

Graduate Program in Sociology
Comprehensive Exam Reading List
Socio-Legal Studies, Criminalization, Justice

March 1, 2023

Key Words: Socio-Legal Studies; Justice; Criminalization; Policing; Surveillance, Technology, Racialization; Gender; Sexuality; Visuality; Carcerality; Abolition.

Pedagogical Objectives

To help prepare students to teach and conduct research in the areas of socio-legal studies, criminalization, and justice.

Five sections of the reading list cover:

- Theoretical, historical, and formative critiques in socio-legal studies, criminalization, and justice.
- Scholarship exploring criminalization, carcerality, racialization, gender, sexuality;
- Scholarship on policing, punishment, and state violence.
- Scholarship exploring surveillance, visuality, risk, and technology.
- Scholarship on abolition.
- Readings that address anti-racist, critical race, Indigenous; postcolonial, feminist, and queer critiques.
- Readings exploring ethical issues involved in research in socio-legal studies, criminalization, justice and reflection on different modes of knowledge production.

Instructions to Students

This reading list has been designed in such a way that balances required readings with readings chosen by the student. When composing your readings list, please consider the following guidelines:

1. The minimum number of readings required in each section of this reading list.
2. Readings chosen by the student that do not appear on this list may be included in consultation with their comprehensive exam committee (up to a maximum of 25% of your final reading list).
3. With the agreement of their comprehensive committee, students may substitute works by the same author in place of books by that author currently on the list (e.g., substitute a different work by Michel Foucault to the books now listed).

In total, you should create a reading list consisting of the equivalent of 25 medium-sized books (5 journal articles or chapters = 1 medium-sized book). Students may choose individual chapters from any of the edited collections included in this reading list.

Reading List

1. Law, Power, Injustice

**Students must choose at least three readings from this section.*

Anghie, Antony. "Francisco de Vitoria and the Colonial Origins of International Law." *Social and Legal Studies* 5, 3 (1996): 321-336

Backhouse, C. (1999). *Colour Coded: A Legal History of Racism in Canada 1900-1950*. Toronto: University of Toronto Press.

Blomley, N., Delaney, D. & Ford, R.T. (eds.) (2002). *The legal geographies reader*. Oxford:Blackwell Publisher.

Blomley, N. (2003). Law, property and the geography of violence: The frontier, the survey, and the grid. *Annals of the Association of American Geographers* 93(1): 121-141.

Cacho, Lisa Marie. *Social Death: Racialized Rightlessness and the Criminalization of the Unprotected*. New York: New York Press, 2012.

Calavita, Kitty. (2016). *Invitation to law & society. An introduction to the study of real law* (2nd ed.). Chicago: University of Chicago Press.

Chambliss, William (1975) "Toward a Political Economy of Crime". *Theory and Society* 2:149-170.

Chua L.J., & Engel, D. (2019). Legal consciousness reconsidered. *Annual Review of Law and Social Science*, 15, 335-353.

Chunn, Dorothy and Shelley Gavigan (2004) "Welfare Law, Welfare Fraud, and the Moral Regulation of the 'Never Deserving' Poor" *Social and Legal Studies*. 13(2): 219-243.

