

# SO350-15 Punishment, Justice and Control

**22/23**

**Department**

Sociology

**Level**

Undergraduate Level 3

**Module leader**

Anastasia Chamberlen

**Credit value**

15

**Module duration**

10 weeks

**Assessment**

100% coursework

**Study location**

University of Warwick main campus, Coventry

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## Description

### Introductory description

By looking at the relationship between justice, social control and punishment, this module seeks to critically explore how societies respond to crime. We will explore key concepts in criminology and criminal justice, and attempt to understand what punishment is, whether it works, how and what consequences it has for those who experience it and for societies. We will focus on key debates in prison sociology and criminology to question whether imprisonment—both as a crime control measure and as an institution of rehabilitation—is successful. We will investigate why the prison is a core feature of liberal democracies, while it is also a source of much controversy and debate. Particularly as prison populations in England and elsewhere remain unprecedentedly high, and as technologies of punishment, regulation and control extend well beyond the physical boundaries of prison walls, and are consistently affecting those who are most disadvantaged in society, the stakes of these debates are high.

The module aims to situate the modern prison within its broader social, historical, political and economic context, and it will end by exploring key social and legal issues arising from punishment by evaluating challenges of prison reform; and exploring alternatives to incarceration but also alternative perspectives in 'doing justice'.

## Module aims

This research-led module aims to explore the relationship between punishment and society and it discusses issues around criminalisation, control and justice. It aims to provide students with a critical introduction to the meaning, purpose, and limits of imprisonment within western liberal democracies and introduces them to key debates and issues in the field of criminal justice. It problematizes the justifications for, the use and expansion of imprisonment. Through key case studies in the field of prison sociology, it conceptually, theoretically and empirically challenges the rationales of punishment in a global context and explores its consequences. The module aims to situate the modern prison within its broader social, historical, political and economic context, and it will end by exploring key social and legal issues arising from punishment by evaluating challenges of prison reform; and exploring alternatives to incarceration but also alternative perspectives in 'doing justice'. Key aims:

- Provide a critical introduction to the meaning, purpose, and limits of punishment and imprisonment.
- Situate the modern prison within its broader social, historical, political and economic context
- Critically assess the theoretical, philosophical and empirical justifications for punishment
- Explore contemporary trends and theories on penal policy in Britain and other liberal democracies
- Evaluate key policy debates around penal reform

## Outline syllabus

This is an indicative module outline only to give an indication of the sort of topics that may be covered. Actual sessions held may differ.

### Part 1 - Conceptual Reflections on Punishment

1. Introduction to the concepts of Punishment and Justice: Justifying Punishment
2. Punishment, Justice and Emotions: The Psychosocial Function of Punishment
3. The Penal Subject: inequality, discrimination and criminalisation
4. The lived experience of punishment and the 'pains of imprisonment'

### Part 2 - Historical and Political Framework

5. Putting the Penal Crisis in Perspective: Historical Overview of Punishment by Imprisonment
6. Mass Imprisonment and the Crisis of Penalty: Understanding the Contemporary Carceral Landscape
7. Neoliberalism, Privatisation and the Prison Industrial Complex

### Part 3 - Beyond Punishment: Critical Perspectives

8. Alternatives to Imprisonment: The Reform versus Abolition Debate
9. Restorative Justice, Transformative Justice and Structural Change

## Learning outcomes

By the end of the module, students should be able to:

- Illustrate an understanding of the key principles, values and practices of contemporary criminal justice in England and Wales;
- Demonstrate an appreciation of the diversity and range of punishment and alternative justice approaches available in a global context;

- Present an awareness of issues of punitiveness, crime control, social exclusion, and criminalisation;
- Illustrate an appreciation of the insights that sociological thought brings to the study of crime, justice and punishment;
- Develop an understanding of the historical, political, and colonial origins of the modern prison;
- Critically analyse the social, legal, political, and economic impacts of punishment;
- Analyse and evaluate the tensions between perpetrator accountability, community support and victim healing;
- Identify the role of inequalities and differences in experiences of imprisonment;
- Compare and evaluate different theories and logics of imprisonment and justice;
- Assess empirical evidence on the successes and failures of imprisonment as a crime control mechanism;
- Demonstrate an understanding of key problems, issues and debates within penal policy;
- Develop skills in accessing and evaluating relevant literature for seminar discussion, presentations, independent study, research and essay writing.

