

The Politics of Mass Incarceration in the U.S.

PLSC 20312 – Spring 2012

Time: T & R, 3:00-4:20

Room: Foster 305 (T)

Foster 505 (R)

Instructor: Christopher D. Berk

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Office Hours: M 1:30-3:30

Pick Hall, Room 428

Description

Since the 1960s, the United States prison population has quintupled; a staggering 1-in-100 adults are now behind bars. It has been suggested that “the reality of crime as the target of our criminal justice system [...] is not a simple objective threat to which the system reacts: it is a reality that takes shape as it is filtered through a series of human decisions running the full gamut of the criminal justice system.” In this course we’ll focus on those human decisions. Starting with the birth of the modern penitentiary at the turn of the 19th century, this seminar will explore the political decisions (and non-decisions) that facilitated the creation of mass incarceration in the U.S.

Required Texts

- [1] Beckett, Katherine. 1997. *Making Crime Pay*. New York: Oxford UP.
- [2] Gottschalk, Marie. 2006. *The Prison and the Gallows*. New York: Cambridge UP.
- [3] Oshinsky, David. 1996. *Worse than Slavery*. New York: Free Press.

Recommended Texts

- [1] Foucault, Michel. 1995 [1977]. *Discipline and Punish*. New York: Vintage Books.
- [2] Stuntz, William. 2011. *The Collapse of American Criminal Justice*. Cambridge: Harvard UP.

All books are on order at the Seminary Co-op Bookstore.

Course Structure

The course will take the structure of a graduate seminar. Each session will begin with a 10-minute student presentation on the readings, and most of the classroom time will be dedicated to discussion.

Assignments

Response papers (40%): Each student must prepare two short (3-4 pages) response papers. The first response paper must be handed in no later than Friday April 20th, and will count for 10 percent of your final grade. The second paper must be handed in no later than Friday May 18th, and will count for 30 percent of your final grade. In these papers I expect students to (1) briefly outline the argument of one of the readings for that week (no more than 1 or 2 pages), and (2) offer a critique or commentary.

Participation (20%): First and most important, students are expected to read the assigned material before class and to contribute to discussion regularly and thoughtfully. Please bring the readings to class, as we will reference texts in discussion. Attendance is mandatory. Students with three unexcused absences will fail the participation section of the course. Second, students are expected to give one short presentation during the quarter (approximately 5-10 minutes) based on the assigned readings for that day. That presentation should critique the readings, raise questions, and draw connections to other readings and themes. The purpose of the presentation is to launch discussion.

Additionally, students are expected to contribute to a classroom atmosphere that is productive and cordial. We address controversial topics in this course, and it is imperative that we treat each other with respect.

Final (40%): The final is a take-home examination (single prompt, 8-10 pages).

NB: Please submit all papers electronically in an *editable* format (.doc, .docx, .odf, etc.).

Reading Schedule

Practical notes on reading:

This course has a heavy reading load. You should expect to spend at least three hours reading per class session. Some of it will be detailed reading of texts where accuracy and command are necessary. At other times, you'll need to read quickly through a large amount of material, passing rapidly over details and pulling out the central themes and concepts. I am aiming for an average of 150 pages per week (50-100 per session).

Week 1: Prisons & Politics

3.27

- * First session. No readings

3.29

- * Gottschalk, Marie, *The Prison and the Gallows*, pp. 1-40

Week 2: Birth of the Prison

4.3

- * Rothman, David, *The Discovery of the Asylum*, pp. 79-108
- * Smith, Caleb, *The Prison & the American Imagination*, pp. 81-112

4.5

- * Foucault, Michel, *Discipline & Punish*, pp. 3-31; 257-292

Week 3: The Prison Community

4.10

- * Clemmer, Donald, *The Prison Community*, pp. ix-xi; 83-133; 149-180; 294-320
- * Sykes, Gresham, *The Society of Captives*, pp. xi-12; 41-62; 109-129

4.11

OPTIONAL: Viewing of the film *The Farm: Angola, U.S.A.* at the Law School

4.12

- * Jacobs, James, *Stateville*, pp. 1-14; 105-137; 200-214
- * Comfort, Megan, *Doing Time Together: Love and Family in the Shadow of the Prison*, pp. 1-20; 99-126

Week 4: Race & Prisons

4.17

- * Oshinsky, David, *Worse than Slavery*, pp. 1-7; 109-178
- * Wacquant, Loic. 2001. "Deadly Symbiosis," *Punishment and Society* 3 (1): pp. 95-143.

4.19

- * Oshinsky, David, *Worse than Slavery*, pp. 179-255
- * Murakawa, Naomi. 2010. "The Penology of Racial Innocence," *Law & Society Review* 44 (3-4): pp. 695-730.

Week 5: Crime, Prisons, Politics

4.24

- * Beckett, Katherine, *Making Crime Pay*, pp. 3-61

4.26

- * Beckett, Katherine, *Making Crime Pay*, pp. 62-109
- * Simon, Jonathan, *Governing Through Crime*, pp. 13-31

Week 6: Movements & Interest Groups

5.1

- * Gottschalk, Marie, *The Prison and the Gallows*, pp. 77-114

5.3

- * Gottschalk, Marie, *The Prison and the Gallows*, pp. 115-138; 236-263

Week 7: Moral Panics

5.8

- * Cohen, Stanley, *Folk Devils and Moral Panics*, pp. 9-76
- * Gusfield, Joseph, *The Culture of Public Problems*, pp. 1-23; 27-82; 146-170

5.10

- * Jenkins, Philip, *Moral Panic*, pp. 94-144

Week 8: Courts & Prisons

5.15

[Guest Speaker: Prof. Tracey Meares, Yale Law School]

- * Feeley, Malcolm and Edward Rubin, *Judicial Policy Making and the Modern State*, pp. 1-50
- * Meares, Tracey. *TBD*

5.17

- * Gottschalk, Marie, *The Prison and the Gallows*, pp. 165-196
- * Stuntz, William, *The Collapse of American Criminal Justice*, pp. 244-282

Week 9: Prisons & Free Markets

5.22

- * Gilmore, Ruth, *The Golden Gulag*, pp. 87-127
- * Western, Bruce, *Punishment and Inequality in America*, pp. 52-81

5.24

[Guest Speaker: Prof. Bernard Harcourt, University of Chicago]

- * Harcourt, Bernard, *The Illusion of Free Markets*, pp. 190-220
- * Gottschalk, Marie, "Cell Blocks and Red Ink," *Daedalus* 139 (3), pp. 62-73

Week 10: Future

5.29

- * Stuntz, William, *The Collapse of American Criminal Justice*, pp. 285-314
- * Darrow, Clarence, "Address to the Prisoners in the Chicago Jail"

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