- Cohen, Stanley (1980) *Folk Devils and Moral Panics: The Creation of the Mods and Rockers*. Oxford: M. Robertson.
- Cohen, Stanley (1985) *Visions of Social Control: Crime, Punishment, and Classification*. Cambridge: Polity Press.
- Collier, J. F., Maurer, B., & Suarez-Navaz, L. (1995). Sanctioned identities: Legal constructions of modern personhood. *Identities*, 2(1-2), 1-27.
- Cotterell, R. (2004). Law in Social Theory and Social Theory in the Study of Law. In Austin Sarat (ed.) *The Blackwell Companion to Law and Society* (pp. 15-27). Blackwell Publishing.
- Cover, Robert M. "Violence and the Word." *Yale Law Journal* 95, 8 (1986), p. 1601-1629.
- Crenshaw, K.W., Gotanda, N., Peller, G., & Thomas, K. (1995). *Critical race theory: The key writings that formed the movement*. New York: The New Press.
- Darian-Smith, E. (1996). Postcolonialism: A brief introduction. *Social & Legal Studies*, 5(3), 291- 300.
- Darian-Smith, E., & Fitzpatrick, P. (1999). *Laws of the postcolonial*. University of Michigan Press.
- Dayan, Colin. *The Law is a White Dog: How Legal Rituals Make and Unmake Persons*. New Jersey: Princeton University Press, 2011
- Derrida, Jacques. *The Force of Law: The Mystical Foundations of Authority*. In Drucilla Cornell, Michel Rosenfeld & David Carlson (eds.), *Deconstruction and the Possibility of Justice*. Routledge (1992)
- Douzinas, Costas (2013) "The Paradoxes of Human Rights" *Constellations* 20 (1), pp. 51-67
- Ewick, P. & Silbey, S. (1998). *The common place of law: Stories from everyday life*. Chicago and London: University of Chicago Press.
- Foucault, Michel (1977) [2009] *Security, Territory, Population: Lectures at the College de France 1977-1978*. New York: Palgrave Macmillan

- Foucault, M., & Gordon, C. (1980). *Power-knowledge: Selected interviews and other writings, 1972-1977*. Harvester Press.
- Foucault, M. (1991). Governmentality. In G. Burchell, C. Gordon, & P. Miller (eds.), *The Foucault effect: Studies in governmentality* (pp.87-104). Chicago: University of Chicago Press.
- Garland, David (1990). *Punishment and Modern Society: A Study in Social Theory*. Chicago: University of Chicago Press.
- Garland, David (1997). "'Governmentality' and the problem of crime: Foucault, criminology, Sociology." *Theoretical Criminology*. 1(2): 173-214.
- Garland, David (2001) *The Culture of Control: Crime and Social Order in Contemporary Society*. Chicago: University of Chicago Press.
- Gómez, L. (2010). Understanding law and race as mutually constitutive: an invitation to explore an emerging field. *Annual Review of Law and Social Science*, 6, 487-505.
- Goodale, Mark. *Reinventing Human Rights*. Stanford: Stanford University Press, 2022.
- Hall, Stuart et al. (1978) *Policing the Crisis: Mugging, the State, and Law and Order*. London: Macmillan.
- Haney-Lopez, I. (2006). *White by law: The legal construction of race*. New York University Press.
- Hirsch, S., & Lazarus-Black M. (1994). Introduction/performance and paradox: Exploring law's role in hegemony and resistance. In M. Lazarus-Black & S.F. Hirsch *Contested states: Law, hegemony and resistance* (pp. 1-34). Routledge.
- Hunt, Alan (1993) *Governing Morals: A Social History of Moral Regulation*. Cambridge: Cambridge University Press.
- Hunt, A. (1993). *Explorations in law and society: Towards a constitutive theory of law*. New York: Routledge.
- Mawani, Renisa. *Colonial Proximities: Cross-Racial Encounters and Juridical Truths in British Columbia, 1871-1921*. Vancouver: UBC Press: 2009.

- Mawani, R. (2015). Law in colonialism: Legacies and lineages. In A. Sarat & P. Ewick (eds.) *The Handbook of Law and Society* (pp. 417- 432). Wiley Blackwell
- Merry, Sally. (2000) *Colonizing Hawai'i: The Cultural Power of Law*. New Jersey: Princeton University Press.
- Mertz, E. (1994). Introduction: legal loci and places in the heart: Community and identity in sociolegal studies. *Law and Society Review*, 28(5), 971-992.
- Miller, Peter and Nikolas Rose (2008) *Governing the Present: Administering Economic, Social and Personal Life*. Cambridge: Polity.
- O'Malley, Pat and Mariana Valverde (2014) "Foucault, Criminal Law, and the Governmentalization of the State" In M.D. Dibber, ed., *Foundational Texts in Modern Criminal Law*. Oxford University Press, 317-333.
- Razack, S (Ed.). (2002). *Race, Space, and the law: Unmapping a white settler society between the lines*.
- Razack, S. (2022). *Nothing Has to Make Sense: Upholding White Supremacy through Anti-Muslim Racism*. University of Minnesota Press.
- Rose, N., & Valverde, M. (1998). Governed by law? *Social & Legal Studies*, 7, 541-551.
- Sarat, Austin. *The Blackwell Companion to Law and Society?*
- Seron, C., Coutin, S.B., & Meeusen, P.W. (2013). Is there a canon of law and society? *The Annual Review of Law and Social Science*, 9, 287- 306.
- Scott, D. (1995). "Colonial Governmentality." *Social Text*, 43: 191-220.
- Silbey, S.S. (2005). After legal consciousness. *Annual Review of Law and Social Science*, 1, 323– 368.
- Simon, Jonathan (2007) *Governing Through Crime: How the War on Crime Transformed Democracy and Created a Culture of Fear*. Oxford University Press.
- Walker, B. (2010). *Race on Trial: Black Defendants in Ontario's Criminal Courts, 1858-1958*. Toronto: University of Toronto Press.

