

# ***PRISONS AND PUNISHMENT:***

## ***A SERVICE LEARNING APPROACH TO THE PHILOSOPHY OF IMPRISONMENT***

**Fall 2005, Philosophy 375**

**MW 3:30-5:15**

**Office Hours: MW 1:45–3:15 p.m.; by appointment**

**Dr. Jeffrey Paris**

**Office: Campion D-4**

**paris@usfca.edu; 422-5116**

In this class, we will study philosophical justifications for punishment, the morality of incarceration, and the genealogy of what has recently been called the “prison-industrial complex.” As a **Service Learning** course, students will also be participating in one of the inmate-service programs described below second, the Service Learning portion will be detailed.

### ***TEXTS***

- Angela Davis, *Are Prisons Obsolete?* (Seven Stories)
- Michel Foucault, *Discipline and Punish* (Vintage)
- Tara Herivel & Paul Wright, *Prison Nation* (Routledge)
- Friedrich Nietzsche, *The Genealogy of Morality* (Hackett)
- Loïc Wacquant, *Deadly Symbiosis* (Polity; not yet available)
- Materials on-line at [usfca.edu/library](http://usfca.edu/library)

### ***READING CALENDAR***

#### **Week One: August 29 & 31**

- Wood, *The Rise of the Prison Industrial Complex*

#### **Week Two: September 5 & 7**

- **Labor Day Holiday: September 5 (No class)**
- Davis, *Are Prisons Obsolete?*

#### **Week Three: September 12 & 14**

- Davis, *Are Prisons Obsolete?*
- Parenti, *Privatized Problems*
- Van Jones, September 16

#### **Week Four: September 19 & 21**

- Nietzsche, *Genealogy of Morality, Sections 1-2*

#### **Week Five: September 26 & 28**

- Morris, *Persons & Punishment*
- Moore, *The Moral Worth of Retribution*

#### **Week Six: October 3 & 5**

- **PJSA Conference: October 5 (No class)**
- Bentham, *Punishment and Utility*
- McCloskey, *Utilitarian and Retributive Punishment*

#### **Week Seven: October 10 & 12**

- Menninger, *Therapy, Not Punishment*
- Wasserstrom, *Punishment v. Rehabilitation*
- Morris, *A Paternalistic Theory of Punishment*

#### **Week Eight: October 17 & 19**

- Foucault, *Discipline and Punish*

#### **Week Nine: October 24 & 26**

- Foucault, *Discipline and Punish*

#### **Week Ten: October 31 & November 2**

- **Marcuse Conference: November 2 (No class)**
- Foucault, *Discipline and Punish*

#### **Week Eleven: November 7 & 9**

- Van den Haag, *On Deterrence and the Death Penalty*
- Nathanson, *Does it Matter if the Death Penalty...*
- Reiman, *Justice, Civilization, and the Death Penalty*
- Van den Haag, *Refuting Reiman and Nathanson*

#### **Week Twelve: November 14 & 16**

- **Criminology Conference: November 16 (No class)**
- Wacquant, *Deadly Symbiosis*

#### **Week Thirteen: November 21 & 23**

- Wacquant, *Deadly Symbiosis*
- David Cole, November 21

#### **Week Fourteen: November 28 & 30**

*Student Presentations*

#### **Week Fifteen: December 5 & 7**

*Student Presentations*

### ***ATTENDANCE & READING***

**Attendance... is mandatory.** In the event that you miss class but do not wish it to count against you, you may provide a 500-word summary of the reading material for that day, due the following class and posted to the online repository (see below) without exception. Each student may miss two classes without makeup or penalty; if you miss a third class and do not write a summary, your final grade may be lowered ½ grade (and an additional ½ grade for each additional absence). Reading

assignments are subject to change with one week advance notice from the instructor. Supplementary readings from *Prison Nation* will be determined as the course develops.

