

# **SOCIOLOGY 4161: CRIMINAL LAW IN AMERICAN SOCIETY**

**Fall 2024**

**Meetings:** T/Th, 02:30 pm - 03:45 pm

Blegen Hall 130

Period: Sep 03, 2024 – Dec 11, 2024

**Instructor:** Ed Cornelius (he/him)

**E-mail:** [ecorneli@umn.edu](mailto:ecorneli@umn.edu)

**Office:** Social Sciences Building (SSB) 960

**Office Hours:** T/Th 1:15 pm – 2:15 pm and by appointment (in person or via Zoom)

## **COURSE DESCRIPTION**

In this course, we will mobilize sociolegal theories to examine criminal law, focusing on how capitalism, imperialism, gendering, and racialization shape the criminal punishment system in the United States. The course is structured into three parts. Part 1 introduces key theoretical frameworks that will be used to analyze the empirical readings in the subsequent sections. Part 2 includes chapters from three books that explore the roles of the executive, legislature, and judiciary in shaping the criminal justice system for both the powerful and the marginalized in the United States. Part 3 examines the globalization of American criminal law, including the exportation of U.S. approaches to criminalization and penal responses and the consequences of this international influence.

## **COURSE OBJECTIVES**

1. Understand the main features of the American criminal punishment system;
2. Examine how different institutions shape these features;
3. Establish connections between broad historical social forces, such as capitalism, imperialism, gender, and racialization and the characteristics of the criminal punishment system;

This course also engages CLA's [Core Career Competencies](#) through engaging the class material. Successful completion of this course will help you develop or strengthen these key skills:

- Analytical & Critical Thinking
- Oral & Written Communication
- Engaging Diversity
- Digital Literacy

## EVALUATIONS

Assignment	Percentage of Final Grade	Date
Reading Quiz 1	15%	September 26
Mid-term Exam	25%	October 10
Reading Quiz 2	20%	November 21
Final Exam	25%	December 10
Participation	15%	Ongoing

**Reading quizzes:** Two closed-book multiple-choice quizzes about the readings to be taken in class. The first quiz will be worth 15% of the final grade, and the second quiz will be worth 20% of the final grade;

**Mid-term and final exam:** Two closed-book written exams about the course material (readings and lectures) to be taken in class, each worth 25% of the final grade;

**Participation:** During each lecture, you will respond to a short-answer question about class discussions via Canvas. They will be graded pass/fail. **Please bring a smartphone, tablet, or laptop to class to complete participation assignments.** Participation makes up 15% of the final grade;

**Contesting Grades.** If you want to contest a grade on an exam, please wait 48 hours after you received your grade and then email *your concerns to your instructor*. Students have one week from the time I return graded assignments to contest grades. If you contest a graded assignment, the professor will regrade the entire assignment. Your score could go up or down.

## COMMUNITY GUIDELINES

**E-mail policy:** Feel free to contact the instructor for any questions or requests regarding illness, accommodations, grades, or any concerns you might have. write our course code, SOC4161, in the e-mail subject. Please refrain from e-mailing the instructor to request information contained in the syllabus.

**Recording and sharing lectures:** You may **not** record, share or live stream any materials from this course in the public domain or social media, in its entirety, or in small excerpts. Please note that this is a fundamental policy to maintain the safety and privacy of the teaching team and your classmates.

**Changes to the Syllabus.** If necessary, this syllabus and its contents are subject to revision; students are responsible for responding to any changes or modifications. We will announce any substantial changes (e.g. exam dates, reading assignments, class meetings, etc.) on Canvas.

**Course readings:** All readings are uploaded on Canvas.

## **COURSE SCHEDULE**

Complete the listed readings before our class session together.

### **WEEK 1: Introduction**

#### **Tuesday, Sept 3**

Required reading: syllabus.

