

Sociology of Law (CW)
Sociology 3568-090
Summer Semester 2018

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3 Credit Hours
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Course Description

A dominant theme among many sociologists, jurists, and philosophers is that a primary function of law is to bring about social change. To this end, sociology of law will be explored through both historic and modern perspectives emphasizing the contributions of theorists such as Durkheim, Marx, Weber, Aquinas, Hart, and Rawls. Specific issues to be addressed by the course include: (1) the evolution, functions, and forms of social control, (2) forms of legal thought as they relate to contemporary social and political order, (3) conditions that give rise to forms of social control and the staff of specialists that are its promoters, and (4) the degree of freedom and coercion existing in the form of law. Sociological conditions that give rise to major legal developments will be explored through key appellate and supreme courts cases. An additional emphasis of the course will be to investigate what role sociology and other social sciences should play in the process of making new laws and abolishing obsolete ones.

At the conclusion of the course the student should be able to:

- Understand the focus of the sociology of law as distinguished from other areas of sociology
- Explain the contributions made by specific classical and contemporary theorists to the study of the sociology of law.
- Articulate how sociology influences case law and legal developments
- Critically evaluate what role sociology and other social sciences should play in the judicial system
- Understand how the United States Constitution has impacted various issues in the sociology of law.
- Appreciate how the development and evolution of the Bill of Rights has impacted the sociology of law.

Class Format

The class is based on an “online” learning style format. Course content includes assigned readings in the text, online readings accessible from the library, online discussions, lectures, and PowerPoint presentations. Please check Canvas on a daily basis for announcements and updated course information. All class communication will be received via Canvas or by email. **All of the quizzes for this class will be administered online.**

As this course satisfies the upper division communication/writing graduation requirement, students are forewarned that this class involves a considerable amount of reading, written assignments, and online discussions. This objective will be achieved through written assignments, discourse with other class members, and logical analysis of case law.

Required Text

Lippman M., Law and Society; Sage Publications ISBN: 978-1-4129-8754

Grading

Grading for the class will be based on the following criteria:

Discussions (20%)

You are **required** to participate in all 4 of the online discussion sessions. All discussions will be offered through Canvas. You are expected to make a meaningful and thoughtful response to the discussion question. Courteous and respectful dialogue with other students is encouraged.

To ensure that you receive full credit in for a discussion, make sure that you answer item by item any questions posed by the discussion and that you participate in the discussion by reading the other responses posted by students and then engaging in the discussion. A “single” post does not meet the criteria for engaging in the discussion. It is not uncommon for some students to post six or seven posts in the course of a discussion. The discussion topics are designed to help you apply critical thinking skills to contemporary problems engender by the course. You are encouraged to express your position, defend it and/or modify it as you gain a fuller understanding of the perspectives surrounding the discussion topic.

In order to gain full credit for the discussion you should follow and participate in the discussion on a daily basis while it is active.

Discussion sessions will not be extended beyond the end date. As this is a class activity, **Makeup discussion sessions will not be offered.** If you miss a discussion session you should plan on participating in the next discussion. If you have trouble “posting” a discussion in Canvas please get assistance through the Canvas help desk at (801) 581-6112 (option 2) and then notify me either by email or by phone. The discussions will last for 4 days.

The first four discussions will be based on a four-part PBS video series entitled “Constitution USA” hosted by Peter Sagal. Discussion five will be based on the video “Inequality for All” hosted by Dr. Robert Reich. Each discussion is worth 5 percent of the overall grade. Cumulatively, the discussions account for 20% towards the overall grade.

All of the videos are available online through the University of Utah Library. Please review each video before posting your responses for the respective discussions. To access the videos, go to the University of Utah Library website at <https://lib.utah.edu/>. For discussions 1-4 search on “Constitution USA” and select “Constitution U.S.A. collection.” This will give you access to each of the videos. The dates for the

discussions are as follows:

Discussion 1 – June 5 (Tuesday) @ 8:00 A.M. through June 8 (Friday) @11:30 P.M.
Discussion 2 – June 19 (Tuesday) @ 8:00 A.M. through June 22 (Friday) @11:30 P.M.
Discussion 3 – July 10 (Tuesday) @ 8:00 A.M. through July 13 (Friday) @11:30 P.M.
Discussion 4 – July 24 (Tuesday) @ 8:00 A.M. through July 27 (Friday) @11:30 P.M.

Quizzes (45%)

There will be three online multiple-choice quizzes based on the text and **any other material assigned by the instructor**. The quizzes will be available for you to take during a **24-hour period of time**. You will have approximately 60 minutes to complete each quiz. Each quiz will count towards 15% of the overall class grade. Cumulatively, the quizzes account for 45% of the overall grade.

