



Sociology UNIVERSITY OF TORONTO

SOC 6306H: **Law and violence in the global South.** Winter 2023.
Gail Super (gail.super@utoronto.ca, 725 Spadina Avenue Rm 250)
Seminar Venue: Room 385. 2 p.m. – 4 p.m. Thursdays
Course Website: <https://q.utoronto.ca/courses/>

Course Description

One of the central foundations of liberal theory is that the State is justified in using violence to bring about, and maintain, an orderly society. Liberal theory presents law as necessary to protect citizens (and subjects) from harm, and as promoting harmonious relations. This course will critically interrogate the supposed separation of law and violence. We will adopt an interdisciplinary approach, drawing on a wide range of literature and case studies from both global South and North contexts. Being thoroughly interdisciplinary, the course does not assume a criminology or a law and society background. However, students have to be willing and able to read scholarly work written by a variety of theorists, even if they do not initially understand 100% of what they read.

Goals

The overarching goal of this course is to provide students with an introduction to various bodies of literature which discuss the relationship between law and violence. The idea is that these can serve as a foundation for future independent scholarship, research projects and/or comprehensive exam preparation.

Course Outcomes:

- **Analytical skills:** Students will hone their analytical skills by reading, commenting on and using a variety of interdisciplinary scholarly sources in order to analyze the relationship between law and violence on multiple levels and in diverse spaces.
- **Facilitating skills:** Students will enhance their seminar facilitation skills by leading at least one seminar.
- **Informal intellectual discussion skills:** students will enhance their discussion skills through participating in seminar and online discussions.

Critical writing skills: Students will develop their critical writing skills through different writing modalities– brief responses to readings, brief replies to colleagues’ responses, and sustained development of argument in an essay

Course Requirements

Class attendance and participation

Students are expected to attend every class meeting, participate actively in class discussion, and complete all reading before class. Classes will offer opportunities for seminar style discussion where students can apply concepts and debate ideas with other students and the professor to deepen learning and build intellectual community.

Readings

We will typically read about 100-200 pages of material per week. Class discussion builds on the readings, and I expect that you have read the assigned texts ahead of class. Please bring a copy of the assigned readings with you to class. It is critical that you keep up with these readings.

Evaluation Components

COMPONENT (ESSAY, TEST, PRESENTATION)	DESCRIPTION (PAGE-LENGTH, TIME REQUIREMENTS, CONTENT)	DATE DUE (DD/MM/YY)	RELATIVE WEIGHT
1. 6 Discussion Board Posts	See below	Ongoing	36 %
2. Seminar Facilitation	See below	Ongoing	10 %
3. Participation	See below	Ongoing	5 %
4. Topic proposal	See below	8 March 2022	5 %
5. Argument/Question statement and issues you’re grappling with	See below	13 and 16 March 2022	4%
6. Essay	See below	31 March 2022	40 %

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1. Discussion Board Postings (6% each)

Students are expected to write **six discussion posts** during the course of the semester.

WHAT: Posts should take the form of reactions to all of the week's essential readings. Each post must be divided into two separate parts. **Part One (3%)** must discuss topics or questions arising from the readings and be no longer than 400-500 words. You can use it to raise questions about confusing passages, to criticize controversial claims, to make connections across readings, to highlight important themes, and/or or to develop new ideas. **Part Two (3%)** must relate the readings to current or historical events – for example the US Supreme Court's recent reversal of *Roe vs Wade*, and explain why the readings are relevant for analyzing these specific events.

Think of these posts as writing and thinking exercises rather than as finished products. I do not expect them to be polished, but I will be looking for evidence of thinking and engaging with the readings, by you. The idea is to get you into the habit of writing and recording your thoughts about the readings. These posts must be uploaded **PRIOR** to reading anyone else's posts because they represent your original thoughts. **You cannot submit a discussion board posting for a week that we have already discussed - your posting must be submitted *before* the seminar where we discuss the material that you are posting about.**

HOW: Submit via Quercus in the thread and NOT as an attached file

WHEN: You must post by 10 a.m. on the day of the seminar. This is a hard deadline, to enable other students and/or the seminar presenter/instructor to get a sense of how to structure the discussion, what the issues are, what the main questions are etcetera.

