

YORK UNIVERSITY
DEPARTMENT OF SOCIAL SCIENCE
ADVANCED HONOURS SEMINAR IN CRIMINOLOGY
2010/11

AP/SOSC 4650"E" - Gender and Crime

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Office Hours: Thursdays 10-11:30 or by appointment

Course Description:

This course examines the relationship between gender, crime and the criminal justice system. Drawing on feminist historical, criminological and socio-legal scholarship, the course examines the ways in which gender affects patterns of offending, victimization, and imprisonment. We will critically engage with the intersections between gender, race, class and sexuality and analyze the ways that these affect the treatment of women inside and outside the criminal justice system. Particular attention will be paid to the links between inequality and criminalization. Topics of exploration include violence, prostitution, drugs, gangs, prison and criminal justice reform. Students are expected to have a familiarity with the workings of the criminal justice system.

Required Texts (available at the York bookstore or on reserve at Scott Library):

- 1) Balfour, Gillian and Elizabeth Comack, eds., *Criminalizing Women* (Fernwood, 2006)
- 2) Comack, Elizabeth and Gillian Balfour. *The Power to Criminalize: Violence, Inequality and the Law* (Fernwood, 2004)
- 3) Demerson, Velma, *Incorrigible* (Wilfrid Laurier Press, 2004)
- 4) deVries, Maggie, *Missing Sarah* (Penguin Canada, 2003)
- 5) Glasbeek, Amanda, ed., *Sosc 4650E Course Package* (Canadian Scholars Press, 2010)

Summary of Assignments and Evaluation:

<u>Assignment</u>	<u>Weight</u>	<u>Due</u>
Attendance/Participation	20%	all year
Seminar Presentation	15%	TBA
Analytic Papers (3 x 10%)	30%	Oct 27, Nov 17, Dec 8
Essay Proposal	10%	February 16
Research Essay	25%	March30

AS/SOSC 4650"E" - Gender and Crime Course Assignments and Evaluation

Seminar Participation – 20%

Given that this is a seminar course, its success is greatly dependent upon everyone's regular attendance and meaningful participation in the weekly seminars. At a minimum, students are expected to come to class on time, and to stay for the entire seminar. However, your grade will be based upon your *participation*, not just attendance. It is not enough to share your personal opinions; students are expected to contribute *informed* opinions, based on a critical reading and evaluation of the weekly readings and course themes. Your grade will be based on the *quality* of your contribution to the seminar.

To facilitate class discussion, students must complete the ***critical reading templates*** (provided in class and on the course webpage). You must hand in 5 (five) of these per term (only one per week), and they will be counted toward 10% of your overall seminar grade. If you do not hand in *all 10*, you will receive a zero out of 10 for this portion of the grade. You may *not* complete a reading template for the week for which you are responsible for the seminar presentation.

Analytic Papers - 30% (10% each)

A set of questions will be distributed in the seminars, one week in advance of the due date (see course outline). Students will hand in a 3-5 page paper that answers one of the sets of questions in a critical and informed manner. The course readings and seminar discussions should provide you with all the material necessary to think through and engage with the questions. Outside resources must not be used. Proper referencing is required for all citations.

Analytic papers will be graded for your critical engagement with the questions, your use of the course material, your application of concepts, theories, and data from the readings, and your clarity of thought. It is expected that your approach will become cumulative over the course of the term, and that you will be able to reference earlier materials from the course as, or if, these are useful to your analysis. There are no specific, or right, answers to the questions, and descriptive answers will receive a low grade. Instead, thoughtful integration of relevant information, concepts, and/or insights drawn from the course material is expected.

Clarity of writing, grammar, spelling, and proper referencing will also count in your grade.

Length: 3-5 pages (not including title page and bibliography). Answers to be typed, double spaced, 1" margins, 12 pt font.

Late papers will be penalized by 5% per day (including weekends), and may not receive comments.

Seminar Presentation - 15%

In groups of 2 or 3, students will lead a seminar on the weekly readings. Seminar presentations should be approximately one hour in length. The presentation consists of 3 parts:

1. Seminar Questions (due one week before the presentation)

Distribute to the class 2-3 questions on the readings, designed to stimulate and guide class discussion. These questions should form the thematic base for your presentation. Questions should be directive, but open ended and probative, to elicit critical thinking and debate. They should not be simple yes/no questions, but you should also avoid complicated, multi-part questions. Instead, they should capture the themes or concepts you wish to engage with during the presentation. They should be designed as “clues” to help the class prepare properly for your presentation.

