



**EMORY**  
UNIVERSITY

Department of History  
College of Arts and Sciences

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Bowden Hall 120  
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**Course Syllabus: History 488-RW**  
**Crime and Punishment in American Culture: Power and Poetics**  
**Spring 2016**

Class Meetings: Mondays, 4:30-7:00 p.m.  
Classroom: Cox Hall 230B

Office Hours: Fridays, 3:30-5:30 p.m. & by appt.  
Office: Bowden 120



*Performance artist Lech Szporer protesting mass incarceration in the United States in a public art piece (October 2015).*

## Course Overview

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This course will explore the complex and uneven relationship Americans have had with criminal punishment from 1945 to the present. Through the lenses of power and poetics, we will trace the dramatic transformation in crime control in the United States, from 1945, when the nation's incarceration rate was relatively typical for a western democracy to 2015, when roughly 1 in 100 American adults are incarcerated on any given day, making the United States by some measures the most punitive nation in the world. The course takes as its foundational assumption the idea that this punitive turn in American life cannot be understood without equal attention to questions of power (How have changes in governing logics and forms of statecraft reflected and reinforced what gets defined as criminal and how criminal behavior is punished?) and poetics (How have long-standing American mythologies and recent changes in the way we imagine and represent criminals, victims, state actors, and the experience of punishment reflected and reinforced the punitive turn?). Students will read scholarly analyses of crime and punishment carefully and critically, often by seeing how they account—or fail to account—for the primary sources we encounter, the raw stuff of history that we will examine throughout the course. Treatises on crime and punishment, journalistic accounts of crime and punishment, and judicial opinions are among the sources we will consider in an effort to understand the historical and contemporary meanings of criminal behavior and the violence law authorizes for use against it.

This course is part of a series of capstone courses for history majors, which requires the completion of a major research paper based on original archival resources. Your research paper will examine an important issue in the cultural and political life of crime and punishment in the United States from 1945-Present.

The course satisfies a writing requirement of Emory College. Good writing does not happen overnight, but rather requires significant preparation and revision. Accordingly, you will be required to turn in a first draft of your research paper three weeks ahead of the final deadline. I will offer feedback and criticism, and provide a framework for you to revise the paper.

## Required Texts

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Aside from the following texts, all course materials will be available through Reserves Direct or on the course Blackboard site. Hard copies of the following texts will be on reserve in the library, but should be purchased:

- Hadar Aviram, *Cheap on Crime* (Berkeley, University of California Press, 2015).
- Eric Cummins, *The Rise and Fall of California's Radical Prison Movement* (Palo Alto: Stanford University Press, 1994).
- Roger Lancaster, *Sex Panic and the Punitive State* (Berkeley: University of California Press, 2012).
- Naomi Murakawa, *The First Civil Right: How Liberals Built Prison America* (New York: Oxford University Press, 2014).
- James Whitman, *Harsh Justice: Criminal Punishment and the Widening Divide Between America and Europe* (New York: Oxford University Press, 2005).

## Evaluation

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Assessment	Details	% of Grade
Research-Related Assignments	Four 2-3 page analyses of primary and secondary sources relevant to your final paper topic.	20%  (5% each)
Historiographic Essay and Prospectus	A 5-8 page analysis of the secondary literature surrounding the topic of your paper and a clear articulation of the original research you will conduct and the contribution it will make to the existing literature.	15%
Historical Essay	One 18-22 page historical essay that uses primary and secondary sources to make its argument. 10% of this grade will be based on the quality and completeness of your first draft.	50%  (10% first draft; 40% final draft)
Participation	Students are expected to attend all class lectures and discussions. Everyone will do all the required readings and assignments each week and students will be expected to discuss the weekly themes and topics. In addition to the students' contributions in discussion and preparation of a weekly discussion question (50% of participation grade), participation will be measured by performance on assigned mini-presentations (25% of participation grade) and an end-of-the semester presentation of your project (25% of participation grade).	15%

## Classroom Policies and Procedures

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*It is important to me that I have a respectful and amicable relationship with you and that you seek this kind of relationship with each other and with me. I will be supportive of you and ask that you be the same with me and your classmates. Here are my policies and expectations:*

