

Crime and Punishment in the Americas
Department of International Studies

Tuesdays 9:30 -12:00 am
Class room: Ferré 126
Spring 2009

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Welcome!

I- Introduction

This course emphasizes both class discussion and student leadership of class. The class has two cycles. The first part of the first cycle classes begin with a lecture and discussion of the initial readings made by me and the second part is yours. The idea in this second part (for the first cycle) is that I will give you one or two questions related to the class readings and you will have 20 minutes to work them out in a group and then a representative of each group will present it to the class for 5- 10 minutes. The second cycle begins with a lecture of the readings made by me followed by student's oral presentations of their research projects. The final 'exam' is a written research project.

Your principal focus of the semester will be a research project related to crime, violence or justice in the US and Latin America. Your theoretical framework and analysis will connect directly to the themes of the course, were you need not study the same topics that the syllabus emphasizes, but related ones. This project will include several stages including: 1) topic formulation; 2) a short exploratory paper and an outline of your argument; 3) a graded oral presentation; and 4) a graded final written project.

II- Course Objectives

- 1- Acquire knowledge and tools to understand crime, violence and justice concepts from theoretical, comparative and empirical perspectives.
- 2- Encourage the need to do more research on these topics in order to contribute to a better understanding of these issues.

- 3- Stimulate your rhetorical capacity and your aptitude to ask and reply questions and participate in debates.
- 4- Recognize the interdisciplinary dimension as well as the application of these topics to other disciplines.

III- Methodology

General Class Engagement

To get the most out of our class, we will need to be respectful of the views others have to offer, and of the fact that each of us has something to teach the rest of the class. Everyone's full engagement is needed to get the most out of the course.

Different people have different ways in which they best engage course materials and classmates. Some of these methods of engagement include active listening, thoughtful preparation for class for the class presentation, sharing a well-formulated idea with reference to another person's ideas, off-the-top-of-your-head reactions to new ideas, helping a classmate understand a difficult concept, coming to office hours, bringing relevant news articles to class to share, and creative completion of oral presentations and final written projects.

Class Required Readings

The idea is that the class is active and for this you need to read the assigned readings for each class. In most cases these never surpass 100 pages per week. In the first cycle the readings are fundamental to answer the questions that you will discuss in the group and present to the class in the second part. These short presentations will account for 30% of your class grade. In the second cycle the students presentations have to be complemented with the readings and students should ask questions related to the class readings. The grades of this second cycle will be divided between the oral presentation (30%) and the final written project (40%).

Class presentations (First Cycle)

The short class presentations should reflect an understanding of the class required reading for the day. With this in mind I will form groups, give the question to be discussed and then select the groups that will give the presentations for that class and choose the speaker of each group. Everyone **must** make a presentation at least once, and groups will be integrated in each class with different members so that you could discuss and integrate with most students in the class. It is also possible that a student will be called more than once for class presentation, therefore you should read the required readings for each class.

Oral Presentations (Second Cycle)

The oral presentation is part of the written final report and is individual. The topic is the same for both, but needs to be presented and developed differently. I expect you to formulate one or two key statements or assertions of the topic you selected and analyze them. The statement may be substantive, analytic, methodological, or theoretic. In any case the goal is to make an argument as I explain below for the written final report, for the class to understand. The goal of these oral presentations is to *raise* an interesting point; don't feel you have to definitively *prove* it. Following your main argument or statement, you should discuss evidence both for and against your assertion.

This presentation should be made in power point in front of all the class and last 15 minutes. The next five minutes any student or I will give some feed back that you should take into account in your written final report

Written Final Report

For the final written report I expect you to formulate one or two key statements or assertions. The statements may be substantive, analytic, methodological, or theoretic.

Here is a very condensed example of the type of analysis you can make. Title: Determinants of the drop of Crime in America in the 1990s: "In their analysis of the Drop of Crime in America, Blumstein et al. show that crime reduction in the US in the 1990s is the product of a variety of explanations and circumstances, some with more weigh than others, but none as the lonely determinant. In contrast Levitt analysis breaks new ground with his approach to crime drop in America, but the evidence doesn't easily fit in a theory." "I argue that Levitt overlooks factors that account for a complex explanation of a phenomenon like crime that cannot be ignored, but the evidence is so solid and his argument so convincing that it accounts as an extra factor in the explanation of the drop of crime in America in the 1990s."