2. The Presentation

This is not a traditional, “stand at the front of the class and talk” presentation on an assigned topic or set of readings. Instead, you should focus on encouraging, engaging and guiding the class in discussing the readings and the issues that arise from them. As a presenter, you should think about how to generate a discussion of the issues in your seminar. This means that you should try and link the concepts in the readings to other course themes or topics, and/or to practical social issues. You may include outside materials - videos, newspaper articles, news documents, etc. - in your presentation if you choose, although you are not required to do so. (Students are responsible for ensuring that any necessary equipment is available for the presentation.)

On the day of your seminar, you can begin with a brief summary of the readings that identifies the main point(s) and argument(s) in your own words. This should be spoken (not read from a prepared text) and should take no longer than 5 minutes. It is then your primary responsibility to guide the seminar discussion in critical ways. This includes generating responses to your advance questions and any follow up questions that may arise, and using other creative and thoughtful strategies that may include: calling on participants to give their thoughts about a discussion question or issue; administering individual or group exercises; introducing additional media (e.g. internet, relevant newspaper accounts, movie clips, etc) that foster discussion around core themes and/or concepts, etc. You are also responsible for managing the time, bringing discussion of a particular question or issue to a close in order to move on to another question or issue; and ensuring that the discussion stays focused, relevant and on track.

Your grade will be based on: your demonstrated knowledge of your readings/topic; your ability to generate a meaningful discussion of key themes and issues; your organizational skills (keeping the presentation focused and within the time constraints); your creativity in overall presentation. Presentations that spend more time describing the individual articles than analyzing and generating discussion about the themes or concepts arising from the collective readings will receive a poor grade.

A general grading scheme/guide will be made available in class.

3. One Page Summary (due the date of the presentation)

Distribute to the class a *one-page* (one side only) critical summary that provides an overview of the chief themes and conclusions from your presentation.

Overall, there should be a synergy between each of these aspects of the presentation that contributes to a broader and informed debate about the course themes and debates.

Presentation groups will be organized on a first-come, first serve basis. All members of a group are expected to contribute equally to the presentation, including the oral delivery. All members of the group will receive the same grade, unless there are substantive reasons not to do so.

Students are required to consult with me about the presentation well in advance of the seminar.

Major Research Essay.

The major research essay has 3 components: a proposal, an oral presentation, and the final paper.

Essay Proposal - due February 16 - 10%

In this research proposal, you will identify your topic, situate it in the literature (current debates, new areas of inquiry, etc.), and consider the contribution such a research inquiry can make to the advancement of the field. A formal, written proposal, approximately 2 to 4 pages in length, with a bibliography of no less than three (3) outside (non-course) sources and three (3) course materials, will be handed in for grading and comment. These proposals, with my comments, must be handed in with the final essay. Failure to hand in the *original* proposal will result in an automatic 5% deduction from your final essay grade.

Research Presentation

Students will present their research projects in the last two classes of the course (March 16, 23). Each student will have approximately 10-12 minutes to discuss their research question, their findings, and their (tentative) conclusions. There is no formal grade for this assignment, but failure to present your project well on the assigned date will result in an automatic 5% deduction from your final essay grade.

Essay - due March 30 - 25%

Students will conduct a major research paper on an approved topic in gender and crime. The essay will be approximately 15 pages (typed, double spaced, 12 point font, 1" margins). Late papers will be penalized by 5% per day (including weekends), and may not receive comments.

Further details about these steps and the major research essay will be discussed in class.

General Course Notes

Late Policy

It is expected that you will hand in all assignments on the specified due date, unless arrangements have been made with your seminar leader at least 1 (one) week before the due date. If no arrangements are made, late papers will be penalized by 5% per day (including weekends), and may not receive comments. Papers more than 10 days late may not be accepted. You are responsible for ensuring that your assignments are handed in on time. If you are handing in a late paper, you are responsible for ensuring that I receive it. I will date the paper the day I *receive* it, not the date you hand it in (if these are different).

Written assignments are due in at the beginning of class. Electronic submissions will not be accepted.

Final Grade

Final course grades may be adjusted to conform to Program or Faculty grades distribution profiles.

Academic Misconduct

Academic integrity is vital to the well-being of the university community, and York University takes academic misconduct very seriously. Academic misconduct includes plagiarism, which involves presenting the words and ideas of another person as if they were your own, and other forms of cheating, such as buying papers, handing in the same assignment to more than one class, and so on. The penalties for academic misconduct can be very severe. Students are strongly encouraged to familiarize themselves with the full definition of, procedures related to, and penalties for Academic Misconduct. See: <http://www.yorku.ca/univsec/policies/>

For student resources and/or more information on definitions of, and how to avoid, academic misconduct, see: <http://www.yorku.ca/academicintegrity/students/index.htm> . Students are also reminded that the **Centre for Academic Writing** (<http://www.arts.yorku.ca/caw/>) offers writing support. The Centre is located at S329 Ross; phone: 416-736-5134.

