SOCIOLOGY OF LAW
SOCY498L
Section 0101
Fall Semester 2016
Tuesdays and Thursday from 3:30pm to 4:45pm
Location: ARC 1103

Professor: Dr. Dawn M. Dow
Office Hours: 12:30pm to 2pm on Tuesdays and by appointment
Office Location: 4131 Art-Sociology Building
E-mail: dmdow@umd.edu
Mail: 2112 Art-Sociology-Open Monday through Friday 8am-4pm

COURSE DESCRIPTION

The aim of this course is to expose students to the theoretical frameworks from sociology that are used to examine how the law shapes society and society shapes the law. We will begin by reading and discussing how theorists including Marx, Weber, Durkheim and others understood the role of law in society, whose interests they saw the law serving and the law’s role in societal transformation. We will apply these theoretical perspectives to current legal issues and policies. The approach we will take to studying the law will emphasize the social, political, cultural and historical aspects of the law, rather than studying the law through legal doctrines, statutes or judicial opinions (though at times these aspects of the law will be raised). From this vantage point, this course will enable students to understand how the law influences and is influenced by social change, social reproduction and inequality (including race, class, gender, and sexuality). We will also analyze the role of law in contemporary legal issues related to these topics in order to understand and evaluate how the law seeks to achieve certain objectives such as compliance, deterrence and social control. Finally, as many of you may have an interest in pursuing a legal career, we will examine how the legal profession and the field of law have changed over time and the enduring hierarchies and divisions that have remained.

STUDENT OUTCOMES/COURSE OBJECTIVES

By the end of the course students will:

• Have a general understanding of the development of the sociology of law and law and society as intellectual fields.
• Understand historical and contemporary theories about the role of law in society and whose interests the law serves.
• Be able to apply specific theoretical perspective(s) to everyday conflicts that touch upon legal issues.
• Evaluate how and why different individuals and groups view the law in certain ways and how the law differently impacts individuals’ lives.
• Critically discuss and analyze under what circumstances, and if the law can produce
  o social change and reproduction,
  o social control, compliance and deterrence, and
  o equality or inequality.
• Critically discuss and analyze the law’s relationship to categories of identity such as race, gender, class and sexual orientation.
• Have a general understanding of the structure of the legal profession and how it has come to have that structure.
REQUIRED BOOKS AND TEXTS
All course materials will be posted to https://elms.umd.edu. Students are REQUIRED to bring these materials to class. To save on paper and costs please print these materials out two pages on one side and double-sided. You are required to read these materials before the date on which they scheduled to be discussed and come to class prepared to discuss them.

CLASS FORMAT
The class meets twice a week for one hour and fifteen minute sessions. Most classes will be comprised of a brief (10 to 15 minutes) recap of what was covered in the prior class and about 15 to 20 minutes of lecture to frame the readings for the day and situate them within a theoretical paradigm or scholarly debate. The remainder of class will consist of discussing weekly readings, class activities aimed at furthering our understanding of the readings and opportunities to apply course concepts to contemporary and historical issues related to the law understood broadly.

DISCUSSION GROUND RULES
At times this course will address “hot topics” such as income inequality, race, gender and sexual orientation, among others. Having conversations about hot topics, particularly in diverse groups, can be downright scary! It is something that most people avoid because it can produce strong feelings and opinions. We are afraid that we will offend someone or be offended. We are afraid we will use the wrong terminology. We are afraid that people will not understand our true meaning(s). Differences in outlook will inevitably rise to the surface. There is no candy coating it - these sorts of discussions can be tough. That confirms that it is crucial that we learn about these issues and apply our keen analytical mind to them. With all of that in mind, if you are uncomfortable discussing difficult topics with respect and tolerance you may wish to reconsider taking this class.

OFFICE HOURS
I love meeting with students in office hours and I encourage you all to come at least once. Office hours are a great opportunity to ask additional questions about the course and to discuss your educational career more generally. If you cannot make my scheduled office hours, please email me to set up an alternative time. Also, feel free to come to office hours in pairs or groups.