## Indicative reading list

### Some Background Reading

1. Durkheim, É. (1893 [2014]) *The Division of Labour in Society*. (New York: Free Press).
2. Durkheim, É. (1975) "Two Laws of Penal Evolution." *Economy and Society*, 2(3): 285–308.
3. Durkheim, É. (2013) "The Rules of Sociological Method.", extracted In S. Lukes and A. Scull (eds), *Durkheim and the Law*, edited by S. Lukes and A. Scull. (eds), (London: Palgrave Macmillan).
4. Elias, N. (1994/2000) *The Civilising Process*. (Malden: Blackwell).
5. Ericson, R. (2007) *Crime in an Insecure World*. (Cambridge, UK: Polity Press).
6. Foucault, M. (1975) *Discipline and Punish: The Birth of the Prison*. (New York: Vintage Books).
7. Garland, D. (2001) *The Culture of Control*. (Oxford: OUP).
8. Liebling, A., and S. Maruna, S. (2005.) *The Effects of Imprisonment*. (Devon, UK: Willan).
9. Loader, I. and Walker, N. (2007) *Civilizing Security*. (Cambridge: CUP).
10. Maguire, M., Morgan, R. and Reiner, R. eds. (2012) *The Oxford Handbook of Criminology*. 5th ed. (Oxford: OUP).
11. McLaughlin, E. and Muncie, J. eds. (2013) *Criminological Perspectives. Essential Readings*. 3rd ed. (London: Sage).
12. Pratt, J. (2002) *Punishment and Civilization*, (London: Sage).
13. Reiner, R. (2007) *Law and Order: An Honest Citizens Guide to Crime and Control*. (Cambridge: Polity).
14. Wacquant, L (2004) *Punishing the Poor: The Neoliberal Government of Social Insecurity*. (Durham NC: Duke University Press).

[View reading list on Talis Aspire](#)

## Research element

Students taking this module will need to engage actively with empirical research on prisons and criminal justice and will need to be able to interpret official and other crime data. As part of the module, students also practice interviewing skills by having a chance to collectively interview a former prisoner who will visit as a guest.

## **Interdisciplinary**

The module draws from criminology, penology, sociology, law, philosophy, psychology and politics.

## **International**

The module focuses on the UK criminal justice system but regularly offers comparative examples from other jurisdictions too.

## **Subject specific skills**

1. Demonstrate an understanding of the key principles, values and practices of contemporary criminal justice in England and Wales
2. Demonstrate an appreciation of the diversity and range of punishment and alternative justice approaches available in a global context
3. Demonstrate an understanding of the historical, political, and colonial origins of the modern prison.
4. Analyse and assess tensions between perpetrator accountability, community support and victim healing
5. Critically analyse the social, legal, political, and economic impacts of punishment
6. Identify the role of inequalities and differences in experiences of imprisonment
7. Compare and evaluate different theories and logics of imprisonment and justice
8. Assess empirical evidence on the successes and failures of imprisonment as a crime control mechanism
9. Demonstrate an understanding of key problems, issues and debates within penal policy

## **Transferable skills**

students will have demonstrated:

-a systematic understanding of key aspects of prison sociology and penology, including acquisition of coherent and detailed knowledge, at least some of which is at, or informed by, the forefront of defined aspects of criminology

-an ability to deploy accurately established techniques of analysis and enquiry within sociology and criminology

-conceptual understanding that enables the student:

- ○ to devise and sustain arguments, and/or to solve problems, using ideas and techniques, some of which are at the forefront of sociology and criminology
- ○ to describe and comment upon particular aspects of current research on punishment, prisons and criminal justice more generally
- the ability to manage their own learning, and to make use of scholarly reviews and primary sources (for example, refereed research articles and/or original materials appropriate to criminology).