#### **Thursday, Sept 5**

Lavi, Shai, and Galia Schneebaum. 2014. "Criminal Law and Sociology." In *The Oxford Handbook of Criminal Law*, edited by Markus D. Dubber and Tatjana Hörnle, 1–17. Oxford: Oxford University Press. [17 p]

### **WEEK 2: Marxism**

#### **Tuesday, Sept 10**

Fine, Robert. 2002. "Marxism and the Social Theory of Law." In *An Introduction to Law and Social Theory*, edited by Reza Banakar and Max Travers, 101–118. Oxford: Hart Publishing. [18 p]

#### **Thursday, Sept 12**

Chambliss, William J. 1979. "On Lawmaking." *British Journal of Law and Society* 6(2):149–171. [23 p]

### **WEEK 3: Racialization and Gendering**

#### **Tuesday, Sept 17**

Muhammad, Khalil Gibran. 2022. "The Foundational Lawlessness of the Law Itself: Racial Criminalization & the Punitive Roots of Punishment in America." *Daedalus* 151(1):107–120. [14 p]

#### **Thursday, Sept 19**

Moore, Abigail Cary. 2022. "Policing Potential Violence." *New Political Science* 44(1):122–137. [17 p]

## **WEEK 4: Bourdieu**

**Tuesday, Sept 24**

Dezalay, Yves, and Mikael Rask Madsen. 2002. "The Power of the Legal Field." In *An Introduction to Law and Social Theory*, edited by Reza Banakar and Max Travers, 189–204. Oxford: Hart Publishing. [16 p]

Bourdieu, Pierre. 2014. *On the State: Lectures at the Collège de France 1989-1992*, edited by Patrick Champagne, Remi Lenoir, Franck Poupeau, and Marie-Christine Rivière, 162–175. Cambridge: Polity Press. [14 p]

**Thursday, Sept 26**

**Reading Quiz 1**

## **WEEK 5: The Executive and Prosecutors**

**Tuesday, Oct 1**

Simon, Jonathan. 2007. *Governing Through Crime*. Oxford: Oxford University Press. (Introduction + Chapter 1) [30 p]

**Thursday, Oct 3**

Simon, Jonathan. 2007. *Governing Through Crime*. Oxford: Oxford University Press. (Chapter 2) [42 p]

## **WEEK 6: Review & First Exam**

**Tuesday, Oct 8**

Review (No required reading)

**Thursday, Oct 10**

**Mid-term Exam**

## **WEEK 7: Legislative and Courts**

**Tuesday, Oct 15**

Simon, Jonathan. 2007. *Governing Through Crime*. Oxford: Oxford University Press. (Chapter 3) [30 p]

**Thursday, Oct 17**

Simon, Jonathan. 2007. *Governing Through Crime*. Oxford: Oxford University Press. (Chapter 4) [30 p]

## **WEEK 8: Lower Courts I**

### **Tuesday, Oct 22**

Van Cleve, Nicole Gonzalez. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford: Stanford University Press. (Introduction) [14 p]

### **Thursday, Oct 24**

Van Cleve, Nicole Gonzalez. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford: Stanford University Press. (Chapter 1) [36 p]

## **WEEK 9: Lower Courts II**

### **Tuesday, Oct 29**

Van Cleve, Nicole Gonzalez. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford: Stanford University Press. (Chapter 3) [34 p]

### **Thursday, Oct 31**

Van Cleve, Nicole Gonzalez. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford: Stanford University Press. (Chapter 4) [30 p]

## **WEEK 10: White Collar-Crime I**

### **Tuesday, Nov 5**

Grasso, Anthony. 2024. *Dual Justice*. Chicago: University of Chicago Press. (Chapter 1) [subject to change]

### **Thursday, Nov 7**

Grasso, Anthony. 2024. *Dual Justice*. Chicago: University of Chicago Press. (Chapter 2) [subject to change]

## **WEEK 11: White Collar-Crime II**

### **Tuesday, Nov 12**

Grasso, Anthony. 2024. *Dual Justice*. Chicago: University of Chicago Press. (Chapter 4) [subject to change]