In other words, you are constructing an argument. Therefore you need to consult at least two different theories or views of the topic you are presenting and develop it with a critical view. This paper should not exceed 8 pages doubled spaced in Arial 12. The bibliography and front page are not part of the 8 pages. The paper should follow any UM accepted format, but it should be consistent. A previous topic formulation and short exploratory paper and outline of your argument should be presented to me during the first cycle.

The criteria for grading these written reports and the oral presentations are listed below and each accounts for a point, 5 points are an A and so forth.

- 1- Creativity
- 2- A good assertion
- 3- Analysis and argumentation
- 4- Comparative analysis
- 5- Form (presentation, bibliography, etc.)

On-Time Work Policy

Setting and meeting deadlines is an important professional skill. I expect you to either meet these deadlines or set alternative deadlines with me in advance. College is an important time to develop a reputation as someone who gets things done, and gets things done on time. Grades will be penalized for late work.

Grades Weight Summary

Evaluation	Percentage
Class presentations	30%
Oral presentation	30%
Written Essay	40%

IV- Class Schedule, Readings and Main Areas of Study

The Class will meet 13 times and has two cycles.

A- First Cycle

Tuesday January 20

No class due to President Barack Obama's Inauguration Day

Tuesday January 27

1- Introduction: Issues of Crime and Criminal Justice in Latin America and the United States

Organizational and introductory session. **No** readings required.

Tuesday February 3

2- Historical Introduction to Latin American Criminal Systems of Justice

Required Reading

Merryman, John H. and Rogelio Perez Perdomo. **The Civil Law Tradition. An Introduction to the Legal Systems of Europe and Latin America.** Stanford University Press, 2007

----- Two Legal Traditions pp 1-5
----- Codes and Codifications 27-33
----- Certainty and Equity pp 48-55,
----- The criminal Process pp125-133

Supplementary Reading

Magaloni, Beatriz. "Authoritarianism. Democracy and the Supreme Court: Horizontal Exchange and the Rule of Law in Mexico" in **Democractic Accountability in Latin America**. Mainwaring, Scott and Christopher Welna, Oxford University Press, 2003, pp 266- 306.

Hart ,H.L.A. **The Concept of Law**. Oxford Clarendon Press, 1994

Tuesday February 10

3- Crime and Violence in Latin America (Part 1)

Required Reading

Desmond Arias, Enrique. "The Dynamics of Criminal Governance: Networks and Social Order in Rio de Janeiro" in Journal of Latin American Studies 38, 2006, pp 293–325.

Morrison, Andrew. Mayra Buvinic and Shifter Michael. "The Violent Americas: Risks factors, Consequences and Policy implications of Social and Domestic Violence" in **Crime and Violence in Latin America. Citizen Security, Democracy and the State**, Fruhling, Hugo et al. (eds.) The John Hopkins University Press, 2003, pp.93-124.

Maingot, Anthony. Internationalized Crime and the Vulnerability of Small States in the Caribbean in **Crime and Violence in Latin America. Citizen Security, Democracy and the State**, Fruhling, Hugo et al. (eds.) The John Hopkins University Press, 2003, pp 233-256.

Supplementary Reading

Gilbert, Alan. **The Latin American City**. London: Latin American Bureau, 1998.

Caldeira, Teresa. **City of Walls: Crime, Segregation, and Citizenship in São Paulo**. University of California Press, 2000.

Smulovitz, Catalina. "Citizen Insecurity and Fear: public and private responses in Argentina (*case study*) in **Crime and Violence in Latin America. Citizen Security, Democracy and the State**. Ibid

Paulo de Mesquita, Neto and Adriana Loche. "Police Community Partnerships in Brazil in **Crime and Violence in Latin America. Citizen Security, Democracy and the State**, Ibid.

