COURSE DESCRIPTION
This course examines major theoretical perspectives and social science research on the relationship between law and society. It explores how societal change affects law and legal institutions, how legal change affects society, the roles and institutions of the formal legal system in the United States, and the processes of disputing and legal mobilization. The course is designed to expose students to how social scientists study and think about law and legal institutions. The course material is appropriate for advanced undergraduates, graduate students and law students.

Learning objectives. This course is designed to achieve the following instructional objectives designated by the Department of Sociology:

Critically Evaluate Published Research. Sociology graduates will be able to read and evaluate published research as it appears in academic journals and popular or policy publications.

Communicate Skillfully: Sociology majors write papers and make oral presentations that build arguments and assess evidence in a clear and effective manner.

Critical Thinking about Society and Social Processes: Sociology graduates can look beyond the surface of issues to discover the "why" and "how" of social order and structure and consider the underlying social mechanisms that may be creating a situation, identify evidence that may adjudicate between alternate explanations for phenomena, and develop proposed policies or action plans in light of theory and data.

See Things from a Global Perspective: Sociologists learn about different cultures, groups, and societies across both time and place. They are aware of the diversity of backgrounds and experiences among residents of the United States. They understand the ways events and processes in one country are linked to those in other countries.

Substantively, this class surveys the literature on the sociology of law. Students will:

- Identify central claims or arguments in complex readings.
- Assess empirical support for those claims
- Build facility in comparing and contrasting, orally and in writing, those arguments with primary theoretical and empirical approaches to what law is, where it comes from, and how it works in practice identified in the first unit of the class.

This is a three-credit course. This class meets for two 75-minute class periods each week over the fall semester and carries the expectation that students will work on course learning activities
(reading, writing, problem sets, studying, etc) for about 3 hours out of classroom for every class period.

Assignments – PLEASE READ CAREFULLY: the required assignments are different depending on whether you are an undergraduate, graduate or law student. For graduate students, this class is intended to serve as background to the field rather than as a full-fledged graduate seminar. This table outlines the basic requirements for each type of student:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Undergraduate</th>
<th>Law</th>
<th>Graduate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Research paper</td>
<td>Not Required</td>
<td>Not Required</td>
<td>20-25 pages</td>
</tr>
<tr>
<td>Reading interrogations</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>Analysis memo</td>
<td>Not required</td>
<td>Required</td>
<td>Not required</td>
</tr>
<tr>
<td>In-Class Exams</td>
<td>Required</td>
<td>Required</td>
<td>Not required</td>
</tr>
<tr>
<td>Attendance and</td>
<td>Required</td>
<td>Required</td>
<td>Required</td>
</tr>
<tr>
<td>Participation</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Additional Readings</td>
<td>Not required</td>
<td>Not required</td>
<td>At least one per class session</td>
</tr>
</tbody>
</table>

Research Paper: Graduate students will be expected to write either a research paper (20-25 pages) or a literature review (15-20 pages) focusing on a topic or debate within the field. Graduate students are strongly encouraged to discuss their topic with me well in advance of the due date. This assignment is due the last day of class.

Analysis memo: Law students only: The Law school requires law students enrolled in this course to complete an assignment in addition to that required for undergraduates. To satisfy that requirement, you will be expected to write a brief addressing the topic of the role of social science in legal decision-making. Focusing on a specific case of your choosing (though, these must be approved by the instructor), you will consider whether or how social science research informed the decision and how greater use of social science, or use of different social science approaches, in legal decision-making would affect the outcomes of court processes. To be clear, this is not a legal analysis per se, but a critical examination of the interface between law and social science as applied in the chosen case. Law students are strongly encouraged to discuss their topic with me well in advance of the due date. This assignment is due the last day of class.

Reading interrogations: Each class session, a set of students in the class will prepare short written “interrogations”, 150-300 words long, engaging some theme or problem in the reading. These interrogations should NOT be summaries or exegeses of the texts; nor should they be mini-essays with extended commentaries on the readings. The point is to pose focused questions that will serve as the basis for class discussion. As you do the reading, think about an issue that you really want discussed and clarified, and then formulate an interrogation to set up that discussion. While you will need to explicate each question you pose – that is, lay out what you see are the issues in play in the question, explain what you mean by it, etc. – you do not need to stake out a position with respect to the issues you raise (although you can do this if you want to). The important thing is to pose a clear question that you want to discuss. It is entirely appropriate for questions to focus on ideas, arguments, or passages that you do not understand. It often turns
out that questions mainly concerned with asking for clarification of some obscure formulation in
the reading provoke especially good discussions in the class. What you should avoid is a list of
unelaborated questions or mere summarization.

