

# Berkeley Law

University of California Berkeley  
**Legal Studies 160**

## **Punishment, Culture, and Society**

**Spring 2013, Draft Syllabus**

Tuesdays and Thursdays 8 to 9:30 a.m.

2 Le Conte

**Instructor:**

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**Office Hours:**

Tuesdays, 2 -3pm  
Wednesdays, 11 am-12 pm

**Bspace:** <https://bspace.berkeley.edu/portal/site/0faec471-bfdf-4433-8dc7-e750d9e641c8>

**Description:**

The desire to punish seems to be a universal human trait with deep psychological, moral, and practical foundations. At the same time the practices and meanings associated with punishments, what has been called the “penal field” or “penalty,”<sup>1</sup> vary enormously across time and

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<sup>1</sup> The notion of a “penal field” derives from the sociology of Pierre Bourdieu. For Bourdieu, “fields,” along with the related concepts of “habitus” and “capital”, is used to describe action in complex social worlds where outcomes depend on both external and internal characteristics of the players in competitive domains like law, journalism, fashion, or punishment. See Joshua Page, “Punishment and the Penal Field”, in Jonathan Simon and Richard Sparks eds., *The Sage Handbook of*

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place. This is especially true when we consider those examples of punishment that take place under the legal authority of a state or government. Whatever may be true of practices of punishment within the family, or specialized institutions like schools, monasteries, and militaries, punishment as a legal institution is a part of state power, which is our main concern, and like other aspects of the legal order must be understood to address multiple concerns and audiences. In particular, "mass incarceration," the profound enlargement of prison systems in the United States since the 1970s, and its concentration on economically marginal members of racial and ethnic minorities, requires attention to politics, social structures, and cultural meanings.

This course explores the roots of penal change in the advanced economic countries since the 18th century, with special attention to California's penal crisis in the early 21st century and comparisons with trends in the rest of North America, Europe, Asia, and South America.

### **Learning Objectives:**

Students should be equipped to participate as informed citizens (either alone or on behalf of organizations) in the pressing public debate about the future of punishment that is emerging in California and the United States and looming in much of the rest of the world. To be so equipped requires knowledge from different disciplines about different aspects of punishment. At the end of this course, full-time participants should have made significant gains in their understanding of, or capacity for, all of the following: (1) Students should be able to understand the different social purposes that punishments generally and specific historically significant penal practices serve, as well as the social meanings they produce and engage. (2) Students should be able to identify the salient features of specific penal practices, such as public scaffold execution, or penitentiary-style incarceration, that have at one time or another served to anchor the larger penal field in early modern and modern societies, and the underlying structural features of those societies that these practices successfully address or accommodate. (3) Students should be familiar with the state and social institutions and social forces that

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*Punishment and Society* (2013) 152. "Penality" comes from the work of David Garland who defines it as "the complex of laws, processes, discourses and institutions which are involved in [the penal] sphere." See, David Garland, *Punishment and Modern Society: A Study in Social Theory* (1990), 10 n. 12

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influence or are interested in the penal field and which derive power from that field. (4) Students should know the development history of our current penal practices and what alternatives have been tried or untried in the past that might change our present circumstances. (5) Students should hone their ability to draw on empirical and normative scholarship about punishment in this and other societies to evaluate the claims made on behalf of our current penal practices or proposals that might replace them.

### **Evaluations and Assignments:**

Students will be evaluated through three dimensions with the following weights.

**Examinations:** 40 percent (20 percent in-class midterm, 20 percent final)

**Research Paper:** 40 percent (10 percent rough draft, 30 percent final paper)

**Section participation and assignments:** 20 percent

### **Research Paper**

During the semester you will be introduced to the work of many researchers in the field of punishment and society, but we will closely read recent book-length studies by two imminent scholars on two of our most distinctive penal practices: David Garland on capital punishment, and Mona Lynch on mass incarceration in Arizona. Both Garland and Lynch each provides a powerful and distinctive analytic approach to their respective subjects that can be generalized and applied to other topics in the penal field (and generally to much of legal studies). For your research paper, you should choose the analytic approach of either Garland or Lynch and apply their approach to a different topic in the penal field. During the first month of the course, all the instructors will offer frequent examples in class and section of such topics. Your paper should not only teach the reader about the topic you are researching, but also provide a critical review of how Garland or Lynch can help us gain insight into the topic and any limitations or “blind-spots” that you find introduced by that approach. You will have up to 3,000 words. You must agree on a topic with your GSI by March 14. Your rough draft, worth 10 percent of your class grade, will be due in class on April 4th

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and your final paper, worth an additional 30 percent, must be submitted to your GSI by email before midnight Friday, May 10th.

