

CRIME AND PUNISHMENT IN SWEDEN AND THE U.S.

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Class hours: Tuesday, 12.15–15.00

Office hours: Monday & Wednesday, 12.00–13.00, A987

This course compares the Swedish and U.S. criminal justice systems from a historical, sociological, philosophical, and political perspective. Students will be asked to reflect on the larger philosophical and moral questions underlying the criminal justice systems. For example, how do cultural and political values and assumptions affect our definition of what justice is? We will also study how the criminal justice systems in both countries have developed historically. Crime will be examined from a sociological perspective, for example, by looking closer at the social forces that tend to lead to certain kinds of illegal behavior. Why do some countries have high crime rates while other do not? Lastly, we will examine the institutions and professions tied to both criminal justice systems, such as the role of correctional facilities and police officers.

WEBPAGE AND FACEBOOK GROUP: I have created a webpage and a Facebook group for the class. You can find the link to the Facebook group on the homepage: <http://sites.google.com/a/swedishprogram.org/tspcrime/>. On the webpage you will also find the readings, assignments, and lecture notes, as well as links to upload your assignments, and to useful resources for further study. The group is intended primarily as a discussion forum outside of class, although you are also encouraged to participate in extending class discussions by posting questions and links throughout the semester. I will use the group to post links to articles and books that are relevant to the class, as well as reminders of deadlines and questions I have for you as a group outside of class. The real purpose of the group, however, is for you to post your own thoughts and questions and to have further discussions.

READINGS: The bulk of the readings for the course will be available to download on the course website. There is also one required book, which we will read throughout the semester: William Stuntz, *The Collapse of American Criminal Justice*

LAPTOPS IN THE CLASSROOM: You are welcome to use a laptop to take notes during lecture. However, please refrain from using the internet while in class: it distracts you and those around you from the classroom discussion, and current research shows that focusing on several tasks at once negatively impacts learning.

GRADING: Your grade will be calculated according to the following breakdown:

<i>Attendance and participation:</i>	10%
<i>Papers:</i>	50%
<i>Policy brief:</i>	15%
<i>Presentations:</i>	25%

ATTENDANCE AND PARTICIPATION (10%): Attendance is mandatory; you have to come to lecture to pass this course. One unexcused absence is permitted; any unexcused absence after that will lower your grade one step (e.g., from A to A-). Participation is also an essential component of this course. You are expected to participate in a number of ways: e.g., you can be involved in class discussions and ask questions during lecture, you can be active on the Facebook group, and you can be engaged during in-class activities.

PAPERS (50%): There will be **two** formal papers during the semester, each worth 25% of your final grade. Each paper will cover only one section of the course; i.e., the papers are not

cumulative. I will give you a choice of several topics for each paper. The papers should be about 5–6 pages in length.

POLICY BRIEF (15%): After the introductory, mostly theoretical section of the course, you will be required to produce a short policy brief. For the brief, you should discuss a specific criminal justice policy area or case study from the point of view of one of the theoretical concepts we have discussed in class. More detailed instructions on the content and form of the brief, as well as links to sample policy briefs, can be found on the course website. The policy brief should be about 3–4 pages in length.

PRESENTATIONS (25%): You will do **two** in-class presentations during the semester:

Individual presentation (10%). The individual presentation will be on a case study of your choosing. I will provide a list of possible case studies, but you are encouraged to come up with your own topic. The individual presentation should be 10–15 minutes in length.

Joint presentation (15%). You will also do a joint presentation with one other student. You and your partner will be asked to defend one side of a controversial issue. Another pair of students will defend the other side. Each team will make a short (5–10 minute) presentation defending its position, and then the entire class, led by the two teams, will debate the issue. I will provide a list of issues to choose from. In addition to the presentation, you and your partner should hand in a policy brief similar to the one described above.