Walker, Barrington. “ *The African Canadian Legal Odyssey: Historical Essays*. Toronto: Osgoode Society for Canadian Legal History. Toronto: University of Toronto Press, 2012.

Valverde, M. (2010). Specters of Foucault in law and society scholarship. *Annual Review of Law and Social Science*, 6(1), 45–59.

Valverde, M. (2015). *Chronotopes of law: Jurisdiction, scale and governance*. London: Routledge.

Valverde, M. (2003). *Law’s Dream of a Common Knowledge*. New Jersey: Princeton University Press.

2. Criminalization, Carcerality, Racialization, Gender, Sexuality

**Students must choose at least three readings from this section.*

Alexander, Michelle (2011). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New Press.

Balfour, Gillian and Elizabeth Comack eds. (2014) *Criminalizing Women: Gender and (In)Justice in Neo-Liberal Times*. Fernwood.

Bernstein, E. (2012). Carceral politics as gender justice? The ‘traffic in women’ and neoliberal circuits of crime, sex, and rights. *Theory and Society*, 41, 233-259.

Brock, D. (2009). *Making Work, Making Trouble: Prostitution as a Social Problem*. Toronto: University of Toronto Press.

Chesney-Lind, Meda (1997) *The Female Offender: Girls, Women, and Crime*. Thousand Oaks: Sage.

Chan, Wendy (2005) “Crime, deportation and the regulation of immigrants in Canada” *Crime, Law & Social Change* 44 (2): 153-180.

Comack, Elizabeth (2014) “The Feminist Engagement with Criminology” in G. Balfour and E. Comack (eds) *Criminalizing Women: Gender and (In)Justice in Neo-Liberal Times* (2nd edition). Fernwood, pp. 12-46.

Comack, Elizabeth (2012) *Racialized Policing: Aboriginal People’s Encounters with the Police*. Fernwood.

- Crenshaw, Kimberle (1991) "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color" *Stanford Law Review* 43 (6): 1241-1299.
- Comack, Elizabeth (Ed). 2014. *Locating Law: Race, Class, Gender, Sexuality Connections*. Fernwood Publishing. (Section II Racism and the law and Section IV Gender, Sexuality and the Law)
- Comack, Elizabeth and Gillian Balfour (2004) *The Power to Criminalize: Violence, Inequality, and the Law*. Halifax: Fernwood.
- Craig, E. *Troubling Sex: Towards a Legal Theory of Sexual Integrity*. Vancouver: UBC Press.
- Daly, Kathleen and Meda Chesney-Lind (1988) "Feminism and Criminology" *Justice Quarterly* 5(4): 497-538.
- Da Silva, D. Ferreira. (2001). "Towards a critique of the socio-logos of Justice: The Analytics of Raciality and the Production of Universality" in *Social Identities*, Vol7, No3.
- Horn, David (2003). *The Criminal Body: Lombroso and the Anatomy of Deviance*. New York: Routledge.
- Jalava, Jarkko et al. (2015) *The Myth of the Born Criminal: Psychopathy, Neurobiology, and the Creation of the Modern Degenerate*. Toronto: University of Toronto Press.
- Jiwani, Yasmin. 2001. "The Criminalization of race/the Racialization of Crime" in Chan, W. and K. Mirchandani, *Crimes of Colour: Racialization and the Criminal Justice System in Canada*. University of Toronto Press.
- Khan, U. *Vicarious kinks: S/M in the socio-legal imaginary*. Toronto: University of Toronto Press, 2014.
- McGillivray, A., and Comaskey, B. (1999) *Black Eyes All of the Time: Intimate Violence, Aboriginal Women and the Justice System*. Toronto: University of Toronto Press.
- Merry, Sally. *The Seductions of Quantification: Measuring Human Rights, Gender, and Sex Trafficking*. Chicago: University of Chicago Press, 2016.