The dates and the reading assignments are as follows:

Quiz 1 – Available on June 6th (Wednesday) beginning at 8:00 A.M. and ending on the **morning** of June 7th (Thursday) at 8:00 A.M. You will have approximately 60 minutes to take the Quiz.

Assignment: Read chapters 1, 2, 3, and 4 in the Lippman text.

Read the following article: (EReserve Reading) Friedman, L. M. (1986). The law and society movement. *Stanford Law Review*, 38, 763-780. The Quiz will also include any other material assigned by the instructor.

Quiz 2 – Available on July 5 (Thursday) beginning at 8:00 A.M. and ending on the **morning** of July 6th (Thursday) at 8:00 A.M. You will have approximately 60 minutes to take the Quiz.

Assignment: Read chapters 5, 6, 7, and 8 in the Lippman text.

Read the following article: Hasnas, J. (1995). (EReserve Reading) The myth of the rule of law. *Wisconsin Law Review*, 199-234. Online U of U Library. The Quiz will also include any other material assigned by the instructor.

Quiz 3 – Available on July 31 (Tuesday) beginning at 8:00 A.M. and ending on the **morning** of August 1 (Wednesday) at 8:00 A.M. You will have approximately 60 minutes to take the Quiz.

Assignment: Read chapters 9, 10, 11, and 13 in the Lippman text.

(EReserve Reading) Hay, H., & Evans, M. (2006). Has Roe v. Wade Reduced U.S. Crime Rates? *Journal of Research in Crime and Delinquency*, 43; 1, 36-66. The Quiz will also include any other material assigned by the instructor.

How to find readings on Ereserve:

- Go to U of U Library Page
- Click of “Course Reserves
- Search on “Bench”

Select on the appropriate course

Key Constitutional Case Analysis Papers (35%)

Students will be required to write a critical review of three landmark Supreme Court decisions. Each critical review accounts for approximately 11.66 percent of the final grade. Collectively, the critical reviews account for 35% of the overall class grade. Each paper should be three to five pages in length. *Details of the assignments will be posted at a later date.

Critical Analysis Paper 1 *Furman v. Georgia*, [408 U.S. 238](#) (1972) Due Date: June 11th

Critical Analysis Paper 2 *Citizens United v. Federal Election Commission*, No. 08-205 (U.S. Jan. 21, 2010) Due Date: July 9th

Critical Analysis Paper 3 *Roe v. Wade*, [410 U.S. 113](#) (1973) Due Date: July 30th

Grading

The final grade will be based on online discussions (20%), quizzes (45%) and critical analysis papers (35%). Grading Scale: A (100-93) A- (92-90) B+ (89-87) B (86-83) B- (82-80) C+ (79-77) C (76-73) C- (72-70) D+ (69-67) D (66-63) D- (62-60) E (<60).

Please note, there are no extra credit options for this course.

Declarations

Provisions for Disabled Students

The University of Utah seeks to provide equal access to its programs, services and activities for people with disabilities. If you will need accommodations in the class, reasonable prior notice needs to be given to the [Center for Disability Services](#), 162 Union Building, 581-5020 (V/TDD). CDS will work with you and the instructor to make arrangements for accommodations.

Academic Misconduct

Per University of Utah regulations (Policy # 6-400). "A student who engages in academic misconduct," as defined in Part I.B. and including, but not limited to, cheating, falsification, or plagiarism, "may be subject to academic sanctions including but not limited to a grade reduction, failing grade, probation, suspension or dismissal from the program or the University, or revocation of the student's degree or certificate. Sanctions may also include community service, a written reprimand, and/or a written statement of misconduct that can be put into an appropriate record maintained for purposes of the profession or discipline for which the student is preparing." Please refer to the Student Code for full elaboration of student academic and behavioral misconduct policies (<http://regulations.utah.edu/academics/6-400.php>).

Addressing Sexual Misconduct

Title IX makes it clear that violence and harassment based on sex and gender (which includes sexual orientation and gender identity/expression) is a Civil Rights offense subject to the same kinds of accountability and the same kinds of support applied to

offenses against other protected categories such as race, national origin, color, religion, age, status as a person with a disability, veteran's status or genetic information. If you or someone you know has been harassed or assaulted, you are encouraged to report it to the Title IX Coordinator in the Office of Equal Opportunity and Affirmative Action, 135 Park Building, 801-581-8365, or the Office of the Dean of Students, 270 Union Building, 801-581-7066. For support and confidential consultation, contact the Center for Student Wellness, 426 SSB, and (801) 581-7776. To report to the police, contact the Department of Public Safety, 801-585-2677(COPS).