INTRODUCTION TO LAW AND SOCIETY
The Ohio State University
Sociology 2309
Fall Semester, 2013
Tuesdays and Thursdays, 11:10am – 12:30pm, Baker Systems 188

Professor: Ryan D. King
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Email: king.2065@osu.edu
Office hours: Mondays, 10:00 – 11:30am; Thursdays, 1:00-2:30pm; and by appointment

COURSE DESCRIPTION
Law plays an integral role in modern societies. It dictates how fast we drive, how harshly we can be punished, and how much privacy we can expect in our dwellings. Activists turn to the law when they desire social change and politicians often preach about the ‘rule of law’ as the backbone of a stable democracy. Yet laws do not magically appear and they are not uniformly enforced. Laws are created, interpreted, implemented, and indeed broken by people who exercise discretion and sometimes act on prejudices. As such, the same law can be implemented differently in one place compared to another. Law, we might say, is highly variable, and one aim of law and society scholarship is to understand this variation.

This class is the first of two courses offered in the Sociology Department that delve into the connection between law and society (the sequel to this course is Sociology 4509 – Sociology of Law). Our objectives here are to learn about legal institutions and how they relate to other societal institutions. In Part I we review some basic legal concepts, such as the principles of criminal liability, criminal procedure, reading court cases and writing legal briefs. In Part II we investigate whether laws and court decisions influence behavior, and in Part III we examine the relationship between law and inequality. Finally, we close the course by looking at actors who work in the justice system and how sociological factors influence their decision-making.

Course Objectives in Brief
1. Develop a working understanding of the rule of law, criminal procedure, and criminal liability;
2. Understand the organization of the American legal system, including how laws are made, why they aren’t always enforced, and when they can be challenged in the appellate courts;
3. Provide a rudimentary understanding of ways to evaluate whether laws meet their stated objectives and how to determine whether laws influence behavior;
4. Understand how legal institutions are influenced by other facets of society.

Books and Readings
- Additional readings are available on Carmen.
COURSE REQUIREMENTS AND GRADING

Grades are determined based on your performance on three exams, a quiz, two writing assignments, and a series of in-class assignments. The in-class assignments consist of short answers to questions posed by the instructor and occasionally a quiz on the reading. The exams include several multiple choice questions (about 40%), a few questions requiring short answers (about 40%), and one lengthier essay question (no more than 20%).

DISTRIBUTION OF POINTS AND DUE DATES

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<thead>
<tr>
<th>Assignment</th>
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<tr>
<td>BOR Quiz</td>
<td>5%</td>
<td>September 5th</td>
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<td>Legal brief</td>
<td>10%</td>
<td>September 12th</td>
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<td>Exam #1</td>
<td>20%</td>
<td>September 19th</td>
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<td>Exam #2</td>
<td>20%</td>
<td>October 22nd</td>
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<td>Explanation paper</td>
<td>10%</td>
<td>November 21st</td>
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<td>Exam #3 (Final Exam)</td>
<td>25%</td>
<td>December 11th</td>
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<td>In-class writing</td>
<td>10%</td>
<td>Regularly in class</td>
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WEIGHTED PERCENTAGE OF POINTS AND LETTER GRADES

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<td>A-</td>
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POLICIES ON LATE WORK, MISSED CLASS, INCOMPLETES AND SCHOLASTIC MISCONDUCT

Conduct and integrity. Students will not be penalized for late work or absences if they show documentation of a reasonable excuse for missing the class (e.g., funeral; surgery; jury duty). Documentation can be shown directly to the professor. I realize that sometimes students get sick but do not require a trip to the doctor's office (e.g., a bad cold or minor case of the flu). In these situations documentation is not required, but it is important to let me know of your impending absence by phone or email prior to the lecture or exam. Taking an exam or submitting a paper late will result in a 10 percent deduction for each business day late. If you miss a lecture, get the notes from a fellow student and then see the instructor for clarification. Any student caught cheating, plagiarizing, or engaging in any other form of scholastic misconduct will be given an automatic zero for the assignment. Students are encouraged to review the University’s policies concerning academic integrity at http://www.oaa.osu.edu/coam.html.

Note on email. Try to work on professional etiquette when writing emails. That is, please sign your name at the end of your email messages, identify the course in the subject line, and use proper capitalization and grammar. In short, do not write like a text message. These are good habits to develop as you prepare for the job market, and in the absence of a good faith effort to follow these guidelines I will politely reply and ask that you rewrite and resend the message using proper grammar. I appreciate your attention to these details.

