

LAW AND ORDER L.A.

LAS 4935 / LAS 6938 / ANG6930 / ANT4930



Spring 2013

Wednesday 3-5 period (9:35-12:35)

Location: Grinter 376

Ieva Jusionyte

Grinter 368

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Office Hrs: Mon 2:30-3:30 and by appt

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This course uses anthropological approaches to examine institutions, regimes and processes that define and maintain law and order in Latin America. In the first, theoretical part of the course we will become familiar with concepts of social contract, sovereignty, and governmentality. Then we will move on to examine case studies that provide a window into the architecture of order and the machinery of law. We will discuss national and international strategies of security, practices of law enforcement, prosecution, and incarceration, contestations of legal norms, and communal forms of justice. Throughout the course we will pay special attention to the issue of impunity. In addition to using a variety of secondary sources - scholarly works, journalistic investigations, and documentary films, - we will gain direct insight into the workings of law and order during a class visit to the Florida State Prison.

REQUIRED BOOKS (in the order they are assigned)

Hautzinger, Sarah J.

2007 *Violence in the City of Women: Police and Batterers in Bahia, Brazil.*

University of California Press

Gill, Lesley

2004 *The School of the Americas: Military Training and Political Violence in the Americas.* Duke University Press.

Goldman, Francisco

2008 *The Art of Political Murder: Who Killed the Bishop?* Grove Press.

Goldstein, Daniel

2012 *Outlawed: Between Security and Rights in a Bolivian City.* Duke University Press.

All remaining class readings can be downloaded from the Sakai course page.

ASSIGNMENTS and GRADING

Attendance. Absence for reasons of illness, religious holiday or official university business is excused. Please inform the instructor as early as possible and provide appropriate documentation. You are responsible to contact a classmate to obtain notes on the materials covered. You are allowed one unexcused absence. After the second unexcused absence your final grade will be reduced a full letter. Students with four or more unexcused absences will fail.

Participation (10%): This is a discussion-based rather than lecture-driven class; therefore, careful preparation for each seminar and informed contribution to discussions is expected. Always bring the copy of that day's readings to class (either printed or electronic version). Students who are exceptionally active participants in discussions by consistently demonstrating both familiarity with the assigned readings and original thoughts or questions that lead beyond the texts will be excused from taking the midterm exam.

Seminar Presentation (15%): Students will be responsible for leading a seminar discussion on the readings assigned for a particular week. Students should (1) provide a brief analysis of important points raised by the assigned readings; (2) situate the readings within broader ideas and concepts of the course; (3) frame a set of relevant questions for class discussion.

Class Blog (15%): Students will collaboratively write a themed blog. The address of the blog is: <http://laworderla.wordpress.com>. There are a number of ways you can approach this assignment: 1) the blog can serve as a virtual space to suggest or extend class discussions on readings or films, especially if you feel strongly about a particular topic; 2) you can write commentaries on news stories regarding law and order in Latin America; 3) or you can use the blog as an unpolished research diary for posting reflections on data related to your research interest. It is your space, so use it the way it suits you best, and expect to get feedback from your peers.

Starting from the third week of class you are required to write weekly entries and post comments on at least one other student's entry per week. In total, you will write 13 personal entries and 13 comments: one entry and one comment per week, with the exception of spring break. To receive credit, blog entries and comments for the week must be published by the beginning of that week's class. Each student is automatically granted one extension. Additional arrangements for late work must be made prior to the due date on Wednesday. Unexcused late work will receive no credit.

Prison Notes (10%): The week following the visit to Florida State Prison you should submit a 2-page reflection piece, in which you briefly discuss what you found most interesting or challenging.

Midterm Exam (20%): This will be a take-home exam. Exam questions will be handed out in class on February 27 and the exam is due in class on March 13. The questions for the assignment will be explicitly tied to course readings and discussions. Students who are exceptionally active participants in discussions by consistently demonstrating both familiarity with the assigned readings and original thoughts or questions that lead beyond the texts will be excused from taking the midterm exam. They will automatically receive an A for this assignment.

Book Review (30%): For the final take-home exam, in consultation with the instructor select and read an ethnography about law or order in Latin America, and write an 8-10-page paper, in which you assess (critique, evaluate) the book in light of important issues in anthropological theory of law and order (or you could assess/ examine important issues in political and legal anthropology, using the ethnography as a starting point). You should aim to draw on a diversity of theoretical readings and approaches we cover in the course (and cite them carefully, using precise page numbers and quotes).

All students must select an ethnography by March 27. The book review is due by the last day of class, April 24.