-the ability to apply the methods and techniques that they have learned to review, consolidate, extend and apply their knowledge and understanding, and to initiate and carry out projects

- the ability critically evaluate arguments, assumptions, abstract concepts and data (that may be incomplete), to make judgements, and to frame appropriate questions to achieve a solution - or identify a range of solutions - to a problem
  - to communicate information, ideas, problems and solutions to both specialist and non-specialist audiences.
  - the qualities and transferable skills necessary for employment requiring:
    - ◦ the exercise of initiative and personal responsibility
    - ◦ decision-making in complex contexts
    - ◦ the learning ability needed to undertake appropriate further training of a professional or equivalent nature.
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## Study

### Study time

Type	Required
Lectures	9 sessions of 1 hour (6%)
Seminars	9 sessions of 1 hour (6%)
Private study	132 hours (88%)
Total	150 hours

### Private study description

Reading for seminars.

Preparation for seminars

Preparation of presentations

Preparation and writing of formative work

Preparation and writing of summative work

Other work related to assessment.

### Costs

No further costs have been identified for this module.

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### Assessment

You must pass all assessment components to pass the module.

Students can register for this module without taking any assessment.

### Assessment group A1

	<b>Weighting</b>	<b>Study time</b>
Assessed Essay	100%	80 hours
A 3,000-word essay from a list of given questions or a question devised by the student and approved by the module leader.		

## Feedback on assessment

Students will receive written feedback on an in-class group presentation and advice on how to incorporate their knowledge from it into their essays. I will design a specific feedback form for the presentation. Students will also receive written feedback if they choose to complete a formative assessment prior to the summative. In addition, the last seminar of the module will be skills-based and students will be asked to bring to class a one-page summative essay outline so that they can get informal feedback on it before the submission of their final essay.

## Availability

### Courses

This module is Core optional for:

- Year 3 of ULAA-ML33 Undergraduate Law and Sociology

This module is Optional for:

- USOA-L301 BA in Sociology
  - Year 3 of L301 Sociology
  - Year 3 of L301 Sociology
  - Year 3 of L301 Sociology
- Year 4 of USOA-L306 BA in Sociology (with Intercalated Year)
- UHIA-VL16 Undergraduate History and Sociology (with Year Abroad and a term in Venice)
  - Year 3 of VL16 History and Sociology (with Year Abroad and a term in Venice)
  - Year 4 of VL16 History and Sociology (with Year Abroad and a term in Venice)
- Year 3 of UHIA-VL15 Undergraduate History and Sociology (with a term in Venice)
- Year 3 of USOA-L314 Undergraduate Sociology and Criminology

This module is Unusual option for:

- UPHA-V7ML Undergraduate Philosophy, Politics and Economics
  - Year 3 of V7ML Philosophy, Politics and Economics (Tripartite)
  - Year 3 of V7ML Philosophy, Politics and Economics (Tripartite)
  - Year 3 of V7ML Philosophy, Politics and Economics (Tripartite)

This module is Option list A for:

- ULAA-ML34 BA in Law and Sociology (Qualifying Degree)

- Year 3 of ML34 Law and Sociology (Qualifying Degree)
- Year 4 of ML34 Law and Sociology (Qualifying Degree)
- Year 5 of ULAA-ML35 BA in Law and Sociology (Qualifying Degree) (with Intercalated year)
- Year 4 of UHIA-VL16 Undergraduate History and Sociology (with Year Abroad and a term in Venice)
- Year 4 of ULAA-ML33 Undergraduate Law and Sociology

This module is Option list B for:

- Year 3 of UPOA-ML13 Undergraduate Politics and Sociology
- Year 4 of UPOA-ML14 Undergraduate Politics and Sociology (with Intercalated year)

This module is Option list C for:

- Year 3 of UHIA-VL13 Undergraduate History and Sociology
- Year 4 of UHIA-VL14 Undergraduate History and Sociology (with Year Abroad)

This module is Option list D for:

- Year 3 of UHIA-VL13 Undergraduate History and Sociology
- Year 4 of UHIA-VL16 Undergraduate History and Sociology (with Year Abroad and a term in Venice)
- Year 4 of UHIA-VL14 Undergraduate History and Sociology (with Year Abroad)
- Year 3 of UHIA-VL15 Undergraduate History and Sociology (with a term in Venice)