**Thursday, Nov 14**

Grasso, Anthony. 2024. *Dual Justice*. Chicago: University of Chicago Press. (Chapter 6)  
[subject to change]

**WEEK 12: Globalizing Criminalization**

**Tuesday, Nov 19**

Gutterman, Ellen. 2015. "Banning Bribes Abroad: U.S. Enforcement of the Foreign Corrupt Practices Act." *Osgoode Hall Law Journal* 53(1):31–65. [37 p]

Gerber, Jurg, and Eric L. Jensen. 2001. "The Internationalization of U.S. Policy on Illicit Drug Control." In *Drug War American Style*, edited by Jurg Gerber and Eric L. Jensen, 18–37. London: Routledge. [18 p]

**Thursday, Nov 21**

**Reading Quiz 2**

**WEEK 13: Globalizing Punishment I**

**Tuesday, Nov 26**

McLeod, Allegra M. 2010. "Exporting U.S. Criminal Justice." *Yale Law & Policy Review* 29(1):83–164. (Introduction + Part 1 and 2) [49 p]

**Thursday, Nov 28 – No class – Thanksgiving holiday**

**WEEK 14: Globalizing Punishment II**

**Tuesday, Dec 3**

McLeod, Allegra M. 2010. "Exporting U.S. Criminal Justice." *Yale Law & Policy Review* 29(1):83–164. (Part 3 + Conclusion) [32 p]

**Thursday, Dec 5**

Review (No required reading)

**WEEK 15: Final Exam**

**Tuesday, Dec 10**

**Final Exam**

## COLLEGE OF LIBERAL ARTS POLICIES

**GRADES:** University academic achievement is graded under two systems: A-F (with pluses and minuses) and S-N. Choice of grading system and course level (1xxx/3xxx/4xxx) is indicated on the registration website; changes in grade scale may not be made after the second week of the semester. Some courses may be taken under only one system; limitations are identified in the course listings. The Department of Sociology requires A-F registration in courses required for the major/minor. University regulations prescribe the grades that will be reported on your transcript.

- A Represents achievement that is outstanding relative to the level necessary to meet course requirements (4.00 grade points)
- A- 3.67 grade points
- B+ 3.33 grade points
- B Achievement significantly above the level necessary to meet course requirements (3.00 grade points)
- B- 2.67 grade points
- C+ 2.33 grade points
- C Achievement that meets the basic course requirements in every respect (2.00 grade points)
- C- 1.67 grade points
- D+ 1.33 grade points
- D Achievement worthy of credit even though it fails to meet fully the course requirements (1.00 grade point)
- F Performance that fails to meet the basic course requirements (0 grade points)
- S Represents achievement that is satisfactory, which is equivalent to a C- or better.
- N No credit. Its use is now restricted to students not earning an S on the S-N grade base
- I Incomplete, a temporary symbol assigned when the instructor has a "reasonable expectation" that you 1) can successfully complete unfinished work on your own no later than one year from the last day of classes and 2) believes that legitimate reasons exist to justify extending the deadline for course completion. The instructor may set date conditions for make-up work
- W Official withdrawal from a course after the end of the second week of the semester.

**FINAL EXAMINATIONS** (see schedule on the Calendar web site at [onestop.umn.edu/calendar/final-exam-times](https://onestop.umn.edu/calendar/final-exam-times)): You are required to take final examinations at the scheduled times. Under certain circumstances, however, you may request final examination schedule adjustment in your college office. Instructors are obligated to schedule make-up examinations within the final examination period for students who have three final examinations within a 16-hour period. Instructors also are encouraged to reschedule examinations for students with religious objections to taking an examination on a given day. You must submit your request for an adjustment in your schedule at least two weeks before the examination period begins. For assistance in resolving conflicts, call the CLA Student Information Office at 625-2020. If you miss a final, an F or N is recorded. You must obtain the instructor's permission to make up the examination. Final examinations may be rescheduled by the instructor only through the official procedure for that purpose (as noted on the above web page). Final examinations may not be scheduled for the last day of class or earlier or for Study Day. If an examination is rescheduled at the instructor's request, and you have an examination conflict because of it, you are entitled to be given the final examination at an alternative time within the regularly scheduled examination period for that semester.