### **ASSIGNMENTS**

- **Papers (4 at 20 points each).** Four Papers will be due throughout the semester. Each paper will be no less than 1500 words (roughly 6 pages). Students will write one each that fit within the following broad topics: *What is the Prison-Industrial Complex?* (due 9/23); *Justifications of Punishment* (10/21); *The Birth of the Prison* (11/11); *Prisons & Race* (12/15).
- **Journal (ungraded).** Students will be required to keep a semi-weekly Journal in which they document their experiences in their Service Project. This Journal will be reviewed by the Instructor on a monthly basis, and will provide material both for class conversation as well as for the student's *Final Project*. As part of the Journal, students will collect and attach no less than 10 newspaper or academic journal articles that highlight the themes of the course in relation to contemporary prisons.
- **Final Project (20 points, with presentation).** The *Final Project* will be a reflection paper of at least 3000 words (about 10 pages) on the student's experiences in the Service Learning portion of the course, and its connection to the philosophical analyses the student has learned. The Final Project will be due 11/29, the first day of the *Student Presentations* portion of the course.
- **On Line Repository.** All written assignments must be placed on-line at [www.turnitin.com](http://www.turnitin.com), and you will have to create a personal account. Here are the instructions: *Go to www.turnitin.com; Click on "Create a User Profile"; Select "Student" and click on "Next"; Class ID# is "1325564" and the password is "Prison" (case sensitive); Follow the remainder of the directions to create your account. To submit your paper, log in to your account, click on the name of the class, find the proper assignment title, click on "Submit," and upload your Paper.*

### **LEARNING OUTCOMES**

By the end of the semester you will be able to: *Read, interpret and explain* some major ideas and arguments for the justification of punishment; *understand* the history and present of the U.S. prison system; *identify* the successes and failures of the carceral system regarding rehabilitation, racial and class justice, and the provision of social order; *explain* the importance of prison reform and/or abolition.

Additional Learning outcomes associated with the Service Learning Component of the course: students will be able to *contrast* their own educational experience in a private university with the resources available to some of society's most outcaste members; they will *understand* the value of prison activism and prisoner support organizations; they will *explain* how the discipline of philosophy enhances the transformed experience of those working or living within the carceral system.

### **ADDITIONAL INFORMATION**

- From the *Catalog*: "The University expects students to be honest in their academic work. Academic dishonesty is viewed as an ethical issue and a violation of the principles of justice and personal responsibility inherent in the University's ideals as expressed in its Statement of Mission and Goals. In particular, students must refrain from plagiarism [the misuse of published or unpublished works of another by claiming them as one's own], cheating and collusion in connection with examinations and must acknowledge fully all sources and all assistance received in work submitted to the faculty for evaluation. In the event of academic dishonesty in class assignments or examinations, the instructor will normally assign an "F" with no possibility of making up the grade by means of additional work. In serious cases the instructor will normally assign an "F" for the course and will notify the Academic Honesty Committee. Specific information on the policy and procedures regarding Academic Honesty are available in the Offices of the Deans and Vice President for Academic Affairs and in the Policies section of this catalog."
- I encourage all students concerned about their writing ability to contact the Writing Center in Cowell Hall, Room 227 (422-6713). Additional inquiries and training regarding study habits may be directed to the Learning Center (422-6715).
- Students with demonstrated disabilities are encouraged to speak with me in order to identify any ways in which your disability may be accommodated, and to contact Disability Related Services, University Center, Room 310 (422-2613).
- Students experiencing any kinds of personal and/or academic difficulties are encouraged to utilize the free services of the Counseling Center, located on the ground floor of Gillson Hall (422-6352), which can assist you with interpersonal relationship problems, family difficulties, depression, stress, sexual concerns, substance abuse, time management, self-esteem, eating problems, anxiety, and acquaintance rape. Individual, couples, and group counseling are available, as well as referrals for longer-term counseling or a more specialized approach.

- After Census Day September 16, students who withdraw from class will receive a “W” on their transcript. If you expect to withdraw from the class, I encourage you to decide prior to that date. The final date for withdrawals is November 4.

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## ***SERVICE LEARNING COMPONENT***

Students enrolled in this course must participate in one of the arranged Service Activities associated with the course, or arrange some activity independently, subject to the approval of the Instructor.

- Currently, these Activities include volunteering, internships, and tutoring with the following organizations: the San Quentin Trust; California Prison Focus; Each One Reach One; Legal Services for Prisoners with Children; and the California Coalition for Women prisoners. Not all of these will be available to any given student.
- Each student is required to provide no less than 25 hours total of support (including training) to the organization with which they are providing service.