Due to multiple opportunities to post you will not get credit for posts uploaded after the deadline.

2. Seminar Facilitation (10%)

WHAT: Each week one student (or perhaps more depending on enrollment) will lead a discussion on a regular session's topic. Plan to make a 15-30 minute in-class presentation about the week's readings, raise critical questions, and set forth topics for discussion. The presentation is not to be a summary of the readings but instead an in depth engagement with them. You will then gather additional comments about the presentation and responses from other class participants as a catalyst for further discussion. I will mark your presentation primarily on your ability to critically engage with the readings (and your classmates' reactions) and set the stage for a quality and in depth discussion that uses the texts as the departure point for the discussion.

HOW: By Monday at 5 p.m. in the week you are scheduled to present you must furnish me with a skeletal outline or facilitation plan, including excerpts and page numbers from the readings, around which you will frame your discussion. The outline will count 3 % out of the total of 10. If you do not submit an outline you will lose the 3 %. **If you submit late you will be penalized 2% per day and will also lose the benefit of my timeous feedback. You may also be less successful in your facilitation and lose marks for this portion as well.** The remaining 7% will be apportioned as follows: presentation and setting up discussion: 4%. Facilitation of discussion: 3%.

WHEN: You must sign up in Week One. Sign up is on a first come first serve basis.

3. Participation : 5%

This is not about who talks the most during seminars. I value quality over quantity (for example, it is preferable, when commenting, to stay close to the text and give page numbers). Part of your participation must take the form of a response (during the course of the seminar discussion) to someone else's Discussion Board post. I will be looking for evidence of thinking and engaging with the posts to which you are responding. The idea is to create a community of scholars. There is no post or response which is not worth responding to – whether or not you agree with it. All dialogue must be respectful.

I understand that some of you may be reluctant to talk during class, particularly early on in the course. Feel free to come to my office hours and talk over any of the readings or your assignments. I consider this to be “engagement” with the course and will take it into consideration when determining this part of your grade. Posting more than the minimum amount of responses is another form of engagement. So too, is sharing something on the discussion board which you think is relevant. This may take the form of a blog post, a tweet, a newspaper article, a song, or a poem etc. You must briefly explain why you are sharing it - “I’m sharing this song because it has a good beat” won’t quite suffice. I am happy to talk with you at any point during the semester to give you my thoughts on your course engagement. Students who miss more than one seminar during the term will lose one % (out of the five) per additional seminar missed.

Three Scaffolded Essay Assignments : 49% (Breakdown below)

4. Topic Proposal: 5%

WHAT: The purpose of this assignment is to give you a low stakes opportunity to think about the final essay. You must propose a topic for study. Your proposal is intended to serve as a basis to direct reading and research in the literature, hence it need not include specific research questions. What are your top two areas of interest? Discuss at least some of the literature which you plan to (even if only tentatively) draw on in your essay. The proposal must not be longer than two double spaced pages TNR 12, excluding references. It can also take the form of an abstract – in which case it should be no longer than 1000 words.

HOW: Your proposal must be submitted on Quercus. Make an appointment to discuss your ideas with me *before* you do this - **we must meet by no later than 5 p.m. on Friday 3 March.**

WHEN: Midnight on 8 March 2022. Late penalty: 2% per day but there is a DSP (see below). Submissions that are more than 7 days late will not be accepted.

5. Argument or Question statement and Issues you’re grappling with: (4%)

You must submit a 1-2- page statement (TNR double spaced) as a Quercus Discussion post (2%) and share this orally during the seminar (2%). In this you must explain the argument you intend to make in your literature review, research proposal, or research paper; the reasoning underlying your argument - based on the literature you have read so far, and specific issues or problem areas that you are grappling with. I do not expect you to have a fully-fledged and polished argument at this stage but you must demonstrate that you have been reading and thinking deeply about your argument and/or question statement. This is a low stakes assignment in order for you to receive formative feedback from me and the other students. No formal references are necessary.

HOW: This must be submitted on Quercus as a Discussion Post and orally in class (10 minutes maximum).