**CLASS ATTENDANCE:** As a student, you are responsible for attending class and for ascertaining the particular attendance requirements for each class or department. You should also learn each instructor's policies concerning make-up of work for absences. Instructors and students may consult the CLA Classroom, Grading, and Examination Procedures Handbook for more information on these policies (<https://policy.umn.edu/education/makeupwork>).

**COURSE PERFORMANCE AND GRADING:** Instructors establish ground rules for their courses in conformity with their department policies and are expected to explain them at the first course meeting. This includes announcement of office hours and location, the kind of help to be expected from the instructor and teaching assistants, and tutorial services, if available. The instructor also describes the general nature of the course, the work expected, dates for examinations and paper submissions, and expectations for classroom participation and attendance. Instructors determine the standards for grading in their classes and will describe expectations, methods of evaluation, and factors that enter into grade determination. The special conditions under which an incomplete (I) might be awarded also should be established. The college does not permit you to submit extra work to raise your grade unless all students in the class are afforded the same opportunity.

**CLASSROOM BEHAVIOR:** You are entitled to a good learning environment in the classroom. Students whose behavior is disruptive either to the instructor or to other students will be asked to leave (the policies regarding student conduct are outlined on-line at <https://communitystandards.umn.edu/policies-and-procedures/what-kind-consequences-could-i-face>

**ELECTRONIC DEVICES:** University instructors may restrict or prohibit the use of personal electronic devices in his or her classroom, lab, or any other instructional setting. For the complete policy, visit: <http://policy.umn.edu/education/studentresp>

**SCHOLASTIC CONDUCT:** The University Student Conduct Code defines scholastic dishonesty as follows: Scholastic Dishonesty means plagiarizing; cheating on assignments or examinations; engaging in unauthorized collaboration on academic work; taking, acquiring, or using test materials without faculty permission; submitting false or incomplete records of academic achievement; acting alone or in cooperation with another to falsify records or to obtain dishonestly grades, honors, awards, or professional endorsement; altering, forging, or misusing a University academic record; or fabricating or falsifying data, research procedures, or data analysis. **Students cannot evade (intentionally or unintentionally) a grade sanction by withdrawing from a course before or after the misconduct charge is reported. This also applies to late withdrawals, including discretionary late cancellation (also known as the "one-time-only drop").** For the complete policy, visit: [http://regents.umn.edu/sites/default/files/policies/Student\\_Conduct\\_Code.pdf](http://regents.umn.edu/sites/default/files/policies/Student_Conduct_Code.pdf)

**STUDENT MENTAL HEALTH AND STRESS MANAGEMENT:** As a student you may experience a range of issues that can cause barriers to learning, such as strained relationships, increased anxiety, alcohol/drug problems, feeling down, difficulty concentrating and/or lack of motivation. These mental health concerns or stressful events may lead to diminished academic performance or reduce a student's ability to participate in daily activities. University of Minnesota services are available to assist you with addressing these and other concerns you may be experiencing. You can learn more about the broad range of confidential mental health services available on campus via <http://www.mentalhealth.umn.edu/>.

## A REMINDER OF RELEVANT POLICIES AND PROCEDURES \* SOCIOLOGY DEPARTMENT POLICIES \*

**GRADE INFORMATION:** Grades are due in the Office the Registrar within 3 business days after the final examination. No information regarding grades will be released by the department office staff to anyone except designated personnel in Records and college offices. Students may access their own grades through the MyU Portal.

