

## CARLETON COLLEGE

SOAN 221 LAW AND SOCIETY

Classroom: Leighton Hall 303

Class Meetings: MW 9:50-11 a.m. and

F 9:40-10:40 a.m.

Professor Mary Vogel

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Office Hours: W 4-5, ThF 11-12

and by appointment

### **Course Description:**

In thinking of law, we imagine a major social institution whose reach extends to virtually every aspect of our society and our lives. Law not only, as often thought, bars wrongdoing, but also structures contracts, defines what is property, makes us citizens, accords us rights and helps us to manage risk. In short, law plays a key part in structuring our social world. It also provides a means of democratic social ordering and governance. In this course, we explore what law is, how it takes shape and its relationship to our economy, politics and culture. We ask which law represents: a normative consensus in society, a rational approach to social ordering, or the policy preferences of the powerful. By probing law from a sociological standpoint, we will, as Richard Abel argues, study almost everything about law except “the rules”.

We problematize law by asking why we obey law and whose order it upholds. We also consider the following: the balance of rights and responsibilities; constitutionalism as elite hegemonic preservation; racialization and gendering of the powerful discourse of law; similar versus different specialized treatment as approaches to equality; and queer theory’s proposal to tackle inequality? One asks too why legal mobilization and campaigns of strategic litigation matter; whether recent growth in discretionary practices, such as mediation and plea bargaining, increase impartial efficiency or, alternately, strengthen the hand of the powerful at the expense of the weak; and the extent to which the “haves” always come out ahead under law? What laws, we ask, have contributed to skyrocketing mass incarceration in America? Perhaps most importantly, to what extent can law provide an effective means of social change?

My aim in this course is to introduce students to core ideas and controversies in the field of law and society. The goal is to help each student draw on these ideas to develop his or her own unique viewpoint as a basis for analyzing our social world and the challenges we face. I hope too to communicate a sense of the intellectual excitement of pursuing questions whose answers are not yet known and of using your persuasive powers to engage others on the crucial issues of our day.

### **Learning Outcomes:**

In addition to learning about the vibrant field of “law and society,” this course will help you learn to draw connections between historical and contemporary socio-legal developments and to analyze them sociologically. By the end of this course, you will be equipped to apply your understanding of historical and contemporary socio-legal phenomena to engage the challenges facing our social world.

Central to these capacities is the ability for critical thinking. This enables us to look underneath appearances to discern the structure of things. Our study will acquaint you with approaches to sociological inquiry such as framing a research question, interpreting tables and charts, crafting a short research paper and constructing a brief bibliography. We will forge the capacity to craft arguments, consider the adequacy of theoretical claims and grasp the vital part played by revision in writing a paper.

### **Course Materials:**

Materials for this course will include articles and chapters to be made available through moodle. Our moodle site will also contain a copy of the syllabus and of assignments and course materials as they arise. Slides for each class will be posted by the morning they are to be used.

Readings are of two sorts: required readings and occasional recommended readings.

For individual research, library holdings can be supplemented by online catalogues such as the Union Catalogue and services such as [www.amazon.com](http://www.amazon.com). Other resources include: journals (findable through online search services such as JSTOR and Athens); internet resources; newspapers; films; music and lyrics; diaries and autobiographies; and television, among others.

### **Format of Class Meetings:**

This course will take a blended format consisting primarily of lectures interrupted by my posing questions, problems and dilemmas for discussion. Learning is envisioned as an interactive process. Questions are welcome and none is too small to be asked. Be sure to arrive regularly and on time. Bring copy of the day’s readings. Please be sure to have done the readings for each meeting before coming to class. Think about the texts and prepare three questions they raise for you. Engage by listening, asking questions and discussing. Consider the views of others and respect them when they are speaking. Review after class and clarify.

Laptops may be used to take notes at class. However, mobiles should be turned off before entering the classroom.

If you miss a class, make contact with a classmate with whom you have shared contact details. If it is necessary to miss a class, especially more than one, please contact me as a courtesy.

### **Course Requirements:**

Requirements for the course include two examinations, a mid-term and a final, as well as two short research projects. The midterm examination contributes 30% of your final mark for the course and the final examination contributes 20%. Each examination will be based on sets of review questions distributed in advance to be used for study. Class participation contributes 10%. The short research papers each contribute 20%. Inevitably some students are inclined to voice their views and for some it is difficult. Thus, participation should be understood to value engaged and attentive attendance as well as verbal contributions.