Statement regarding disability. Students requiring accommodations based on the impact of a disability should contact the instructor privately to discuss specific needs. Please also contact the Office for
Disability Services at 614-292-3307 in room 150 Pomerene Hall to coordinate reasonable accommodations for students with documented disabilities.

**CLASS SCHEDULE**

**Part I: Normative Jurisprudence**

**Week 1 – Introductions**
Thursday, 8/22 – Introduction to the study of law and society

**Week 2 – Jurisprudence and the normative study of law**
Tuesday, 8/27 – The law and society movement
Thursday, 8/29 – The rule of law

**Week 3 – Perspectives on judicial interpretation**
Tuesday, 9/3 – Debating ‘The Speluncean Explorers’
   - Read: “The Speluncean Explorers” by Lon Fuller (1949; CARMEN)
Thursday, 9/5 – Formalism and its critics
   - Read: Walsh and Hemmens, Chapter 2 up to page 49
   - **QUIZ ON U.S. CONSTITUTION**

**Week 4 – Criminal liability and procedure**
Tuesday, 9/10 – Principles of criminal liability
Thursday, 9/12 – Criminal procedure
   - Read: Walsh and Hemmens, Chapter 5
   - **LEGAL BRIEF DUE TODAY**

**Week 5 – Criminal procedure (continued) and Exam #1**
Tuesday, 9/17 – Criminal procedure
   - No reading assigned
Thursday, 9/19 – **EXAM #1**

**Part II: The Efficacy of Law**

**Week 6 – The objectives and limits of legislation**
Tuesday, 9/24 – Symbolic and instrumental facets of lawmaking
Thursday, 9/26 – Law and juveniles
   - Read: Walsh and Hemmens, Chapter 8
Week 7 – Do court decisions matter?
Tuesday, 10/1 – The case of race and education
  - Read: Brown v. Board of Education of Topeka (CARMEN).
Thursday, 10/3 – The aftermath of Brown?

Week 8 – Does law influence behavior?
Tuesday, 10/8 – Deterrence in theory and practice
  - Read: Walsh and Hemmens, pages 224-234.
Thursday, 10/10 – Procedural justice
  - Read: Tom Tyler, Chapter 1 from Why People Obey the Law (CARMEN).

Week 9 – How people view the law… and why it matters
Tuesday, 10/15 – Legal cynicism and its consequences
Thursday, 10/17 – Public opinion about the law
  - No Reading assigned

Part III: Using the Law

Week 10 – Culture and conflict resolution
Tuesday, 10/22 – Exam #2
Thursday, 10/24 – Culture conflict and dispute resolution

Week 11 – Law and stratification
Tuesday, 10/29 – Big players, repeat players, and the ‘tilt’ of law
Thursday, 10/31 – Law, crime, and stratification

Week 12 – Equal protection and the law: the case of race and capital punishment
Tuesday, 11/5 – Historical continuity in the ‘ultimate punishment’
Thursday, 11/7 – The courts and capital punishment
  - Walsh and Hemmens, pages 236-241

Part IV: Decision-Making in the Justice System

Week 13 – Prosecution and plea bargaining
Tuesday, 11/12 – Plea bargaining
  - Walsh and Hemmens, 234-236; (Ch. 7 in Abel on history of plea bargaining; CARMEN)
Thursday, 11/14 – Who gets prosecuted?

**Week 14 – Law meets psychology: the case of eyewitness testimony**
Tuesday, 11/19 – The fallibility of memory
- Elizabeth Loftus. Common beliefs about eyewitness accounts,” Chapter 9 (pp.171-177) in *Eyewitness Testimony* (CARMEN).

Thursday, 11/21 – Eyewitness testimony and the law
- No reading assigned
  - **EXPLANATORY PAPER ON CAPITAL PUNISHMENT DUE**

**Week 15 – The jury as legal and social institution**
Tuesday, 11/26 – Inside the jury room
- Read: Walsh and Hemmens, pp.98-103

Thursday, 11/28 - NO CLASS, THANKSGIVING

**Week 16 – Wrapping up**
Tuesday, 12/3 – Finish ‘juries’ and review for final exam

**Final Exam.** December 11th, 10:00am