CONTACTING ME
I will be available over email if you need to contact me for any reason. Please make sure you reference the course name and the general topic of your email (498L: GENERAL TOPIC OF EMAIL) in the subject of your email message. Otherwise, it may be filtered to spam. You should expect to wait at least 24 hours to hear back from me. If you email me on Friday or during the weekend, please do not expect a response until Monday. I will adhere to professional standards of written correspondence in my email communications with you. Please extend the same courtesy to me by using professional language, tone, and style. Do use standard greetings- Dear/Hi Dr. Dow /Prof. Dow/Professor Dow. Please write in complete sentences. Don’t use texting language.
GRADING
The course assignments are varied and aimed towards helping you achieve the learning objectives listed above. Your final grade will be calculated according to the following charts.

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<tr>
<th>Grade</th>
<th>Percentage</th>
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<td>A</td>
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<td>A-</td>
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<td>B+</td>
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*Please note that if you seek to contest a grade, you must wait 48 hours and do so in writing, explaining in specific and substantive terms why you believe your grade should be reconsidered.*

For Pop Quizzes you must submit grade contestations by the class after the quiz is returned. For Exams and Papers you must submit grade contestations within one week of the test or paper being returned. Upon further review, your grade may be adjusted up, down or remain the same.

<table>
<thead>
<tr>
<th>PERCENTAGE BREAKDOWN OF GRADING</th>
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<tbody>
<tr>
<td>Attendance and Participation</td>
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<tr>
<td>Class Presentation and Analytical Memo (sent to me via email <a href="mailto:dmdow@umd.edu">dmdow@umd.edu</a>)</td>
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<tr>
<td>Law in Everyday Life Paper: 20%</td>
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<td>• 10 pts -- Paper Proposal, due October 13th in class</td>
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<td>• 10 pts -- Interview Transcripts (two copies), due October 25th to be discussed in class.</td>
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<tr>
<td>Pop Reading Quizzes (5-6)</td>
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<tr>
<td>Midterm Exam</td>
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<td>Final Exam (Cumulative)</td>
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Attendance and Participation 10%

Attendance: Attendance is Mandatory. I will take attendance in every class. Unexcused absences will significantly impact your final grade. **Students with more than six unexcused absences may fail the class entirely. If you arrive more than 10 minutes late to class, you will be marked absent for that class.** Arriving at class late repeatedly will also impact your attendance and participation grade as you will both be missing out on importance announcements and learning and will be disrupting class activities. I will excuse an absence if it has been negotiated with me in advance and is verified by legitimate sources. This does not mean emailing me right before class to inform me you will not be coming to class. Multiple or prolonged absences that prevent attendance at a major scheduled grading event, will require either 1) written documentation from an appropriate health care provider/organization or 2) advance notice in writing in the case of a religious observance or university sanctioned event.

Please note that whenever you miss a class, and for whatever reason, it is always your responsibility to catch up on the material that we covered. I do not give out lecture notes or post slides. I encourage you to consider exchanging email addresses with at least two other classmates that you can turn to in the case of an absence.

Name____________________________

Name____________________________
Participation: Your participation is absolutely essential in this class! You are also encouraged to come to my office hours. In the classroom, all students are expected to be active, attentive and respectful participants during discussions and activities. You are expected to come to class:

- Having completed all the reading.
- **With readings in hand!!!!**
- With at least one question, comment or application of the reading to share or a passage highlighted that you would like to discuss.
- Ready and willing to engage with your classmates, share your insights and engage in a respectful exchange when we discuss the materials.
- Observing digital etiquette (See course policies below)

**Class Presentation 10%**

Once during the semester, you will work in a group to connect course materials to current events, news, popular culture, etc. These presentations will begin in Unit Three. The purpose of this assignment is to get you to think about how the materials from class connect to current events. This assignment will be comprised of two parts: 1) a group component, and 2) an individual component (each worth 50% of the grade you receive):