- Students will write 5 interrogations over the course of the semester.
- Students submitting interrogations will lead-off class discussion of those readings.
- Students should post their interrogations to the discussion board at Learn@UW no
  later than 3pm on the day before class. There are no exceptions or make-up for late
  interrogations.
- All students will read the interrogations prior to class.
- Please contact me immediately if you have a scheduling conflict.

The due dates for reading interrogations are noted in the lecture and reading schedule below.
The capital letters (A through E) correspond to the letter assigned to you on the first day of class.

EXAMS: Undergraduates and Law students will take the exams.
- The first midterm will be given on October 11 during the regular class period.
- The second midterm will be given on November 13 during the regular class period.
- The final exam will be held during the final exam period. The location will be
  announced. Alternative arrangements will be made for third year JD students. The final
  exam will be comprehensive.

All exams will begin promptly at the beginning of the class or exam period, and will end at the
end of the class or exam period. Students who arrive late must still turn their exams in at the end
of the class or exam period. Use of cell phones or other internet/data-enabled devices will be
prohibited during exams, including for purposes of time keeping. Please make other
arrangements.

ATTENDANCE & PARTICIPATION
Attendance at lecture is required. Exams will be based on both lecture and assigned reading
materials. You are responsible for all lecture materials and for any announcements made in class,
whether or not you are present.

Grading: This is the grading scale employed in the class:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage Range</th>
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<tbody>
<tr>
<td>A</td>
<td>94%-100%</td>
</tr>
<tr>
<td>AB</td>
<td>88%-93%</td>
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<tr>
<td>B</td>
<td>83%-87%</td>
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<tr>
<td>BC</td>
<td>78%-82%</td>
</tr>
<tr>
<td>C</td>
<td>70%-77%</td>
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<tr>
<td>D</td>
<td>60%-69%</td>
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<tr>
<td>E</td>
<td>59% or below.</td>
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**Law students are subject to the Law School’s grading curve**

Undergraduates: Final grades will be based on:
- Five reading interrogations: 5 percent (1% each)
- Attendance and Participation: 30 percent
  - Includes various informal writing assignments
- Examinations 1 and 2: 40 percent (20% each)
Final examination: 25 percent

**Graduate Students**
- Research paper: 80 percent
- Attendance, participation, and additional readings: 15 percent
- Five reading interrogations: 5 percent

**Law Students**
- Five reading interrogations: 5 percent
- Attendance and participation: 30 percent
- Exams: 45 percent (15% each)
- Analysis memo: 20 percent

**ASSIGNED READINGS**
The schedule and topic of readings appears at the end of this Syllabus. Readings are due on the date of the lecture with which they correspond. All readings are required. Other readings may be assigned and assigned readings may be omitted in the interest of time, or in response to current events or class interest. Readings listed on the syllabus under the heading of “additional readings” are not required for undergraduates or law students.

*Graduate students should meet with me as soon as possible to determine an exact reading schedule based on the additional readings. A more extensive reading list is available that would be useful in preparation for the preliminary exam in the Sociology of Law.*

The required readings are available in two formats (you do not need both):
- Electronic reader available (for free) from the course learn@UW website
- A paper reader for sale at the L&S Copy Center in Sewell Social Science Building

**Course Website:** The Learn@UW website for the course will house the course syllabus and related documents, the digital version of the reader, dropbox, and announcements.

**Accommodations.** Please send the instructor an email by the end of the second week of the course if you are eligible for special arrangements or accommodations for testing, assignments, or other aspects of the course. Accommodations are provided for students who qualify for disability services through the McBurney Center. Their website has detailed instructions about how to qualify: [http://www.mcburney.wisc.edu](http://www.mcburney.wisc.edu). Provide a copy of your accommodations request (VISA) to the instructor by the end of the second week of class. We try to reserve rooms and proctors by the third week in class, so we must know of all accommodations by then.

If you wish to request a scheduling accommodation for religious observances, send an email by the end of the second week of the course stating the specific date(s) for which you request accommodation; campus policy requires that religious observances be accommodated if you make a timely request early in the term. See the university’s [web page](https://kb.wisc.edu/page.php?id=21698) for details.
Academic honesty. As with all courses at the University of Wisconsin, you are expected to follow the University’s rules and regulations pertaining to academic honesty and integrity. The standards are outlined by the Office of the Dean of Students at https://students.wisc.edu/student-conduct/academic-integrity

According to University of Wisconsin Statute 14, academic misconduct is defined as:

- seeks to claim credit for the work or efforts of another without authorization or citation;
- uses unauthorized materials or fabricated data in any academic exercise;
- forges or falsifies academic documents or records;
- intentionally impedes or damages the academic work of others;
- engages in conduct aimed at making false representation of a student's academic performance;
- assists other students in any of these acts.