WHEN: Discussion Post: Midnight on 13 March 2022. Late penalty: 2 % per day (the DSP does not apply because if you do not post by the due date I and your classmates will not be able to constructively engage with you during your oral presentation). Submissions that are more than 7 days late will not be accepted. **Oral presentation: 16 March 2022.**

6. Essay: 40%

WHAT: You must submit a 5000 word (20 pages TNR double spaced, excluding references) Essay. You have a large degree of freedom for your final paper : the idea is that it will serve as a basis for your further research and/or be useful to your own scholarship. The Essay must draw on the course themes and/or assigned and supplemental readings as a point of departure. In other words, you must engage with some of the issues or questions raised during the course and in the readings. Your Essay may take the form of a 1) critical literature review which discusses a specific question or issue raised in the course; 2) a research proposal pertaining to a course theme, or 3) a research paper on some aspect of the course. It could also take some other form – as long as you **discuss your idea with me beforehand**. A critical literature review must make an original argument, incorporate readings from the required and supplemental reading list plus additional sources relevant to the topic, and it must be geared towards a specific angle, issue, or question - related to the course themes. A research proposal must include a literature review, a statement of research questions, and a detailed methods section outlining how data will be

collected and analyzed. A research paper must involve an investigation of a relevant topic and will normally incorporate original research around a specific research question and speak to the literature that you draw on and refer to in your paper.

HOW: via Quercus. Further details about Turnitin to follow.

WHEN: Midnight on **31 March 2022**. Late penalty: 2 % per day but there is a DSP (see below). Submissions that are more than 7 days late will not be accepted.

PENALTIES FOR LATENESS:

This course has a 72-hour Delayed Submission Policy (DSP) for written assignments - except for Discussion Posts and Seminar Plans. This means that you can submit your Topic Proposal and Essay within 72 hours after the official due date - without penalty. There is no need to submit documentation or to notify me. Simply follow the standard submission process as outlined on the syllabus. Any work submitted after this 72 hour grace period will be subject to the standard daily late penalty, which will count from the original due date. Why you should submit by the due dates: If you submit your Topic Proposal by the original due date you will receive a bonus of 0.5 for this assignment. If you submit your Essay by the original due date you will receive a bonus of 1% for this assignment. Any work submitted after this 72 hour grace period will be subject to the standard daily late penalty of 2%, which will count from the original due date. Submission by the due date also ensures that you receive timely feedback.

Academic Integrity Clause

Copying, plagiarizing, falsifying medical certificates, or other forms of academic misconduct will not be tolerated. Any student caught engaging in such activities will be referred to the Dean's office for adjudication. Any student abetting or otherwise assisting in such misconduct will also be subject to academic penalties. Students are expected to cite sources in all written work and presentations. See this link for tips for how to use sources well: (<http://www.writing.utoronto.ca/advice/using-sources/how-not-to-plagiarize>).

According to Section B.I.1.(e) of the Code of Behaviour on Academic Matters it is an offence *"to submit, without the knowledge and approval of the instructor to whom it is submitted, any academic work for which credit has previously been obtained or is being sought in another course or program of study in the University or elsewhere."*

By enrolling in this course, you agree to abide by the university's rules regarding academic conduct, as outlined in the Calendar. You are expected to be familiar with the *Code of Behaviour on Academic Matters* (<http://www.artsci.utoronto.ca/osai/The-rules/code/the-code-of-behaviour-on-academic-matters>) and *Code of Student Conduct* (<http://www.viceprovoststudents.utoronto.ca/publicationsandpolicies/codeofstudentconduct.htm>) which spell out your rights, your duties and provide all the details on grading regulations and academic offences at the University of Toronto.

Normally, students will be required to submit their course essays to the University's plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool's reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://uoft.me/pdt-faq>).

Accessibility Services

It is the University of Toronto's goal to create a community that is inclusive of all persons and treats all members of the community in an equitable manner. In creating such a community, the University aims to foster a climate of understanding and mutual respect for the dignity and worth of all persons. Please see the University of Toronto Governing Council "Statement of Commitment Regarding Persons with Disabilities" at <http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppnov012004.pdf>.

