

SYLLABUS: THE POLITICAL ECONOMY OF PUNISHMENT
PPAI 2200 Fall 2007
Professor Glenn C. Loury

Course website (temporarily, until further notice) linked from my home page at:
<http://www.econ.brown.edu/fac/Glenn%5FLoury/louryhomepage/teaching/Ec%20222/Ec%20222%20fall%2006.htm>

COURSE AGENDA AND ROUGH TOPIC OUTLINE

- I. A LEVIATHAN ARISES (*Jail on an unprecedented scale?* 2 class meetings)
 - a. Coming of the Mass Incarceration State (Garland; Loury; Wacquant.)
 - b. The End of Rehabilitation? (Garland et al.)
 - c. The 'Race' to Incarcerate (Loury; Western; Tonry, 'Malign Neglect'?)
 - d. This course considers these phenomena from four disciplinary angles of vision:
- II. ECONOMICS AND PUNISHMENT (*When does crime pay?* 4 class meetings)
 - a. Utilitarian Thinking (Welfare; Individualism; Property; Incentives)
 - b. The Chicago School of Law and Economics (Becker/Posner/Ehrlich/Levitt)
 - c. Prison-Industrial Complex? (Schlosser); too much 'Guard Labor'? (Bowles)
 - d. The Underground Economy (Venkatesh)
 - e. Paradoxes of Deterrence (Schelling/Kleiman)
- III. SOCIOLOGY AND PUNISHMENT (*Them versus Us?* 5 class meetings)
 - a. Sustaining Norms/Sending Messages (Garland; Durkheim)
 - b. Post-modern Angst (Garland; Tonry). Wither the welfare state (Wacquant)
 - c. Stigma of Punishment (The Scarlet Letter syndrome; shaming; Kahan et. al.)
 - d. Stigma of Race (Loury/Trondman; Anderson; Pager; Wacquant.)
 - e. Identity (Crime-culture-community; snitches/role models.
 - f. Legitimacy – *State* versus *Community* (Meares, et. al.; Fagan et. al.)
 - g. Prisons as Institutions (Totality; Supermax-ed; health; 'race' behind bars)
- IV. POLITICS AND PUNISHMENT (*Governing by incarcerating?* 6 class meetings)
 - a. *Victims*. Moral Panics. 'Willie Hortonization.' (Gottschalk/Morone/Garland)
 - b. The 'War on Drugs.' (Tonry, 'Malign Neglect'; Davis, 'Drug Crazy')
 - c. Felony Disenfranchisement (Manza and Uggen)
 - d. *Re*-forming or *De*-forming the post-Modern Welfare State (Wacquant)
 - e. The politics of Death (Fluery-Steiner et. al.)
- V. PHILOSOPHY AND PUNISHMENT (*What, then, is justice?* 4 class meetings)
 - a. What would 'just' institutions of punishment look like?
 - b. From Anarchy to State (Nozick); problems of 'order' and private enforcement?
 - c. Bentham-ite (utilitarian) vs. Kantian (deontological) thinking.
 - d. Punishment as a problem of distributive justice? (Rawls -- via Loury-Cohen)
 - e. Are Prisons the New Slavery? (James; Davis; Wacquant; Loury)
 - f. Michel Foucault's 'Discipline and Punishment'

COURSE REQUIREMENTS

1. **Enrollment is limited to 20.** Undergraduates are welcome. Intermediate microeconomics (EC 111) is a prerequisite.
2. **There are no exams.** Through the first half of the term students will prepare a series of four short (3-4pp) papers on various topics. These short papers will count for ½ of the course grade. Through the second half of the term students will prepare a graded first draft, and then the finished version, of a 12-15pp paper on some topic agreed upon in consultation with the professor. This paper longer paper will account for ½ of the grade.
3. Due dates for assignments are as follows. (**Warning: I categorically do NOT accept late papers.**)
 - a. First short paper due: **September 27** (topic: On limits of 'Law and Economics')
 - b. Second short paper due: **October 11** (topic: Race. Stigma and 'Root Causes.')
 - c. Third short paper due: **October 25** (topic: How Jurors and rest of us 'Do' Death.)
 - d. Draft final paper due: **November 20** (just before Thanksgiving Break)
 - e. Completed final paper due: **December 12** (last day of reading period.)

