Roundtable on the Future of Justice Policy
Examining Justice Reform and the Social Contract in the United States: Implications for Justice Policy and Practice

Hosted by the Justice Lab at Columbia University
Generously supported by the Ford Foundation and Charles and Lynn Schusterman Family Foundation

A GUIDED CURRICULA
TOURING THE SOCIAL CONTRACT: FROM LOCKE TO LIBERATION

I. OVERVIEW

The onset of the coronavirus pandemic has exposed the many fault lines of the United States’s social contract that continues to exclude the most vulnerable citizens from the social fabric of our nation. This guided exploration, entitled Touring the Social Contract: From Locke to Liberation, delves into the ways in which the social contract has functioned as a contract of systemic oppression while exploring aspirations for a new social contract that serves, empowers, and strengthens the safety and wellbeing of all.

Touring the Social Contract: From Locke to Liberation is modeled after the August 2020 Square One Roundtable on the Future of Justice Policy convening Examining Justice Reform and the Social Contract in the United States: Implications for Justice Policy and Practice. Over the course of several weeks, Square One Roundtable participants examined the relationship between political rights, social rights, and justice reform. The group explored two core questions 1) how does the U.S. regime of social and political rights currently compromise or promote the community membership of people who have been involved in the criminal justice system? and 2) how can our system of political rights and social policy better contribute to a socially-integrative response to violence and other crime? Building on the Roundtable’s past exploration of the criminal justice institutions themselves, this convening examined several adjacent institutions and policy domains that include the electoral system, healthcare, housing, education, and anti-poverty policy; and reimagined a social contract that serves, empowers, and strengthens the safety and well-being of all.

You can watch the complete Roundtable convening on Square One’s Youtube page, and a transcript of the convening can be found here. The complete list of Roundtable participants can be found on the second page of this document. More information on this Roundtable convening can be found here.

During this five-week guided exploration you will develop a deeper understanding of the shortcomings of the social contract and the resulting implications for justice policy. Each week will center around a paper discussed during the Roundtable discussion and will be supplemented with supporting materials. We encourage facilitators to utilize a discussion board so that those who engage in this exploration can further challenge each other’s thinking.

The Roundtable on the Future of Justice Policy is an element of the Square One Project that provides an opportunity for community members, academics, industry leaders, and other experts to come together to reimagine the justice system from the ground up. The Roundtable also works to create a public record for learning and sharing information around what a new “square one” might look like.
II. PARTICIPANT LIST

Aisha McWeay | Executive Director, Still She Rises Tulsa

Ananya Roy | Professor of Urban Planning, Social Welfare, and Geography and the Meyer and Renee Luskin Chair in Inequality and Democracy, UCLA

Aswad Thomas | Managing Director at Crime Survivors for Safety and Justice and Alliance for Safety and Justice

Bruce Western | Co-Founder, Square One Project; Co-Director, Justice Lab; Bryce Professor of Sociology and Social Justice, Columbia University

Chas Moore | Founder and Executive Director, Austin Justice Coalition

Courtney Robinson | Founder, Excellence & Advancement Foundation

Danielle Allen | James Bryant Conant University Professor and Director, Edmond J. Safra Center for Ethics, Harvard University

David Garland | Arthur T. Vanderbilt Professor of Law Professor of Sociology, New York University

Deanna Van Buren | Co-founder, Executive Director, Design Director, Designing Justice + Designing Spaces

Dona Kim Murphey | Director of Medical Initiatives, Project Lifeline; Neurologist

Eddie Bocanegra | Senior Director, READI Chicago Heartland Alliance

Elizabeth Hinton | Associate Professor of History and African and African American Studies, Harvard University

Emily Wang | Associate Professor of Medicine, Yale School of Medicine; Director, Health Justice Lab; Co-Founder, Transitions Clinic Network

Erik Bringswhite | Co-Founder and Executive Director, I. Am. Legacy Center

Fatimah Loren Dreier | Executive Director, The Health Alliance for Violence Intervention (HAVI)

Gabriel Salguero | Founder, National Latino Evangelical Coalition

Heather Rice-Minus | Vice President of Government Affairs & Church Mobilization, Prison Fellowship

Hedwig “Hedy” Lee | Associate Professor of Sociology, University of Washington in Seattle