In working toward this goal, the University will strive to provide support for, and facilitate the accommodation of individuals with disabilities so that all may share the same level of access to opportunities, participate in the full range of activities that the University offers, and achieve their full potential as members of the University community. We take seriously our obligation to make this course as welcoming and

accessible as feasible for students with diverse needs. We also understand that disabilities can change over time and will do our best to accommodate you.

Students seeking support must have an intake interview with a disability advisor to discuss their individual needs. In many instances it is easier to arrange certain accommodations with more advance notice, so we strongly encourage you to act as quickly as possible. To schedule a registration appointment with a disability advisor, please visit Accessibility Services at <http://www.studentlife.utoronto.ca/as>, call at 416-978-8060, or email at: accessibility.services@utoronto.ca. The office is located at 455 Spadina Avenue, 4th Floor, Suite 400.

Additional student resources for distressed or emergency situations can be located at distressedstudent.utoronto.ca; Health & Wellness Centre, 416-978-8030, <http://www.studentlife.utoronto.ca/hwc>, or Student Crisis Response, 416-946-7111.

Equity and Diversity

The University of Toronto is committed to equity and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect. As a course instructor, I will neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual in this course and wish to be alerted to any attempt to create an intimidating or hostile environment. It is our collective responsibility to create a space that is inclusive and welcomes discussion. Discrimination, harassment and hate speech will not be tolerated.

Additional information and reports on Equity and Diversity at the University of Toronto is available at <http://equity.hrandequity.utoronto.ca>.

Mode of Instruction

Course delivery will be in person – students are expected to attend in-person seminars in Room 385. During the course of the semester, depending on the circumstances, I may make changes to the course delivery mode.

Course Schedule and Class Seminar Details

Week One: January 12 : Welcome and Introduction

Blomley N. (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.

Fuji L. (2013) 'The Puzzle of Extra-Lethal Violence'. *Perspectives on Politics*. 11: 410-426.

Razack S. (2000) Gendered Racial Violence and Spatialized Justice. The Murder of Pamela George. *Canadian Journal of Law and Society*.

Week Two: January 19: Law, Violence, and Exchange

Auyero, J. and Sobering, K. (2019), *The Ambivalent State. Police-Criminal Collusion at the Urban Margins* (New York: Oxford University Press). **Read only: Introduction** (p. 6-26); **Chapter One** 'Clandestine Relations Matter' (p. 27-48); **Chapter Two:** 'Drug Violence in the Streets and at Home' (p. 49-70); **Chapter Seven** 'Unpacking Collusion' (151-168); **Chapter Eight** 'Conclusions' (p. 169-182).

Jensen S. & Koch Andersen (2017). *Corruption and Torture. Violent Exchange and the Policing of the Urban Poor*. Jensen and Anderson eds. **Read only: Introduction** (p. 5-38); **Chapter One** : 'The Morality of Corruption : A View from the Police in the Philippines' (p. 39- 68).

Week Three: January 26: Colonialism, Violence, and Law

Comaroff JL (2001). 'Law, culture, and colonialism: A foreword'. *Law and Social Inquiry*. 26(2): 305–31.

Fanon F. (1990). *The Wretched of the Earth*. **Read only: Chapter One:** 'Concerning Violence' (p. 1-84). London, New York, Victoria, Toronto, Auckland: Penguin.

Merry S. (2004). 'Colonial and postcolonial law'. In: Sarat A (ed) *The Blackwell Companion to Law and Society*. Malden, Oxford, Victoria: Blackwell, 569–589.

Week 4: February 2: Colonialism, Violence, and Legal Pluralism

Chanock M. (2001). *The Making of South African Legal Culture 1902–1936: Fear, Favour and Prejudice*. Cambridge: Cambridge University Press. **Read only: Part**

One: ‘Puzzles, Paradigms, and Problems’ (3-42); **Chapter Eleven:** Creating the Discourse: Customary Law and Colonial Rule in South Africa (243-273).

Mbembe A. (1992) Provisional Notes on the Postcolony. *Africa*. 62(1): 3-37.

Week 5: February 9 : Law, War, and Lawfare

Esmeir, S. (2007). ‘The violence of non-violence, law and war in Iraq’. *Journal of Law and Society*. 3(1) : 99-115.

