



LAW AND ORDER in the Americas

LAS 6938 – LAS 4935 – ANG 6930 – ANT 4930

Spring 2016

Wednesday 5-7 periods (11:45-2:45)
MAEB 229

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What are the consequences of law replacing politics as a mechanism in conflict resolution? What role does each of them play in social contestations over sovereignty, security and justice? Conversely, what happens when law is suspended in the name of maintaining order? This course uses anthropological approaches to examine institutions, regimes and processes of law and order in contemporary Latin America. Focusing on three key concepts - sovereignty, security and justice - we will trace their meanings and practices across disjunctive political, legal, and cultural landscapes. A closer look at maximum-security prisons and militarized borders, police governance and discretion, spectral character of the law in marginal communities, and forms of popular justice will allow us to reconsider, among other things, shifting forms of statecraft and citizenship in the Western Hemisphere.

Throughout the course we will combine social theory with ethnographic material, media reports with documentary film. Our case studies include the U.S.-Mexico border, where securitization has been accompanied by the escalation of violence and criminalization of migration; Brazil and Jamaica, where the government shares functions of law and punishment with criminal organizations; citizen security and vigilante justice in rural Mexico and urban Bolivia; demobilization and reintegration of paramilitaries in

Colombia; as well as transnational activism and legal interventions in post-conflict societies, among other topics.

In addition to the readings and documentaries outlined in this syllabus, as a class we will visit Florida State Prison in Starke.

Required books:

(Listed in the order in which they are assigned)

Denyer Willis, Graham

2015 *The Killing Consensus: Police, Organized Crime and the Regulation of Life and Death in Urban Brazil.* University of California Press.

Tate, Winifred

2015 *Drugs, Thugs, and Diplomats: U.S. Policymaking in Colombia.* Stanford University Press.

Goldstein, Daniel

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

The books are available for 2-hour loan at Reserve Desk at the library.

All remaining class readings can be downloaded from Canvas site.

Assignments and Grading:

Grades will be based on 100 points divided as follows: active participation in class discussions (13 points); weekly reading notes (24 points); research project (45 points), prison reflection essay (10 points), and attending the Crimescapes conference and lecture series (8 points & extra credit).

Attendance: Absence for reasons of illness, religious holiday or official university business is excused. Please inform your 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 (A to B, A- to B-, etc). Students with four or more unexcused absences will automatically fail the course.

Participation (13 points)

This is a discussion-based class. For weeks 1-14, careful preparation for each of the seminars and informed contribution is expected. Always bring an electronic or print copy of that day's readings to class, and come to the seminar with questions and ideas. To receive 1 point for the seminar your comments must demonstrate that you have done the assigned readings. Participation in discussions without showing your familiarity with the readings will not be awarded points.

Weekly Reading Notes (24 points)

During weeks 2-14, in preparation for class, you should read the assigned texts and write 2 pages of notes, single or double-spaced. These notes are informal and there is no correct way of writing them. It is expected that each of you will develop your own preferred style. The following are some guidelines to get started:

- Write down the main points, new concepts, important quotes or phrases you would like to remember from the readings, and explain them in your own words;

- If you are puzzled by the text (or its parts) or would like to know more about a certain subject, write down your questions;
- You can list the arguments you disagree with and why;
- Use the material from the text to reflect on your research subject or on another topic that is of interest to you;
- Compare and contrast the text with other readings assigned for the class.

Reading notes are due on Canvas by the start of the seminar each week. You should also bring a print copy to class. You will get 2 points for each set of notes, if you complete the assignment in a timely manner and critically engage with the texts.

Research Project (45 points)

During the first few weeks of the course you will choose a research question, which will guide your individual work. It must be directly related to the themes addressed in the course, but you can adjust this assignment to make it contribute towards the development of a thesis, dissertation chapter, conference paper or publication. When choosing your research question, you should visit the Latin American Collection and browse through the UF library resources available online. While thinking about possible topics, you are also highly encouraged to meet with the instructor early on in the semester to share your ideas. All students will write a 1-page research proposal (5 points) and an annotated bibliography (10 points) of their chosen topic. Specific instructions for preparing the proposal and the bibliography will be announced in class. Students will also give 10 min in-class presentations of their project (10 points). 10-12-page research paper (20 points) is due on the last day of class.

