

University of Massachusetts Dartmouth  
Soc 340 Law and Society  
Syllabus



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**Office Hours:** Monday 11-2; Wednesday 11-12; or AIM  
(ProfSusanToni)

Fall 2002

MWF 9am; 10am

Room I-108

**Course Description:**

This course will provide the student with a general understanding of law, and the law's relationship to society. Class will begin by exploring questions as basic as "What is law?", and attempt to answer this by presenting an overview of major theories of law. We will then explore issues raised by the applications of law in our society and others, applying the theory to issues from lawmaking to the jury process.

It is the goal of this class to integrate theory and learning exercises with our understandings of the intricacies of law. In the process, each of us should come closer to developing an individual philosophy of the relation between law and society.

## Required Readings:

Vago, Law and Society, 7<sup>th</sup> edition—this is the main text; you are welcome to use an older edition as long as you make sure you are reading the correct material. There will be a copy of the 7<sup>th</sup> edition on 3 hour library reserve.

Milovanovic, A Primer in the Sociology of Law

Lewis, Anthony, Gideon's Trumpet

Lifton, Robert J. and Greg Mitchell, Who Owns Death?

Stern, Gerald M., The Buffalo Creek Disaster

## Recommended Readings:

New York Times, subscription available online, free, or from campus store

US. Constitution

## Extra Credit and Supplementary Readings:

Beccaria, On Crimes and Punishments

Black, Sociology of Law

Black, The Behavior of Law

Foucault, Discipline and Punish: The Birth of the Prison

Maine, Ancient Law

Mitford, Kind and Usual Punishment

Timahoff, Introduction to the Sociology of Law

Wishman, Anatomy of a Jury

Note: All books are on reserve at the University Library.

## Grading:

Projects (10% each)	30%
Research paper	20%
Class participation and attendance	25%
Final exam	25%

## **Course Requirements:**

Your learning experience for this course includes readings, class participation, three projects, a short research paper, and a final examination. There is a website that supports this class. Assignments will be posted to the website. Conversations which are a necessary part of this class will occur on the website. You can find the course website by going to <http://courses.umassd.edu>. You can also update your email address at that site. For answers to technical questions, contact the computer support staff.

I reserve the right to add in-class quizzes to assure students are keeping up with the readings.

**READINGS AND PARTICIPATION:** You are expected to complete the readings. The readings were chosen because they are worthwhile, interesting, sometimes even exciting. Some will fill your head with facts and figures, others will challenge some of your most prized ideas and opinions. Some may seem less thrilling than others, but at least give them a try by reading them all the way through. I really wouldn't assign them if I didn't believe they would contribute to your overall knowledge of the topic.

Attendance is not mandatory, but is expected. Class is an important place to discuss readings, get additional information, integrate ideas and clarify material. Failure to attend regularly will negatively impact your grade.

Discussion is an important part of this class, and you are encouraged to raise questions and comment on the material being discussed. When making an argument for or against a particular position, it is important to use more than personal opinion to support your point. Rules of discussion etiquette are especially important online. See rules of web etiquette on the Resource page of the website. The use of course reading materials, lectures, and previous discussions will strengthen your position. Critiques of the reading material, lecture topics and discussions are welcome so long as they are done in a respectful and informed manner. This is said not to discourage discussion but to encourage you to develop your critical thinking skills.\*

**PROJECTS:** You will complete 3 projects over the semester. Details of the projects will be available on the course web site.

**RESEARCH PAPER:** You are required to write a short (4-6 pages, typed, d/s) research paper.

Pick a legal issue of interest to you (for example: Title IX; jury nullification; or Sexual Harassment in the workplace). In the paper you will describe the legal history of the issue and proceed to explain the social causes/effects of that law. (For example, Title IX was part of the Civil Rights Act of 1964; gender was added in hopes of defeating the bill; over the years it has had a tremendous impact on female athletics—now expand this to 6 pages—you get the point.) Expect to allocate about 1/3 of the space to legal background and 2/3 to sociological considerations.

You should have a **MINIMUM** of four sources in addition to any class readings you might use. Paper is due **December 2<sup>nd</sup>**.

**General rules for submitting written work:**

All sources must be properly cited as a reference list or bibliography. In-text cites (footnotes) should also be used when appropriate, and listed in proper form. Spelling and grammar should be checked.

Grades indicate evidence of the following:

- \* grasp of the subject matter;
- \* critical evaluation of the material;
- \* original, creative and/or logical thinking; and
- \* ability to organize, to analyze, to synthesize, to integrate ideas, and to express thoughts fluently.

All sources must be considered academic sources

I expect that you all know how to research and write a paper. If you are unsure see me immediately and I can help you get assistance.

