

**CJ-2100 -001**  
**Foundations of Criminal Justice**

**Required Readings:**

All readings will be posted on Nexus

**Course Description:**

This course examines the academic foundations of the interdisciplinary study of criminal justice. Political/philosophical, legal, social, and methodological foundations of justice are explored. This provides a base for more advanced study of criminal justice.

**The primary goal of this course is to examine the key concepts associated with a study of the Canadian criminal justice system.** Given that criminal justice is a relatively new area of study that has arose from a variety of long standing disciplines, it draws concepts and methods from those disciplines and forges a new area of study. The academic study of the criminal justice system is concerned with police, courts, and corrections as a set of social intuitions which are underpinned by particular ideologies and a science of crime and the criminal. This course provides an introduction to many concepts used in the study of criminal justice.

A variety of foundational areas will be covered. Methodological foundations will discuss how we orient ourselves to a study of the criminal justice system. We will discuss the positivist social science method, and critical analytics. In a discussion of the concept of crime and how systems respond to crime, we will examine the rational model of the criminal justice apparatus including a discussion of liberalism, democracy, and the rule of law. Systemic ways of thinking about the criminal justice apparatus will include the functionalist idea that crime policy builds solidarity and system efficiency and is based on moral consensus. System foundations will examine the criminal justice apparatus as due process vs. crime control and the criminal justice apparatus as political will explicate leftist and rightist orientations to crime policy. Taking a more radical and critical perspective, we will discuss the criminal justice apparatus as oppressive, as socially constructed, and will think about current crime policy and criminal justice in late-modernity and through mechanisms of neo liberal governance.

**Grades:**

Evaluation will consist of four tests. All exams will be short/long answer questions. Students will be provided a list of questions prior to the exam, some of which will appear on the test. This will be discussed further in class.

Test #1	20% of final grade
Test #2	20% of final grade
Test #3	20% of final grade
Test #4	20% of final grade
Assignment	20% of final grade
<b>TOTAL</b>	<b>100%</b>

**Attendance:**

All tests have scheduled dates. If students are unable to meet a scheduled date, they must inform the instructor prior to the date and provide documentation to be considered for re-scheduling. Re-scheduling is a difficult task and it is to be used as a last resort. In the absence of such documentation, students will be given a grade of zero. Please inform the instructor in person, by phone, or via email.

Attendance at lectures is crucial in this course as they will provide the context for the somewhat and sometimes, confusing readings. If everyone stays up to date with readings, the course will be enjoyable, informative, and highly interesting. If at some point you get lost, admit it and come and see me or send me an email. My door is always open to students for discussion and clarification. Also, engage with your fellow students – my experience has shown that students learn more from engagement and discussion than passive and obedient learning.

**Grade Distribution:**

A+ = 90-100%	B+ = 75-79%	C = 60-64%
A = 83-89%	B = 70-74%	D = 50-59%
A- = 80-82%	C+ = 65-69%	F = 0-49%

**Student Conduct:**

Disruptions due to excessive talking, cell phone use (including texting), or early departures from the classroom are especially distracting. Please be considerate and respectful of the needs of others in the class. Please refrain from texting, facebooking, surfing etc during class. Students should be aware that persistent disruption may result in disbarment from the course. Any student who has a legitimate reason for leaving class early should inform the instructor at the beginning of the class.

**Academic Regulations and Policies:**

It is the student's responsibility to be familiar with the information on Academic Regulations and Policies in the University Calendar. This section covers classroom regulation, grading, transcripts, and challenge for credit, academic standing, student discipline (academic and non-academic misconduct), appeals including grade appeals, University Policies and Codes, graduation.

**Services for Students with Disabilities:**

Students with documented disabilities requiring academic accommodations for tests/exams (e.g., private space) or during lectures/laboratories (e.g., access to volunteer note-takers) are encouraged to contact the Coordinator of Disability Services (DS) at 786-9771 to discuss appropriate options. Specific information about DS is available on-line at <http://www.uwinnipeg.ca/index/services-disability>. All information about the disability is confidential.

## TOPICS AND ASSIGNED READINGS:

Please note that this is a tentative reading list. Not all topics may be covered due to time constraints. Advance warning will be given in class. It is the student's responsibility to attend class regularly and make themselves aware of where they should be in the readings.