Prison Reflection Essay (10 points)

In the week following the visit to Florida State Prison you should submit a 2-page, double-spaced, reflection piece, in which you discuss what impact this experience had on your understanding of carceral politics and practices. The short essay should be posted on Canvas. You do not need to bring a print copy to class.

Crimescapes conference (8 points & extra credit)

On March 24-26, 2016 the Center for Latin American Studies and the Crime, Law, and Governance in the Americas program is holding an international conference entitled "CRIMESCAPES: Space, Law and the Making of Illegality in the Americas." In conjunction with the conference, four prominent scholars will visit campus to give talks on how legal and criminal acts are variously constituted across distinct geographical and social spaces throughout the Americas. The Crimescapes conference and the Bacardi lecture series are open to students. You will get 2 points for every public talk and conference panel you attend. To receive credit, you should provide a copy of your notes from the event (half a page to a page long, handwritten or typed) by the next day of class. Participation for extra credit must be approved before the event and is limited to a maximum of 8 extra points. The schedule of the Bacardi lecture series and the Crimescapes conference will be announced in class and posted on Canvas.

Campus Resources:

The Latin American Collection: Located on the third floor of the Smathers Library (East), the Latin American and Caribbean Collection (LACC) holds approximately 500,000 volumes, over 50,000 microforms, thousands of current and historical serial titles, and a large number of digital resources. You should consult this extensive collection when choosing your research topic and use it while working on

your individual project. More information, including hours, is available here:
<http://cms.uflib.ufl.edu/lac/Index.aspx>.

Writing Studio: If you want to improve your writing, the Writing Studio is a free service for current UF graduate and undergraduate students providing you with the opportunity to work one-on-one with a consultant to help you become a more effective writer. Schedule an appointment online at <http://writing.ufl.edu/writing-studio/for-students/schedule-an-appointment/>.

Course Rules:

Prison Visit: Students will sign for one of two group visits to the Florida State Prison: On Tuesday, February 16 or on Thursday, April 7. In order to enter the prison, you will need to clear a background check. Further instructions and travel arrangements will be discussed in class.

Written Assignments:

Please follow these style guidelines:

- Use 12-point Times New Roman or similar font;
- Your documents should be double-spaced, with 1 inch margins;
- Include your last name and page number in the header/footer of each page;
- Cite all sources consistently, using the style of your choice.

Late Work and Extensions: If you know you will not be able to turn in the assignment on time, please notify me as early as possible. Extensions must be arranged in advance. Assignments will be marked down 1 point for each day they are late.

Grading Scale:

A = 94 and above; A- = 90-93; B+ = 87-89; B = 83-86; B- = 79-82; C+ = 76-78; C = 72-75; C- = 69-71; D+ = 66-68; D = 62-65; D- = 59-61; E = 58 and below.

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

For further information, please consult UF grading policies:

<https://catalog.ufl.edu/ugrad/current/regulations/info/grades.aspx>

Grade Appeals: Grades will not be discussed via e-mail. If you have a question or a complaint about your grade, please contact me within 48 hours of posting to arrange a meeting time.

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. 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: <https://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>.

Accommodations for Disabilities: Students who need classroom accommodation or other reasonable modifications to complete assignments successfully and satisfy course criteria are encouraged to meet with the instructor as early in the course as possible. You will be asked to supply a letter from the Disability Resource Center to assist in planning accommodations. Contact the Disability Resource Center at <http://www.dso.ufl.edu/drc>.

Health and Counseling:

Health and counseling services are available for students in the event personal problems threaten to hinder academic performance. You can contact UF Counseling and Wellness Center: <http://www.counseling.ufl.edu/cwc>; 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies.

Course Evaluations:

Students are expected to provide feedback on the quality of instruction in this course by completing online evaluations at <https://evaluations.ufl.edu>. Evaluations are typically open during the last two or three weeks of the semester, but students will be given specific times when they are open. Summary results of these assessments are available to students at <https://evaluations.ufl.edu/results/>.