For your own protection, make 2 copies of your assignments, one to hand in and one for your own records. You may also be asked to produce your research notes: keep these until your assignment is graded and returned.

GENDER AND CRIME SEMINAR AND READING SCHEDULE

Sept 15 **Introduction to Course/Getting Organized**

INTRODUCTION: WHY GENDER MATTERS

Sept 22 **Mad, Bad and Sad: Women, Crime and Criminology**

Elizabeth Comack, "Introduction (to Part II)," (pp 58-78) *Criminalizing Women*

David Horn, "This Norm Which Is Not One: Reading the Female Body in Lombroso's Anthropology," in Jennifer Terry and Jacqueline Urla eds., *Deviant Bodies* (Indiana University Press, 1995):109-128

Discussion Questions: In what way, if any, is crime gendered? In what way, if any, does gender matter to criminology? How did it matter to Lombroso and what effect has that had on the development of criminology as a discipline?

Sept 29 **Myths and (Mis)Representations: Populist Accounts of Women and Crime**

Meda Chesney-Lind and Michele Eliason, "From invisible to incorrigible: The demonization of marginalized women and girls," 2 *Crime, Media, Culture* (2006):29-47

Sheila Batacharya, "Racism, 'Girl Violence,' and the Murder of Reena Virk," in Christine Adler and Anne Worrall, eds., *Girls' Violence: Myths and Realities* (NY: SUNY Press, 2004):61-80

Anna Clark, "Jail Bait: Rethinking images of incarcerated women," 27 *Bitch* (Winter, 2005): 36

Discussion Questions: What is the masculinization thesis and how does it link to race and sexuality? Who is a "bad girl"? How if at all, do you think these images affect criminological treatments of women's crime? Do these types of representation tell us more about gender or crime?

Oct 6 Historical Contexts: Gender, Crime and “Disorder”

Joanne Minaker, “Sluts and Slags: The Censuring of the Erring Female,” (pp. 79-94) *Criminalizing Women* (chapter 2)

Velma Demerson, *Incorrigible* (Wilfrid Laurier Press, 2004)

Discussion Questions: *What is the Female Refuges Act and how is it an example of “censuring”? How did race, class, gender, sexuality and the criminal law intersect to produce Velma Demerson (and others) as “criminal”? What can this teach us about the relationship between these factors and the definition of crime and disorder?*

October 13 READING WEEK

THEORETICAL ORIENTATIONS

Oct 20 Masculinities, Femininities and Crime

Karen Dubinsky and Adam Givertz, “‘It was only a matter of passion’: Masculinity and Sexual Danger,” in K.McPherson, C. Morgan and N. Forestell, eds., *Gendered Pasts: Historical Essays in Femininity and Masculinity in Canada* (Oxford University Press, 1999):65-79

James Messerschmidt, “Structured Action Theory,” *Flesh and Blood: Adolescent Gender Diversity and Violence* (Rowman and Littlefield, 2004): 35-50

Christopher O’Connor and Katharine Kelly, “Auto Theft and Youth Culture: A Nexus of Masculinities, Femininities and Car Culture,” 9 (3) *Journal of Youth Studies* (2006):247-267

Discussion Questions: *What does it mean to “do gender”? How is this linked to race, sexuality, and class? How is criminality implicated in “accomplishing gender”? Do you agree that crime is a way of constituting or achieving gender? Why/why not?*

Oct 27 Feminists Theorize Criminology

Elizabeth Comack, “The Feminist Engagement with Criminology,” (pp 22-54) *Criminalizing Women* (Chapter 1)

Amanda Burgess-Proctor, “Intersections of Race, Class, Gender, and Crime: Future Directions for Feminist Criminology,” 1 (1) *Feminist Criminology* (2006):27-47

Discussion Questions: *What is a feminist epistemology? In your own words, explain intersectionality theory. What is the relationship between power, oppression and privilege in intersectional theory? Apply this theory to Velma Demerson’s story.*

*****Analytic Paper #1 DUE*****

Nov 3 Feminists Theorize the Law

Carol Smart, "The Power of Law," *Feminism and the Power of Law* (Routledge, 1989): 4-25

Comack and Balfour, *The Power to Criminalize*, Chapters 1 and 2 (pp 9-49)

Discussion Questions: How is the law itself "gendered"? What role do agents of the law play and how is gender "accomplished" through criminal processes? Is this a matter of "bias" and lack of education? What does Smart mean by "the power of law" and how might her analysis help answer the question of why and how criminal law is gendered?