1. Attendance is mandatory. If you miss more than one class meeting, your grade may be lowered. If you miss more than three class meetings, you may fail the course—even if you have successfully completed its other requirements. Emory policy on attendance will be followed in this course: absences will be excused only in cases of verifiable illness (doctor's note required), a death in the immediate family, jury duty, military service, and religious holidays. You may be considered absent if you conduct business unrelated to class (reading the newspaper, completing a crossword puzzle, text messaging, etc.) during class.
2. To minimize distractions during class time, laptop use is not permitted in the classroom except when it is part of a documented disability accommodation.
3. E-mail is the best way to get in touch with me. Please be aware that it may take me up to 36 hours to respond to your e-mail.
4. Any students with a disability or special needs should meet with me as soon as possible to discuss any arrangements that need to be made.
5. If English is not your first language and you need help with class assignments, you may benefit from working with specially trained ESL Tutors. These tutors are undergraduates who will support the development of your English language skills. Like Writing Center tutors, ESL tutors will not proofread your work. Language is best learned through interactive dialogue, so when you come to an ESL tutoring session, be ready to collaborate! ESL tutors will meet with you in the ESL Lab in Callaway S108 and other designated locations, and they will help you at any stage of the process of developing your essay or presentation. You may bring your work on a laptop or on paper. If you schedule an appointment in the ESL Lab, you may also bring your work on a USB stick – computers are available in the lab. Visit [www.epass.emory.edu](http://www.epass.emory.edu) and click on "ESL Services" to schedule an appointment, read the appointment policies, and view the offerings of the ESL Program. If you do not have a scheduled appointment, you may meet with a drop-in tutor in the ESL Lab. Here, you may have less time with a tutor if other students are waiting, but you can briefly discuss an assignment and some of your concerns. For more information, visit the website or contact Dr. Levin Arnsperger, Assistant Director of the ESL Program and Tutoring Coordinator ([larnspe@emory.edu](mailto:larnspe@emory.edu)).
6. The Emory Writing Center offers 45-minute individual conferences to Emory College and Laney Graduate School students. It is a great place to bring any project—from traditional papers to websites—at any stage in your composing process. Writing Center tutors take a discussion- and workshop-based approach that enables writers of all levels to see their writing with fresh eyes. Tutors can talk with you about your purpose, organization, audience, design choices, or use of sources. They can also work with you on sentence-level concerns (including grammar and word choice), but they will not proofread for you. Instead, they will discuss strategies and resources you can use to become a better editor of your own work. The Writing Center is located in Callaway N-212. Visit [writingcenter.emory.edu](http://writingcenter.emory.edu) for more information and to make appointments.

7. Come prepared to learn: bring all relevant materials, texts, and assignments to class each day. Prepare your reading and assignments completely: come to class ready to discuss the assigned material with observations, questions, and comments.
8. I will expect that you will be academically honest, doing your own work on assignments and assessments, giving full credit to the ideas of others, and checking with me when you are uncertain about whether your actions constitute academic dishonesty. The Honor Code applies to all work submitted for courses in Emory College. Students who violate the Honor Code may be subject to a written mark on their record, failure of the course, suspension, permanent dismissal, or a combination of these and other sanctions. The Honor Code may be reviewed online at: [http://catalog.college.emory.edu/academic/policy/honor\\_code.html](http://catalog.college.emory.edu/academic/policy/honor_code.html)
9. Classroom Presentations cannot be made up. Each work day a written assignment is late, your grade will drop ten percent.
10. Please turn off your mobile phones before class begins.
11. In order for everyone to benefit from classroom discussions, each person must contribute. All participants should be actively listening and responding to one another. Don't censor yourself, but do make sure that you remain sensitive to the backgrounds, differences, and needs of others in the room. If you are unable to participate fully in class discussions for any reason, please let me know at the beginning of the semester.
12. Please come to me with any questions or problems you may have with the class material. If you have concerns regarding your grade at any point, please see me as soon as possible to help address ways to improve your mastery of the course material. The sooner you contact me regarding concerns, the more I can do for you. I will not be able to accommodate students who contact me at the end of the semester with concerns about their grade.
13. Laugh at my jokes.