Imara Jones | Co-creator and Senior Advisor, Social Contract Project, National Economic and Social Rights Initiative

Jeremy Travis | Co-Founder, Square One Project; Executive Vice President of Criminal Justice, Arnold Ventures; President Emeritus, John Jay College of Criminal Justice

Jorge Renaud | Regional Director of Policy and Advocacy for the Southwest, LatinoJustice PRLDEF; Senior Policy Analyst, Prison Policy Initiative

Katharine Huffman | Executive Director, Square One Project; Founding Principal, The Raben Group, LLC

Kimá Joy Taylor | Founder and Managing Principal, Anka Consulting LLC

Kristian Caballero | Community Outreach Coordinator, Texas Appleseed

Lynda Zeller | Senior Fellow of Behavioral Health, Michigan Endowment Fund

Marcia Rincon-Gillardo | Executive Director, NOXTIN

Vesla Weaver | Bloomberg Distinguished Associate Professor of Political Science and Sociology, Johns Hopkins University

Vivian Nixon | Executive Director, Community & College Fellowship
Welcome to week one of our exploration through the social contract! This week we will learn about community and civic engagement through an analysis of the criminal justice system and its effect on community membership. To begin, answer the following question: “As you reflect on the current moment in our country and the four realities of the pandemic - the recession/depression, high levels of unemployment and economic inequality, police brutality and the black lives matter movement, and political dysfunction - what insights or lessons have you taken that make you either optimistic or pessimistic about the future of our social contract?” Click [here](https://example.com) (and jump to [00:35:20]) to hear the responses of the Square One Roundtable participants.

**PRE-LESSON READING:** [The History of Criminal Justice and Community Membership](https://example.com)

**ABOUT THE AUTHOR:**

Elizabeth Hinton | Associate Professor of History & African American Studies and Professor of Law, Yale University

Elizabeth Hinton is an Associate Professor of History in the Department of History and the Department of African American Studies at Yale, with a secondary appointment as Professor of Law at the Law School. Elizabeth previously served as the John L. Loeb Associate Professor of Social Sciences in the Department of History and the Department of African and African American Studies at Harvard University and the author of *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Harvard University Press, 2016). Her work focuses on the rise of the American carceral state and the transformation of domestic social programs after the Civil Rights Movement. Known as a leading expert in the history of criminalization and mass incarceration, Hinton has worked with the National Network for Safe Communities, the NAACP Legal Defense Fund, and the Vera Institute of Justice, among others. Her writing can be found in the *Journal of American History*, the *Journal of Urban History*, The *New York Times*, *The New York Times Book Review*, *The Los Angeles Times*, *The Boston Review*, *The Nation*, and *Time*.

**SUPPORTING MATERIALS:**


**LESSON:**

People in the United States are entitled to a range of political and social rights to help them navigate daily life, global crises, and everything in between. Yet the unalienable rights to “life, liberty, and the pursuit of happiness” have never been guaranteed for all; in particular, Black, Indigenous, Latinx, LGBTQ, non-gender conforming, and undocumented people have been excluded from these rights. The criminal justice system has been an oft-used tool in ensuring that the social contract is not fulfilled for all, contributing to poverty and undermining opportunity. In the last half-century, government efforts to reduce inequality and fortify social service delivery have left important community voices out of the conversation, limiting community access to said rights conferred by the social contract. Watch the discussion [here](https://example.com) at [00:18:55].
Assignment: Respond to one of the following prompts.

- Historically, how has the criminal justice system been a mechanism for separating people from their rights in the U.S.? How has it undermined their membership in community?
- In what ways has the criminal justice system excused society from fulfilling its responsibilities to its members, and also prevented system-impacted individuals from flourishing and thriving in community?
- What are the steps and practices to ensure that everyone is able to lend their voices to the democratic process?
- Choose three states and compare and contrast their voter restrictions policies, specifically their impact on incarcerated and formerly incarcerated people.

TAKE IT FURTHER:

Articles:


Levine, Sam. “Supreme Court allows Florida to restrict people with felony convictions from voting.” The Guardian, Jul 16.