Nov 10 Fear and Risk: Constituting Gender Through Crime

***** Presentations Begin *****

Rachel Pain, "Gender, Race, Age and Fear in the City," 38 *Urban Studies* (2001):899-913

Kristen Day, "Being feared: masculinity and race in public space," 38 *Environment and Planning A* (2006):569-586

Dawn Moore and Mariana Valverde, "Party Girls and Predators: 'Date Rape Drugs' and Chronotypes of Gendered Risk," in Deborah Brock, ed., *Making Normal: Social Regulation in Canada* (Toronto: Thomson Nelson, 2003):306-328

GENDER, VIOLENCE AND CRIMINALIZATION

Nov 17 Situating Violence in Women's Lives

Comack and Balfour, *The Power to Criminalize* Chapters 3 & 4 (pp 50-99)

Excerpt (pp 23-26) from Amnesty International *Stolen Sisters* (2004) (for full report, go to: <http://www.amnesty.ca/stolensisters/amr2000304.pdf>)

Sherene Razack, "Gendered Racial Violence and Spatialized Justice: The Murder of Pamela George," in S. Razack, ed., *Race, Space and the Law: Unmapping a White Settler Society* (Toronto: Between the Lines, 2002):121-156

*****Analytic Paper #2 DUE*****

Nov 24 Gender, Violence and the CJS

Comack and Balfour, *The Power to Criminalize* Chapters 5 & 6 (pp 110-172)

Lise Gotell, "The Discursive Disappearance of Sexualized Violence: Feminist Law Reform, Judicial Resistance, and Neo-Liberal Sexual Citizenship" in Dorothy Chunn, Susan boyd and Hester Lessard, eds., *Reaction and Resistance: Feminism, Law, and Social Change* (UBC Press, 2007):127-163

Dec 1 Violence, Madness and Medicalization

Robert Menzies and Dorothy E. Chunn, "The Making of the Black Widow: The Criminal and Psychiatric Control of Women," (pp 174-194) *Criminalizing Women* (Chapter 6)

Kimberley White-Mair, "Experts and Ordinary Men: Locating *R. v. Lavalee*, Battered Woman Syndrom, and the "New" Psychiatric Expertise on Women within Canadian Legal History," 12 *Canadian Journal of Women and the Law* (2000):406-438

Shoshanna Pollack, "Therapeutic Programming as a Regulatory Practice in Women's Prisons," (pp 236-249), *Criminalizing Women* (Chapter 9)

Dec 8 *Analytic Paper #3 DUE*****

DECEMBER BREAK – HAPPY HOLIDAYS

GENDER AND 'MORALS' OFFENCES

Jan 5 Prostitution: Criminalizing Sex

*****No Presentation this week*****

Leslie Ann Jeffrey, "Prostitution as public nuisance: prostitution policy in Canada," in Joyce Outshoorn, ed., *The Politics of Prostitution: Women's Movements, Democratic States and the Globalisation of Sex Commerce* (Cambridge University Press, 2004):83-102

Maggie de Vries, *Missing Sarah* (Penguin Canada, 2003)

Discussion Questions: Using concepts from the course to date (e.g. race, space, criminalization) and drawing on intersectional theory, contextualize the life and death of Sarah de Vries.

Jan 12 Thinking Critically about Prostitution

Chris Bruckert and Colette Parent, "The In-Call Sex Industry: Classed and Gendered Labour on the Margins," (pp 95-112) *Criminalizing Women* (Chapter 3)

Steven Brittle, "From Villain to Victim: Secure Care and Young Women in Prostitution," (pp 195-216) *Criminalizing Women* (Chapter 7)

Emily van der Meulen and Elya Durisin, "Why Decriminalize? How Canada's Municipal and Federal Regulations Increase Sex Workers' Vulnerability," 20 (2) *Canadian Journal of Women and the Law* (2008):289-311

Jan 19 Thinking Critically about the "Traffic in Women"

Alison Murray, "Debt Bondage and Trafficking: Don't believe the hype," in K. Kempadoo and J. Doezema, eds., *Global Sex Workers: Rights, Resistance and Redefinition* (Routledge: 1998):51-64

Rutvica Andrijasevic, "The Difference Borders Make: (Il)legality, migration and trafficking in Italy among Eastern European women in prostitution," in S. Ahmed, C. Castaneda, A. Fortier, M. Sheller, eds, *Uprootings/Regroundings: Questions of home and migration* (Berg, 2003):251-271