Dosh, Paul. "Violence, Spatial Segregation and the Limits of Local Empowerment in Urban Latin America" in Latin American Politics and Society, Vol. 45, No 4 Winter 2003.

Tuesday February 18

4- **Crime and violence in Latin America: the Case of Colombia (Part 2)**

Required Reading

Uprimny, Rodrigo. "Violence, Power, and Collective Action. A comparison between Bolivia and Colombia" in **Violence in Colombia, 1990-2000. Waging War and Negotiating Peace**, Bergquist, C., P. Peñaranda and G. Sanchez (eds.), Scholarly Resources, 2001, pp39-52.

Bergquist, Charles. "Waging War and Negotiating Peace. The Contemporary Crisis in a Historical Perspective", in **Violence in Colombia, 1990-2000. Waging War and Negotiating Peace**, Bergquist, C., P. Peñaranda and G. Sanchez (eds.), Scholarly Resources, 2001., pp 195- 212.

Supplementary Reading

Montenegro, Armando y Posada, Carlos E. **La violencia en Colombia**. Libros de Cambio: 2001.

Gaitán Daza, Fernando. "Multicausalidad, impunidad y violencia: una visión alternativa" in Economía Institucional. Universidad Externado de Colombia, Segundo Semestre 2001.

Sánchez, Fabio. **Las cuentas de la Guerra**. Ediciones Vitral Norma, 2007.

Pécaut, Daniel. "From the Banality of Violence to Real Terror: the Case of Colombia", in **Societies of Fear. The Legacy of Civil War, Violence and Terrorism in Latin America**, K. Koonings and D. Kruijt (eds.), London and New York, 1999.

Deas, Malcolm. "Violent Exchanges: Reflections on Political Violence in Colombia", in **The Legitimization of Violence**, D. Apter, (ed.), London, 1997, pp 350-404.

Sánchez, Fabio. **Las cuentas de la Guerra**. Ediciones Vitral Norma, 2007.

Tuesday February 25

- 5- **Crime and violence in Latin America (Part 3). Gangs: From a Local to a Transnational form of Organized Crime. Particularities of the “Maras” (gangs) in Central America and their links with their “American” Counterparts.**

Required Reading

USAID Bureau for Latin American and Caribbean Affairs Office of Regional Sustainable Development. “Central America and Mexico Gang Assessment”. April 2006, pp.1-161.

Supplementary Reading

WOLA Special Report. “Youth Gangs in Central America. Issues in Human Rights, Effective Policing, and Prevention”. November 2006.

Congressional Research Service CRS for Congress. “Gangs in Central America”. July 27, 2007.

United Nations Office on Drugs and Crime. “Crime and Development in Central America. Caught in the Crossfire”. May 2007.

Tita, George. “The Impact of Crime Formation on Local Patterns of Crime” in Journal of Research on Crime and Delinquency, 2005.

Tita, George. “Reducing Gun Violence. Results from an Intervention in East Los Angeles”. Rand, 2003.

Banco Interamericano de Desarrollo, BID. “La violencia en El Salvador en los años noventa. Magnitud, costos y factores posibilitadores”, Instituto Universitario de Opinión Pública Universidad Centroamericana José Simeón Cañas, Documento de Trabajo R-338, Octubre de 1988, pp1-54.

Fundación Arias para la Paz y el Progreso Humano. “La cara de la violencia urbana en América Central” Editorama, S.A, 2005, pp 1- 342.

Tuesday March 3

- 6- **Fear of Crime in the Developed World and in Latin America: Strikingly Similar Perceptions**

Required Reading

Human Security Centre. Liu Institute for Global Issues at the University of British Columbia. First Human Security Report. "The Changing Face of Global Violence". 2005, Overview p 1-12 and Part I pp 1-48.

Dammert, Lucia and Mary Fran Malone. Does it Take a Village? Policing Strategies and Fear of Crime in Latin America. Latin American Politics and Society, Vol. 48, No 4, Winter 2006, pp 27-51.

