some recent transformations of punishment in the United States. Since the second half of the 1970s, the US penal system has been affected by what some scholars have called a “punitive turn”: in the last three decades, rising incarceration rates, the resurgence of the death penalty, increasingly harsh anti-immigration laws, and other punitive policies have reshaped American society turning the United States into the country with the highest incarceration rates in the world, and the only Western democracy still to retain the death penalty.

This seminar will attempt to investigate these developments not only from the “mainstream” perspective, but also from the point of view of those “outsiders” who are the main targets of an increasingly punitive criminal justice system – drug dealers, illegal immigrants, hustlers, and street criminals – but whose voices are seldom heard in public and academic discourses about crime and punishment. Therefore, in the course of this seminar we will discuss theoretical analyses of the American penal landscape, as well as first-hand ethnographic accounts and cinematographic representations of those “underworlds” most targeted by the new punitiveness.

COURSE OBJECTIVES

In the course of this seminar, participants will develop a critical understanding of some of the contradictions raised by recent penal policies in the United States. Students will be strongly encouraged to observe the reality of the war on crime and drugs, and of “get tough” penal policies in general, also from the point of view of the communities and social groups most affected by these punitive trends.

This is an interactive seminar based on readings and discussions, more than on traditional lectures. Although the instructor will introduce and illustrate the main issues and topics in order to facilitate the debate, the success of this learning experience is heavily dependent on students’ participation and preparation. For this reason all participants should come to each meeting having done the requested readings, and offer a continuous contribution to the debate. Each student will give in-class presentations based on reading materials, class-notes, and earlier debates: for this reason, regular attendance is crucial to succeed in this course.

Finally, doing your homework (i.e. readings and reading responses) regularly will reduce your workload, and significantly increase your chances to receive a high grade.

REQUIRED READINGS

The required readings for this course are found in:

- JS-208 *Reader* [available at Maple Press, 481 E San Carlos Street, San Jose]

SUGGESTED READINGS

[PLEASE NOTE: These readings are on file with the instructor, and can be used for the [final commentary](#) (see below)]

- Beckett, K. – Sassoon, T. (2000), *The Politics of Injustice*, Pine Forge Press, Thousand Oaks, (Chapter 4, “The Politics of Crime”, pp. 47-74).
- Beckett, K. (1997), *Making Crime Pay*, Oxford University Press, New York, (Chapter 2, “Setting the Public Agenda”, pp. 14-27).
- Beckett, K. (1997), *Making Crime Pay*, Oxford University Press, New York, (Chapter 4, “From Crime to Drugs – and Back Again”, pp. 44-61).
- Clear, T. – Rose, D. – Ryder, J. (2001), *Incarceration and the Community. The Problem of Removing and Returning Offenders*, in “Crime and Delinquency”, 47(3), pp. 335-351
- De Giorgi, A, (2007), *Toward a Political Economy of Pos-Fordist Punishment*, in “Critical Criminology”, 15, pp. 243-265.
- Garland, D. (1996), *Limits of the Sovereign State. Strategies of Crime Control in Contemporary Society*, in “British Journal of Criminology”, 36(4), pp. 445-471.
- Gilmore, R. (2007), *Golden Gulag*, University of California Press, Berkeley, (“Introduction”, pp. 5-29).
- Greene, J. (1999), *Zero Tolerance. A Case Study of Police Policies and Practices in New York City*, in “Crime and Delinquency”, 45(2), pp. 171-187.
- Simon, J. (2001), *Sanctioning Government. Explaining America’s Severity Revolution*, in “University of Miami Law Review”, 56(1), pp. 217-253.
- Wacquant, L. (1998), *Inside the Zone. The Social Art of the Hustler in the Black American Ghetto*, in “Theory, Culture & Society”, 13(2), pp. 1-36.
- Wacquant, L. (2001), *Deadly Symbiosis. When Ghetto and Prison Meet and Mesh*, in “Punishment & Society” (3)1, pp. 95-134.
- Garland, D. (2005), *Capital Punishment and American Culture*, in “Punishment & Society”, 7(4), pp. 347-376.
- Chacòn, J.A. – Davis, M. (2006), *No One Is Illegal*, Haymarket Books, Chicago (Chapters 24-25, pp. 201-225).