**INCOMPLETES:** It is the instructor's responsibility to specify conditions under which an Incomplete (I) grade is assigned. Students should refer to the course syllabus and talk with the instructor as early as possible if they anticipate not completing the course work. Coursework submitted after the final examination will generally be evaluated down unless prior arrangements are made in writing by the instructor. University policy states that if completion of the work requires the student to attend class in substantial part a second time, assigning an "I" grade is NOT appropriate. Incompletes are appropriate only if the student can make up the coursework independently with the same professor. Students need to have completed a substantial portion of the course in order to be even considered for an Incomplete.

**MAKE-UP EXAMINATIONS:** Arrangements for special examinations must be made directly with the instructor who taught the course and who is responsible for approving and supervising the examination or making individual arrangements. Circumstances for missing an exam include, but are not necessarily limited to: verified illness, participation in athletic events or other group activities sponsored by the University, serious family emergencies, subpoenas, jury duty, military service, and religious observances. It is the responsibility of the student to notify faculty members of such circumstances as far in advance as possible.

**GRADE CHANGES:** Grades properly arrived at are not subject to renegotiation unless all students in the class have similar opportunities. Students have the right to check for possible clerical errors in the assignment of grades by checking with the instructor and/or teaching assistant.

Students with justifiable complaints about grades or classroom procedures have recourse through well-established grievance procedures. You are expected to confer first with the course instructor. If no satisfactory solution is reached, the complaint should be presented in writing to the department Director of Undergraduate Studies or the Coordinator of Undergraduate Advising (909 Soc Sci). If these informal processes fail to reach a satisfactory resolution, other formal procedures for hearing and appeal can be invoked.

**DISABILITY SERVICES:** Students with disabilities that affect their ability to participate fully in class or to meet all course requirements are encouraged to bring this to the attention of the instructor so that appropriate accommodations can be arranged. For more info contact Disability Resource Center in 180 McNamara. <https://disability.umn.edu>. This publication/material is available in alternative formats upon request. Please contact the Coordinator of Undergraduate Advising at [socadvis@umn.edu](mailto:socadvis@umn.edu) or visit the Department of Sociology in 909 Social Sciences Building, 271 19<sup>th</sup> Ave SE, Minneapolis, MN 55455

**SEXUAL HARASSMENT:** "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature. Faculty, Graduate Students, and full time Staff are Mandated Reporters for prohibited conduct. Such behavior is not acceptable in the University setting. If you have experienced sexual misconduct, discrimination, harassment, or related retaliation; or if you have questions about any EOAA-related issue, please contact Equal Opportunity and Affirmative Action (EOAA) at (612) 624-9547 or [eoaa@umn.edu](mailto:eoaa@umn.edu) For the complete policy, visit [policy.umn.edu/hr/sexharassassault](http://policy.umn.edu/hr/sexharassassault)

**SOCIOLOGY PROGRAMS INFORMATION:** The Sociology Department offers two options for the Bachelor of Arts degree and a Bachelor of Science degree. Students interested in majoring in Sociology should view the online-information session about the major. Further information can be obtained from the following persons via email or online at <http://cla.umn.edu/sociology>

General information, Sociology Department – [soc@umn.edu](mailto:soc@umn.edu)  
Coordinator of Undergraduate Advising, Bobby Bryant – [socadvis@umn.edu](mailto:socadvis@umn.edu)  
Director of Undergraduate Studies, Prof. Jane VanHeuvelen – [jvanheuv@umn.edu](mailto:jvanheuv@umn.edu)  
Soc Honors Faculty Representative, Prof. Jane VanHeuvelen – [jvanheuv@umn.edu](mailto:jvanheuv@umn.edu)  
Director of Graduate Studies, Professor Michelle Phelps – [phelps@umn.edu](mailto:phelps@umn.edu)  
Graduate Program Associate, Becky Drasin – [drasi001@umn.edu](mailto:drasi001@umn.edu)

Undergraduate jobs, internships, volunteer and research opportunities, scholarships, and much more can be found in the Undergraduate Resources site - <https://sociologyundergrad.wordpress.com/>