<u>TOPIC</u>	<u>READING</u>
<p>1. <u>What is an academic study of criminal justice?</u> -identifying the foundations &amp; the object of study</p>	<p><b>Nexus Reading #1</b> Welford, Charles (2007) <i>Crime, Justice, and Criminology Education: The importance of Disciplinary Foundations</i>. <u>Journal of Criminal Justice Education</u>, 18:1,2,2-5.</p> <p><b>Nexus Reading #2</b> Kraska, Peter B. (2011) <i>Criminal Justice Theory: Why ask Why?</i> Chapter 1. in Kraska, Peter and John Brent (2011) <u>Theorizing Criminal Justice: Eight Essential Orientations</u>. Waveland Press. Long Grove, Illinois.</p>
<p>2. <u>Methodological foundations: how do we do science, how do we reason, how do we know</u></p> <p>Positivism, anti-positivism, neo-positivism, sociology of law</p>	<p><b>Nexus Reading #3 (note: this is in parts A and B)</b> Kraska, P. and L. Newman (2011) <i>Chapter 2 – The nature of Science and Research</i> in <u>Essential criminal Justice and criminology Research Methods</u>. Prentice Hall. New Jersey. Pp. 27-37 &amp; 44-46.</p> <p><b>Nexus Reading #4</b> Kraska, P. and L. Newman (2011) <i>Chapter 3 Philosophical and theoretical Foundations</i> in <u>Essential criminal Justice and criminology Research Methods</u>. Prentice Hall. New Jersey. Pp. 48-70.</p> <p><b>Nexus Reading #5</b> Comack, E. (1999). <i>Theoretical Excursions: Official version of Law and Traditional Approaches in Sociology of Law</i>. In <u>Locating Law: Race, class, gender connections</u>. Fernwood Publishing. Halifax. Pp. 19-25.</p>
<p>3. <u>The concept of Crime:</u></p>	<p><b>Nexus Reading #6</b> Muncie, J. and E. McLaughlin (2002) <i>What is Crime? The Problem of Crime</i> (2<sup>nd</sup> edition): pp. 9-22.</p> <p><b>Nexus Reading #7</b> White, R. and F. Haines (2001) <i>The Study of Crime</i>. In <u>Crime and Criminology. An Introduction</u>. 2<sup>nd</sup> edition. Oxford University Press. Australia. Pp. 1-10.</p>
<p>4. <u>Criminal justice as rational</u></p> <p>Liberalism, democracy, rule of law</p>	<p><b>Nexus Reading #8</b> Becaria, Cesare. (1819) <i>Of Crimes and Punishments</i>. In Kraska, Peter. <u>Theorizing Criminal Justice</u>. Waveland Press. (2004) p.23-28.</p>

	<p><b>Nexus Reading #9</b> Bentham, Jeremy. (1789) <u>An introduction to the Principles of Morals and Legislation</u>. In Jacoby (ed) <u>Classics of Criminology</u>, 3<sup>rd</sup> ed. (2004) Waveland Press. p. 105-108.</p> <p><b>Nexus Reading #10</b> Ball, Dagger, Christian, and Campbell. 2010. <i>Liberalism</i>. In <u>Political Ideologies and the Democratic Ideal</u>. Pearson, Toronto.</p> <p><b>Nexus Reading #11</b> Crank, John. (2003) <i>Law and Legal perspective</i>. In <u>Imagining Justice</u>. Anderson Publishing, Cincinnati. P 37-43.</p>
<p><u>5. Criminal justice as positivist or functional Or crime as (ab)normal and justice as consensus</u></p>	<p><b>Nexus Reading #12</b> White, R. and F. Haines (2001) <i>Biological and Psychological Positivism</i>. In <u>Crime and Criminology. An Introduction</u>. 2<sup>nd</sup> edition. Oxford University Press. Australia. Pp. 36-55.</p> <p><b>Nexus Reading #13</b> Durkheim, Emile. (1938) <i>The Normal and the Pathological</i>. In Jacoby (ed) <u>Classics of Criminology</u>, 3<sup>rd</sup> ed. (2004) Waveland Press. p. 119-123.</p> <p><b>Nexus Reading #14</b> Schissel, B. (2008) <i>Consensus Theories and the Sociology of Crime</i>. In Brooks and Schissel <u>Marginality and Condemnation: An Introduction to Criminology 2<sup>nd</sup> ed.</u> Fernwood publishing, Winnipeg. Pp.23-33.</p> <p><b>Nexus Reading #15</b> Comack, E. (1999). <i>Theoretical Excursions: Traditional Approaches in Sociology of Law</i>. In <u>Locating Law: Race, class, gender connections</u>. Fernwood Publishing. Halifax. Pp. 25-35.</p>
<p><u>6. Criminal Justice as a system. Crime control vs due process....</u></p>	<p><b>Nexus Reading #16</b> Kraska, Peter B. (2011) <i>Criminal justice as a system</i>. Chapter 3. in <u>Theorizing Criminal Justice: Eight Essential Orientations</u>. Waveland Press. Long Grove, Illinois. Pp. 45-52.</p> <p><b>Nexus Reading #17</b> Packer, Herbert (1968) <i>Two Models of the Criminal Process</i> in Kraska, Peter and John Brent (2011) <u>Theorizing Criminal Justice: Eight Essential Orientations</u>.</p>

