

The Politics of Detention:
Criminal Justice, Immigration, and the War on Terror
Fall 2012

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This class explores the politics of detention across three seemingly distinct policy domains, criminal justice, immigration and the war on terror. Detention is one of the most extreme forms of state control. We want to explore the theoretical justifications for state detention, the effectiveness of this policy tool, the politics that lead to its use and acceptance, and the impacts of detention, both on the individual and various communities.

By looking at the variation across these three policy areas we see what similar forces are at work on all three and what pulls the practices of detention in different directions. For example, private companies have increasingly gained control over detention facilities including both prisons and immigration detention centers. We will investigate the impact of this privatization on the politics of criminal justice and immigration. Judicial oversight in the three areas has shifted over time in different ways. What accounts for different configurations of checks and balances among our institutions within these different policy domains? Looking at the moments when politics of detention diverge and converge illuminate the factors that impact political outcomes. In doing so, we gain insight into the working of the American political system more broadly, gaining leverage on questions of justice, the balance of power, and the role of identity in public policy formation.

To those ends, you will be asked to keep reading notes, complete two tests, a final exam, three reflection essays and a research paper.

All reading can be found on Moodle or in the four books required for the class listed by the campus bookstore:

Bosworth, Mary. (2009) *Explaining U.S. Imprisonment*. Sage Publications.

Koulish, Robert. (2009) *Immigration and American Democracy*. Routledge.

Simon, Jonathan. (2007) *Governing Through Crime*. Oxford University Press.

Wittes, Benjamin (2010) *Detention and Denial*. Brookings Institute Press.

Grading Summary:

Preparation and participation	10%
Tests	15% each x 2
Final Exam	25%
Research Paper	30%
Reflection Essays	5%

Participation: It is critical that students come to class having done the reading assigned for that day. Students are expected to arrive for each class with interactive reading notes and one to two discussion questions based on the reading. Participation includes active listening, critical questions, as well as analysis of course material. I will record a participation grade for students after class on a 4 point scale. I will also occasionally ask people to share material from their reading notes or their discussion questions.

0: Absent

1: Was present. Listened attentively and did not disrupt the class.

2: Was present. Contributed, however did not indicate thorough preparation for that day. Course material was not engaged. Reading notes or discussion questions were not prepared.

3: Was present. Contributed and critically engaged the course material. Demonstrated thorough preparation for that day, both with reading and forethought.

4: Was present. Contributed and critically engaged the course material, *as well as other students' comments*. Demonstrated thorough preparation for that day, both with reading and forethought. *Remained engaged throughout the entire class period.*

Two absences will be excused. The student will simply receive no participation grade for that day. After that, absences for any reason will be averaged into your participation grade.

Occasionally, a student may receive a 5 on the four point scale for going above and beyond and being a real leader, moving the class forward in a new direction.

Please feel free to ask to see your participation grade at any point throughout the term.

Tests/Final exam: You will have two open book tests, and an open book final. The tests will consist of a combination of short answer questions and an essay. The final exam will be the same basic format as the previous tests. We will discuss the logistics of an open book exam in class.

Research Paper: You have the chance to explore a research topic that interests you related to the politics of detention. The final paper will be approximately 15-20 pages in length. An assignment sheet describing this project, as well as intermediate due dates for a research proposal and a draft, is attached to the back of this syllabus.

Reflection Essays: There will be three class experiences for which I will ask you to write reflection essays. The first experience will be an in class presentation about the local immigration detention center, the second will be participation in an October 6th conference on campus titled “Race, Education and Criminal Justice,” and the third will be a visit to a prison facility. The field trip and the conference while taking place outside of class hours are part of the course expectations. If you have a conflict with the field trip or the conference please let me know as soon as possible, and at least two weeks in advance. In cases of conflicts alternate assignments will be given that address a similar set of questions.

Reflection essays are due the class immediately following the experience and should address how the experience addresses course material. What does the experience illuminate about the questions or the readings? What questions do the experience raise that we haven’t been addressing? You should engage in a close reading of these experiences as you would a text. You are to analyze the “authors,” the content, the form, etc. You should gather observations from all the experiences using visual, written materials, words spoken, etc and then analyze those observations. None of these experiences, including the talks should be considered merely a place to get questions answered. You should not passively record what you’ve heard or been told. The analysis and reflection, and therefore the worth of these experiences, comes from you. The degree to which you are able to draw insights is not about what you are “given” by presenters but how you approach your experience and how you reflect on the events and analyze your observations.

Course Schedule

(This schedule will serve as a guideline for the course. It is open to change at any moment. Any changes will be announced in class. If a student misses a class, it is the students' obligation to find out if there are changes.)

Section	Topic	Date	Reading
Introduction		August 28 th	
	Political Theory and Detention	August 30	Locke (Chapter II sections 7-13; "Of Political and Civil Society") Bentham Chapters I, III, IV Corrado
Political Development	Criminal justice	September 4 th	Bosworth Introduction, chapters 1,2 and 4
		September 6 th	Bosworth chapters 5-7
	Immigration Detention	September 11 th	Golash-Boza Silverman
		September 13 th	Welch: Chapter 1 and 2 Miller "Lessons Learned, Lessons Lost"
	War on Terror	September 18 st	Greenberg
		September 20 th	Wittes chapters 1 and 2
	Comparison	September 25th	Bosworth: chapter 8; Miller, 2005, "Blurring the Boundaries Between Immigration and Crime Control After September 11 th "
		September 27th	Test
Public Opinion		October 2nd	Tonry; Pratt; Schuck;
Race and Gender		October 4th	Loury; Chesney-Lind; Diaz-Cotto; Simon Chapter 7
Institutions and the balance of power	Immigration Detention	October 9 nd	Koulisch: Introduction –chapter 4
		October 11 th	Cox and Rodriguez; Koulisch Chapter 5, 7, 9 Optional: Legomsky

	Criminal Justice	October 18 th	Simon: Introduction – chapter 4
		October 23 th	Simon: Chapters 5,6 and 9 <i>Research Proposals Due</i>
	War on Terror	October 25th	Weinberger chapter 5; update on court cases since handout; Chapter 5 from Law and the Long War
		October 30th	Wittes chapter 3-conclusion
	Comparison	November 1 st	Test
Inside Detention Facilities: Conditions, Governance and Oversight	Conditions and Oversight	November 6th	Excerpts from Gulag. Chapters 3 and 4 of “Lost in Detention” (video) Greifinger “Inmates as Sentinels”
		November 8 th	Neely; “Undisclosed U.S. Detention Sites Overseas: Background and Legal Issues” CRS Gulag Chapter 3 Deitch
	Culture on the Inside	November 13 th	Welch, “Guantanamo Bay as Foucauldian Discourse”; Philips “Cultural Construction of Manhood”; Tracy “Construction of Correction Officers” Optional recommended reading: Farkas “A Typology of Correctional Officers”
		November 15st	Paper drafts due
	Privatization	November 20th	Culp; Feely; Barry
Consequences of Detention	Criminal Justice	November 27th	Braman; Clear; Hagan and Dinovitzer
	Immigration and War on Terror	November 29 th	(selections from) Guantanamo effect; “Sleep Walker” http://bostonreview.net/BR34.2/mikhail.php
Comparisons and Conclusions		December 4	Papers due