
TOPICS: PUNISHMENT, RACE, AND THE LAW in Fall 2020 (HI3091C)

Course Code	HI3091C	Professor(s)	Michelle Kuo
Prerequisites	None	Office Number	
Class Schedule	M: 14:30-16:05 in PL-3 R: 09:00-10:35 in PL-3	Office Hours	Office Hours (Virtual). Fridays 4:00 PM to 6:00 PM. I use a simple online platform that mimics in-person office hours. It works well, and the link is here: https://whereby.com/michelle-office-hours
Credits	4	Email	mkuo@aup.edu
Semester	Fall 2020	Office Tel. Ext.	

Course Description

Course Description. This course examines punishment with historical and legal perspectives, with particular attention to how race has shaped criminal justice and immigration detention. We begin with theories of punishment, exploring how it has been defined, justified, and limited. Our case studies of punishment across the world include comparing approaches to immigration detention, state approaches to violent crime and drug crime, and transitional justice. Topics include laws criminalizing poverty, the separation of children from mothers, immigrant exclusion, deportation of immigrants convicted of crimes, and the struggle to re-integrate formerly incarcerated people. We consider social movements that counter the rise of mass incarceration, including restorative justice, transformative justice, and prison abolition. Students are also encouraged to do final research papers on topics of their choice.

Course Learning Outcomes

General Education

Course Outline

Week One, September 23rd, introduction

Thursday

Syllabus Distributed

Class projects outlined.

For Monday, present with your group on one of these topics: solitary confinement, debt, costs of services or food, unpaid labor, sanitation, family visit limitations, violence, book bans, deportation resulting from criminal conviction.

Week Two, September 30th

Monday

Didier Fassin, *The Will to Punish*

Optional: Andrew von Hirsch, 1999. "Penal Theories." Pp. 659-683 in *The Handbook of Crime and Punishment*. Edited by Michael Tonry. Oxford: Oxford University Press.

Thursday

(No class.) Pompidou Exhibit on Global Resistance: go in two or three-person groups, pre-assigned in class. If you are remote, we will work together to think of a comparable exhibit. Please post the picture of your chosen exhibit(s) on Slack, with a short explanation, by the end of Friday.

Week Three, Oct. 5

Monday

Students present on specific art exhibits on resistance, with reference to at least one primary source (an interview for an artist, for example) and two academic secondary sources in history, sociology, law, or anthropology.

Thursday

Foucault, Discipline and Punish

Larissa Macfarquhar, "When Should a Child Be Taken from His Parents?"

Response Paper 1: Pompidou Exhibit (500 to 750 words)

Week Four, Oct. 12

Monday

David Garland, from The Culture of Control

Nietzsche, On the Genealogy of Morality (excerpts)

Thursday

Restorative Justice Readings and Prison Abolition

Ruth Wilson Gilmore, Golden Gulag

Angela Davis, Are Prisons Obsolete

Week Five, Oct. 19

Monday

Global Prison Conference planning

Thursday

Racializing Whiteness

David Roediger, Wages of Whiteness

Barbara Fields, "Slavery, Race, and Ideology in the United States"

Cedric Johnson, "Why Three Decades of Whiteness Studies Has Not Produced the Left We Need"

Monday

Adam Goodman, The Deportation Machine

Carlos Dada, London Review of Books

Julia Preston's recent reviews on deportation, The New York Review of Books

Conversation with Sofia Kalogirou, AUP student who works at the Florence Project, helping detained children migrants in Arizona.

Thursday

Race and Mass Incarceration

Michelle Alexander, The New Jim Crow

James Forman, Jr., critique of Michelle Alexander

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Week Seven, Nov. 2

Monday

Conversation with Zakee Hutchison, formerly incarcerated person who spent 21 years in prison for nonviolent robbery under Three Strikes Law

First three pages of research paper due

Thursday

Bruce Western, Homeward: Life After Prison

Week 8, Nov. 9

Monday

Graduate Level Seminar: Open Borders.

Thursday

No class – Fall break

Week Nine, Nov. 16

Monday

Graduate level Seminar: Race, Gender, Intersectionality

Recommended readings:

Kimberle Crenshaw, "Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color"

Dorothy Roberts, "Punishing Drug Addicts with Babies"

Thursday

Graduate Level Seminar: Restorative Justice.

Week Ten, Nov. 23

Monday

Graduate Level Seminar: De-militarizing the State.

Some considerations. Look at Tolstoyan pacifism, attempts to humanize or normalize warfare; look also at napalm, atomic bomb, and other weapons of American warfare.

Thursday

Graduate level Seminar: Defund the police

Week Eleven, Nov. 30

Monday

Individual workshops on your writing

Thursday

Individual workshops on your writing; finalize conference details.

Week Twelve, Dec. 7

Monday

Graduate Level Seminar: Settler Sovereignty

Thursday

Graduate Level Seminar: Forms of Forgiveness in Law and Culture, including pardons, parole, and restorative justice.