SUGGESTED MOVIES

- Dickerson, E. *Juice* (1992), Paramount Pictures, 94 min. [West Valley Media [DVD Juice](#)]
- Meirelles, F., *Cidade de Deus*, Miramax Movies, 130 min [King Library 3rd floor [POR DVD City](#)]

COURSE REQUIREMENTS

<i>Assignment</i>	<i>Due</i>	<i>Percent of total grade</i>
½ PAGE WEEKLY READING RESPONSE	<i>Ongoing</i>	20% (8 responses minimum)
10-15 MIN. IN-CLASS PRESENTATION	<i>Ongoing</i>	20% (max 20 points)
IN-CLASS TEST (3 QUESTIONS)	<i>10/27</i>	30% (max 30 points)
5-10 PAGES COMMENTARY	<i>12/8</i>	30% (max 30 points)

SPECIFICATIONS ABOUT COURSEWORK

1) WEEKLY READING RESPONSES (20% of total grade/minimum 8 responses)

All students in this course are expected to prepare a half-page reading response each week. Each reading response will receive 2 points (for a maximum of 20 points). The reading response will consist of a short comment about the assigned reading for that week, *and at least one question to be discussed in class.*

PLEASE NOTE: Students are expected to come to each meeting with enough printed copies of their own reading response to distribute to all the other participants (and to the instructor). The first 30 minutes of each meeting will be dedicated to reading each other's responses, and reflecting on them. This will be of great importance for the ensuing discussion.

PLEASE NOTE: a minimum of 8 responses is due in order to satisfy this requirement (this means that students can miss a maximum of 2 responses during the semester, and that 20% of the final grade will be lost if less than 8 responses are done by the end of the semester). *No late reading response will be accepted.*

2) IN CLASS PRESENTATIONS (max 20 points / 20% of total grade)

Each week, one participant will give a 10-15 min. presentation in class, based on the relevant reading for that week. Depending on the total number of participants, presentations will be given *individually* or *in couples* (however, also in this case students will be evaluated on an individual basis). The exact calendar of presentations will be available by the second meeting (09/08/2008). At the end of each presentation there will be a discussion moderated by the instructor, or a video/movie dealing with the issues discussed in class.

3) IN CLASS TEST (max 30 points / 30% of total grade)

This tests will be done in class, and will consist of 3 questions. Each question will receive a grade ranging between 0 and 10 (for a maximum of 30 points). You are kindly requested to come to class with your own blue-book on the date the test is due (10/27/2008).

PLEASE NOTE: during the tests no notes, no books, no laptops will be allowed. If one test is missed due to family/health/work problems, there is the possibility of a makeup test, reserved only to the students who adequately certify the reasons for their absence (e.g. doctor's certificate, employer's statement, etc.).

4) FINAL COMMENTARY (max 30 points / 30% of total grade):

The final paper for this class is going to be a critical review of one of the readings discussed in class, or chosen from the list of "Suggested Readings" (these readings will be made available by the instructor for photocopying). The commentary should be 5-10 pages long, double-spaced, typed in Word, Times New Roman (see the guidelines below for further specifications).

PLEASE NOTE: your critical review should be about any available reading, other than the one on which you made your in-class presentation. Students are free to choose which reading they prefer to do their commentary about, but the instructor expects to meet each student at least once in order to discuss this. *The discussion must take place no later than 12/01/2008.*

MAIN GUIDELINES FOR THE PREPARATION OF THE COMMENTARY (30% of final grade)

GENERAL INFORMATION

The final paper for this course should be a 5-10 pages essay, typed in “Word”, Times New Roman (12pts).

Structure of the commentary

The final paper you are required to write for this class is a critical commentary of one of the readings discussed during the semester or chosen from the list of **Suggested Readings** (see above).

Each commentary should have a title indicating what reading is going to be commented.

Typically, a commentary will consist of:

- 1) An introduction in which you put the reading in some context (also making reference to other issues discussed in class), describe its subject, and summarize in a clear form its main arguments;
- 2) A few paragraphs, in which you develop your critical “review” of the reading. Here you are encouraged to express your point of view about the arguments made by the author, as well as about the issues touched in the reading.
- 3) A short conclusion in which you summarize the main points you made.