### **Student Responsibilities:**

Students are expected to attend all lectures and section meetings having already prepared any required readings or section assignments (students are strongly encouraged to obtain and review at least one recommended reading per week). During the first two weeks of classes, when we will be taking attendance in order to permit students on the waiting list to add the class, you must contact us on the same day of any absence. Thereafter, if you will be absent for more than two lectures or one section meeting due to illness of yourself or a dependent you should notify your GSI.

### **Classroom expectations:**

While in class please turn your cell phone off or, if you must monitor it, set it to silent mode. You may use your laptop to take notes and when relevant, seek outside information for class discussion, but **do not sleep or read emails, newspapers, or other non-class related materials during class**. This is a matter of basic respect toward your fellow students and instructors.

### **Mindfulness:**

The topics of this course include many subjects on which strong feelings and emotions may be generated. Students are encouraged to speak up with questions and comments and to respond to points raised by other students. The maintenance of an effective discussion space in class, however, requires all of us to act with respect for and sensitivity toward everyone else in the room. To advance that, I will begin each class with a minute of mindfulness during which I will ask everyone to remain silently seated, either meditating or silently reflecting on the class, and during which your laptop screen must be closed.

### **Special Needs due to Disabilities:**

It is a high priority of this class to assure complete accessibility to all students no matter the nature or degree of dis-or-different ability. If you have special needs we will make every effort to accommodate them. For more information contact the Disabled Students Program at UC

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Berkeley: <http://dsp.berkeley.edu/studentintro.html#current>

### **Books and Assigned Readings:**

David Garland, *Peculiar Institution: America's Death Penalty in an Age of Abolition* (Harvard 2010, 2013 paperback)

Mona Lynch, *Sunbelt Justice: Arizona and the Transformation of American Punishment* (Stanford 2009, paperback)

Jonathan Simon, *Mass Incarceration on Trial: America's Courts and the Future of Imprisonment* (forthcoming 2013) (available from Copy Central)

Assigned readings other than from these three sources will be available online through a provided url (which may require calnet account or comparable library access) or as a pdf on bspace (for academic use with this class only).

### **Lecture Topics and Assignments:**

#### **Pt I. Punishment and Social Theory**

We often say that the urge to punish is natural and recognize a failure to punish a clear wrongdoer as unjust. But where does this common sense intuition come from? In this unit we explore some productive frameworks from different disciplines for understanding this intuitive sense of rightness about punishment including psychology, philosophy, economics, criminology, and sociology.

#### **1. January 22. Between the psychology of retribution and the philosophy of dignity: Locating Punishment in Law and Society**

Assigned reading:

*Mass Incarceration on Trial*, Introduction [available on bspace]

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### Recommended reading:

Simon Gachter, Elke Renner, and Martin Sefton, "The Long Run Benefit of Punishment," *Science Magazine*, 5 December 2008: Vol. 322 no. 5907 p. 1510  
<http://www.sciencemag.org/content/322/5907/1510.full>

R.A.Duff, "Punishment, Dignity and Degradation," *Oxford Journal of Legal Studies*, Vol. 25(1) 141-155 (2005)  
<http://ojls.oxfordjournals.org/content/25/1/141.short>

Joshua Page, "Punishment and the Penal Field," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 152-166

## 2. January 24. Punishment, Solidarity, and Civility

### Assigned reading:

Emile Durkheim, Two Laws of Penal Evolution, *Deux lois l'evolution penale*, originally published in 4 *Année Sociologique* 65-95 (1900). Translated by William Jeffrey, Jr. *University of Cincinnati Law Review*, Vol. 38, pp. 32-60 (1969)  
<http://heinonline.org/HOL/Page?handle=hein.journals/ucinlr38&div=8&sent=1&collection=journals>