Books:


Welcome to week two of our exploration through the social contract! This week we will compare and contrast the U.S. social contract to that of other Western nations. Through this analysis we will have a better understanding of U.S. penal and punitive exceptionalism.

PRE-LESSON READING: The Social Contract: A Comparative Study

ABOUT THE AUTHOR:

David Garland | Arthur T. Vanderbilt Professor of Law; Professor of Sociology, New York University

David Garland is the author of award-winning books such as *Punishment and Modern Society* (1990); *The Culture of Control* (2001); and *Peculiar Institution: America’s Death Penalty in an Age of Abolition* (2010). He is a fellow of the British Academy, the Royal Society of Edinburgh, and the American Academy of Arts and Sciences. In 2012, the American Society of Criminology awarded him the Edwin H. Sutherland Prize for outstanding contributions to theory and research. His current work focuses on comparative explanations of America’s distinctive use of punishment and on the genealogy of the idea of the ‘welfare state.’ His most recent book is *The Welfare State: A Very Short Introduction* (2016).

SUPPORTING MATERIALS:


LESSON:

Many wealthy countries had social policies and welfare states in place pre-COVID 19 that provide a stronger guarantee of a livable wage, employment protections, healthcare, and other quality of life securities than in the United States, and have enacted many more securities during the pandemic to support the welfare of their populations. Access to healthcare, housing, and educational opportunities accompany community membership. Watch the discussion here at [01:21:10].

Assignment: Respond to one of the following prompts.

- What are the effects of social contracts on individual and community well-being and safety?
- Is race affecting access to the social welfare state in these places? How?
- How do other countries minimize the collateral consequences of criminal justice involvement to ensure the full citizenship of people who are system-impacted?
Roundtable on the Future of Justice Policy
Examining Justice Reform and the Social Contract in the United States: Implications for Justice Policy and Practice

Hosted by the Justice Lab at Columbia University
Generously supported by the Ford Foundation and Charles and Lynn Schusterman Family Foundation

TAKE IT FURTHER:

Books:


www.squareonejustice.org

@square1justice
Welcome to week three of our exploration through the social contract! This week we will focus on some of the institutions and policy domains, such as healthcare and housing, that are potential humanizing interventions in current justice practice.

PRE-LESSON READING: Unhousing the Poor & Health (Care) as Justice Reform

ABOUT THE AUTHORS:

Housing as Justice Reform:
Ananya Roy | Professor of Urban Planning, Social Welfare, and Geography and The Meyer and Renee Luskin Chair in Inequality and Democracy, University of California - Los Angeles

Ananya Roy is Professor of Urban Planning, Social Welfare, and Geography and the inaugural Director of the Institute on Inequality and Democracy at the University of California, Los Angeles. Roy’s scholarship focuses on dispossession and displacement in the global South and global North as well as on the poor people’s movements that forge rebellion and insurgency. Her current research is concerned with processes of racial banishment in Los Angeles. She leads the Housing Justice in Unequal Cities Network, a National Science Foundation Research Coordination Network and the Mellon Foundation Sawyer Seminar, Sanctuary Spaces: Rethinking Humanism. Her most recent book is Encountering Poverty: Thinking and Acting in an Unequal World (University of California Press).

Healthcare as Justice Reform:
Hedwig “Hedy” Lee | Associate Professor of Sociology, University of Washington in Seattle

Hedwig (Hedy) Lee is a Professor of Sociology at Washington University in St. Louis and holds a courtesy joint appointment at the George Warren Brown School of Social Work. She is also the associate director of the University’s new Center on the Study of Race, Ethnicity, and Equity. Prior to joining Washington University, she was a Professor at the University of Washington Department of Sociology in Seattle. She is broadly interested in the social determinants and consequences of population health and health disparities in the U.S.

As an interdisciplinary scholar, Hedy has written articles spanning a range of topics and disciplines including, demography, medicine, political science, public health, social work, and sociology. Her recent work examines the impact of mass incarceration on health and health disparities. She serves on the board of the Population Association of America and the research advisory board for the Vera Institute for Justice. She is a member of the General Social Survey Board of Overseers and a member of the National Academies of Sciences, Engineering, and Medicine, Division of Behavioral and Social Sciences and Education, Committee on Population.
Roundtable on the Future of Justice Policy
Examining Justice Reform and the Social Contract in the United States: Implications for Justice Policy and Practice

Hosted by the Justice Lab at Columbia University
Generously supported by the Ford Foundation and Charles and Lynn Schusterman Family Foundation

SUPPORTING MATERIALS:


LESSON:
All too often, the punitive force of the criminal justice system leads to failures of the social contract in other systems. During the global pandemic, how have these segments - basic welfare such as food and housing, access to public education and healthcare, and freedom to work and associate with others - functioned to support people in times of devastation? Or, have they failed to do so? How?

