

The Politics of Crime and Punishment

PSC 33300-M

Spring 2021

Tuesdays 11:00-12:15

Online via Blackboard Collaborate Ultra

Nicholas Rush Smith
nsmith3@ccny.cuny.edu

Office Hours

Tuesday 1:30-2:30

Meetings Via Zoom

Sign-Up for a time at <https://calendly.com/nrsmithccny>

Description: This course presents an argument about how we should understand crime and punishment. In brief, it argues that as much as crime and punishment are topics for legal, social, cultural, or moral inquiry, they are topics for political inquiry. That is, in order to understand the practice of crime, criminalization, and punishment one must understand the politics behind them. And the politics of crime and punishment, at their core, are built into questions of the state including how state institutions are expanded, consolidated, and legitimated. By considering the relationship between crime, punishment and the state through a comparative lens, this course will present some of the diverse ways in which political leaders and their opponents have used crime and punishment to shape, extend, or resist state institutions over time. The course is comparative in nature, which means material is primarily drawn from outside of the United States, though the US and New York will be discussed via conversation with the politics of other countries.

Learning Outcomes: Through course readings, students will be able to analyze current events featuring the criminal justice system both globally and within the United States gaining a heightened understanding of the relationship between crime, punishment, and the state. They will also develop writing, oral presentation, and critical thinking skills through the course assignments.

Course Assignments: The primary assignments for the course are two take home exams, weekly response papers, and participation in class discussions.

Grading and Evaluation: The course will be graded on a 100-point scale with the following breakdown:

- Essay Exams: 50 points
 - 2 exams x 25 points per exam
 - Exam 1: Due April 6
 - Exam 2: Due per CCNY Final Exam Schedule
- Weekly reading response papers: 40 points
 - 10 discussion response papers x 4 points each
 - Graded on quality of writing and of response to prompt (scale of 0-4 points)
 - Due on Tuesdays by 11:00am (Late posts will receive a penalty of 1 point)
 - See separate document on Weekly Response Paper prompts for instructions

- Participation: 10 points
 - See attendance policy for details

Attendance Policy: Participation in class discussions is crucial to the success of the course, so participation is an important component of students' final grades. Because weekly participation in the course material is so important for student's learning, **students will lose 2.5 points from the participation portion of their grade for each class missed (i.e. 2.5% off the final course grade for each discussion missed up to a maximum of 10% off the final grade)**. I will allow one unexcused absence without penalty. However, each subsequent unexcused absence will incur this penalty. Should a student run into a health, personal, or technical challenge which means they will have difficulty participating in a live discussion, I will excuse the absence. However, students should make their best effort to contact me *before* the discussion that will be missed explaining the absence or as soon as possible thereafter. **To encourage active participation in the live discussions, some weeks will have unannounced extra credit opportunities.**

With that said, I also understand that given the extraordinary circumstances under which class is taking place, technical or internet access challenges may present difficulties for some students to access the class discussions on a regular basis. If you anticipate such problems or encounter them unexpectedly due to a change in life circumstance, I encourage you to contact me as soon as possible to discuss your situation so that we can work together individually to develop a solution.

Weekly discussion sessions will take place via Blackboard Collaborate Ultra on Tuesdays from 11:00am-12:15pm (certain weeks excepted – see course schedule). Information on accessing Blackboard Collaborate Ultra can be found here: https://help.blackboard.com/Collaborate/Ultra/Participant/Get_Started.

Course Content and Comportment: The course material, lectures, and discussions deal with sensitive topics that may be uncomfortable or challenging for students. Should students be concerned about completing a particular reading or participating in a particular discussion because of the content, they are encouraged to approach the instructor to talk about the concerns so alternative arrangements can be made. Likewise, to facilitate discussion of difficult political topics, students are expected to have a presumptive generosity towards one another, even during moments of disagreement. A key learning objective of the course is for students to learn how to argue effectively, a goal that assumes generously engaging both with the arguments a student makes and the objections that a student's argument receives.