John Pratt, "Emotive and Ostentatious Punishment: Its decline and resurgence in modern society," *Punishment and Society*, Vol. 2: 417-229 (read 417-424)  
<http://pun.sagepub.com/content/2/4/417.full.pdf+html>

### Recommended reading:

Emile Durkheim, *The Division of Labor in Society*, pp. 31-76 (bspace)

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Thomas Tyler and Robert Boeckmann, Three Strikes and You Are Out, but Why? The Psychology of Public Support for Punishing Rule Breakers, *Law & Society Review*, Vol.31(2):237-265 (concentrate on 237-44, 255-61)

<http://www.jstor.org/stable/pdfplus/3053926.pdf>

William Miller, *Choosing the Avenger: Some Aspects of Blood Feud in Medieval Iceland and England* (1983) 159-165, 175-194 (bspace)

David Garland, "Punishment and Social Solidarity," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 23-39

John Pratt, "Punishment and 'The Civilizing Process,'" in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 90-113

### **3. January 29. Punishment and Social Control: The Political Economy of the Body**

Assigned reading:

Michel Foucault, *Discipline and Punish: The Birth of the Prison* (translated by Alan Sheridan 1977), pp. 3-31 (bspace)

George Rusche, "Labor Market and Penal Sanction: Reflections on the Sociology of Criminal Justice, translated by Gerda Dinwiddie, *Social Justice*, No. 10, Fall/Winter 1976, pp. 2-8  
<http://www.jstor.org/stable/10.2307/29766043>

Recommended reading:

Douglas Hay, "Property, Authority and the Criminal Law," in *Albion's Fatal Tree: Crime and Society in 18<sup>th</sup> Century England* (2<sup>nd</sup> edition 2011), pp. 17-64

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Pieter Spierenberg, *Written in Blood: Fatal Attraction in Renaissance Amsterdam* (2004), excerpt (bspace )

V. A. C. Gatrell, *The Hanging Tree: Execution and the English People 1770-1868* (1996), excerpt (bspace)

Alessandro DeGiorgi, "Punishment and Political Economy" in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 60-89

### 4. January 31. The Birth of the Penitentiary

Assigned reading:

Charles Dickens, *American Notes*, Chapter 7: Philadelphia, And Its Solitary Prison (1842), <http://www.online-literature.com/dickens/americanotes/8/>

Recommended reading:

Gustave de Beaumont and Alexis de Tocqueville, *On the Penitentiary System in the United States and its Application in France* (Southern Illinois Press 1979) (excerpts bspace)

Ashley Rubin, "The Unintended Consequences of Penal Reform: A Case Study of Penal Transportation in 18<sup>th</sup> Century London," *Law & Society Review* Vol. 46(4) 815-851  
<http://onlinelibrary.wiley.com/doi/10.1111/j.1540-5893.2012.00518.x/pdf>

### **Part II: Peculiar Institution: The Death Penalty in an Age of (Global) Abolition**

In this section of the course we will examine the oldest and most problematic part of our contemporary set of penal techniques: the



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killing of a prisoner as punishment, known as “the death penalty” or “capital punishment.” The United States, along with Japan, remains the only major industrialized democracy to still use capital punishment to punish crimes. Through David Garland’s recent study of America’s death penalty in a global comparative context, we will attempt to understand why the death penalty persists in the US, and how long and under what conditions it is likely to endure in the US and in the world.

### **5. February 5. The American Way of Death**

Assigned reading:

*Peculiar Institution*, pp. 1-69

Recommended reading:

Austin Sarat, “Capital Punishment in the USA: Prospects and Possibilities,” in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 308-320

### **6. February 7. The Modernization of Capital Punishment: A Global Story**

Assigned reading:

*Peculiar Institution*, 70-150

Recommended Reading:

Cesare Beccaria, *Of Crimes and Punishment* (1764), Ch. 27-8  
[http://www.constitution.org/cb/crim\\_pun.htm](http://www.constitution.org/cb/crim_pun.htm)

Franklin Zimring, *The Contradictions of American Capital Punishment* (Oxford University Press 2003), chapter 2 (excerpt on bspace)

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### **7. February 12. The American Death Penalty and its Modernization**

Assigned reading:

*Peculiar Institution*, 151-230

### **8. February 14. Proposition 34 and the Future of Capital Punishment in the US**

Assigned reading:

*Peculiar Institution*, 231-313

Franklin Zimring, "Endgame for death penalty in California," San Francisco Chronicle, December 8, 2012

<http://www.sfgate.com/opinion/article/Endgame-for-death-penalty-in-California-4101011.php>

Recommended:

Roper v. Simmons (2005) 543 U.S. 551 (2005) (edited version on bspace)

Kennedy v. Louisiana (2008) 554 U.S. 407 (2008) (edited version on bspace)

Austin Sarat, *When the State Kills: Capital Punishment and the American Condition* (2001), pp. 60-84 (bspace)

### **9. February 19. A Comparative Case Study: Capital Punishment in India**

Assigned reading:

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Franklin Zimring and David Johnson, "Executing Kasab: A New Beginning, or the Beginning of the End for India's Death Penalty," *Economic and Political Weekly* (Mumbai, India)

[http://www.epw.in/system/files/pdf/2012\\_47/52/Executing\\_Kasab.pdf?ip\\_login\\_no\\_cache=ef0a10b0737953c9691414940681b7f7](http://www.epw.in/system/files/pdf/2012_47/52/Executing_Kasab.pdf?ip_login_no_cache=ef0a10b0737953c9691414940681b7f7)

Recommended reading:

David Johnson and Franklin Zimring, *The Next Frontier: National Development, Political Change, and the Death Penalty in Asia* (Oxford 2009)

### **10. February 21: In Class Midterm**

#### **Pt. III. The Prison and its Alternatives in Modern Societies**

The partial abolition discussed in class 10 was possible because a new penal method had emerged to provide a convincing method of punishment and social control, the penitentiary-style prison.

### **11. February 26. Health and the Humanity of prisons**

Assigned readings:

John Howard, *The State of the Prisons* (1777), pp. 5-35 google ebook, free at

<http://books.google.com/ebooks/reader?id=4EhNAAAAYAAI&printsec=frontcover&output=reader&pg=GBS.PA7>

Recommended readings:

Joe Sims, *Medical Power in Prison: The Prison Medical Service in Britain, 1774-1989* (Open University Press, 1990)

Jonathan Simon, "The Return of the Medical Model": Disease and the Meaning of Imprisonment from John Howard to *Brown v.*

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*Plata*," Harvard Civil Rights Civil Liberties Law Review, Vol. 48 (forthcoming 2013) (draft on bspace)

### **12. February 28. Prison Labor**

Assigned reading:

Alex Lichtenstein, *Twice the Work of Free Labor: The Political Economy of Convict Labor in the South* (1996) chapter 2 (bspace)

Recommended reading:

Rebecca McLennan, *The Crisis of Imprisonment: Protest, Politics, and the Making of the American Penal State, 1776 – 1941* (The Cambridge History of American Law series, Cambridge University Press, March 2008)

### **13. March 5. Prison Discipline and Rehabilitation**

Assigned readings:

Ethan Blue, "The Strange Career of Leo Stanley: Remaking Manhood and Medicine at San Quentin State Penitentiary, 1913–1951," *Pacific Historical Review*, Vol. 78, No. 2 (May 2009), pp. 210-241, Stable URL:  
<http://www.jstor.org/stable/10.1525/phr.2009.78.2.210>

Eric Cummins, *The Rise and Fall of California's Radical Prisoner Movement* (Stanford University Press, 1994) excerpt (bspace)

Recommended Reading:

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Richard Speigleman, "Prison Psychiatrists and Drugs: A Case Study," Tony Platt and Paul Takagi, eds., *Punishment and Penal Discipline: Essays on the Prison and Prisoners' Movement*. (San Francisco: Crime and Social Justice Associates, 1980)

Bob Martin, "The Massachusetts Correctional System: Treatment as an Ideology of Control," Tony Platt and Paul Takagi, eds., *Punishment and Penal Discipline: Essays on the Prison and Prisoners' Movement*. (San Francisco: Crime and Social Justice Associates, 1980)

### **Pt. IV. MASS INCARCERATION AND BEYOND**

Between the 1970s and the 2000s, the US embarked on a pattern of imprisonment unprecedented in history. California was an extreme but revealing example. The California prison population grew by over 500 percent between 1976 and 2006. Since the early part of this century California's prison system has been in a state of sustained crisis with chronic overcrowding and unfulfilled court orders requiring billions of dollars in improvements to prison health systems to prevent unconstitutional death and suffering by prisoners. Under a 2011 Supreme Court decision California is engaged in a historic effort to downsize its prisons, a process known as "realignment" that will require Californians to reconsider the ends and means of a legitimate and moral prison system.