	Waveland Press. Long Grove, Illinois.
<u>7. Crime as ideological censure: criminal justice as oppression</u>	<p><b>Nexus Reading #18</b> Quinney, Richard. <i>Crime Control in the Capitalist State</i> (1974) in Kraska, Peter. <u>Theorizing Criminal Justice</u>. Waveland Press. (2004) p.261-270.</p> <p><b>Nexus Reading #19</b> Chambliss, William J. (1964) <i>The Law of Vagrancy</i>. In Jacoby (ed) <u>Classics of Criminology</u>, 3<sup>rd</sup> ed. (2004) Waveland Press. p. 391-397.</p> <p><b>Nexus Reading #20</b> Comack, E. (1999). <i>Theoretical Excursions: Traditional Approaches in Sociology of Law</i>. In <u>Locating Law: Race, class, gender connections</u>. Fernwood Publishing. Halifax. Pp. 35-54.</p> <p><b>Nexus Reading #21</b> Daly, K and M. Chesney-Lind (1988) <i>Feminism and Criminology</i>. <u>Justice Quarterly</u> (5)4: 502-505; 524-526.</p> <p><b>Nexus Reading #22</b> Faith, Karlene and Yasmin Jiwani (2008) <i>The Social Construction of Dangerous Girls and Women</i>. In Brooks and Schissel <u>Marginality and Condemnation: An Introduction to Criminology</u> 2<sup>nd</sup> ed. Fernwood publishing, Winnipeg.</p>
<u>8. Criminal justice as social construct</u>	<p><b>Nexus Reading #23</b> Rafter, Nicole Hahn. (1990) 'The Social Construction of Crime and Crime Control' <i>Journal of Research in Crime and Delinquency</i>, vol 27, no 4 pp.376-389. (reprinted in Kraska and Brent <i>Theorizing criminal Justice</i> 2<sup>nd</sup> edition. Waveland Press).</p> <p><b>Nexus Reading #24</b> Becker, Howard S. (1963) 'Outsiders' In Jacoby (ed) <u>Classics of Criminology</u>. 3<sup>rd</sup> ed. Waveland Press. p. 317-324.</p> <p><b>Nexus Reading #25</b> Cohen, Stanley (1972) <i>Youth Deviance and Moral Panics</i>. In S. Cohen <u>Folk Devils and Moral Panics: The Creation of the Mods and Rockers</u>. MacGibbon and Kee. London. Pp. 9-26.</p>
<u>9. Politics of late modernity: neo-liberalism and criminal justice</u>	<p><b>Nexus Reading #26</b> Kraska, Peter and John Brent (2011) <i>Criminal Justice as Late Modernity</i> in <u>Theorizing Criminal Justice: Eight</u></p>

Essential Orientations. Waveland Press. Long Grove, Illinois. P. 289-300

**Nexus Reading #27**

Garland, David (2001) The Culture of Control: Crime and social order in contemporary society University of Chicago Press: pp. 1-26