Discussing your essay

You are free to choose what reading you would like to review/comment. However, you should discuss this with the instructor, during office hours, before you start working on your commentary. Please, consider that the instructor is always available to discuss about your work, to give you advice on how to proceed, and to suggest other readings you might find useful.

In any case, you are required to discuss with the instructor about the reading you are going to work on.

This discussion must take place no later than 11/24/2008.

Submission

The final deadline for submission is 12/08/2008.

Late submissions will not be accepted.

Evaluation and grading

The evaluation and grading of final essay be based on the following elements:

- a) Comprehension (awareness of concepts; knowledge of main theoretical issues, etc.)
- b) Originality (relating ideas to issues; reflexivity and critique, etc.)
- c) Structure (appropriate use of sources; consistency, etc.)
- d) Clarity (presentation of your ideas; proof-reading, etc.)

OVERALL GRADING SYSTEM

A+ [96 – 100]
A [90 – 95]
A- [85 – 89]

B+ [80 – 84]
B [74 – 79]
B- [69 – 73]

C+ [64 – 68]
C [58 – 63]
C- [53 – 57]

D+ [48 – 52]
D [42 – 47]
D- [37 – 41]

F [37 or below]

PLEASE NOTE: EXTRA-CREDITS MAY BE MADE AVAILABLE DURING THIS COURSE. STUDENTS WILL BE INFORMED ABOUT THIS OPPORTUNITY IN DUE TIME.

WEEKLY SCHEDULE AND ASSIGNMENTS

PLEASE NOTE: Participants are expected to do the readings indicated in advance of each class, and to prepare their reading response each week. The readings will be discussed in class, and the instructor expects that all students will be able to participate with questions, comments, critiques, etc.

Week 1 Introduction

M 08/25 General Introduction: Main Topics/Requirements/Grading/Attendance
[No readings required]

Week 2 The Punitive Turn: An Introduction

M 09/08 (I) The Punitive Turn/Mass-Imprisonment/War on Drugs/War on Crime
[Reading: Mauer *The Incarceration Experiment*, JS-208 Reader]
(II) “Naturalism” and The Meaning of Ethnographic Research
[Suggested Reading: Matza, *Becoming Deviant*, JS-208 Reader]

Week 3 Racial Dimensions of the Punitive Turn [Presentation 1]

M 09/15 (I) Ghetto, Prison, and Race in the US
[Reading: Wacquant, L. (2002), “*From Slavery to Mass-Incarceration*,” JS-208 Reader]
(II) Discussion: Does Racial Disproportion in US Incarceration Reflect Crime?

Week 4 Class Dimensions of the Punitive Turn [Presentation 2]

M 09/22 (I) Labor Market, Prisons, and Poverty in the US
[Reading: Wacquant, *The Great Penal Leap Backward*, JS-208 Reader]
(II) Discussion: From the Social State to the Penal State?

Week 5 Ethnographies from the “Underworld” (I) [Presentation 3]

M 09/29 (I) Crime as an “American way of life”?
[Reading: Bourgois, *Just Another Night in a Shooting Gallery*, JS-208 Reader]
(II) Discussion: War on Drugs or War Against the Poor?

Week 6 Movie 1

M 10/06 Movie: S. Lee, *Sucker Free City* (2004, 113 min.)

Week 7 Ethnographies from the “Underworld” (II) [Presentation 4]

M 10/13 (I) The “Crack Epidemic”: East Harlem in the 1980s
[Reading: Bourgois, *In Search of Masculinity*, JS-208 Reader]
(II) Video: K. Epps, *Straight Outta Hunter’s Point*, (2005, 75 min.)

Week 8 Back to Theory (I). Urban Segregation and Penal Politics [Presentation 5]

M 10/20 (I) Gated Communities and Mass Imprisonment

[Reading: Lynch, *From the Punitive City to the Gated Community*, JS-208 Reader]

(II) Discussion: Are American Cities Unsafe? Is Zero Tolerance the Answer?