- Miller, Reuben Jonathan. *Halfway Home: Race, Punishment, and the Afterlife of Incarceration*. United States: Little Brown, 2021.
- Smart, Carol (1995) *Law, Crime, and Sexuality: Essays in Feminism*. London: Sage Publications.
- Stanko, Elizabeth (1995) "Women, Crime, and Fear" *The Annals of the American Academy*. 539: 46-57.
- Wacquant, L. J. D. (2002). "From Slavery to Mass Incarceration: Rethinking the 'Race Question' in the US". *New Left Review*, 13: 41-60.
- Muhammad, Khalil (2010) *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America*. Cambridge, MA: Harvard University Press.
- Murdocca, C. (2004). The Racial Profile: Governing Race through Knowledge Production. *Canadian Journal of Law and Society*, 19(2), pp. 153-170.
- Murdocca C. (2013). *To Right Historical Wrongs: Race, Gender, and Sentencing in Canada*. Vancouver: UBC Press.
- Potter, Hillary (2013) "Intersectional Criminology: Interrogating Identity and Power in Criminological Research and Theory" *Critical Criminology*. 21: 305-318.
- Rafter, Nicole Hahn & Mary Gibson (eds). *Criminal Woman, the Prostitute, and the Normal Woman: Cesare Lombroso and Guglielmo Ferraro*
- Rafter, Nicole (1997) "Psychopathy and the Evolution of Criminological Knowledge" *Theoretical Criminology*. 1(2): 235-259.
- Rafter, Nicole (2008) *The Criminal Brain: Understanding Biological Theories of Crime*. New York: New York University Press.
- Razack, Sherene (1995). "Domestic Violence as Gender Persecution: Policing the Borders of Nation, Race and Gender." *Canadian Journal of Women and the Law*. 8: 45-88.
- Sharpe, Andrew. 1998. "Institutionalizing Heterosexuality: The Legal Exclusion of 'Impossible' (Trans)sexualities" in *Legal Queeries: Lesbian, Gay and Transgender Legal Studies*, (ed) Leslie Moran, Daniel Monk, and Sarah Beresford. London: Cassell, 26-41

Spade, Dean. 2011. *Normal Life: Administrative Violence, Critical Trans Politics and the Limits of Law* (Duke University Press).

Williams, T. (2009) "Intersectionality Analysis in the Sentencing of Aboriginal Women in Canada: What Difference Does it Make?" In Grabham, Emily, Davina Cooper, Jane Krishnadas and Didi Herman (Eds) *Intersectionality and Beyond: Law, Power, and the Politics of Location*. New York: Routledge, pp. 79-104.

Valverde, M. (2008). "Racial Purity, Sexual Purity, and Immigration Policy," in *The Age of Light, Soap and Water: Moral reform in English Canada 1885-1925*. McClelland and Stewart. 104-128.

Volpp, Leti. 2002. "The Citizen and the Terrorist" in *UCLA Law Review*: 1575-1600.

3. Policing, Punishment, State Violence

Students must choose at least two readings from this section.

Beckett, K. & Murakawa, N. (2012). Mapping the shadow carceral state: Towards an institutionally capacious approach to punishment. *Theoretical Criminology*, 16(2), 221-244.

Brodeur, J-P. (2010) *The Policing Web*. Oxford: Oxford University Press.

Crosby, A. and Monaghan, J. (2016). "Settler Colonialism and the Policing of Idle No More", *Social Justice* 43 (2), 37-057.

Ericson, Richard (1993) *Making Crime Count: A Study of Detective Work*. Toronto: University of Toronto Press.