### **Grading Scheme:**

Grading for this class is not 'curved' (or forced to a normal distribution) so in theory everyone can do well in the course. This is intended to encourage formation of study groups and partnerships. If another student benefits from their review with you, nothing is lost on your part. Hopefully you gain from their input as well.

The grading scale is as follows:

|    |     |              |           |
|----|-----|--------------|-----------|
| A  | 4.0 | Excellent    | 93-100    |
| A- | 3.7 | Excellent    | 90-92.9   |
| B+ | 3.3 | Very Good    | 87.1-89.9 |
| B  | 3.0 | Very Good    | 83-87     |
| B- | 2.7 | Very Good    | 80-82.9   |
| C+ | 2.3 | Satisfactory | 77.1-79.9 |
| C  | 2.0 | Satisfactory | 73-77     |
| C- | 1.7 | Poor         | 70-72.9   |
| D+ | 1.3 | Poor         | 67.1-69.9 |
| D  | 1.0 | Very Poor    | 63-67     |
| D- | 0.7 | Very Poor    | 60-62.9   |
| F  | 0   | Failure      | 0-59.9    |

### **Plagiarism:**

Especially for students just beginning their college careers, it is important to be alert to avoid plagiarism. Plagiarism involves the presentation of someone else's ideas, words or artistic, scientific or technical work as one's own creation. Use of ideas or work of another is allowed only when the

original author is identified. Work can then be used by paraphrasing, summarizing or presenting direct quotations. In each case citations to the source are required. It is possible to misuse another's work inadvertently. For this reason, giving credit where credit is due should become second nature as one wants to recognize the author or artist who created the piece.

### **Accessibility Services/ADA Policy:**

Carleton College is committed to providing reasonable accommodation to students with disabilities. Students seeking accommodations should contact the Coordinator of Disability Services, Andy Christensen, at 222-4464 or [anchrist@carleton.edu](mailto:anchrist@carleton.edu), to begin the process. Please note that instructors normally respond only to official notification of accommodations before modifying course requirements for students. It is the student's responsibility to initiate contact.

### **Technological Resources for Students with Disabilities:**

The Assistive Technology program brings together academic and technological resources to complement student classroom and computing needs, particularly in support of students with physical or learning disabilities. Accessibility features include text-to-speech (*Kurzweil*) software, speech-to-text (*Dragon*) software, and audio recording Smartpens. For more information, contact [aztechs@carleton.edu](mailto:aztechs@carleton.edu) or visit [go.carleton.edu/aztech](http://go.carleton.edu/aztech).

### **Library:**

Ask a librarian for help with your research in this class. You can drop by the library's Research/IT desk to ask any question you have, at any point in your research, study and writing process. Librarians help students find and evaluate articles, books, websites, statistics, data, and government documents; they can also show you how to cite your sources. For more information on hours and librarians, visit the Gould Library website at [go.carleton.edu/library](http://go.carleton.edu/library).

### **Time Management, Test Preparation and Study Skills:**

Residential Life Area Directors are trained to work with you to improve your time management and academic skills. Their goals are to heighten awareness of your personal strengths and skills and to offer different ways you can approach your academic work so you're more efficient and effective. Meetings are by appointment; you simply need to email one of them to arrange a visit. For more details and resources, visit the Academic Skills Coaching website.

### **The Writing Center:**

The Writing Center, located in 4<sup>th</sup> Libe, has peer writing consultants who can work with you during any stage of the writing process. Hours and more information can be found on the writing center

website. You can reserve specific times for conferences by using their online appointment system. Walk-ins are welcome although writers with appointments have priority. The Center's staff of tutors can work with you to become a more persuasive writer, from planning and structuring a project, to crafting the text and revising it. Proofreading is also emphasized as a *sine qua non* of effective writing. This Center is a valuable resource and, even if you feel quite adept as a writer, you might want to stop by to see what is on offer. No Referral is needed to take advantage of this fabulous resource.

**Writing Assistance for Students Whose First Language is Not English:**

If you are a second language writer and believe you might benefit from working individually with a writing consultant, email Renata Fitzpatrick, Multilingual Writing Coordinator, call her at x5998, or stop by her office in 420D 4<sup>th</sup> Libe. She can arrange once- or twice-a-week meetings between you and a specific writing consultant throughout the term.