Week 9 In-class Test

M 10/27 In class test (3 Questions / 30% of total grade)

[Please: no books/no notes/no laptops]

Week 10 Back to Theory (II). *Governing Through Crime* [Presentation 6]

M 11/03 (I) The Governing through Crime Hypothesis

[Reading: Simon, *Governing Through Crime*, JS-208 Reader]

(II) Discussion: Are We Governed Through Fear?

Week 11 Ethnography of Mass-Imprisonment (I) [Presentation 7]

M 11/10 (I) The Human Costs of Mass-Imprisonment

[Reading: Comfort, *Papa's House*, JS-208 Reader]

(II) Video: P. Zimbardo, *Quiet Rage. The Stanford Prison Experiment* (2004, 50 min.)

Week 12 Ethnography of Mass-Imprisonment (II) [Presentation 8]

M 11/17 (I) The Social Costs of Mass-Imprisonment

[Reading: Braman, *Families and Incarceration*, JS-208 Reader]

(II) Video: N. Cousino, *Concrete and Sunshine* (2002, 56 min.)

Week 13 Inside the "Killing State" [Presentation 9]

M 11/24 (I) Thoughts from Death Row

[Reading: Lynch, The Disposal of Inmate #85271, JS-208 Reader]

(II) Discussion: Can the Death Penalty be Justified?

Week 14 Militarized Borders and the War on Immigrants [Presentation 10]

M 12/01 (I) Labor Markets and Immigration Policies in a Global Society

[Reading: Brownell, *Border Militarization and the Reproduction of Mexican Migrant Labor*, JS-208 Reader]

(II) Discussion: A Political Economy of Borders and Immigration Control

Week 15 Conclusion

M 12/08 (I) Movie: S. Arau, *A Day Without a Mexican* (2004, 98 min.).

(II) Deadline for Commentaries/Final Remarks/How to Improve?

STUDENT CONDUCT

Attendance: According to University policy F69-24 “Students should attend all meetings of their classes, not only because they are responsible for material discussed therein, but because active participation is frequently essential to insure maximum benefit for all members of the class.

Attendance per se shall not be used as a criterion for grading”. Attendance is taken at each class meeting using sign-in sheets.

Etiquette: While in class please turn your cell phone off. If your laptop has wireless access you may use it to access information relevant to the discussion, but please do not read emails, newspapers or other non-class related material during class. Students are encouraged to speak up with questions and comments, and to respond to points raised by other students. However, the maintenance of an effective discussion space in class requires all of us to act with respect for everyone else in the room.

UNIVERSITY POLICIES

Course Add/Drop Statement

Instructors are permitted to drop students who fail to attend the first scheduled class meeting and who fail to inform the instructor prior to the second class meeting of the reason for any absence and their intention to continue in the class. Some instructors will drop students who do not meet the stated course prerequisites. However, instructors are not required to drop a student from their course. It is the student’s responsibility to make sure classes are dropped. You are responsible for understanding the policies and procedures about add/drops, academic renewal, withdrawal, etc. found at: http://sa.sjsu.edu/student_conduct

Academic Integrity Statement

Academic integrity is essential to the mission of San José State University. As such, students are expected to perform their own work without the use of any outside resources. Academic integrity ensures that all students are fairly graded. Violations to the Academic Integrity Policy undermine the educational process and demonstrate a lack of respect for oneself, fellow students and the course instructor: therefore, they will not be tolerated under any circumstance. We all share the obligation to maintain an environment which practices academic integrity. Violators of the Academic Integrity Policy will be subject to failing this course and being reported to the Office of Student Conduct & Ethical Development for disciplinary action which could result in suspension or expulsion from San José State University.

The policy on academic integrity can be found at: http://sa.sjsu.edu/student_conduct. To better understand plagiarism and to aid you in making sure that you are not plagiarizing, please see the instructor and visit:

<http://tutorials.sjlibrary.org/plagiarism/index.htm>

American with Disabilities Act

If you need course adaptations or accommodations because of a disability, or if you need special arrangements in case the building must be evacuated, please make an appointment with me as soon as possible, or see me during office hours. Presidential Directive 97-03 requires that students with disabilities requesting accommodations register with DRC to establish a record of their disability.

Student Rights and Responsibilities

The full statement on Student Rights and Responsibilities may be found at: <http://www2.sjsu.edu/senate/s90-5.htm>