HIST. 371J/b
Crime, Punishment and Law in Latin America

Spring 2012

Time: 3:30pm – 5:20pm
Location: TBA
Instructor: Ezer Vierba
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Office Hours: Thursday, 1pm-3pm, Hall of Graduate Studies (HGS)

Required Texts


Huggins, Martha. Political Policing: The United States and Latin America (1998)


All other readings will be available online, through your Classes v2 server. Films will be on reserve at the Film Study Center, located downstairs, on 53 Wall Street. We will schedule group viewings of the films, but you can choose to view them on your own.

Structure and Aims of the Seminar
Crime, punishment, sensational trials and legislative reforms are all hot issues in Latin America. Indeed, watching the news in the United States, it sometimes seems like nothing but drug cartels exists south of Texas – an everlasting cycle of blood, cocaine and cash. As historians have come to see, however, beyond sensationalism and deep anxieties, the serious study of crime, punishment and the law opens up issues at the heart of Latin American societies.

While public interest in crime has been constant, intellectual discussions erupted in several waves since Independence. Often, the debate was in the hands of those helping the public to “solve the problem” – criminologist, penologists, jurists, psychologists and politicians. A series of European works like those of Michel Foucault have sparked a renewed interest among scholars from the humanities and social sciences. Among historians of Latin America, owing to various historical circumstances, the debate has only been renewed in the last twenty years. But now that the debate is alive again, it is clear that it touches on questions that are at the heart of Latin America’s most urgent problems: political authority, social cohesion, the weakness of the state and the enormous gaps between rich and poor.

The seminar will open up this vast field, and through it, will allow students to get a better view of Latin America. Some work with primary sources will be integrated into the reading assignment itself; and we will discuss the different ways in which historians use legal sources. You will get a chance to use these methodological sensibilities in the paper you write, which will be based on primary material available at Yale. A central issue we will grapple with in the seminar is the connection of knowledge and power. We will start by examining Foucault’s thesis, and will return to the question from various angles. Finally, we will deal with representation as a problem to be understood historically; and will examine the ways in which we can problematize our own representation of the past in the papers we write.

**Requirements**

The success of the seminar depends on the level of your reading and participation. To help you read actively and engage both texts and films critically, you will be asked to keep a journal of your work. In the journal, you can make any comment that comes to mind while you prepare for class, reflect on the films we watch or note events or items outside the course (news, talks and films, for example). What is important, however, is that you bring together these different texts and show how they connect into a larger debate. I will ask you to share your entries with others on the seminar’s Classes v2 forum on five different weeks during the course. And I will review your journal twice, in week 6 and in the last week of class.

You will also write a 20-25 page paper. This paper will allow you to widen your understanding of a specific topic on which we have touched, using more secondary readings, as well as primary
material available at Yale. You should talk to me about this topic and the materials you are using by week 8 (though I strongly encourage you to do so earlier).

The paper will be worth 50% of your grade, the journal 30%, and class participation 20%.

**Tentative Schedule**

**Week 1 – Introduction**


**Week 2 – The New Penal Systems**

Michel Foucault, *Discipline and Punish: the Birth of the Prison*. [Part I and II]


**Week 3 – The New Penal Systems**

Michel Foucault, *Discipline and Punish: the Birth of the Prison*. [Last two parts]

Steven Palmer, “Confinement, Policing and the Emergence of Social Policy in Costa Rica, 1880-1935.” [Classes v2]


**Week 4 – The Social Bandit Thesis**


**Week 5 – Bandits in Latin America**


**Week 6 – Criminals and the Social Construction of Crime**


Note: Journals due for review.

**Week 7 – The Law**


**Week 8 – Gender in Court**


Note: By this date students should have confirmed their paper topic with me.

**Week 9 – Public Trials**


Assorted reports by the U.S. Embassy in Panamá and the 470th MI Brigade on the Remón Affair (Panamá, 1955) [Classes v2].

**Week 10 – The Empire and the Policing of the Dirty Wars**


Assorted documents, USAID Office of Public Safety, Panamá (various years, 1950s and 60s) [In Classes v2]

**Week 11 – Market Substance**


**Week 12 – Organized Crime and Disorganized States**


Week 13 – Representation and its Discontents


Note: Paper due the following week.