Fassin, Didier (2013) *Enforcing Order: An Ethnography of Urban Policing*, Cambridge: Polity Press.

Fassin, D. (2017) *Writing the World of Policing: The Difference Ethnography Makes*. Chicago IL: University of Chicago Press.

Feeley, Malcolm and Simon, Jonathan (1992). "The New Penology: Notes on the Emerging Strategy for Corrections and Its Implications" *Criminology*. 30: 449-474.

Foucault, Michel (1977). *Discipline and Punish: Birth of the Prison*.

Razack, Sherene. *Dying from Improvement: Inquests and Inquiries into Indigenous Deaths in Custody*. Toronto: University of Toronto Press, 2015.

Hannah-Moffat, K. (2001). *Punishment in disguise*. Toronto: University of Toronto Press

Johnson, Devon et al. (2015) eds. *Deadly Injustice: Trayvon Martin, Race, and the Criminal Justice System*. New York University Press.

Johnston, Les (1992) *The Rebirth of Private Policing*. New York: Routledge.

Manning, Peter (1997) *Police Work: The Social Organization of Policing*. Long Grove: Waveland Press.

Maynard, Robyn (2017) *Policing Black Lives: State Violence in Canada from Slavery to the Present*. Toronto: Fernwood Publishing, p.83-116.

Reiner, Rob (2000) *The Politics of the Police*. (3rd Edition) Oxford: Oxford University Press.

Roach, Kent (2022) *Canadian Policing; Why and how it must change*, Toronto: Irwin Law Inc.

Wacquant, Loic (2009) *Punishing the Poor: The Neoliberal Government of Social Insecurity*. Duke University Press.

Vitale, A. S. (2017) *The End of Policing*. London: Verso

4. Visuality, Surveillance, Risk, Technology

**Students must choose at least two readings from this section.*

Albrechtstlund, A. (2008). "Online social networking as participatory surveillance", *First Monday* 13 (3).

Andrejevic, M. (2005). "The work of watching one another: lateral surveillance, risk, and governance," *Surveillance & Society* 2 (4), 479-497.

Bauman, Z and D. Lyon (2013) *Liquid Surveillance: A Conversation*. Cambridge: Polity

Beck, Ulrich (1992) *Risk Society: Towards a New Modernity*. Sage.

- Bennet Moses, L and Chan, J. (2018). "Algorithmic prediction in policing: assumptions, evaluation, and accountability", *Policing & Society* 28 (7), 806-822.
- Brown, Michelle. "Visual Criminology and Carceral Studies: Counter-Images in the Carceral Age." *Theoretical Criminology*, 18, 2 (2014):176-197.
- Browne, S. (2015). *Dark matters: On the surveillance of blackness*. Duke University Press.
- Castel, Robert (1991). "From Dangerousness to Risk" in Graham Burchell, Colin Gordon, and Peter Miller (eds.) *The Foucault Effect: Studies in Governmentality* (pp. 281-298). Chicago: University of Chicago Press.
- Chan, Janet (2001) "The Technological Game: How Information Technology is Transforming Police Practice" *Criminal Justice*, 1(2), 139-159.
- Cole, S. (2001) *Suspect Identities: A History of Fingerprinting and Criminal Identification*. Cambridge, MA: Harvard University Press.
- Coleman, Roy (2003). Images from a Neoliberal City: The State, Surveillance and Social Control. *Critical Criminology*, 12(1), 21-42.
- Douglas, Mary (1992) *Risk and Blame: Essays in Cultural Theory*. London: Routledge.
- Dubrofsky, R. and S. Magnet (eds) *Feminist surveillance studies* Duke University Press.
- Ericson, Richard and Haggerty, Kevin (1997) *Policing the Risk Society*. Toronto: University of Toronto Press.
- Finn, Jonathan (2009) *Capturing the Criminal Image: From Mug Shot to Surveillance Society*. Minneapolis: University of Minnesota Press.
- Goldsmith, A. (2010) "Policing's New Visibility" *British Journal of Criminology* 55 (5), 914-934.
- Haggerty, Kevin and Richard Ericson (2000) "The Surveillant Assemblage" *British Journal of Sociology*, 51(4): 605-622.
- Hannah-Moffat, Kelly (2005) "Criminogenic Needs and the Transformative Risk Subject" *Punishment and Society*, 7(1), 29-51.