Accessibility and Academic Accommodations: Appropriate accommodations will be made for students with disabilities. Students should register with the AccessAbility Center/Student Disability Services and email me documentation from the center describing the required accommodations. Information on how to register can find be found on the AccessAbility Center's Website/Student Disability Services website (<https://www.cuny.cuny.edu/accessability/register>). If you are aware of a disability, please advise me of your needs as soon as possible to ensure that we can make the necessary accommodations in a timely manner.

Books to Purchase: None

Course Schedule:

Week dates	Learning Outcomes	Read/Watch	In-Class Activity	Assignments	Due Dates
Week 1: Course Introduction February 2	Initial understanding of themes in course Course expectations	Read: Review Syllabus and Course Outline	Introductory Discussion (Tuesday, February 2 at 11:00am in Blackboard Collaborate Ultra)	None	N/A
Week 2: Classic Views on Crime and Punishment February 9	Understanding of classic sociological theories of crime and punishment	Watch: Week 2 Lecture – Overview Lecture Read: Durkheim, Emile. 1982. “The Function of Crime.” In <i>The Rules of Sociological Method</i> . New York: Free Press. Marx, Karl. 1981. “The Usefulness of Crime. In <i>Crime and Capitalism: Readings in Marxist Criminology</i> . David F. Greenberg, ed. Philadelphia: Temple University Press: 52-53. Weber, Max. 1978. “Legal Authority with a Bureaucratic Administrative Staff.” In <i>Economy and Society</i> . Guenther Roth and Claus Wittich, eds. Berkeley: University of California Press: 217-220. Dostoevsky, Fyodor. 1912. <i>The Brothers Karamazov</i> . New York: Barnes and Nobles	In-Class Discussion: Crime and Punishment as Political (Tuesday, February 9 at 11:00am in Blackboard Collaborate Ultra)	(Note: No discussion board this week)	No assignment due

		Classics: Chapter 5 The Grand Inquisitor.			
Module 1: The Politics of Crime					
Week 3: The Politics of Crime in Theory February 16	The relationship between law and violence How great criminals trouble that relationship	Watch: Week 3 Lecture – The Politics of Crime in Theory Read: Benjamin, Walter. 1986. “Critique of Violence.” In <i>Reflections: Essays, Aphorisms, Autobiographical Writings</i> . New York: Schocken. Comaroff, Jean and John L. Comaroff. 2016. <i>The Truth about Crime: Sovereignty, Knowledge, Social Order</i> . Chicago: University of Chicago Press: Chapter 2.1. Samuels, David. 2010. “The Pink Panthers.” <i>The New Yorker</i> . April 12.	In-Class Discussion: Great criminals (Tuesday, February 16 at 11:00am in Blackboard Collaborate Ultra)	Weekly Discussion Board Assignment 1	2/16 at 11:00am
Week 4: The Horror and Enchantment of Crime February 23	How talk of crime and policing can enchant an otherwise mundane world	Watch: Week 4 Lecture – Talking about Crime Read: Caldeira, Teresa. 2000. <i>City of Walls</i> . Berkeley: Crime, Segregation, and Citizenship in Sao Paulo: University of California Press: Chapter 1. Comaroff, Jean and John L. Comaroff. 2004.	In-class Discussion: Crime is exciting. (Tuesday, February 23 at 11:00am in Blackboard Collaborate Ultra)	Weekly Discussion Board Assignment 2	2/23 at 11:00am