**Group Component, working with your group you will:**

- Select 1-2 of the following: news articles, blog posts, editorials, videos, etc. that relate to the course materials for your assigned day. These should be short and engaging- no more than 5 minutes.
- Send the supplemental materials to me via email at dmdow@umd.edu by
  - **Sunday at midnight** for a Tuesday class or
  - **Tuesday at midnight** for a Thursday class.
- Make a short presentation to the class on the examples you found and how they relate to the readings. You will also bring 2-3 discussion questions and/or an activity to class that connects to the course reading(s) for that day. Your presentation should be approximately 15 minutes long.

**Individual Component, You will:**

- Submit an analytical memo to me via email at dmdow@umd.edu by **Sunday at midnight** for a Tuesday class or **Tuesday at midnight** for a Thursday class that includes a
  - Analytical description of the readings (see What is an Analytical Memo below) for that class;
  - Description of your own individual contribution to your group presentation; and
  - Description of the participation of other group members. (This description can impact other group members’ group grade.)

**What is an Analytical Memo?**

An analytical memo is different from a summary. While you should provide a description of the main points from the reading(s), an analytical memo asks that you talk about those main points in relationship to each other. An analytical memo should contain the following parts:

- A concise summary of the main point of the reading(s) and a discussion of their similarities and differences (when applicable). (One-two paragraphs)
- A brief response to the article. (One paragraph) Here you might comment on something you found interesting and why; something you learned from the reading or how the reading(s) relate(s) to other materials we have covered in class.
- A description of how the supplemental materials connect to the readings. (One paragraph)
• A brief description of your own participation and your group members’ participation in creating your presentation.

Your individual memo should be brief (a maximum of 1 single spaced page in Times New Roman 12 pt. font, 1 inch margins).

You will be graded on the appropriateness of the supplementary materials you share, the quality of your memo, and how well you connect the readings from the day to your presentation or activity. I strongly encourage groups to come to my office hours to discuss their presentation.

Late memos will not be accepted after your presentation and will be penalized one full letter grade per day late. Late receipt of presentation materials will similarly impact the group presentation grade.

Law in Everyday Life Paper 20%
In this paper you will be required to choose from the readings covered in the first four units to critically analyze the role of the law in the life of two individuals. You will interview two people about a dispute or conflict they have had in their lives. These two individuals should vary across one major category of identity such as race/ethnicity, class, gender, sexual orientation, etcetera but should be the same in other respects. These individuals must be over 18 years old and cannot be your college peer. These interviews must be conducted in person, over the telephone or via video like Skype. These interviews cannot be conducted over email. In the paper you will:

• Describe the dispute or conflict. When did it happen? Who was involved? What were the issues involved? What was the outcome?
• Describe how the processes of naming, blaming and claiming apply to the dispute or conflict.
• Compare and contrast how individuals experienced their legal consciousness.
• Discuss how and when the individuals involved used the legal system or laws in their dispute? What meaning did they attach to using the legal system? If they didn’t seek legal redress why didn’t they use the legal system/law?
• Discuss if and how different forms of power or inequality (race, class, gender, status) impacted how the individuals involved used the law?
• Incorporate at least 3 readings but no more than 4 readings from the first half of the class.
• Submit a Paper Proposal on October 13th. The proposal should be 1 paragraph with an absolute maximum of one page double-spaced typed in 12-point font. Be sure to address the following:
  o Describe the people you are going to interview. The people you interview should vary across at least one category of identity such as race, gender, class, sexuality, religious et cetera.
  o Explain why you have chosen to vary that category of identity. What differences or similarities do you think you will find based on that difference (Hypotheses)?
  o Describe the formal or informal legal issue that you plan to interview them about. It should be a similar issue.