- Harcourt, Bernard (2007) *Against Prediction: Profiling, Policing, and Punishing in an Actuarial Age*. Chicago: University of Chicago Press.
- Hayward, Keith and Mike Presdee (eds.) (2010) *Framing Crime: Cultural Criminology and the Image*. New York: Routledge.
- Hudson, Barbara (2003) *Justice in the Risk Society*. London: Sage.
- Lippert, R. and Wilkinson, B. (2010). "Capturing Crime, Criminals, and the Public Imagination: Assembling Crime Stoppers and CCTV Surveillance" *Crime, Media, Culture* 6 (2), 131-152
- Lynch, Michael (2008) *Truth Machine: The Contentious History of DNA Fingerprinting*. Chicago: University of Chicago Press.
- Lyon, D. (ed) *Surveillance as Social Sorting: Privacy, Risk and Digital Discrimination* (Routledge)
- Mann, S. and Ferenbok, J. (2013). "New Media and the Power Politics of Sousveillance in a Surveillance Dominated World" *Surveillance & Society* 11 (1/2):18-34
- Mathieson, T. (1997). "The viewer society: Michel Foucault's 'Panopticon' revisited" *Theoretical Criminology* 1 (2), 215-234.
- Maurutto, Paula and Kelly Hannah-Moffat (2006) "Assembling Risk and the Restructuring of Penal Control" *British Journal of Criminology*, 46, 438-454.
- Monaghan, J. and Walby, K. (2012). "Making up 'Terror Identities': Security Intelligence, Canada's Integrated Threat Assessment Centre and Social Movement Suppression," *Policing & Society* 22 (2), 133-151.
- O'Malley, P. (1992). "Risk, power, and crime prevention" *Economy & Society* 21 (3), 252-275
- O'Malley, Pat (1998) *Crime and the Risk Society*. Aldershot: Ashgate.
- Presdee, Mike (2001) *Cultural Criminology and the Carnival of Crime*. New York: Routledge.
- Rafter, Nicole (2006) *Shots in the Mirror: Crime Films and Society*. Oxford University Press.

Rafter, Nicole and Michelle Brown (2011) *Criminology Goes to the Movies: Crime Theory and Popular Culture*. New York: New York University Press.

Smandych, Russell (ed) (1999) *Governable Places: Readings in Governmentality and Crime Control*. Aldershot: Dartmouth.

Young, Alison (1996) *Imagining Crime*. London: Sage Publications.

Valverde, M. (1999). The harms of sex and the risks of breasts: Obscenity and indecency in Canadian law. *Social & Legal Studies*, 181-197.

5. Abolition

**Students must choose at least two readings from this section.*

Gilmore, Ruth Wilson. *Golden Gulag: Prisons, Surplus, Crisis, and the Opposition in Globalizing California*. Los Angeles: University of California Press, 2007, p.5-29.

Gilmore, Ruth Wilson. *Abolition Geography: Essays Towards Liberation*. Verso Books, 2022.

Gordon, Avery F. "Methodologies of Imprisonment" *PMLA* 123, 3 (May 2008), p. 651-658.

Smith, Caleb. *The Prison and the American Imagination*. New Haven: Yale University Press, 2009.

Davis, Angela. *Are Prisons Obsolete?* New York: Seven Stories, 2003.

Kaba, Marieme (2021) *We Do This 'Til We Free Us: Abolitionist Organizing and Transforming Justice*. Chicago: Haymarket Books.

Story, Brett. 2019. *Prison Land: Mapping Carceral Power across Neoliberal America*. University of Minnesota Press.

Walby, K. (2011) Anarcho-Abolition: A challenge to conservative and liberal criminology. In A. Doyle and D. Moore (eds.) *Critical criminology in Canada: New voices, new directions*. (pp. 288- 307). UBC Press.

Ben-Moshe, Liat. 2020. *Decarcerating Disability: Deinstitutionalization and Prison Abolition*. University of Minnesota Press.