For a complete description of behaviors that violate the University’s standards as well the disciplinary penalties and procedures, please see the Dean of Students website: https://students.wisc.edu/student-conduct/academic-integrity. If you have questions about the rules for any of the assignments or exams, please ask your instructor.

Departmental notice of grievance and appeal rights. The Department of Sociology regularly conducts student evaluations of all professors and teaching assistants near the end of the semester. Students who have more immediate concerns about this course should report them to the instructor or to the chair, 8128 Social Science (raymo@wisc.edu).

Other Business:

- Late papers are not accepted except at the discretion of the Instructor and Section Instructor.
- If laptops, cell phones, or other devices prove distracting in class, they will be banned.
READING AND TOPIC SCHEDULE
Note that assignments are subject to change in response to class pace, interest and events. Changes will be announced in lecture. It is your responsibility to keep apace of any changes made. Not all the readings will be covered in lecture. Readings not covered in lecture, however, are still your responsibility, and may appear on exams.

Week 1

<table>
<thead>
<tr>
<th>Week 1</th>
<th>Group</th>
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<tbody>
<tr>
<td>Sept. 6</td>
<td>Introduction</td>
</tr>
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<td>NONE</td>
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Week 2

**UNIT 1: Theoretical Foundations**

Key Questions:
- What is the relationship between custom and law?
- What is the relationship between social structure and law?
- What is the relationship between power and law?
- Broadly speaking, what is the relationship between the forms and practices of law and different social orders?

Sept. 11 | Law and Custom | A


Additional Readings:
<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
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<tbody>
<tr>
<td>Sept 13</td>
<td><strong>Law and Social Structure I</strong></td>
<td></td>
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<tr>
<td>Week 3</td>
<td><strong>Law and Social Structure II</strong></td>
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<td>Sept 20</td>
<td><strong>Law, Ideology and Class Power</strong></td>
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7
**Week 4**

**Sept 25**

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<thead>
<tr>
<th>Author(s)</th>
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**Additional readings**


**Sept 27**

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**Additional Readings:**


**Week 5**

**Oct 2**

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<th>Author(s)</th>
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<th>Source</th>
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</thead>
</table>

**Additional Readings**


**Additional Readings:**


**Week 6**

**Oct 9** From American Legal Realism to Law and Society


**Additional Readings:**


Pick at least one of the following:


Unit 2: Legalized Disputing

Key Questions:
- Why do some conflicts become legal disputes, but not others?
- How and why do people use the law?
- What roles do lawyers play?
- What are the various modes of dispute resolution?
- How do social advantages and disadvantages matter in dispute resolution?

Legal Consciousness


Additional Readings:

Social Construction of Legal Disputes


Additional Readings:
### Week 8

**Oct 23**

**How the Haves Come Out Ahead**


**Additional readings:**

**Oct 25**

**Bargaining in the Shadow of the Law**


**Additional Readings**

### Week 9

**Oct 30**

**Lawyers and the Legal Profession**


**Additional Readings:**

Nov 1  

**Court and Litigation Processes**  


**Additional Reading**

Week 10  

Nov 6  

**Disputing Beyond Courts**  


Additional Readings:

Additional readings:

**Week 11**

**Nov 13**

**Midterm 2**

**Unit 3: Legal Change**

Key Questions:
- What is the relationship between social change and legal change?
- What social factors influence lawmaking?
- How do legal rights matter?
- How valuable are legal rights?

**Nov 15**

**Lawmaking**


**Additional Readings**
Week 12

Nov 20  Legal Mobilization  D


Additional readings:

Week 13

Nov 22  Thanksgiving

Week 13

Nov 27  Myth of Rights  E


Additional Readings

Nov 29  Limits of Legal Action  A


Additional Readings:
Week 14

Unit 4: Law and Globalization

Key Questions:
- Is law universal or plural?
- How do legal concepts and practices spread?
- Is there such a thing as transnational or global law?
- Do legal exports lead to economic development?
- What gives "international law" its law-like character?

Dec 4 Legal Pluralism, Local and Global


Additional Readings:

Dec 6 Law and Development


Additional Readings

Week 15

Dec 11 Transnational Law in Action


Additional Readings:

Dec 13  Lawyers in Global Legal Fields  E


Additional Readings:
