

**Law and Society**  
Sociology 318-01  
Rhode Island College, Spring 2012

Wednesdays, 4:00-6:50 PM, Craig-Lee 151

Prerequisite: 200-level sociology course or consent of instructor

*Instructor Information*

Mikaila Mariel Lemonik Arthur

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Office: Craig Lee Hall room 451

Office Hours: Tuesdays and Thursdays 2-3 pm, after class most weeks, or by appointment

**This course uses the Blackboard Course Management System**

*Course Description*

What is law? There are various responses to this question, but all agree that the rules and institutions of law have profound effects on shaping the political and social world in which we live. This course uncovers what some of these effects are, with a primary focus on legal institutions, laws, and court cases in the United States. By the end of this course, you will have developed skills in reading and understanding legal documents, and you will be able to analyze the intersection of law, social inequality, and various social institutions and understanding the foundations of law and the roles that it plays in our society. Specific topics of discussion will include theories of law; law as it relates to social control and social change; and the organization of law as a system, profession, and practice.

You should be aware that while this course will cover some skills and concepts that are necessary in paralegal and legal careers, it does not serve as a pre-law course or as preparation for these professions. If you are interested in further legal education or a legal/paralegal career, you are encouraged to come to speak to me individually about your options or to visit the Career Center. More information about the Career Center is available at <http://www.ric.edu/careerdevelopment/>.

**Required Materials**

- ▶ Hall, Kermit & Melvin Urofsky. **2011.** *New York Times vs. Sullivan*. U of Kansas. (\$18 new)
- ▶ Kleiman, Mark. **2009.** *When Brute Force Fails*. Princeton University Press. (\$23 new)
- ▶ Malcolm, Janet. **2011.** *Iphigenia in Forest Hills*. Yale University Press. (\$25 new)
- ▶ Yoshino, Kenji. **2006.** *Covering*. Random House. (\$16 new)
- ▶ Wacks, Raymond. **2008.** *Law: A Very Short Introduction*. Oxford University Press. (\$12 new).

Supplemental readings will be available via Blackboard; all texts will be available on reserve in the library. We will read the Wacks and Malcolm books before Spring Break; you can wait to purchase the others if you wish, but please make sure you have them on time.

THIS SYLLABUS IS TENTATIVE AND SUBJECT TO CHANGE.

## Course Requirements

1. WEEKLY READING JOURNAL. Each week, no later than 9 am on Tuesday morning, you will write a post in your reading journal on Blackboard. Detailed instructions and grading criteria are available in the Assignments section of Blackboard, but basically these assignments are designed to encourage you to think deeply and critically about the reading assigned for that week. You will have some flexibility in what you discuss, but you will need to respond to the questions posed for each week's journal assignment by drawing specifically on the ideas and points expressed in the reading. I will not accept or grade those that are submitted late. However, I will only count the 10 best journal entries towards your final grade. **50% of your final course grade (5% per journal entry).**
2. FINAL PAPER. The final paper assignment is designed to allow you to showcase the skills in legal and sociological analysis you have developed over the course of the semester as well as your growing knowledge of the dynamics of the legal system. To complete it, you will draw on the themes you developed in one of your reading journal entries to develop an analysis of a contemporary issue or event in the news in 6-8 pages. You will need to write a proposal for this paper by April 25<sup>th</sup> and meet with me individually to discuss it. It will be due in Blackboard at 7 pm on Wednesday, May 9. More details about this assignment will be distributed later in the semester. **25% of your final course grade.**
3. IN AND OUT OF CLASS ASSIGNMENTS. Throughout the semester, there will be a variety of activities and assignments used to help you develop your understanding of the course material. Example of these include a sample citizenship quiz, a jury selection simulation, check-in papers at the end of class, a required out-of-class meeting, and group discussion assignments. When these assignments occur during class, they will not be indicated on the syllabus; those which you are expected to complete outside of class will be listed on the syllabus. You will not be able to make up any of these assignments, though there will be a single make-up assignment available for those who need it. **15% of your final course grade.**
4. PARTICIPATION. While I do lecture during this course, I expect students to participate actively in class discussions. You should expect to contribute a question or comment or respond to something I or one of your classmates says at least once in each class meeting. Remember that in order to participate you must be present both physically and mentally and engaged in what is going on in the classroom. I understand that some students are uncomfortable speaking in class; if this sounds like you, it is your responsibility to find alternative ways to demonstrate your engagement and contributions. For example, you can visit my office hours frequently during the semester, or send me emails in which you comment on class discussion and pose further questions. Remember that there are few stupid questions, but that all questions and comments should be made in a spirit of respect for other students and their contributions to the class. **10% of your final course grade.**
5. READING. You are expected to complete all assigned course readings prior to the date for which they are assigned. Remember that this is not a course with multiple-choice memory-based exams—my goal is not for you to commit every name, date, and definition to memory but instead to develop an understanding of the *concepts*, *ideas*, and *arguments* in each reading. Remember that normal expectations for a college course are that you should do two to three hours of work outside class for every one hour in class—since you are spending three hours a week in this class, that means you should expect to work on reading, writing assignments, and studying for this class for six to nine hours a week outside of class. I do know the reading load in this course is fairly heavy, but it's this that will help you learn.

## Course Schedule

All readings and assignments are due on the course date for which they are assigned. Those readings followed with an **O** will be available for download in Blackboard; all other readings are found in the assigned course texts.

January 25	<b>First Day of Class</b>
February 1	<b>The History and Development of Legal Systems</b> Wacks, "Law's Roots," 1-35 Wacks, "Legal Sources," 158-59 U.S. Constitution, <a href="http://www.usconstitution.net/const.html">http://www.usconstitution.net/const.html</a> <b>O</b> White, Chapters 1 & 2, <i>What Every Student Should Know</i> , 1-20 <b>O</b> Friedman, "American Law," <i>Law in America</i> 161-84 <b>O</b> Citizenship quiz in Blackboard due by noon today Student survey due by class time today
February 8	<b>Dispute Resolution &amp; Types of Law</b> Wacks, "Law's Branches," 36-66 White, Chapter 3, <i>What Every Student Should Know</i> , 21-38 <b>O</b> Miller and Sarat, "Grievances, Claims, and Disputes," <i>Law &amp; Society Review</i> <b>O</b> Merry, "Going to Court," <i>Law &amp; Society Review</i> <b>O</b>
February 15	<b>Civil Courts</b> Taibbi, "Courts Helping Banks Screw Over Homeowners," <i>Rolling Stone</i> <b>O</b> Toobin, "The Man Chasing Enron," <i>The New Yorker</i> <b>O</b> Gawande, "The Malpractice Mess," <i>The New Yorker</i> <b>O</b> Wacks, "Courts," 85-107 Galanter, "Reading the Landscape of Disputes," <i>UCLA L. Rev</i> <b>O</b>
February 22	<b>Criminal Courts</b> Malcolm, <i>Iphigenia in Forest Hills</i> , entire book
February 29	<b>Courts, Continued, and Justice</b> Wacks, "Law & Morality," 67-84 Wenzel <i>et al.</i> , "Retributive and Restorative Justice," <i>Law &amp; Human Behavior</i> <b>O</b> Hughes, "Innocence Unmodified," <i>North Carolina Law Review</i> <b>O</b> Bornstein & Dietrich, "Fair Procedures..." <i>Court Review</i> <b>O</b>
March 7	<b>Administrative Law</b> Surowiecki, "The Regulation Crisis," <i>The New Yorker</i> <b>O</b> Taibbi, "Why Isn't Wall Street in Jail?" <i>Rolling Stone</i> <b>O</b> Niles, "On the Hijacking of Agencies (and Airplanes)," <i>Journal of Gender, Social Policy, &amp; the Law</i> <b>O</b>
March 14	<b>Spring Break—No Class Meeting</b>

March 21	<b>Law and Inequality</b> Yoshino, <i>Covering</i> , entire book
March 28	<b>Social Control</b> Kleiman, <i>When Brute Force Fails</i> , pages 8-22, 34-135, and 149-174 <i>The deadline for withdrawing from this course is <b>March 30</b></i>
April 4	<b>The Legal Profession</b> Wacks, "Lawyers," 108-20 Granfield, "Making it by Faking It" <i>Journal of Contemporary Ethnography</i> ○ Guinier, "Lessons and Challenges" <i>NYU Review of Law &amp; Social Change</i> ○ Ribstein, "The Death of Big Law," <i>Wisconsin Law Review</i> ○ <b>OPTIONAL:</b> Kennedy, "Legal Education as Training for Hierarchy" ○
April 11	<b>Media Account of Legal Processes</b> Podlas, "Guilty on All Accounts," <i>Seton Hall J. Sports &amp; Entertainment Law</i> ○ Weber, "csi: the scenes behind the look," <i>Contexts</i> ○ Kort-Butler and Harshorn, "Watching the Detectives," <i>Sociological Quarterly</i> ○ Cole, "Investigating the 'CSI Effect' Effect," <i>Stanford Law Review</i> ○
April 18	<b>Law and Social Movements</b> Hall & Urofsky, <i>New York Times v. Sullivan</i> , pages 5-138, 146-182, & 198-206 <b>OPTIONAL:</b> read remainder of book (esp. for future law students)
April 25	<b>The Future of Law</b> Lastowka, <i>Virtual Justice</i> , 9-29, 67-75, and 122-194 ○ Wacks, "The Future of the Law," 121-53 <b>Paper proposal due</b> Individual paper planning meetings scheduled the weeks of April 23 <sup>rd</sup> & 30 <sup>th</sup>
May 2	<b>Course Conclusion</b> Make-up exercise due in reading journal
May 9	7 pm <b>finals due</b>

## Course Policies

### *Academic Honesty*

All students enrolling in this course are expected to abide by the Rhode Island College guidelines on academic honesty. More information about academic integrity and avoiding plagiarism, as well as RIC policies, can be found at <http://ric.libguides.com/integrity>. Examples of academic dishonesty include, but are not limited to:

- Plagiarizing written work, including copying some or all of your work from a book, a website, or another student's paper. Think about how you would feel if someone passed off your hard work as their own.
- Using sources without proper attribution. Remember that all claims that did not spring fully formed from your own head need attribution, regardless of whether or not they are

paraphrased, and all direct quotes should appear in quotation marks. If you are unsure how to document sources, please see me or reference the RIC Sociology Term Paper Guide at <http://www.ric.edu/sociology/termpaperguide.php>.