Supplementary Reading

Alvazzi del Frate, A., J. van Dijk, J. van Kesteren, y P. Mayhew, "International Crime Victimization Survey (ICVS)", ICVS International Working Group, Netherlands: University of Leiden/Turin, Italy: United Nations Interregional Crime and Justice Research Institute (UNICRI), Ann Arbor, MI: Inter-university Consortium for Political and Social Research, 2003.

Becker, Garry and Rubinstein, Y. "Fear and the Response to Terrorism: An Economic Analysis", Working Paper, University of Chicago, 2004.

Bertrand, M., y S. Mullainathan. "Do People Mean What They Say? Implications for Subjective Survey Data" in American Economic Review, 91 (2), 2000, pp 67-72.

Chiricos, T., S. Eschholz y M. Gertz, (1997). "Crime, News and Fear of Crime: Toward an Identification of Audience Effects" in Social Problems, 44 (3): 342-357.

Ditton, D., y S. Farral, (eds.). **The Fear of Crime**, Aldershot, Ashgate, 2000.

Farral, S., y D. Gadd, "Research Note: the Frequency of the Fear of Crime" in British Journal of Criminology, 44, 2004, pp 127-132.

Haghighi, B., y J. Sorensen, (1996). "America's Fear of Crime" in **American's View Crime and Justice: A National Public Opinion Survey**, Flanagan, T., y D. R. Longmire (eds.), Sage Publications, Thousand Oaks.

Hale, C. "Fear of Crime: A Review of the Literature" in International Review of Victimology, 4, 1996, pp 79-150.

Williams, P., y J. Dickinson, "Fear of Crime: Read All About It", British Journal of Criminology, 33, 1993, pp 33-56.

Tuesday March 10

7- Terrorism, torture and fear of terrorism throughout the world

Required Reading

Forst, Brian. **Terrorism, Crime and Public Policy**. Cambridge University Press, 2009, pp 202-250.

Sussman, David. "What's Wrong with Torture" in **The Global Justice Reader** Brooks, Thom (ed). Blackwell Publishing 2008. pp188-211

B- Second Cycle

Tuesday March 24

8- Prisons as the Ultimate Universal Solution against Crime and Violence: Effectiveness of Prisons and Prisons' Main Impact on Society as a Whole (Part 1)

Required Reading

Lippke, Richard. **Rethinking Imprisonment**. Oxford University Press, 2007, pp 104-128.

Western, Bruce. **Punishment and Inequality in America**. Russell Sage Foundation, New York, 2006, pp 1-51 and pp 189-198

Patillo, Mary, et al.(eds.) **Imprisoning America**. Russell Sage Foundation, New York, 2004, pp 97-131.

Supplementary Reading

Drug Policy- Debate. "Is there too much emphasis on law enforcement?" in *Congressional Quarterly*, July 28, 2000, Vol. 10, No 26 pp 593-624.

Blumstein, Alfred and Joel Wallman (eds.).**Drop of Crime in America**, Cambridge University Press, 2000, pp 330.

Tuesday March 31

9- The Stanford Prison Experiment (Part 2)

Required Readings

"War on Drugs. Should non violent users be subject of arrest?" in *Congressional Quarterly*, June 2, Vol16, No 21, 2006, pp. 481- 504.

Zimbardo, P.G. "A Situationist Perspective on the Psychology of Evil" in **The Social Psychology of Good and Evil**. A.G. Miller (ed), Guilford Press, 2004, pp 21-50

Supplementary Reading for Latin America's Prisons

Núñez, Vega Jorge. "Las cárceles en la época del narcotráfico: una mirada etnográfica" in Nueva Sociedad, No 208. Marzo –Abril 2007. ISSN 0251-3352. pp.1-15 www.nuso.org

Ungar, Mark. "Prison and Politics in Contemporary Latin America." Human Rights Quaterly, Vol 25, No 4, 2003, pp. 909-934.

Cáliz, Álvaro. "La falacia de más policías, más penas y más cárceles: el problema de la inseguridad y el castigo desde una visión alternativa" in Nueva Sociedad, No 208. Marzo –Abril 2007. ISSN 0251-3352. www.nuso.org

Azaola, Elena and Marcelo Bergman. "The Mexican Prison System" in **Reforming the Administration of Justice in Mexico**. Cornelius, Wayne A. and David A. Shirk (eds.), Notre Dame Press, 2007, pp 91-132.