  Examples of formal legal issues:
  Traffic court, getting stopped by the police (driving or on foot), serving on jury duty, experiencing a break-in, contract disputes, court cases, witnessing a crime, getting divorced/separated, custody battles, getting married, renting an apartment, etcetera.

  Examples of less formal legal issues:
  Returning an item to a store, resolving a work conflict, jaywalking, airport security, surveillance while shopping in stores and responses to crimes in school.
• Submit two copies of your first interview transcript on October 25th to be discussed in class.
FINAL PAPER FORMATTING- Your final paper should be a maximum of 5-6 pages long. It should be double-spaced and written in 12pt Times New Roman font with 1-inch margins. It should include a copy of both interview transcripts.

LATE PAPERS will be penalized one full letter grade each day late. After three days, late papers will not be accepted. The late penalty begins 15 minutes after the class has begun.

Pop Quizzes (5-6) 20%
Over the course of the semester, there will be five to six quizzes. Taken together, these quizzes will account for 20% of your grade. The quizzes are designed primarily to serve as an incentive for doing the reading before class and remaining engaged in the course materials. As such, quizzes will cover the readings and lectures leading up to and including the day of the quiz. They will test your basic comprehension of the material covered in the reading. In other words, you are not required to memorize every minor detail but you should recognize core concepts. Students will not be able to make up pop-quizzes that are missed.

Midterm Exam 20%
The midterm will consist of short, medium and long essay questions pertaining to the main topics from lectures, course readings, and class discussions from the first half of the term. The exam will be in class.

Final Exam 20%
The final exam will be cumulative and, like the midterm, will consist of short, medium and long essay questions pertaining to main topics from lectures, course readings, and class discussions during the entire term.

MISSING EXAMS

Except in the case of a real and verifiable emergency accompanied by appropriate and official documentation students WILL NOT be allowed to make up missed exams. In the case of a real emergency, you must notify me within 24 hours of the missed exam and you must provide documentation to verify the emergency (from the doctor, dean of students, the judge, the police report, etc....). If I am not informed within 24 hours, you forfeit your right to make up an exam. Except for extenuating circumstances, all make-ups must be done within one week.

------------------------COURSE & UNIVERSITY OF MARYLAND CAMPUS POLICIES------------------------

ACCOMMODATIONS
The University of Maryland is committed to creating and maintaining a welcoming and inclusive educational, working, and living environment for people of all abilities. The University of Maryland is committed to the principle that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of the University, or be subjected to discrimination. The University of Maryland provides reasonable accommodations to qualified individuals. Reasonable accommodations shall be made in a timely manner and on an individualized and flexible basis.

Discrimination against individuals on the grounds of disability is prohibited. The University also strictly prohibits retaliation against persons arising in connection with the assertion of rights under this Policy.

Disability Support Services (DSS) facilitates reasonable accommodations to qualified individuals. For
assistance in obtaining an accommodation, contact Disability Support Service at 301.314.7682, or dissup@umd.edu. More information is available from the Counseling Center.

After receiving an Accommodations Letter from DSS, as a student you are expected to meet with me, your course instructor, in person, to provide me with a copy of the Accommodations Letter and to obtain my signature on the Acknowledgement of Student Request form. You and I will discuss a plan for how the accommodations will be implemented throughout the semester for the course.

**Academic Integrity**
The University of Maryland has a nationally recognized Code of Academic Integrity. The Code sets standards for academic integrity at Maryland for all undergraduate and graduate students. There are many ways that academic dishonesty can manifest in a University setting. The Code of Academic Integrity defines four major types of Academic Dishonesty, as described below.

- **Cheating:** fraud, deceit, or dishonesty in any academic course or exercise in an attempt to gain an unfair advantage and/or intentionally using or attempting to use unauthorized materials, information, or study aids in any academic course or exercise.
- **Fabrication:** intentional and unauthorized falsification or invention of any information or citation in an academic course or exercise.
- **Facilitating Academic Dishonesty:** intentionally or knowingly helping or attempting to help another to violate any provision of this Code.
- **Plagiarism:** intentionally or knowingly representing the words or ideas of another as one's own in any academic course or exercise.

