

Prof. Karl Shoemaker
Spring 2011

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Criminal Justice

Required Texts

-- Course Reader. Available for purchase at Bob's Copyshop 616 University Ave.

-- Jim Jacobs, Stateville (used copies widely available)

Course Description:

This course concerns the American criminal justice system. We will ask a set of questions concerning: Why do we punish? How do we punish? What does how we punish say about who we are as a social order? We will also address questions such as: What are the legal, constitutional, and social limits on state sovereignty and the act of punishment? What are the meanings of capital punishment? What place, if any, should the administration of the criminal law give to victims? Along the way, we will also study the fundamental administrative structures that police, try, and punish individuals in the American legal system.

Course Requirements:

This is a seminar course. Attendance and productive participation in seminar is crucial to the success of the course, and your success in the course. Grading will be based on weekly participation and a seminar research project which you will present to the class at the end of the semester.

Schedule of Themes

Week 1

What is Crime? What is Punishment? Why do we Punish?

Introduction to course materials and requirements

Why do we punish?

Course Reader: On the Law of War and Peace; On Crimes and Punishments; Punishment and Responsibility;

Week 2

The Birth of Modern Modes of Punishment; what does how we punish tell us?

Course Reader: On the Genealogy of Morals; The Body and the State

Week 3

On Guilt and Innocent

Reading: On Guilt and Innocence; Panetti v. Quarterman (2007). This US Supreme Courtcase will be made available to you electronically.

Week 4

The Processes of Criminal Law

Course Reader: Two Models of the Criminal Process; Plea Bargaining and the Structure of the Criminal Process.

Week 5

Death Penalty - The Ultimate Sanction

Course Reader: Furman v. Georgia; Gregg v. Georgia; On the Punishment of Murder by Death; Reflections on the Guillotine; The Morality of Capital Punishment; Colorado Court Bars Execution; People v. Harlan; The Sacred Name of Pain.

Week 6

The Death Penalty (continued)

Week 7

The American Prison

The prison and the 20th century

Reading: Stateville, Intro and chap. 1 and 2.

The emergence of prison's contemporary challenges.

Reading: Stateville, Chap. 3

Week 8

The American Prison (con't)

The professionalization of prison administration; prison populations as societies.

Reading: Stateville, Chap 4-7.

Week 9

Policing

Readings: distributed electronically

Week 10

The Politics of Crime

Course Reader: Street Crime, Criminology, and the State; The Politicization of Street Crime; Imprisonment and Social Classification.

Week 11

Crime and Crime Control Policies

Course Reader: Crime Trends; Formerly Unthinkable Policies; Restorative Justice;

Week 12

Crime and Terror

Course Reader: in re Territo; Hamdi v. Rumsfeld;

Week 13

Science and punishment; the emergence of modern criminology

Course Reader: Criminal Man; The Mismeasure of Man;
Buck v. Bell and Skinner v. Oklahoma (cases available
electronically)

Week 14

Presentations

Week 15

Presentations