Carrillo Leal, William (David Mond). "From My Prison Cell: Time and Space in Prison in Colombia, an Ethnographic Approach" in Latin American Perspectives, Vol. 28, No. 1, 2001.

Tuesday April 7

10-Alternatives to Inefficient Judiciaries: the Judicialization of Politics in Latin America

Required Reading

Sikkink, Kathryn, "Transnational Dimensions of Judicialization" in **The Judicialization of Politics in Latin America**. Sieder, R et al. (eds), Palgrave, Macmillan, 2006, pp 263-292.

Macaulay, Fiona. "Private Conflict, Public Powers: Domestic Violence in the Courts in Latin America" in **The Judicialization of Politics in Latin America**. Sieder, Rachel et al. (eds.), Palgrave, Macmillan, 2006, pp 211-230.

Cepeda, Manuel Jose. "The Judicialization of Politics in Colombia: The Old and the New" in **The Judicialization of Politics in Latin America**. Sieder, R et al. (eds.) Palgrave, Macmillan, 2006, pp 67-103.

Supplementary Reading

Sieder, R et al (eds.). **The Judicialization of Politics in Latin America**. Palgrave, Macmillan, 2006, pp 305.

Tuesday April 14

11- Is Criminal Justice a solution to control Crime and Violence in LA?

Required Reading

Todd, Flogleson and Stone Christopher. "Measuring the contribution of the criminal justice to the control of crime and violence: Lessons form Jamaica and the Dominican Republic. Faculty Research Working Paper Series, John F. Kennedy School of Government, Harvard University, April 2007, pp 1-39.

Restrepo, Elvira Maria. **Colombian System of Justice in Crisis. Fear and Distrust**. Palgrave/Macmillan, 2003, pp 139 -172.

Prillaman, William C. **The Judiciary and Democratic decay in Latin America: Declining Confidence in the rule of Law**, Westport, Conn: Praeger, 2000, pp137-161.

Tulchin, Joseph and Heather A. Golding. "Looking ahead: Steps to Reduce Crime and Violence in the Americas" in **Crime and Violence in Latin America. Citizen Security, Democracy and the State**, Fruhling Hugo et al. (eds.), The John Hopkins University Press, 2003, pp259-265.

Supplementary Reading

Staats, Joseph et al. "Measuring Judicial Performance in Latin America". Latin American Politics and Society, Vol.47, No 4. Winter 2005, pp.77-106.

Popkin, Margaret. **Peace without Justice: Obstacle to building the rule of Law in Salvador**. University Press, 2000, pp. 287.

Hammergren, Linn. **The politics of Justice and justice Reform Latin America: The Peruvian Case in Comparative Perspective**. Boulder, Colo: Westview, 1998, pp. 342.

O'Donnell, Guillermo and Paulo Sergio Pinheiro. **The unrule of Law and the underprivileged in Latin America**. Juan E. Mendez (ed.), University of Notre Dame Press, 1999.

Tuesday April 21

12- Crime reduction in the United States: Is it sustainable? Any hopes for Latin America?

Required Reading

Blumstein, Alfred. "Disaggregating the Violence Trends" in **Drop of Crime in America**, Blumstein, Alfred and Joel Wallman (eds.), Cambridge University Press, 2000, pp 13-44.

Eck, John and Edward Maguire. "Have changes in Policing reduced Violent Crime. An assessment of the Evidence" in **Drop of Crime in America**, Blumstein, Alfred and Joel Wallman (eds.), Cambridge University Press, 2000, pp 207-265.

Levitt, Steven and Stephan J. Dubner. "Where have all the criminals gone?" in **Freakonomics: A Rogue Economist Explores the Hidden Side of Everything** University of Chicago, 2005, pp 105-132.

Supplementary Reading

Levitt, Steven and John Donohue. "The Impact of Legalized Abortion on Crime", Quarterly Journal of Economics, May 2001, pp 60.

Tuesday April 28 (last class)

13- CLASS CHOOSES ANY RELATED TOPIC