#### **14. March 7. From Reform to Warehousing: The Nature of Mass Incarceration**

Assigned readings:

*Sunbelt Justice*, pp. 1-84

Recommended readings:

David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (University of Chicago Press, 2001)

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Bruce Western, *Punishment and Inequality* (Russell Sage Foundation, 2006)

Christopher Muller and Christopher Wildeman, "Punishment and Inequality," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 169-185

### **15. March 12. Building a Penal State in the West**

Assigned readings:

*Sunbelt Justice*, pp. 85-173

Recommended reading:

*Mass Incarceration on Trial*, chapter 1

Ruth Gilmore, *Golden Gulags: Prisons, Surplus, Crisis, and Resistance in Globalizing California* (University of California Press, 2007)

### **16. March 14 The Stability and Legitimacy of Mass Incarceration**

Assigned readings:

*Sunbelt Justice*, pp. 174-230

Recommended

Marie Gottschalk, "Cell blocks & red ink: mass incarceration, the great recession and prison reform," *Daedalus*, Vol. 139(No. 3: Summer 2010), 62-73

[http://www.mitpressjournals.org/doi/pdf/10.1162/DAED\\_a\\_00023](http://www.mitpressjournals.org/doi/pdf/10.1162/DAED_a_00023)

### **17. March 19. The Experience of Incarceration**

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### Assigned reading:

Michael G. Santos, "Living Life Behind Bars in America," in Joan Petersilia and Kevin Reitz, eds. *The Oxford Handbook of Sentencing and Corrections* (2012), pp. 606-626 (excerpts on bspace)

### Recommended reading:

Megan Comfort, *Doing Time Together: Love and Family in the Shadow of the Prison* (University of Chicago Press, 2007)

### **18. March 21. Mass Incarceration Elsewhere? From Soviet to Russian Prisons**

#### Assigned reading:

Laura Piacentini, "Penal Identities in Russian Prison Colonies," *Punishment Society* 2004; 6; 131  
<http://pun.sagepub.com/content/6/2/131.short>

#### Recommended reading:

Nicola Lacey, "Punishment, (Neo)Liberalism and Social Democracy," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 260-280

### **19. April 2. Mass Incarceration Elsewhere? Drug Policy and Mass Incarceration in Thailand**

#### Assigned readings:

Kittipong Kittayarak, "Responding to Prison Overcrowding: Another Attempt from Thailand," (United Nations Asia and Far East for the Prevention of Crime and Treatment of Offenders

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Institute (UNAFE) Newsletter, p. 18, reference materials B6, 2010)

[http://www.unafei.or.jp/english/pdf/Congress\\_2010/17Kittipong\\_Kittayarak.pdf](http://www.unafei.or.jp/english/pdf/Congress_2010/17Kittipong_Kittayarak.pdf)

### **20. April 4. Supermax or Secured Housing Unit Prisons**

Assigned reading:

*Mass Incarceration on Trial*, chapter 2

Shane Bauer, Solitary in Iran Nearly Broke Me. Then I Went Inside America's Prisons. Mother Jones (November/December 2012)

<http://www.motherjones.com/politics/2012/10/solitary-confinement-shane-bauer>

Recommended reading:

Madrid v. Gomez, 889 F.Supp. 1146 (N.D. Cal. 1995) edited (b)3

Sharon Shalev, *Supermax: Controlling Risk through Solitary Confinement* (Willan, 2009)

Keramet Reiter, Most Restrictive Alternative: The Origins, Functions, Control, and Ethical Implications of the Supermax Prison, 1976 – 2010 (UC Berkeley dissertation, Jurisprudence and Social Policy, 2012)

Atul Gawandi, The United States holds tens of thousands of inmates in long-term solitary confinement. Is this torture, *The New Yorker*, March 30, 2009