Written work: Both the midterm and the final exam must:

- Use 12-point Times New Roman or similar font;
- Be double-spaced, with 1 inch margins;
- Include your last name and page number in the header/footer of each page;
- Cite all sources in Modern Language Association (MLA) or American Anthropological Association (AAA) format.

Please turn in a hard copy of all assignments and post them through Sakai.

Late Work and Extensions: Assignments for the midterm exam and the research paper will be handed out well in advance of their due date. If you know you will not be able to turn in the assignment on time, please notify the instructor as early as possible. Extensions are not granted lightly and must be arranged in advance. Assignments are due at the beginning of the class and will be marked down a grade for each day they are late (i.e., a B+ paper turned in a day late will receive a B).

PRISON VISIT: Students will sign for one of two group tours to the Florida State Prison: On Tuesday, February 19, at 8:15am or on Tuesday, February 26, at 1:15pm. In order to enter the prison, you will need to clear a background check. Further instructions and travel arrangements will be discussed in class.

ACADEMIC HONESTY: All work submitted by a student for a grade must be completed by that student and free from unauthorized assistance or deliberate misrepresentations. The penalty for plagiarism or cheating is a grade of zero points on the assignment in question; in such cases an incident form will also be sent to the Office of the Dean of Students. If you have questions about what constitutes academic misconduct, please consult the UF Honor Code as well as the UF Policies on Academic Honesty, Student Rights and Responsibilities. These are available online at:

<http://www.dso.ufl.edu/studenthandbook/studentrights.php#academichonestyguidelines>

ADA STATEMENT: Students with disabilities, who need reasonable modifications to complete assignments successfully and otherwise satisfy course criteria, are encouraged to meet with the instructor as early in the course as possible to identify and plan specific accommodations. Students will be asked to supply a letter from the Disability Resource Center to assist in planning accommodations.

GRADING SCALE

Passing Grade	A	A-	B+	B	B-	C+	C	C-	D+	D	D-
Grade Points	4.0	3.67	3.33	3.0	2.67	2.33	2.0	1.67	1.33	1.0	.67

Please consult UF grading policies at
<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx>

HEALTH AND COUNSELING:

The University offers the following health and counseling services for students in the event personal problems threaten to hinder academic performance:
 University Counseling Center (301 Peabody Hall, 392-1575),
 Student Mental Health (Student Health Care Center, 392-1171), and
 Sexual Assault Recovery Services (Student Health Care Center, 392-1161).

Please note: The Instructor may make minor adjustments to class readings or assignments during the course of the semester. Any and all modifications will be announced ahead of time.

COURSE SCHEDULE:

Wednesday, January 9

COURSE AND CLASS INTRODUCTION

Wednesday, January 16

LAW AND ORDER

Grann, David

2011 A Murder Foretold. *The New Yorker*
http://www.newyorker.com/reporting/2011/04/04/110404fa_fact_grann)

Moore, Sally Falk

2004 "Certainties Undone: Fifty turbulent years of Legal Anthropology, 1959-1999." In *Law and Anthropology: A Reader*. Sally Falk Moore, ed. London: Blackwell. Pp. 346-367.

Wednesday, January 23

THEORIES OF SOCIAL CONTRACT

Hobbes, Thomas

1651 *Leviathan* (chapters XIII-XIV, XVII, XXVI-XXVIII)
<http://oregonstate.edu/instruct/phl302/texts/hobbes/leviathan-contents.html>].

Locke, John

1698 *The Second Treatise of Civil Government* (Chapters I-III, V, VII-IX)
[<http://oregonstate.edu/instruct/phl302/texts/locke/locke2/2nd-contents.html>].

Coronil, Fernando, and Julie Skurski

2006 Dismembering and Remembering the Nation: The Semantics of Political Violence in Venezuela. *In* States of violence. F. Coronil and J. Skurski, eds. Pp. 83-143: University of Michigan Press.

Wednesday, January 30

GOVERNMENTALITY AND SOVEREIGNTY

Foucault, Michel

1991 Governmentality. *In* The Foucault Effect: Studies in Governmentality. G.G.C. Burchell and P. Miller, eds: University of Chicago Press. Pp. 87-104.

Agamben, Giorgio

1998 Homo Sacer: Sovereign Power and Bare Life. Stanford University Press. Pp. 1-29 (required); 119-143 (recommended).

Holston, James

1989 "Typologies of Order, Work, and Residence" and "Cities of Rebellion." *In* *The Modernist City: An Anthropological Critique of Brasilia*. University of Chicago Press. Pp. 145-153, 257-288.

