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PSC 269
Spring 2019
Arts and Letters 203
M, W: 1:00-2:30

TOPICS IN PUBLIC LAW: INTRODUCTION TO LAW AND SOCIETY

This course studies the interaction between law and the society we live in. This course asks students to engage with a number of critical concepts designed to enrich your understanding of how law impacts our everyday lives. Students will be encouraged to expand their view of law beyond the walls of the courtroom, to understand how law both shapes, and is shaped by societal norms. We will also consider concepts such as how unconscious bias impacts legal decision-making, the relationship between law and violence, and whether or not law can be used as an effective tool for bringing about social change.

MATERIALS

There are four required texts for this course. All of these texts are available for purchase in the university bookstore or online. Additional required reading materials will be made available on D2L throughout the semester.

Calavita, Kitty. 2010. *Invitation to Law and Society: An Introduction to the Study of Real Law*. Chicago, IL: University of Chicago Press.

Darian-Smith, Eve. 2010. *Religion, Race, Rights: Landmarks in the History of Modern Anglo-American Law*. Portland, OR: Hart Publishing

Bridges, Khiara. 2017. *The Poverty of Privacy Rights*: Stanford, CA: Stanford University Press.

Hirsch, Susan. 2008. *In the Moment of Greatest Calamity: Terrorism, Grief, and a Victim's Quest for Justice*. Princeton, NJ: Princeton University Press.

GRADING

Exams (20% each)	60%
Discussion Papers (7.5% each)	30%
Participation and assignments	<u>10%</u>
	100%

Exams: Your performance on three exams will account for 60% of your overall grade for this course. These exams will consist of in-class essays that must be completed within a specified time frame. The exams will be open-book, and will not be comprehensive.

Discussion Papers: Students will be expected to complete 5 short writing assignments reflecting on course readings over the course of the term. I will post discussion questions on D2L and ask

you to write a 2-3 page essay answering any *one* of these questions. There are 5 total discussion papers due for the course, worth 7.5 points each. I will drop your lowest scoring paper, however, meaning only 4 assignments will count towards your final grade. These short essays must include a thesis statement which is supported with at least one citation from the course readings. Hard copies of these essays are due in class on the assigned day. Answers to discussion questions will account for 30% of your overall grade for the course.

Participation and Attendance: Regular and attentive class attendance is necessary to succeed in this course. Students are allowed 2 unexcused absences without penalty. Each additional unexcused absence will result in a 10% reduction in your participation grade. Students who miss class due to illness or other significant personal circumstance are required to complete the Absence Notification Process through the Dean of Students Office (Student Center #307 & DePaul Center #11001) in order to have their absence excused. Students are expected to come to class ready to participate meaningfully in class discussions. This means you have carefully read all required readings.

Late Assignment Policy: Students who miss class for a legitimate reason must inform me in advance, and provide documentation from the Dean of Student's Office excusing the absence. Students with excused absences may be allowed to make up work without penalty. Otherwise, I will accept late papers up to 3 days after the due date. Late papers will receive a 10% penalty for each day they are late.

Academic Integrity: Any occasion of academic dishonesty, large or small, on *any* assignment, will result in failure for the assignment and/or the entire course and disciplinary action. Work done for this course must adhere to the University Academic Integrity Policy, which you can review in the Student Handbook or by visiting Academic Integrity at DePaul University (<http://academicintegrity.depaul.edu>). Please note that ignorance of prevailing academic conventions or of DePaul's policies is never an excuse for a violation.

Students with Disabilities: Students seeking disability-related accommodations are required to register with DePaul's Center for Students with Disabilities (CSD) enabling you to access accommodations and support services to assist your success. For more information please visit www.studentaffairs.depaul.edu/csd. Students are also invited to contact me privately to discuss your challenges and how I may assist in facilitating the accommodations you will use in this course. This is best done early in the term and our conversation will remain confidential.

A Note on Writing: This course requires students to complete a variety of writing assignments. Good writing is a process which takes time—you should never turn in a piece of writing that has not been thoroughly reviewed and revised beforehand. I am happy to discuss written work with you during office hours and will review rough drafts sent to me in advance. If you need additional help with writing assignments you might want to contact the writing center to schedule a face-to-face meeting or get feedback on written work (www.depaul.edu/writing).

INTRODUCTION: WHAT IS LAW AND SOCIETY?

April 1 **Introduction to course** (no readings)

April 3 **Legal Pluralism**
 Calavita, *Invitation to Law and Society* pp 1-9; 74-93

April 8 **Common Place of the Law**
 Calavita, *Invitation to Law and Society* pp 30-50
 Ewick & Silbey, "Common Knowledge & Ideological Critique" (D2L**)
 Discussion Paper 1 Due

THE ORIGINS OF MODERN LAW

April 10 **Introduction to Legal Theory**
 Calvita, *Invitation to Law and Society* pp 10-29
 Darian-Smith, *Religion Race and Rights* pp 1-18

April 15 **Protestant Reformation and Modern Law**
 Darian-Smith, *Religion Race and Rights* pp 21-87

April 17 **Colonialism and Modern Law**
 Darian-Smith, *Religion Race and Rights* pp 117-147; 180-208
 Discussion Paper 2 Due

April 22 **Eugenics and Modern Law**
 Darian-Smith, *Religion Race and Rights* pp 211-247
 Exam Review

April 24 *** EXAM 1***

LAW AND SOCIAL CHANGE

April 29 **Law on the Books vs. Law in Action**
 Calvita, *Invitation to Law and Society* pp 94-115
 Scheingold, "Politics of Rights" pp 3-10 (D2L**)

May 1 **Rights as Contingent Resources**
 Bridges, *Poverty of Privacy Rights* pp 1-14; 27-34; 37-45; 51-64

May 6 **Legal Consciousness**
 Bridges, *Poverty of Privacy Rights* pp 133-156; 179-205
 *** Discussion Paper 3 Due***

May 8

Legal Mobilization

Calvita, *Invitation to Law and Society* pp 116-147

Bridges, *Poverty of Privacy Rights* pp 207-228

Exam Review

May 13

EXAM 2

LAW AND VIOLENCE

May 15

Frontier Mythology and American Law

The Man Who Shot Liberty Valence (film)

May 20

Legitimizing Violence

The Man Who Shot Liberty Valence (film)

Robert Cover, "Violence and the Word" (D2L**)

Discussion Paper 4 Due

May 22

Critical Race Theory

Calvita, *Invitation to Law and Society* pp 51-73

Butler, "Poor People Lose: *Gideon* and the Critique of Rights" (D2L**)

May 27

Crime Victims and the State

Hirsch, *The Moment of Greatest Calamity* pp 1-12; 42-101

May 29

Terrorism on Trial

Hirsch, *The Moment of Greatest Calamity* pp 102-179

June 3

Class Cancelled, Academic Conference

June 5

Capital Punishment

Hirsch, *The Moment of Greatest Calamity* pp 180-264

*** Discussion Paper 5 Due***

Final Exam Review

June 12

FINAL EXAM 11:30-1:45