As a student you are responsible for upholding these standards in your courses. It is very important for you to be aware of the consequences of cheating, fabrication, facilitation, and plagiarism. The UMD Student Honor Council ([http://www.shc.umd.edu/SHC/Default.aspx](http://www.shc.umd.edu/SHC/Default.aspx)) has detailed information.

By turning in assignments you are consenting to the Honor Pledge. The Pledge reads:

> I pledge on my honor that I have not given or received any unauthorized assistance on this assignment/examination.

**Religious Observances**
Notify me in advance of any absence due to a religious observance BEFORE the end of the schedule adjustment period. This information should be shared in a meeting during office hours, not in the classroom setting. The University of Maryland provides that “[s]tudents shall not be penalized because of observances of their religious holidays and shall be given an opportunity, whenever feasible, to make up within a reasonable time any academic assignment that is missed due to individual participation in religious observances.”

---------------------- COURSE SPECIFIC POLICIES----------------------

**Digital Etiquette**
To prevent undue distraction and to encourage a participatory and respectful classroom environment, the use of cell phones, tablets, laptop computers or PDAs is NOT permitted in class, unless required as an accommodation. If you use any type of electronic device in class, your participation grade will be lowered 1/3 a letter grade for each occurrence. Students who use such devices repeatedly will be asked to leave class and will be marked absent for that class.
I have outlined the course readings in this syllabus prior to the beginning of the term. That said, I reserve the right to modify the syllabus if the need arises. I encourage your feedback, so please let me know if you have any questions, concerns or suggestions. **Students are required to read course materials before the date on which they are assigned on the syllabus.**

## Unit One- Introduction

### Week One:

Our goals for this unit are to have several brief introductions. First we will get introduced to each other. Second, we will get introduced to examining the role of law in society by watching a brief media clip about recent debates related to the Voting Rights Act and the Verizon Strike. We will do some thinking, writing and talking about these contemporary legal issues. Third, I will provide you with an introduction to the course and an overview of the course goals and assignments. Fourth, I will provide a brief introduction to the field of law and society and sociology of law. Fifth, and finally I will provide a brief introduction to Marx’s theories before you read his specific thoughts about the role of law in society in Unit Two.

### Class 1 - Aug 30:
Introductions, Course Overview and Voting Rights Act

### Class 2 - Sept 1:
History of Law and Sociology, Verizon Strike and Mini Lecture on Marx

## Unit Two- Historical and Contemporary Theoretical Perspectives

### Week Two:

In this unit we will be examining historical and contemporary theoretical perspectives on the role of law in society. By the end of this unit you should understand how each of these theorists viewed the relationship between law and society. You should be able to apply those theories to contemporary legal issues and determine how they illuminate or fail to illuminate the controversies at hand. Finally, you should be able to compare and contrast these theories in context (through examining a contemporary legal or law-related topic) and explain what each theory illuminates and fails to illuminate about the issue (s) at hand. This section will culminate with an “In Class” debate and Mid-term exam.

### Class 3 - Sept 6:
Marx and Marxist Perspectives Conflict Paradigm

### Class 4 - Sept 8:
Durkheim and Structural-Functional Perspectives
Unit Two—Historical and Contemporary Theoretical Perspectives Continued

Week Three: (September 12th is the add/drop deadline)

Class 5 - Sept 13: Weber and the Law as legitimate

Class 6 - Sept 15: Foucault: Law as Social Control

Unit Two—Historical and Contemporary Theoretical Perspectives Continued

Week Four:

Class 7 - Sept 20: Law as a Semi-Autonomous Field

Class 8 - Sept 22: Feminist Perspectives
• MacKinnon, Catharine A. Feminism, Marxism, Method, and the State: Toward a Feminist Jurisprudence. Signs, Vol. 8, No. 4 (Summer, 1983), pp. 635-658 (23pgs)