How can these social policy sectors be utilized to create safe and thriving communities going forward? Can they be drivers of inclusivity when creating community safety, resiliency, and thriving?

Assignment: Respond to one of the following prompts.

● During the global pandemic, how have these social sector segments - basic welfare such as food and housing, access to public education and healthcare, and freedom to work and associate with others - functioned to support people in times of devastation? Or, have they failed to do so? How?
● How can these social policy sectors be utilized to create safe and thriving communities going forward?
● How can healthcare, food access, education, housing policy create community safety, resiliency, and thriving? What would this look like?

TAKE IT FURTHER:

Articles:


Websites:
constituteproject.org

Podcasts:

Movies:
www.squareonejustice.org

@square1justice

Books:


Week 4 - EDUCATION AS JUSTICE REFORM & INCREASING ECONOMIC MOBILITY AND ELIMINATING POVERTY

Welcome to week four of our exploration through the social contract! This week we will focus on access to education, economic opportunity, and social mobility.

PRE-LESSON READING: Poor Justice & Suppressing Education to Silence Resistance: An American Tradition in the Black Live

ABOUT THE AUTHORS:

Bruce Western | Co-Founder, Square One Project; Co-Director, Justice Lab; Bryce Professor of Sociology and Social Justice, Columbia University

Bruce is the co-founder and co-director of the Justice Lab and the Bryce Professor of sociology and social justice at Columbia University. Before joining Columbia in the fall of 2018, Bruce was the faculty chair of the Program in Criminal Justice Policy at Harvard University.

He is the author of Homeward: Life in the Year After Prison (2018) and Punishment and Inequality in America (2006). In 2014, Bruce was the Vice-Chair on the National Academy of Science panel on high rates of incarceration in the United States, led by Jeremy Travis. From 2014 to 2017, Bruce chaired the Harvard Executive Session on Community Corrections.

Bruce is a Guggenheim Fellow, a member of the National Academy of Sciences, and the American Academy of Arts and Science.

Vivian Nixon | Executive Director, College and Community Fellowship

Vivian D. Nixon is Executive Director of College & Community Fellowship (CCF), a nonprofit dedicated to helping women with criminal convictions earn college degrees. As a formerly incarcerated woman and CCF program graduate, Rev. Nixon is uniquely positioned to lead the movement to ensure that justice-involved women and their families have a better future. She is a Columbia University Community Scholar and a recipient of the John Jay Medal for Justice, the Ascend Fellowship at the Aspen Institute, the Soros Justice Fellowship, and is a 2017 honoree of the New York Women’s Foundation. Rev. Nixon is currently an MFA candidate in creative nonfiction at Columbia University.
SUPPORTING MATERIALS:


LESSON:
Contemporary criminal justice policy often represents a punitive response to the harsh conditions of American poverty, and a significant obstacle to social mobility in poor communities. Criminal justice involvement also undermines economic opportunity, disrupts families, and damages health, reproducing poverty over the life course and across generations. The project of justice reform imagines a different kind of public safety that relies not on police and prisons, but a rich community life that has eliminated poverty and its myriad accompanying social problems and should extend well beyond the boundaries of the criminal justice system. Watch the discussion here at [00:07:40].

Assignment: Respond to one of the following prompts.

● What are the social policy supports needed to achieve a fairer and safer society that helps ensure routine and predictability in everyday life, such as the coronavirus-era proposed economic stimulus bills providing a universal basic income?

● If we are to reimagine justice in America, what is the role of anti-poverty policy and expanding social mobility?

TAKE IT FURTHER:

Articles:


Books:


Welcome to the fifth and final week of our exploration through the social contract! This exploration will wrap up with the aspirations for a new social contract through the examination of the relationship between political rights, social rights, and justice reform in the age of COVID-19 and social change.