		<p>“Criminal Obsessions, after Foucault: Postcoloniality, Policing, and the Metaphysics of Disorder.” <i>Critical Inquiry</i> 30 (4): 800–824.</p> <p>Ivy, Marilyn. 1996. “The Mystery Man with 21 Faces.” <i>Critical Inquiry</i> 32(1): 11-36.</p>			
<p>Week 5: Crime is Resistance March 2</p>	<p>Part 1 of Classic debate about whether or not crime can be a form of political resistance</p>	<p>Watch: Week 5 Lecture – Crime Is Resistance</p> <p>Read: Hobsbawm, Eric J. 1971. <i>Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries</i>. Manchester: Manchester University Press: Chapter 2.</p> <p>Scott, James. 1985. <i>Weapons of the Weak</i>. New Haven, CT: Yale University Press: Pages 241-273.</p>	<p>In-Class Discussion: Crime is resistance</p> <p>(Tuesday, March 2 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 3</p>	<p>3/2 at 11:00am</p>
<p>Week 6: Crime Is Not Resistance March 9</p>	<p>Part 2 of Classic debate about whether or not crime can be a form of political resistance</p>	<p>Watch: Week 6 Lecture – Crime Is Not Resistance</p> <p>Read: Blok, Anton. 1972. “The Peasant and the Brigand.” <i>Comparative Studies in Society and History</i> 14 (4): 494-503.</p> <p>Martinez, Oscar. 2016. <i>A History of Violence: Living and Dying in Central America</i>. London: Verso: Chapter 1.</p>	<p>In-Class Discussion: Crime is not resistance</p> <p>(Tuesday, March 9 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 4</p>	<p>3/9 at 11:00am</p>

<p>Week 7: States as Protection Rackets March 16</p>	<p>The ways in which states mirror protection rackets.</p>	<p>Watch: Week 7 Lecture – The State as Protection Racket</p> <p>Read: Charles Tilly. 1985. “War Making and State Making as Organized Crime.” In <i>Bringing the State Back In</i>, edited by Peter Evans, Dietrich Rueschemeyer, and Theda Skocpol. New York: Cambridge University Press.</p> <p>Gambetta, Diego. 1993. <i>The Sicilian Mafia: The Business of Private Protection</i>. Cambridge, MA: Harvard University Press: Chapters 1 and 2.</p>	<p>In-Class Discussion: Is the mafia useful?</p> <p>(Tuesday, March 16 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 5</p>	<p>3/16 at 11:00am</p>
<p>Week 8: The State as Vigilante Group March 23</p>	<p>The ways in which states mirror vigilante groups</p>	<p>Watch: Week 8 Lecture – The State as Vigilante Group</p> <p>Read: Genet, Jean. 2004 [1977]. “Violence and Brutality.” In <i>The Declared Enemy: Texts and Interviews</i>. Stanford: Stanford University Press: 171-177.</p> <p>Aretxaga, Begona. 1999. “A Hall of Mirrors: On the Spectral Character of Basque Violence.” <i>Basque Politics and Nationalism on the Eve of the Millennium</i>. Ed. William A. Douglass et al. Reno: University of Nevada Press.</p>	<p>In-Class Discussion: Is the state like a vigilante group?</p> <p>(Tuesday, March 23 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 6</p>	<p>3/23 at 11:00am Exam 1 Distributed</p>

		Chen, Adrian. 2016. "When a Populist Demagogue Takes Power." <i>The New Yorker</i> . November 21.			
Week 9: SPRING BREAK No Class	Spring Break	Spring Break	Spring Break	Spring Break	Spring Break
Module 2: The Politics of Punishment					
Week 10: The Politics of Punishment in Theory April 6	The prison as a model of society and politics	Watch: Week 10 Lecture – The Politics of Punishment in Theory Read: Foucault, Michel. 1977. <i>Discipline and Punish: The Birth of the Prison</i> : Selections. Kafka, Franz. 1914. "The Penal Colony." Kafka, Franz. "The Burrow."	In-Class Discussion: The Panopticon (Tuesday, April 6 at 11:00am in Blackboard Collaborate Ultra)	Exam 1 Due (Note no discussion board because of exam)	4/6 at 11:00am Exam 1 Due
Week 11: Order Maintenance Policing April 13	The logic behind order maintenance policing Criticisms of order maintenance policing The daily consequences of order maintenance policing	Watch: Week 11 Lecture – Order Maintenance Policing Read: Kelling, George L. and James Q. Wilson. 1982. "Broken Windows: The Police and Neighborhood Safety." <i>The Atlantic</i> . March 1. Stuart, Forrest. 2016. <i>Down Out and Under Arrest: Policing and Everyday Life in Skid Row</i> . Chicago:	In-Class Discussion: Is order maintenance policing really a form of disorder? (Tuesday, April 13 at 11:00am in Blackboard Collaborate Ultra)	Weekly Discussion Board Assignment 7	4/13 at 11:00am (see exam prompt for submission instructions)