[http://www.newyorker.com/reporting/2009/03/30/090330fa\\_fact\\_gawande](http://www.newyorker.com/reporting/2009/03/30/090330fa_fact_gawande)



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Security Threat Group Prevention, Identification, and Management Strategy (California Department of Corrections and Rehabilitation, March 1, 2012)

<https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CDUQFjAA&url=http%3A%2F%2Fwww.cdcr.ca.gov%2Freports%2Fdocs%2Fsecurity-threat-group-prevention-identification-and-management-model-03-01-2012.pdf&ei=pR7mUIH907T9iQKmjYHgBg&usg=AFQjCNHqGUFJ1z7 Z727R7zMUWdfNGwJTg&bvm=bv.1355534169,d.cGE>

### 21. April 9. Mass incarceration and chronic illness

Assigned reading:

*Mass Incarceration on Trial*, chapter 3

*Mass Incarceration on Trial*, chapter 4

Recommended reading:

Benjamin Fleury-Steiner and Carla Crowder, *Dying Inside: The HIV/AIDs Unit at Limestone Prison* (University of Michigan Press)

Coleman v. Wilson, 912 F.Supp. 1282 (Eastern District of California 1995) excerpt (b space)

Plata v. Davis, (Northern District of California; findings of fact and conclusions of law re: appointment of a receiver) (excerpts on b space; full document here

(<http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CCcQFjAA&url=http%3A%2F%2Fwww.clearinghouse.net%2FchDocs%2Fpublic%2FPC-CA-0018-0007.pdf&ei=xbkPT 6gJcaYiAK47cSzDQ&usg=AFQjCNEaXO6ZC7Eg8zsqWNGc91aAV47LYw> )

### 22. April 11. Overcrowding and the Crisis of Mass Incarceration

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Assigned reading:

*Mass Incarceration Trial*, chapter 5

Plata v. (Schwarzenegger) Brown, 3 judge court opinion and order (excerpts on bspace)

### **23. April 16. Human Rights and the Future of Imprisonment**

Assigned reading:

*Mass Incarceration on Trial*, chapter 6

Brown v. Plata, 130 S.Ct. 1960 (Supreme Court 2011) (excerpt on bspace)

### **24. April 18. How far can dignity go in taming punishment in modern society? Case Study of Life Without Parole in Europe and the US**

Assigned reading:

Dirk van zyl Smit, TBA

Recommended reading:

Jonathan Simon, "Dignity and Risk: The Long Road from Graham v. Florida to the Abolition of Life without Parole, chapter 8 in *Life without Parole: America's New Death Penalty*, edited by Charles Ogletree and Austin Sarat (2012) (bspace)

### **26. April 23. Realignment I: Restorative Justice**

Assigned reading:

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Paul Tullis, Can Forgiveness Play a Role in Criminal Justice? The New York Times Magazine, Sunday, January 4, 2013, <http://www.nytimes.com/2013/01/06/magazine/can-forgiveness-play-a-role-in-criminal-justice.html?hpw>

Recommended reading:

Kathleen Daly, "The Punishment Debate in Restorative Justice," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 356-374

### **27. April 25. Realignment II. Revitalizing Probation or the Return of the Jail?**

Assigned reading:

John Irwin, *The Jail: Managing the Underclass in American Society* (1985) (excerpts on bspace)

Recommended reading:

Gwen Robinson, Fergus McNeill, and Shadd Maruna, "The Improbable Persistence of Probation and Other Community Sanctions and Measures," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 321

### **28. April 30. Realignment III. Monetary Fines (and their equivalents)**

Assigned reading:

Pat O'Malley, "Monetized Justice: Money and Punishment in Consumer Societies," in Jonathan Simon and Richard Sparks, eds. *The Sage Handbook of Punishment and Society* (2012) (excerpts on bspace) 375-392

Recommended reading:

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### **29. May 2. Reimagining Penal Justice for an Age of Chronic Illness, Globalization, and Big Data**

Required reading:

*Mass Incarceration on Trial*, Conclusion

Recommended reading:

Liora Lazarus, Benjamin Goold and Caitlin Goss, "Control Without Punishment: Understanding Coercion," in Jonathan Simon and Richard Sparks eds. *Sage Handbook of Punishment and Society* (2013), 463-491