## SCHEDULE OF READINGS AND ASSIGNMENTS

Class Date	Topic	Reading and Writing Assignments to be Completed BEFORE this class	Research-Related Work to be completed and submitted the Friday AFTER this class
Mon. 1/25	Introduction to the Course	<p><i>Williams v. New York</i> 337 U.S. 241 (1949) [Omit Sections IV and V of Blackmun’s Majority Opinion]</p> <p><i>Mistretta v. United States</i> 488 U.S. 361 (1988) [Only read to page 5 of the majority opinion; stop when you get to section C on that page.]</p> <p style="text-align: center;">****</p> <p><i>Francis v. Resweber</i> 329 U.S.459 (1947) [Omit Frankfurter’s Concurring Opinion]</p> <p><i>Singleton v. Norris</i> 319 F. 3d 1018 (2003) [Omit Loken’s Concurring Opinion and Murphy’s Dissent]</p>	None
Mon. 2/1	America the Punitive? Harsh Punishment and American Exceptionalism	<p>Whitman, <i>Harsh Justice</i> Omit or Skim Chapter 4</p> <p style="text-align: center;"><b>Discussion Question Due</b></p>	<p>E-mail the instructor a list of 3 possible topics for your research paper with 2-3 sentences describing the subject and why it is of interest to you. Order them in priority of both their interest to you and the likelihood that you could sufficiently cover the topic in a 20-page research paper.</p> <p>Schedule an appointment with me to discuss your potential topics.</p>
Mon. 2/8	Crime and Punishment as Poetics	<p>Durkheim, “Crime and Punishment”</p> <p>Excerpt from Katz, <i>Seductions in Crime</i></p> <p>O’Connor, “A Good Man is Hard to Find”</p> <p style="text-align: center;"><b>Discussion Question Due</b></p>	<b>Primary Source Investigation Due</b>
Mon. 2/15	<p>Crime and Punishment as Poetics</p> <p>The Cultural Life of Capital Punishment in the United States</p>	<p>Daniel LaChance, “Inside Your Daddy’s House: Capital Punishment and Creeping Nihilism in the Atomic Age” and “Shock Therapy: The Rehabilitation of Capital Punishment”</p> <p style="text-align: center;"><b>Discussion Question Due</b></p>	None
Mon. 2/22	<p>Crime and Punishment as Power</p> <p>The Origins of the Carceral State</p>	<p>Carl Suddler, Reading TBA</p> <p>Dr. Suddler will also be a guest speaker.</p> <p style="text-align: center;"><b>Discussion Question Due</b></p>	<b>Article Evaluation Due</b>
Mon. 2/29	<p>Crime and Punishment as Power</p> <p>The Origins of the Carceral State</p>	<p>Naomi Murakawa, <i>The First Civil Right: How Liberals Built Prison America</i></p> <p style="text-align: center;"><b>Discussion Question Due</b></p>	None

Mon. 3/7	Spring Break	Spring Break	Spring Break
Mon. 3/14	Research and Writing Week  No Class		<b>Historiographic Essay and Prospectus Due</b>
Mon. 3/21	Crime and Punishment as Power  Sex Crimes and Panics	Lancaster, <i>Sex Panic and The Punitive State</i>  Skip or Skim Chapters 4-6  <b>Discussion Question Due</b>	
Mon. 3/28	Crime and Punishment as Power  Resistance to the Carceral State	Eric Cummins, <i>The Rise and Fall of California's Radical Prison Movement</i>  Skim or Skip Chapters 1, 2, 6, and 9  <b>Discussion Question Due</b>	None
Mon. 4/4	Crime and Punishment as Power  The Decline of the Carceral State?	Aviram, <i>Cheap on Crime</i>  <b>Discussion Question Due</b>	<b>Primary Source Analysis Due.</b>
Mon. 4/11	Writing Week No Class		None
Mon. 4/18	Presentations		<b>First Draft Due</b>
Mon. 4/25	Presentations		Schedule an appointment with me to discuss your first draft.

**FINAL DRAFT OF HISTORICAL ESSAY DUE on APRIL 29<sup>th</sup> at 5 P.M. (Graduating Seniors) or MAY 6<sup>th</sup> at 5 P.M. (Anyone Else)**