**FINAL EXAMINATION:** There will be a cumulative final examination; specifics to be provided elsewhere.

**Extra Credit** (up to 10% of your final grade) is available to students who have successfully completed class assignments. For credit you may read and write a critique of one of the books on the "Additional Reading Ideas" list. Other books may be acceptable, but must be approved by professor. (Of course, you may also read one or more of these books for your own edification.)

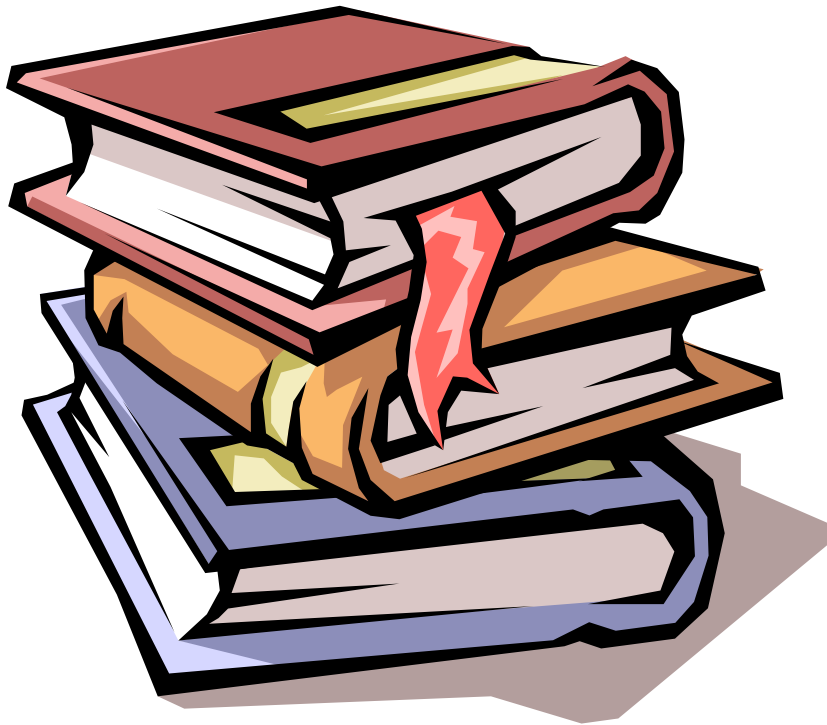
\*The idea for these three paragraphs and some language is borrowed from S. Caulfield and Z. Snyder-Joy. Thanks for so many useful ideas.

## Course Outline:

### I. INTRODUCTION - 9/4 - 9/6

### II. WHAT IS LAW? - 9/9 - 9/13

Readings: Vago, Chapter 1, pgs. 1-29  
Chapter 9, pgs. 404-429  
Milovanovic, Introduction, pgs. 3-19



### III. THEORIES OF LAW - 9/18 - 10/4

#### A. Early theories I - 9/18

Readings: Vago, Chapter 2, pages 36-52  
Milovanovic, Chapters 1 and 2, pages. 23-48

#### B. Early theories II - 9/23

Readings: Vago, Chapter 2, pages 52-60  
Milovanovic, Chapters 3 and 4, pages 61-98

- C. Contemporary theories - 9/30  
Readings: Vago, Chapter 2, pages 60-76  
Milovanovic, Chapters 5 and 6, pages 101-124  
Handout, Olsen, "The Sex of Law"

#### IV. LAW AT WORK - 10/7 - 11/1

- A. Legal Systems - 10/7  
Readings: Vago, Chapter 3, pages 82-141
- B. Lawmaking - 10/16  
Readings: Vago, Chapter 4, pages 152-185  
Lewis, Gideon's Trumpet
- C. Lawyers - 10/28  
Readings: Vago, Chapter 8, pgs. 340-395  
Handout - Kennedy, "Legal Education as Training for the Hierarchy"

#### V. LAW IN PRACTICE - 11/4 - 12/13

- A. Social Change - 11/4  
Readings: Vago, Law and Social Change,  
Handout - McIntosh, "White Privilege, Color and Crime: A Personal Account"  
Ness and Strong, "Restorative Justice: Justice that Promotes Healing"
- B. Dispute Resolution - 11/13  
Readings: Vago, Chapter 6, pages 247-293  
Stern, The Buffalo Creek Disaster
- C. Social Control - 12/2  
Readings: Vago, Chapter 5, pages 191-236  
Lifton and Mitchell, Who Owns Death?  
Handouts: Pepinsky, "This Can't be Peace A Pessimist Looks at Punishment"  
Bernard, "Punishment and Social Structure: What does the future really hold?"  
Goodman, "Commentary: What a Prison Sentence Really Means"