Snukal, K. & Gilbert, E. (2015). War, law, jurisdiction, and juridical othering: private military security contractors and the Nisour Square massacre. *Environment and Planning D: Society and Space*, 33(4), 660–675.

Weiss V. (2022). What does Lawfare mean in Latin America? A new framework for understanding the criminalization of progressive political leaders’. *Punishment and Society*.

Week 6 : February 16 : Law, Violence, and Dispossession (Part One)

Datta A (2016). *The Illegal City. Space, Law and Gender in a Delhi Squatter Settlement*. London and New York: Routledge. **Read only: ‘Introduction’** (p. 1-16); **Chapter One:** ‘Law, Space and Subjectivity’ (p. 17-29); **Chapter Two:** ‘Violence of Urban Development’ (p. 31-47); **Chapter Three :** ‘Construction of Squatter Settlements’ (p. 49-67); **Chapter Four :** ‘Becoming ‘Illegal’ Urban Citizens’ (p. 67-85); **Chapter Seven:** ‘Legitimate Domesticities’ (p. 147-172).

Week 7: February 23: Reading Week : No Seminar

February 27: Drop Deadline

Week 8: March 2: Law, Violence, and Dispossession (Part 2)

Wilhelm-Solomon M. (2022). *The Blinded City. Ten Years in Inner City Johannesburg*. Johannesburg: Picador Africa.

Meet with professor to discuss Essay Topic by Friday March 3.

March 8: Essay Topic Proposal (5%)

Week 9: March 9: Sovereignty, Law, and Popular Justice

Jacobs C. and Schuetze C. (2011). 'Violence against Violence: In Search of Security and Justice'. *Etnofoor*. 23 (2:16-36).

Orock R. (2014). 'Crime, in/security and mob justice: the micropolitics of sovereignty in Cameroon'. *Social Dynamics*. 40(2): 408-428.

Sieder R. (2011). 'Contested sovereignties: Indigenous law, violence and state effects in postwar Guatemala'. *Critique of Anthropology*. 31(3) :161–184.

March 13: Discussion Post: Argument or Question Statement and Issues you're Grappling with (2%).

March 16: Presentation on the Above (2%)

Week 10: March 16: Law, Violence, and Bordering

Gross-Wyrtzen L. (2020). 'Contained and abandoned in the 'humane' border: Black migrants' immobility and survival in Moroccan urban space'. *Environment and Planning D: Society and Space*. 38(5): 887–904.

Super G. and Ballesteros Pena A. (2022). 'Violence and bordering on the margins of the State: A view from South Africa and the southern border of Spain.' *Theoretical Criminology*. 1-21.

Tazzioli M. (2018). 'Containment through mobility: migrants' spatial disobediences and the reshaping of control through the hotspot system'. *Journal of Ethnic and Migration Studies*. 44 (16): 2764-2779.

Week 11: March 23: Infrastructures of Violence

Cowen D.(2014). *The Deadly Life of Logistics: Mapping Violence in Global Trade*. Minnesota: University of Minnesota Press.

Read only: Introduction: 'The Citizenship of Stuff in the Global Social Factory' (p. 1-22); **Chapter Two:** 'From National Borders to Global Seams: The Rise of Supply Chain Security' (p. 53-90); **Chapter Four:** 'The Geo-Economics of Piracy: The

“Somali Pirate” and the Remaking of International Law’ (p. 129-162); **Chapter Five:** ‘Logistics Cities: The “Urban Heart” of Empire’ (p. 163-196).

Week 12: March 30 : Law, Violence, and (In)Justice

Araya-Moreno J. (2022). ‘How to Not Have to Know: Legal Technicalities and Flagrant Criminal Offenses in Santiago, Chile.’ *Law & Society Review*. 56(3): 329–343.

Fassin D. (2018). *The Will to Punish*. New York: Oxford University Press. **Read Only: Chapter One** : ‘What is Punishment’? (p. 1-23).

Page J. and King D. (2022). ‘Truth and Reparation for the U.S. Imprisonment and Policing Regime. A Transitional Justice Perspective’. *Du Bois Review: Social Science Research on Race*. 19(2): 209–231.

March 31: Essay Due (40%)