		<p>University of Chicago Press: Chapter 1.</p> <p>Floyd et al. v. The City of New York. 2013. Case no. 1:08-cv-010034-SAS-HBP. Opinion and Order: 1-15.</p> <p>Jan Haldipur. 2019. <i>No Place on the Corner: The Costs of Aggressive Policing</i>. New York: NYU Press: Chapter 1.</p>			
<p>Week 12: The Police as Punishment April 20</p>	<p>The relationship between policing and violence</p>	<p>Watch: Week 12 Lecture – The Police as Punishment</p> <p>Read: Didier Fassin. 2019. “The Police are the Punishment.” <i>Public Culture</i> 31 (3): 539-561.</p> <p>Laurence Ralph. 2020. <i>The Torture Letters: Reckoning with Police Violence</i>. Chicago: University of Chicago Press: Selections.</p>	<p>In-Class Discussion: Violence versus brutality.</p> <p>(Tuesday, April 20 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 8</p>	<p>4/20 at 11:00am</p>
<p>Week 13: Carceral States April 27</p>	<p>The politics of hyper-incarceration</p>	<p>Watch: Lecture Week 13 – Carceral States</p> <p>Read: Wacquant, Loic. 2010. “Class, Race & Hyperincarceration in Revanchist America.” <i>Daedalus</i> 139 (3): 74–90.</p> <p>Forman Jr., James. 2017. <i>Locking Up Our Own: Crime and Punishment in Black America</i>. New York:</p>	<p>In-Class Discussion: The complicated politics of hyper-incarceration</p> <p>(Tuesday, April 27 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 9</p>	<p>4/27 at 11:00am</p>

		<p>Farrar, Straus, and Giroux: Chapter 1.</p> <p>Albert Woodfox. 2019. <i>Solitary: A Biography</i>. New York: Grove Press: Selections.</p>			
<p>Week 14: The Politics of Prison Violence May 4</p>	<p>The logics behind prison violence</p>	<p>Watch: Week 14 Lecture: The Politics of Prison Violence</p> <p>Read: Skarbek, David. 2011. "Governance and Prison Gangs." <i>American Political Science Review</i> 105 (4): 702–16.</p> <p>Denyer Willis, Graham. 2009. "Deadly Symbiosis? The PCC, the State, and the Institutionalization of Violence in Sao Paolo, Brazil." In <i>Youth Violence in Latin America: Gangs and Juvenile Justice in Perspective</i>. Gareth A. Jones and Dennis Rodgers (eds.). New York: Palgrave Macmillan.</p> <p>Drybread, K. 2014. "Murder and the Making of Man-Subjects in a Brazilian Prison." <i>American Anthropologist</i> 116 (4): 752-764.</p>	<p>In-Class Discussion: The logics of prison violence</p> <p>(Tuesday, May 4 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Weekly Discussion Board Assignment 10</p>	<p>May 4 at 11:00am</p>
<p>Week 15: The Death Penalty May 11</p>	<p>Arguments for maintaining and for abolishing the death penalty</p>	<p>Watch: Week 15 Lecture: The Death Penalty</p> <p>Read: Majority Opinion, <i>Gregg v. Georgia</i>, Case</p>	<p>In-Class Discussion: Is the death penalty ever justifiable?</p>	<p>Take Home Exam 2 Distributed</p> <p>(Due per CCNY Final</p>	<p>Final exam due per CCNY Schedule</p>

		<p>no. 74-6257, United States Supreme Court: Selections.</p> <p>The State vs. Makwanyane and M Mchunu, Case no. CCT/3/94, Constitutional Court of South Africa: Selections.</p>	<p>(Tuesday, May 11 at 11:00am in Blackboard Collaborate Ultra)</p>	<p>Exam Schedule)</p> <p>(NOTE: No discussion board this week)</p>	
Final Exam	<p>Due per CCNY Final Exam Schedule</p>				