COURSE SCHEDULE

Week 1: January 6

Course and Class Introductions

Horton, Gillian

2015 "Conflict in Michoacán: Vigilante Groups Present Challenges and Opportunities for the Mexican Government." Woodrow Wilson Center.

[\[https://www.wilsoncenter.org/sites/default/files/horton_michoacan.pdf\]](https://www.wilsoncenter.org/sites/default/files/horton_michoacan.pdf)

Bargent, James

2015 "The Legacy of Colombia's Vigilante Security: The Convivir." InSight Crime.

[\[http://www.insightcrime.org/news-analysis/the-legacy-of-colombia-vigilante-security-the-convivir\]](http://www.insightcrime.org/news-analysis/the-legacy-of-colombia-vigilante-security-the-convivir)

In-Class Documentary: *Cartel Land* (Matthew Heineman, 2015)

Week 2: January 13

Contested Sovereignty

Hobbes, Thomas

1651 *Leviathan* (chapters 13, 14, 17, 26, 27, 28).

[\[https://ebooks.adelaide.edu.au/h/hobbes/thomas/h68l/\]](https://ebooks.adelaide.edu.au/h/hobbes/thomas/h68l/)

Smith, Jennie Erin

2013 "A State of Nature: Life, Death, and Tourism in the Darién Gap." *The New Yorker*.

[\[http://www.newyorker.com/magazine/2013/04/22/a-state-of-nature\]](http://www.newyorker.com/magazine/2013/04/22/a-state-of-nature)

- Jaffe, Rivke
2013 "The Hybrid State: Crime and Citizenship in Urban Jamaica." *American Ethnologist* 40(4):734-748.

Week 3: January 20

States of Exception

- Schmitt, Carl
1985 "Definition of Sovereignty." In *Political Theology: Four Chapters on the Concept of Sovereignty*. Pp. 5-15. Cambridge, MA: MIT Press.
- Agamben, Giorgio
1998 "Introduction" and "The Paradox of Sovereignty." In *Homo Sacer: Sovereign Power and Bare Life*. Pp. 1-29. Stanford: Stanford University Press.
- Agamben, Giorgio
2005 "The State of Exception as a Paradigm of Government." In *State of Exception*. Pp. 1-31. Chicago: University of Chicago Press.
- Fassin, Didier
2012 "Desire for Exception." In *Humanitarian Reason: A Moral History of the Present*. Pp. 181-199. Berkeley: University of California Press.

Week 4: January 27

Securitization and Militarization

- Buzan, Barry, Jaap de Wilde, and Ole Waever
1998 "Security Analysis: Conceptual Apparatus." In *Security: A New Framework for Analysis*. Pp. 21-48. Boulder, CO: Lynne Rienner Pub.
- Jusionyte, Ieva
2015 "Global Village of Outlaws." In *Savage Frontier: The Making of News and Security on the Argentine Border*. Pp. 98-131. Oakland: University of California Press.
- Wacquant, Loïc
2008 "The Militarization of Urban Marginality: Lessons from the Brazilian Metropolis." *International Political Sociology* 2(1):56-74.

Week 5: February 3

Organized Crime

- Denyer Willis, Graham
2015 *The Killing Consensus: Police, Organized Crime and the Regulation of Life and Death in Urban Brazil*. University of California Press.

*Special Guest: Dr. Graham Denyer Willis, University of Cambridge (Skype-in)

Week 6: February 10

Carceral Spaces

- Foucault, Michel
1977 "Panopticism." In *Discipline and Punish: The Birth of the Prison*. Pp. 195-228. New York:

Pantheon Books.

Kafka, Franz

1919 *In the Penal Colony*. [<http://records.viu.ca/~johnstoi/kafka/inthepenalcology.htm>]

Garces, Chris

2014 "Ecuador's "Black Site": On Prison Securitization and Its Zones of Legal Silence." *Focaal—Journal of Global and Historical Anthropology* 68:18-34.

Aggarwal, Neil Krishnan

2010 "The Uses of Psychiatry in the War on Terror." *PoLAR: Political and Legal Anthropology Review* 33(1):81-98.