Brown, Elizabeth

2010 Race, Urban Governance, and Crime Control: Creating Model Cities. *Law & Society Review* 44(3-4):769-804.

Wednesday, February 6

STATE OF SIEGE

Benjamin, Walter

1978 Critique of Violence. *In* Reflections: Essays, Aphorisms, Autobiographical Writings. 1st edition. W. Benjamin, Jephcott E. F. N. Demetz Peter, ed. Pp. 277-300. New York: Harcourt Brace Jovanovich.

Blomley, Nicholas

2003 Law, Property, and the Geography of Violence: The Frontier, the Survey, and the Grid. *Annals of the Association of American Geographers* 93(1):121-141.

Strathern, Marilyn

1985 "Discovering 'Social Control.'" *Journal of Law and Society* 12(2): 111-134.

Recommended reading:

Caldeira, Teresa

2000 "Violent Crime and the Failure of the Rule of Law." *In* *City of Walls: Crime, Segregation, and Citizenship in São Paulo*. Berkeley: University of California Press. Pp. 105-210.

Wednesday, February 13

LAW ENFORCEMENT: THE POLICE

Hautzinger, Sarah J.

2007 Violence in the City of Women: Police and Batterers in Bahia, Brazil. University of California Press.

Recommended reading:

Merry, Sally Engle

2001 "Spatial Governmentality and the New Urban Social Order: Controlling Gender Violence through Law." *American Anthropologist* 103(1): 16-29.

Tuesday, February 19

Group I visit to Florida State Prison in Starke

Wednesday, February 20

LAW ENFORCEMENT: THE PRISON

Foucault, Michel

1977 "Panopticism", in *Discipline and Punish*. New York: Pantheon Books. Pp. 195-228.

Wacquant, Loïc

2001 Deadly Symbiosis: When Ghetto and Prison Meet and Mesh. *Punishment & Society* 3(1): 95-134.

Caton, Steven C., and Bernardo Zacka

2010 Abu Ghraib, the Security Apparatus, and the Performativity of Power. *American Ethnologist* 37(2):203-211.

Tuesday, February 26

Group II visit to Florida State Prison in Starke

Wednesday, February 27

LAW ENFORCEMENT: THE MILITARY

Gill, Lesley

2004 The School of the Americas: Military Training and Political Violence in the Americas. Duke University Press.

TAKE-HOME MIDTERM ASSIGNMENT HANDED OUT IN CLASS

Wednesday, March 6

NO CLASS - SPRING BREAK

Wednesday, March 13

LEGAL PROCESS: THE INVESTIGATION

Goldman, Francisco

2008 The Art of Political Murder: Who Killed the Bishop? Grove Press.

MIDTERM ASSIGNMENT DUE IN CLASS

Class visit to Latin American Collection

Wednesday, March 20

NO CLASS - JUSIONYTE AT SLACA

Wednesday, March 27

LEGAL PROCESS: THE TRIAL

Kafka, Franz

1925 *The Trial* [http://www.gutenberg.org/ebooks/7849]

Merry, Sally Engle

1979 "Going to Court: Strategies of Dispute Management in an Urban Neighborhood," in *Law & Society Reader*. Pp. 36-57.

Mulcahy, Linda

2007 Architects of Justice: the Politics of Courtroom Design. *Social & Legal Studies* 16(3):383-403.

BOOK SELECTIONS DUE

Wednesday, April 3

POPULAR JUSTICE

Goldstein, Daniel

2012 Outlawed: Between Security and Rights in a Bolivian City. Duke University Press.

Wednesday, April 10

LEGAL PLURALISM

Merry, Sally Engle

1998 "Legal Pluralism." *Law and Society Review* 22(5): 869-901.

Hessbruegge, Jan Arno and Carlos Fredy Ochoa García

2005 Mayan Law in Post-Conflict Guatemala. Washington: US Institute for Peace.
[http://www.ilo.org/wcmsp5/groups/public/@ed_norm/@normes/documents/event/wcms_084059.pdf]

Sieder, Rachel

2011 Contested Sovereignities: Indigenous Law, Violence and State Effects in Postwar Guatemala. *Critique of Anthropology* 31(3):161-184.

Recommended readings:

Bohannon, Paul

1965 "The Differing Realms of Law." *American Anthropologist* 67(6): 33-42.

Geertz, Clifford

1983 "Local Knowledge: Fact and Law in Comparative Perspective." In *Local Knowledge: Further Essays in Interpretive Anthropology*, New York: Basic Books. Pp. 167-235.

Wednesday, April 17

LEGAL PROCESS: THE WITNESS

In-Class Documentary: *Granito: How to Nail a Dictator*

Wednesday, April 24

FINAL REFLECTIONS

#BOOK REVIEW DUE IN CLASS #