Kamala Kempadoo, "Victims and Agents of Crime: The New Crusade Against Trafficking," in J. Sudbury, ed., *Global Lockdown: Race, Gender and the Prison-Industrial Complex* (Routledge, 2005):35-55

Jan 26 Women, Drugs and Crime

Dianne Martin, "Casualties of the Criminal Justice System: Women and Justice under the War on Drugs," 6 *Canadian Journal of Women and the Law* (1993):305-327

Susan C. Boyd, "Representations of Women in the Drug Trade," (pp 131-151) *Criminalizing Women* (Chapter 5)

Enid Logan, "The wrong race, committing crime, doing drugs, and maladjusted for motherhood: the nation's fury over 'crack babies'," 26, 1 *Social Justice* (Spring 1999):115-130

IMPRISONING WOMEN

Feb 2 The History of Women and Prisons

Kelly Hannah-Moffat, "Mother Knows Best: The Development of Separate Institutions for

Women,” *Punishment in Disguise: Penal Governance and Federal Imprisonment of Women in Canada* (Toronto: University of Toronto Press, 2001):45-70

Joan Sangster, “Reforming Women’s Reformatories: Elizabeth Fry, Penal Reform, and the State, 1950-1970,” 85, 2 *Canadian Historical Review* (June 2004):227-252

Feb 9 Women in Prisons: Critical Issues (1)

Gillian Balfour, “Introduction (to Part III),” (pp 154-173) *Criminalizing Women*

Kelly Hannah-Moffat, “Empowering Risk: The Nature of Gender-Responsive Strategies,” (pp 250-266) *Criminalizing Women* (Chapter 10)

Patricia Monture-Angus, “Women and Risk: Aboriginal Women, Colonialism, and Correctional Practice,” 19 (1 & 2) *Canadian Woman Studies* (Spring/Summer 1999):24-29

Yvonne Johnson, “Lifer’s Thoughts,” (pp 282-285), *Criminalizing Women* (Chapter 12)

Feb 16 Women in Prisons: Critical Issues (2)

Gillian Balfour, “Introduction (to Part IV),” (pp 288-301), *Criminalizing Women*

Julia Sudbury, “Celling Black Bodies: Black Women in the Global Industrial Complex,” 80 *Feminist Review* (2005):162-179

Lisa Neve and Kim Pate, “Challenging the Criminalization of Women Who Resist,” in Julia Sudbury, ed., *Global Lockdown: Race, Gender and the Prison-Industrial Complex* (Routledge, 2005: 19-33

Gayle Horii, Debra Parkes, and Kim Pate, “Are Women’s Rights Worth the Paper They’re Written On? Collaborating to Enforce the Human Rights of Criminalized Women,” (pp 302-322), *Criminalizing Women* (Chapter 13

*****Essay Proposal DUE*****

Feb 23

READING WEEK

CONCLUSIONS

Mar 3 Can Women Make a Difference? Women as Legal Professionals

Susan Miller, "The tangled web of feminism and community policing," in S. Miller, ed., *Crime Control and Women: Feminist Implications of Criminal Justice Policy* (Sage Publications, 1998):95-112

Mary Jane Mossman, "Defining Moments of Women as Lawyers: Reflections on Numerical Gender Equality," 17 (1) *Canadian Journal of Women and the Law* (2005):15-25

Constance Backhouse, "The chilly climate for women judges: Reflections on the backlash from the *Ewanchuk* case," 15 (1) *Canadian Journal of Women and the Law* (2003):167-193

Mar 10 Feminism and Criminology: Reprise

No Presentations this week

Comack and Balfour, *The Power to Criminalize*, Chapter 7 (pp173-178)

Gillian Balfour, "Re-imagining a feminist criminology," 48 (5) *Canadian Journal of Criminology and Criminal Justice* (2006):735-752

Laureen Snider, "Making Change in Neo-Liberal Times," (pp 323-342), *Criminalizing Women* (Chapter 14)

Betsy Stanko, "From academia to policy making: changing police responses to violence against women," 11 (2) *Theoretical Criminology* (2007):209-219

Discussion Questions: Assess the strengths and weaknesses of feminist criminology: do you agree that it needs to be more politically engaged and accessible? What might that look like? In university curricula, textbooks, etc? In policy making? In practice (law, media, everyday knowledges, etc.)? Can criminal law be a site of struggle and change-making? If so, how? If not, why not?

RESEARCH IN GENDER AND CRIME

Mar 16 Research Presentations

Mar 23 Research Presentations

Mar 30 ESSAYS DUE