Week 7: February 17

War on Drugs

Tate, Winifred

2015 *Drugs, Thugs, and Diplomats: U.S. Policymaking in Colombia*. Stanford University Press.

*Special Guest: Dr. Winifred Tate, Colby College (Skype-in)

Week 8: February 24

Governing the Border

De Genova, Nicholas

2002 "Migrant 'Illegality' and Deportability in Everyday Life." *Annual Review of Anthropology* 31:419-447.

De León, Jason

2015 "Prevention Through Deterrence" and "Dangerous Ground." In *The Land of Open Graves: Living and Dying on the Migrant Trail*. Pp. 23-61. University of California Press.

Dorsey, Margaret E. and Díaz-Barriga, Miguel

2015 The Constitution Free Zone in the United States: Law and Life in a State of Carcelment. *PoLAR: Political and Legal Anthropology Review* 38:204–225.

In-Class Documentary: *Who Is Dayani Cristal?* (Gael García Bernal and Marc Silver, 2013)

Week 9: March 2

No Class - Spring Break

Week 10: March 9

Between Security and Human Rights

Goldstein, Daniel

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

*Special Guest: Dr. Daniel Goldstein, Rutgers University (Skype-in)

Week 11: March 16

Politics and Registers of Law

Greenhouse, Carol

- 2005 "Hegemony and Hidden Transcripts: The Discursive Arts of Neoliberal Legitimation." *American Anthropologist* 107(3):356-368.

Warren, Kay

- 2012 "Troubling the Victim/Trafficker Dichotomy in Efforts to Combat Human Trafficking: The Unintended Consequences of Moralizing Labor Migration." *Indiana Journal of Global Legal Studies* 19(1):105-120.

Gandsman, Ari

- 2009 "'A Prick of a Needle Can Do No Harm': Compulsory Extraction of Blood in the Search for the Children of Argentina's Disappeared." *The Journal of Latin American and Caribbean Anthropology* 14(1):162-184.

Ellison, Susan

- 2015 Replicate, Facilitate, Disseminate: The Micropolitics of U.S. Democracy Promotion in Bolivia. *PoLAR: Political and Legal Anthropology Review* 38: 318-337.

Week 12: March 23

Postwar Effects

Nelson, Diane M.

- 2009 "Hidden Powers, Duplicious State/s." In *Reckoning: The Ends of War in Guatemala*. Pp. 208-241. Durham: Duke University Press.

Moodie, Ellen

- 2009 "Seventeen Years, Seventeen Murders: The Production of Post-Cold War Knowledge in El Salvador." *Social Text* 99:77-103.

Kernaghan, Richard

- 2015 "Cocaine's Minor Destinies: Ephemerality and Legal Threat on the Margins of the Peruvian State." *American Ethnologist* 42:658-672.

In-Class Documentary: *Granito: How to Nail a Dictator* (Pamela Yates, 2011)

Week 13: March 30

Insurgent Citizens

Gordillo, Gastón

- 2006 "The Crucible of Citizenship: ID-paper Fetishism in the Argentinean Chaco." *American Ethnologist* 33(2):162-176.

Holston, James

- 2009 "Insurgent Citizenship in an Era of Global Urban Peripheries." *City & Society* 21(2):245-267.

Theidon, Kimberly

- 2009 "Reconstructing Masculinities: The Disarmament, Demobilization, and Reintegration of Former Combatants in Colombia." *Human Rights Quarterly* 31(1):1-34.

In-Class Documentary: *Bodies at War* (Emily Cohen, 2014)

Week 14: April 6

Statecraft and Lawfare

Comaroff, John L., and Jean Comaroff

2006 "Law and Disorder in the Postcolony: An Introduction." In *Law and Disorder in the Postcolony*. J.L. Comaroff and J. Comaroff, eds. Pp. 1-56. Chicago: University of Chicago Press.

Sieder, Rachel

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

Jusionyte, Ieva

2015 "States of Camouflage." *Cultural Anthropology* 30(1):113-138.

Week 15: April 13

Student Presentations

Week 16: April 20

Student Presentations