- Turning in work completed for other classes without prior permission.
- Working together with another student on an assignment, or seeking assistance with the content of your work from professionals, parents, or peers, without prior permission. (The exception to this policy is proofreading.)
- Copying off of another student or off of materials you have brought without permission during an exam. This includes text messaging and use of the internet during exams.
- Destroying course materials or otherwise preventing other students from achieving fully in this course.

You should be aware that I have caught many students who have engaged in academic dishonesty. Cheating successfully is often harder than you think, and you might as well just put your effort into doing the assignment legitimately. The penalties for academic dishonesty are severe, and include receiving a 0 on the assignment for the first minor offense, receiving an F for the class for a repeated offense, and report to the Vice President for Academic Affairs at RIC. If you feel the urge to engage in academic dishonesty, stop and think about what you are doing, and then come see me so we can work out a plan together to ensure your success in the course.

#### *Extensions, Absences, and Attendance*

You are expected to attend class regularly, but I am aware that emergencies do come up and that this class is not the only priority in your life. If you know in advance that you will be absent for a legitimate reason, please let me know via email so that you can be excused. If something unavoidable comes up, it is your responsibility to let me know as soon as possible afterwards. Regardless, it is your responsibility to get notes from a classmate (I do not provide notes to students) and to meet with me to clarify what you have missed. If you must be late to a class or if you must leave early, you should try to let me know in advance, and you should always be sure not to disturb other students with your comings and goings. Be aware that repeated absences, even if excused, may imperil your ability to do well in the course, and that you cannot earn participation points (or points for in-class assignments, which cannot be made up) if you are not present. Because this course meets only once a week, absences are particularly problematic. If you miss 2 class meetings, you have missed 2/7 of the entire semester!

All assignments are due in Blackboard and must be submitted at least 15 minute prior to the start of class (you may not skip class to finish your work). Assignments that are not posted directly to a Blackboard application must be saved in \*.rtf, \*.doc, \*.docx (preferred), \*.pdf, or \*.html format (try “Save As” to select one of these formats). Blackboard does log your submissions; you can return to an assignment yourself to see if you have submitted it correctly, and I am happy to show you how to do this so that you will not need to email me to see if I have received your work. If unavoidable circumstances require you to seek an extension on your work, I am generally open to providing one. However, you will need to request the extension via email at least 24 hours prior to the due date unless the extension is due to a major emergency (health crisis, death in the family, etc.)—so plan ahead.

### *Course Technology*

Students are expected to check their RIC email addresses and the course Blackboard site frequently, at a minimum before each class meeting. If you primarily use another email account, I would suggest you arrange for your RIC email to be forwarded, as I do use email to disseminate important information about the course. Students are also responsible for being able to access the Blackboard site for this course. If you are not able to access email or Blackboard, you should seek assistance from User Support Services (<http://www.ric.edu/uss/> or 456-8803) right away so that you do not fall behind in the course.

### *Students with Disabilities*

If you have a disability that might interfere with your ability to perform at your best in this course, it is your responsibility to come and speak with me as early as possible in the semester so that we can develop a plan together. All reasonable accommodations will be made. Students with disabilities should be sure that they are registered with Disability Services in order to ensure access to the full range of services available at Rhode Island College. Information about these services and about registration is available at <http://www.ric.edu/disabilityservices/>.

### *Supplemental Services*

Writing Center: <http://www.ric.edu/writingcenter/>

OASIS (academic support, time management, ESL, etc.): <http://www.ric.edu/oasis>

Counseling Center (confidential & free services): <http://www.ric.edu/counselingctr/>

### *Course Learning Outcomes*

This course is designed to meet these learning outcomes of the Sociology and Justice Studies programs:

- ▶ An understanding of the contribution of sociology to understanding the social world;
- ▶ An ability to apply sociological perspectives to interpersonal and intergroup relations;
- ▶ A familiarity with the occupational opportunities provided by sociological skills and understanding;
- ▶ An understanding of basic sociological concepts, theories, and paradigms;
- ▶ To orient students toward a systematic perspective of the criminal justice system;
- ▶ To develop a citizenry educated in the problems of crime and in the administration of justice;
- ▶ To study criminal justice in the context of larger justice issues and with attention to the total environment in which the system operates;
- ▶ To advance knowledge about the design, evolution, operation, and maintenance of justice system; and
- ▶ To provide an up-to-date understanding of law, human behavior, and social institutions.

For more information on program learning goals, see <http://www.ric.edu/sociology/degreeList.php> and <http://www.ric.edu/sociology/programJSTD.php>.