Unit Two—Historical and Contemporary Theoretical Perspectives Continued

Week Five:

Class 9 - Sept 27: Critical Race Perspectives

Class 10 - Sept 29: Catch-up Day

Unit Two—Historical and Contemporary Theoretical Perspectives Continued

Week Six:

Class 11 - Oct 4 Debate and Midterm Review

Class 12 - Oct 6 Midterm
Unit Three: The Law in Everyday Life:

Dispute Resolution, Legal Consciousness, Individual Mobilization and Rights
In this unit students will begin playing an active role in presenting the course materials through student presentations. In this unit we will explore the presence or absence of law in our everyday lives. We will examine how individuals think about the law, sometimes referred to as legal consciousness. When do we use the law to resolve conflict? What is the process through which we decide we have a conflict or dispute, attribute what has happened to the fault of someone else and decide to use formal or informal legal mechanisms to seek redress? Finally, in this unit we will also examine the significance of rights in our day-to-day lives. Do rights and rights mobilization through the legal system make a difference?

Week Seven:

Class 13 - Oct 11: Introduction to Unit Three: Legal Consciousness
- Ewick, Patricia and Susan Silbey. 1998 The Common Place of Law Chicago: University of Chicago Press. pp. 3-23, 33-49 (36pgs)

Class 14 - Oct 13: DUE: Paper Proposals Due

Week Eight:

Class 15 - Oct 18: Dispute Resolution

Class 16 - Oct 20: Rights and Rights Discourse
Unit Four: The Law Constitutes Society
Power and Legitimacy, Culture, Social Control

In this unit we will examine how the law constitutes society. We will begin by examining the law as a mechanism through which advantaged groups within society are able to reproduce those advantages. Building on the rights discourse that we examined in the previous unit, we will look at how social movements have used the law to produce social change and how effective those endeavors have been. Finally, we will examine why people obey the law and the changing nature of compliance and deterrence within the legal system. This unit will culminate with your paper examining the law in the everyday lives of two people.

Week Nine:

Class 17 - Oct 25: DUE: Interview Notes (two copies for in class workshop)
Power and Legitimacy

Class 18 - Oct 27: Social Movements

Week Ten:

Class 19 - Nov 1: Social Control

Class 20 - Nov 3: Compliance and Deterrence
Unit Five: Law, Identity and Society

This unit of the course begins by examining various media clips examining how race, gender, class and other forms of identity impact one's ability to access the law. We will also examine how race, class, gender and sexual orientation impact how the law affects individuals in their daily lives.

Week Eleven:

Class 21 - Nov 8: DUE: Law in Everyday Life Paper
Gender
- Martin, Patricia Y. 2016. The Rape Prone Culture of Academic Contexts: Fraternities and Athletics. Gender & Society. 30:1 30-43. (14pgs)
- Film clips and a discussion

Class 22 - Nov 10: Gender

Week Twelve:

Class 23 - Nov 15: Racial Identity

Class 24 - Nov 17: Racial Identity

Week Thirteen:

Class 25 - Nov 22: Sexual Orientation

Week Fourteen:

Class 26 - Nov 29: Sexual Orientation
Unit Six: Law as Organizational Practice and Profession
In the sixth, and final section, of the course we will examine how the law impacts and is impacted by institutions. We will do this primarily through the example of the work place and civil rights legislation. We will also examine how the structure of the legal profession has change and how some of those changes have impacted the practice of law.

Class 27 - Dec 1: Law and Organizational Practice and Culture

Week Fifteen:

Class 28 - Dec 6: The Law as Profession

Class 29 - Dec 8: Catch-up day/Course Review

Tentative Final Exam Date
Tuesday, Dec 20, 2016
10:30 am - 12:30 pm
Location: TBA

The final examination schedule will be finalized in the middle of the semester.