On the last day of exam period, please turn in a polished essay (8-10 pages or so) on either contemporary or historical issues related to race and punishment. I ideally would love for you to publish this in a campus publication.

Global Conference. Over the course of the semester, we will plan a global virtual conference on punishment. You will select one person to invite, and design the panel with your classmates. I envision three to five panels over a two-day period

Leading Graduate Level Seminar (3 or 4 people). Each graduate level seminar is organized around a particular flashpoint in issues of punishment, race and the law today. I'd like you to situate this flashpoint historically and globally. You'll lead a discussion of approximately 60 minutes. Prepare a 10-15 minute slideshow where you historically situate the movement and the work. Include biographical details of relevant scholars, as well as the scholarly question that the person seeks to answer. Note: You may use your seminar preparation as part of your paper.

- a. Two weeks before the date of the seminar, meet with me to discuss how your research is coming along.
- b. A week before the date of the seminar, circulate a list of questions on Slack. Ask questions and point students to texts or quotes. If possible, provide interactive assignments.
- c. Circulate required readings or audio viewings. There should be at least one, preferably two, required academic readings, with at least one from the discipline of history. (I am happy to suggest canonical sources.) Find historical antecedents and comparisons. Consider, for instance, our examples comparing the anti-mental asylum movement of the 1960s with the prison abolition movement now. Think globally, comparing how a prison abolition movement in the United States differs from that of Germany.

Try to assign 20 to 50 pages of reading, depending on how dense it is. If it's a theoretical or difficult text, the reading can be short—20 pages or so. If it's a riveting piece of journalism, the reading should be longer.

Meta-Tips for Devising Interactive Exercises for Graduate Seminar:

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- It is helpful to have some common text that frames the questions for the discussion.
 - But you may want to consider creating smaller groups, preferably before class, and assign particular readings, topic, question to each group.
 - o For instance, each group could get a reading or topic on different geographical areas. (But know ahead of time what you hope the comparisons yield, even as you remain open to new discoveries and insights from the students.)
 - o Each group could get a reading or topic on different time periods within a particular geographical area. For instance, if I am leading a seminar on the racialization of white people at different points in Southern American history, I might give different groups different areas. (But know ahead of time the argument that you hope to illustrate.)
 - Create a debate on a particular issue or two issues. For instance, if I lead a discussion on punishing mothers by taking away their children, I might assign one side to the government and the other side to the lawyer for the mother. In the case of debates over racializing whiteness, this worksheet provides an example of how to do so. (I think can provided more guidance on how to prepare for the debate. I ran out of time!

Textbooks

This course doesn't have any textbook.

Attendance Policy

Students studying at The American University of Paris are expected to attend ALL scheduled classes, and in case of absence, should contact their professors to explain the situation. It is the student's responsibility to be aware of any specific attendance policy that a faculty member might have set in the course syllabus. The French Department, for example, has its own attendance policy, and students are responsible for compliance. Academic Affairs will excuse an absence for students' participation in study trips related to their courses.

Attendance at all exams is mandatory.

IN ALL CASES OF MISSED COURSE MEETINGS, THE RESPONSIBILITY FOR COMMUNICATION WITH THE PROFESSOR, AND FOR ARRANGING TO MAKE UP MISSED

WORK, RESTS SOLELY WITH THE STUDENT.

Whether an absence is excused or not is ALWAYS up to the discretion of the professor or the department. Unexcused absences can result in a low or failing participation grade. In the case of excessive absences, it is up to the professor or the department to decide if the student will receive an "F" for the course. An instructor may recommend that a student withdraw, if absences have made it impossible to continue in the course at a satisfactory level.

Students must be mindful of this policy when making their travel arrangements, and especially during the Drop/Add and Exam Periods.

Grading Policy

Course Requirements

Research essay, with revisions (8-10pages) 20%

Leading a Graduate Level Seminar 15%

Active class participation 25%

Take-home final exam on readings and projects 15%

Response papers 10%

Organizing AUP-wide conference 15%

Course Policies

General Policies. I view our class a close-knit community with potentially lifelong friendships. For that reason, I hope we all listen closely to one another with an open heart and spirit. As for absences, you are allowed two unexcused absences without penalty.

Academic Misconduct includes:

- attempts to claim credit for the work or efforts of another without authorization or citation;

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- use of unauthorized materials or fabricated data in any academic exercise;
 - forgery or falsification of academic documents or records;
 - providing assistance to other students in any of these acts.

1) Essay (8-10 pages, double spaced). This essay will draw on primary sources on a topic of your choice that relates to law and society. We will work on your paper in class, aiming for at least two revisions. We will work on creating concise, elegant sentences; making arguments with

attention to primary sources; and interweaving secondary sources from at least two of three disciplines, history, law, and sociology. At the end of the class you will have completed a polished paper that you can use as a writing sample. I encourage you to publish this essay in a campus publication or elsewhere.

2) Leading a graduate level seminar. (See below.)

3) Organize AUP-wide conference on issues relating to criminal justice, punishment, race, and the law.

Other