Students will engage in a reflection process around the service, the discipline, and themselves.

- Through their Journal writings, informal conversation, and in-class discussions, students will look to their own direct and indirect relationships to the carceral system in the United States. Not only will they be learning about the norms and goals of punishment and incarceration, they will begin to understand the construction of legality and to engage on a direct level the relationship between prisons, race, and class.
- In their Journal, they will document their personal growth in relation to increased understanding of society's most outcaste groups, typically both economically and educationally underprivileged. They will see that there are both individual and social forces that lead to incarceration, and confront the constellation of forces that have brought them to university.
- Also, students will question the value of both prison reform and transformation work generally and the role that philosophy more specifically plays. How does the discipline of philosophy lead to transformation of consciousness and experience, and how might their pursuit of philosophy be altered in the course of this new experience?

Students will furnish resources for faculty assessment of their learning outcomes.

- Assessment for the student participation in the Service Learning portion of the course will be based primarily on the student's Final Project. Here, the Instructor will be able to identify the student's developing perspective on the nature of punishment and the current practices of the U.S. prison system based on first-hand knowledge, supplemented by the corresponding study in the classroom portion of the course. Assessment of learning outcomes may be enhanced by the use of "participant surveys" developed by the instructor.

Students agree to comply with all relevant training and behavioral regulations.

- Students may be required to attend a training session in advance of their work with the listed organizations. In addition, they are required to follow the rules and regulations for volunteers as stipulated by the organizations, and to comply with norms of appropriate behavior and a responsible work ethic.

Student Transportation.

- Students are required to provide their own transportation to and from the sites where their service activity is taking place. In the event that this involves undue hardship, the student must consult with the instructor and an appropriate compromise will be reached. Transportation time does not count toward the required hours to fulfill the service portion of the course.

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## ***COURSE PACKET CONTENTS***

- Phillip J. Wood, “The Rise of the Prison Industrial Complex in the United States,” in *Capitalist Punishment: Prison Privatization and Human Rights*, ed. Andrew Coyle, Allison Campbell, & Rodney Neufeld (Atlanta & London: Clarity Press & Zed Books, 2003), pp. 16-29.
- Christian Parenti, “Privatized Problems: For-Profit Incarceration in Trouble,” in *Capitalist Punishment*, pp. 30-38.
- Herbert Morris, “Persons and Punishment,” in *Punishment and Rehabilitation*, 3<sup>rd</sup> Edition, ed. Jeffrie G. Murphy (Belmont: Wadsworth, 1995), pp. 74-93.
- Michael S. Moore, “The Moral Worth of Retribution,” in *Punishment and Rehabilitation*, pp. 94-130.
- Jeremy Bentham, “Punishment and Utility,” in *Punishment and Rehabilitation*, pp. 21-35.
- H.J. McCloskey, “Utilitarian and Retributive Punishment,” *Journal of Philosophy* LXIV, no. 3 (February 16, 1967): pp. 91-110.
- Karl Menninger, “Therapy, Not Punishment,” in *Punishment and the Death Penalty: The Current Debate*, ed. Robert M. Baird & Stuart E. Rosenbaum (New York: Prometheus, 1995), pp. 41-49.
- Richard Wasserstrom, “Punishment v. Rehabilitation,” in *Punishment and the Death Penalty*, pp. 51-59.
- Herbert Morris, “A Paternalistic Theory of Punishment,” in *Punishment and Rehabilitation*, pp. 154-168.
- Ernest van den Haag, “On Deterrence and the Death Penalty,” in *Punishment and the Death Penalty*, pp. 125-135.
- Stephen Nathanson, “Does it Matter if the Death Penalty is Arbitrarily Administered?,” in *Punishment and the Death Penalty*, pp. 161-174.
- Jeffrey H. Reiman, “Justice, Civilization, and the Death Penalty: Answering van den Haag,” in *Punishment and the Death Penalty*, pp. 175-205.
- Ernest van den Haag, “Refuting Reiman and Nathanson,” in *Punishment and the Death Penalty*, pp. 207-217.