SCHEDULE:

PART I: THEORETICAL FOUNDATIONS

- 9/6 *Introduction to the course + What is justice?* 348
Reading: Rawls, “Justice as Fairness: Political not Metaphysical”
Sandel, “The Procedural Republic and the Unencumbered Self”
- 9/13 *Why do we need law? Do laws work?* 348
Reading: Stuntz, *The Collapse of American Criminal Justice*, Introduction
Plato, *Crito*
Kropotkin, “Law and Authority”
Taylor, “Too Much Law Guarantees Unfairness”
Lepore, “Battleground America”
Goldberg, “The Case for More Guns (and More Gun Control)”
Fleegler et. al., “Firearm Legislation and Firearm-Related Fatalities”

PART II: CRIME

- 9/20 *Defining & measuring crime* 348
Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 1
Morrison, “What Is Crime?”
Mitchell, “The Annihilation of Space by Law”
Haque, “*Lawrence v. Texas* and the Limits of the Criminal Law”
Nelken, “Comparative Criminal Justice”
Fisher, “Measuring Rape Against Women”
Alexander, “Sweden’s Rape Rate under the Spotlight”
“How Common Is Rape in Sweden?”
- 9/27 *Who commits crimes?* 342
Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 2

Snyder, "Arrest in the United States, 1980-2009"
 Martens, "Immigrants, Crime, and Criminal Justice in Sweden"
 Stuntz, *The Collapse of American Criminal Justice*, chapter 3
 Toobin, "Rights and Wrongs"
 Goldstein, "Judge Rejects New York's Stop-and-Frisk Policy"

Policy brief due!

10/4 **Break: no class!**

10/11 *Explaining crime: Structure, culture, and economics* 320

Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 4
 Ferrell et. al., "Cultural Criminology: An Invitation"
 Sánchez-Jankowski, "Gangs and Social Change"
 Donohue, "Economic Models of Crime and Punishment"
 McCollister et. al., "The Cost of Crime to Society"
 Cohen, *The Costs of Crime and Justice*, chapter 1

10/18 *The U.S. & Swedish criminal justice systems* 542

Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 5
 Hagan, "The American Criminal Justice System: An Overview"
 "The Swedish Judicial System—A Brief Presentation"
 von Hofer, "Summary: Crime and Punishment in Sweden"
 "Swedish Crime Statistics 2011"

10/25 *Policing* Aulan

Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 6–7
 Wilson & Kelling, "Broken Windows"
 Clear & Cadora, *Community Justice*, chapters 1–2

11/1 *Disparity and discrimination in the criminal justice system* 348

Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 8
 Havel, "Article 202" and "Article 203"
 "Discrimination in the Criminal Justice Process in Sweden"
 Roman, "Race, Justifiable Homicide, and Stand Your Ground Laws"
 "Florida 'Stand Your Ground Law' Yields Shocking Outcomes"
 Ehrenreich, "How America Turned Poverty into a Crime"
 Gustafson, "The Criminalization of Poverty"
 Wacquant, *Punishing the Poor*, chapter 7

Paper 1 due!

11/8 **Break: no class!**

PART III: PUNISHMENT

11/15 *Why do we punish?* 328

Reading: Stuntz, *The Collapse of American Criminal Justice*, chapter 9
 Demker, "Fear and Punishment in Sweden"
 Camus, "Reflections on the Guillotine"
 Foucault, "The Body of the Condemned"

11/22 *Prison life in the U.S. and Sweden* 536

Reading: "Basic Facts About the Swedish Prison and Probation Service"

- Lindström & Leijonram, "The Swedish Prison System"
 Morris, "The Contemporary Prison: 1965–Present"
 Alford, "What If Everything Foucault Said about Prison Were Wrong?"
 Garland, "The Problem of the Body in Modern State Punishment"
 Kaiser and Stannow, "The Rape of American Prisoners"
 Rhodes, "Supermax as a Technology of Punishment"
- 11/29 *Race, mass incarceration, and the War on Drugs* 348
 Reading: Alexander, "The New Jim Crow"
 Cole, "Can Our Shameful Prisons Be Reformed?"
 "Trends in U.S. Corrections"
 Western, "Mass Imprisonment and Economic Inequality"
 Weiman, "Barriers to Prisoners' Reentry into the Labor Market"
- 12/6 *The carceral state I: Punishment as social control* 348
 Reading: Gopnik, "The Caging of America"
 Simon, "Rise of the Carceral State"
 Gottschalk, "The Long Reach of the Carceral State"
 Weaver & Lerman, "Political Consequences of the Carceral State"
 Beckett & Murakawa, "Mapping the Shadow Carceral State"
 Stillman, "Taken"
- 12/13 **Exam week: Paper 2 due!**