PRE-LESSON READING: Toward a New Social Contract

ABOUT THE AUTHOR:

Danielle Allen | James Bryant Conant University Professor; Director of Edmond J. Safra Center for Ethics, Harvard University

Danielle Allen, James Bryant Conant University Professor at Harvard University, and Director of Harvard’s Edmond J. Safra Center for Ethics, is a political theorist who has published broadly in democratic theory, political sociology, and the history of political thought. She is the author of many books including Our Declaration: A Reading of the Declaration of Independence in Defense of Equality (2014), Education and Equality (2016), and Cuz: The Life and Times of Michael A. (2017). She is the co-editor of the award-winning Education, Justice, and Democracy (2013, with Rob Reich) and From Voice to Influence: Understanding Citizenship in the Digital Age (2015, with Jennifer Licht). She is a former Chair of the Mellon Foundation Board, past Chair of the Pulitzer Prize Board, and a member of the American Academy of Arts and Sciences and the American Philosophical Society.

SUPPORTING MATERIALS:


LESSON:
Throughout the fourth Square One Roundtable on the Future of Justice Policy, we have examined the relationship between political rights, social rights, and justice reform in the age of COVID-19. This week will examine aspirations for those adjacent institutions and policy domains, including the electoral system, healthcare, housing, education, and anti-poverty policy; and will reimagine a social contract that serves, empowers, and strengthens the safety and well-being of all. Watch the discussion here at [00:13:00].
Assignment: Now that you have gained a better understanding of the history and breadth of the social contract, write a 2,500 word response essay to one of the following prompts.

- How can we contribute to a new kind of policy conversation that sees justice as intimately tied to reducing poverty and increasing mobility?
- What can we learn from countries whose social policies and welfare states provide a stronger guarantee of a livable wage, employment protections, healthcare, and other quality of life securities than in the United States?
- How can adjacent sectors better contribute to social integration and wellbeing, and extract themselves from the impact of the criminal justice system to ensure all people have full access to housing, education, and healthcare?
- How does the U.S. regime of political rights currently compromise or promote community membership?

Now that you've made it through tour of the social contract, consider the first question we posed; “As you reflect on the current moment in our country and the four realities of the pandemic - the recession/depression, high levels of unemployment and economic inequality, police brutality and the black lives matter movement, and the political dysfunction - what insights or lessons have you taken that make you either optimistic or pessimistic about the future of our social contract?”

TAKE IT FURTHER:

Articles:


Books:


## IDEAS IN ACTION

**LEARN MORE ABOUT ORGANIZATIONS LEADING TRANSFORMATIVE WORK IN LOCAL COMMUNITIES.**

<table>
<thead>
<tr>
<th>Organization</th>
<th>Specialization</th>
<th>Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Restore Oakland</strong></td>
<td>Reimagining Social Inclusivity &amp; Community Resilience</td>
<td>Community organizing, collective power-building and community self-determination to advance campaigns will drive investment in jobs, housing and education, not more punishment and prisons.</td>
</tr>
<tr>
<td><strong>Detroit Justice Center</strong></td>
<td>Community Membership &amp; Economic Mobility</td>
<td>A non-profit law firm working alongside communities to create economic opportunities, transform the justice system, and promote equitable and just cities.</td>
</tr>
<tr>
<td><strong>I AM LEGACY</strong></td>
<td>Reimagining Social Inclusivity &amp; Community Resilience</td>
<td>A non-profit organization based in Rapid City, South Dakota, offering training, resources and support to all indigenous relatives seeking healing, support, and stability both locally and nationally.</td>
</tr>
<tr>
<td><strong>READI Chicago</strong></td>
<td>Community Membership &amp; Economic Mobility</td>
<td>An innovative project that engages those who are most highly impacted by gun violence, and connects them to paid transitional jobs, cognitive behavioral therapy, and support services.</td>
</tr>
<tr>
<td><strong>Still She Rises Tulsa</strong></td>
<td>Reimagining Social Inclusivity &amp; Community Resilience</td>
<td>The first holistic defense office in the country dedicated exclusively to the representation of mothers in both the criminal and civil legal systems.</td>
</tr>
</tbody>
</table>