COURSE READINGS

A. Books

1. Elijah Anderson, *Code of the Streets: Decency, Violence and the Moral Life of Inner Cities* (Norton: 1999)
2. Benjamin Fjuery-Steiner, *Jurors' Stories of Death* (University of Michigan Press, 2004)
3. Michel Foucault, *Discipline and Punishment: The birth of the prison.* (Vintage, 1995)
4. David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (Univ. Chicago Press, 2001)
5. David Garland, *Punishment and Society: A Study in Social Theory.* (Univ. Chicago Press, 1989)
6. Mike Gray, *Drug Crazy: How We Got into This Mess & How We Can Get Out* (New York: Random House, 1998)
7. Glenn C. Loury, *The Anatomy of Racial Inequality* (Harvard University Press, 2002)
8. Jeff Manza and Christopher Uggen, *Looked Out: Felon Disenfranchisement and American Democracy*, (New York: Oxford University Press, 2007)
9. Michael Tonry, *Malign Neglect: Race, Crime and Punishment in America* (Oxford Univ. Press 1996)
10. Sudhir Venkatesh, *Off the Books: The Underground Economy of the Urban Poor* (Cambridge, MA: Harvard University Press, 2007)
11. Bruce Western, *Punishment and Inequality in America* (Russell Sage, 2006)

B. Articles (To be posted on the course web page. Others will be added.)

1. Becker, Gary. 1968. "Crime and Punishment: An Economic Approach." *Journal of Political Economy*. 76:2, pp. 169-217.
2. Ehrlich Isaac. 1996. "Crime, Punishment and the Market for Offenses." *Journal of Economic Perspectives*. Winter, pp. 43-67
3. Johnson, Rucker C. and Steven Raphael. 2005. "The Effects of Male Incarceration Dynamics on AIDS Infection Rates among African –American Women and Men." (unpublished ms) University of California, Berkeley. July 2005. pp. 1-65

4. Johnson, Rucker and Steven Raphael. 2007. "Why Are So Many Americans in Prison?" (unpublished ms.) University of California, Berkeley.
5. Levitt, Steven D. 2004. "Understanding Why Crime Fell in the 1990s: Four Factors that Explain the Decline and Six that Do Not." *Journal of Economic Perspectives* Vol. 18, No. 1 Winter 2004. pp. 163-190
6. Levitt, Steven D. 1996. "The Effect of Prison Population Size on Crime Rates: Evidence from Prison Overcrowding Litigation." *Quarterly Journal of Economics*. 111:2, pp. 319-52
8. Levitt, Steven D. 1997. "Using Electoral Cycles in Police Hiring to Estimate the Effect of Police on Crime." *American Economic Review*. 87:3, pp. 270-90
9. Pager, Devah. 2003. "The Mark of a Criminal Record." *American Journal of Sociology* 108: 937-75
10. Sampson, Robert J. and Steven Raudenbusch.. *Perceptions of Disorder*. Cambridge, MA: Harvard University Press.
11. Schlosser, Eric. 1998. "The Prison-Industrial Complex." *Atlantic Monthly* (December)
12. Trondman, Mats. 2006. "Disowning Knowledge: To be or not to be 'the immigrant' in Sweden." *Ethnic and Racial Studies* 29 (3) (May), pp. 431-451.
13. Wacquant, Loïc. 2000. "The New 'Peculiar Institution': On the Prison as Surrogate Ghetto." *Theoretical Criminology* 4:377-89
14. Wacquant, Loïc. 2001. "Deadly Symbiosis: When Ghetto and Prison Meet and Mesh." Pp. 82-120 in *Mass Imprisonment: Social Causes and Consequences*, edited by David Garland. London: Sage.