

SOCIOLOGY 1114: LAW & SOCIETY

Autumn 2009, T/Th 1:00-2:20
Smith-Buonanno Hall 201

Professor:

Mark Suchman
Office: 208 Maxcy Hall
Office Hrs: T/Th 2:45-3:45; or by appointment
E-mail (preferred): Mark_Suchman@brown.edu
Phone: 401/863-2535

Teaching Assistant:

Seol Han
Office: 406 Maxcy Hall
Office Hours: Thursday 10:30-12:30
E-mail: Seol_Han@brown.edu

COURSE DESCRIPTION

COURSE SUMMARY: Why do societies have law? What does law do for us and to us? Is law a mechanism for coordinating human activity toward the common good, or a vehicle for conflict and oppression? Does law reflect cultural norms and values, or is law driven by the hard realities of societal survival in the face of scarcity? Why do people obey the law, and why do people punish lawbreakers? When does law stabilize society, and when does law promote social change?

This course examines these and other questions at the core of contemporary social-science scholarship on law and legal institutions. Lectures and discussions cover a wide range of perspectives and draw examples from a wide range of legal settings. The goal is to survey the different ways in which social scientists think about and study legal life, to seek contrasts and commonalities across the various perspectives, and to draw connections between abstract theories and current events.

Structurally, the course divides into four units. The opening unit examines central philosophical debates in sociological scholarship, in order to lay a groundwork for subsequent material. The second unit explores several distinct social-psychological models of rule-following and rule-breaking. The third unit addresses the linkages between law and various aspects of macro-social structure, such as the economy, the stratification system and political ideology. Finally, the fourth unit focuses on the relationship between law and social change -- including the role of lawyers, judges and juries in giving the law "independent causal significance" in the social world.

This course is suitable for any student interested in understanding law as a social institution. There are no specific prerequisites; however, the course moves quickly, and students with little prior exposure to the language and outlook of the social sciences may find the material to be somewhat challenging.

COURSE REQUIREMENTS: Students are expected to complete all required readings, attend all class sessions, participate actively in discussions, and complete the following assignments over the course of the semester (for details, see the specific assignment instructions on subsequent pages):

Undergraduates: All undergraduates will take two examinations -- a take-home mid-term (**October 27-November 3**) and a final (**December 12**). Each student will also choose one of the following two writing options: (a) a traditional 15-20 page term paper (due on **December 18**, with preliminary materials due on **October 13** and **December 1**), or (b) *three* shorter research/reflection assignments, selected from eight topics linked to specific weekly discussion sections throughout the semester.

Graduate students: Graduate students may not choose the undergraduate "research/reflection" option. Instead, they may choose either to pursue the undergraduate "term paper" option, or to write a single 20-25 page seminar-style term paper in lieu of both the undergraduate term paper and the final exam. A seminar paper should be a serious piece of independent scholarship. The topic can be either theoretical or empirical or both, but it should be well-integrated with issues and materials from the Sociology 1114 syllabus. Students who wish to pursue the graduate seminar paper option must meet with the instructor by **October 27**, to discuss a topic; completed papers are due on **December 18**. Graduate students must also participate in the bi-weekly **Brown Legal Studies Seminar**, in lieu of discussion sections.

GRADING: Final course grades will be based on a 500-point scale, with the various course requirements carrying the following point values:

Assignment	Date	Points	
		Undergraduate	Graduate
Examinations:			
Midterm	Oct. 27 - Nov. 3	100	100
Final	Dec. 12	150	0
Writing Assignments (one of the following):			
Research/Reflection papers	3 of 8 opportunities	3 @ 50pts = 150	0
Term Paper	Oct. 13; Dec. 1; Dec. 18	150	300
Sections:			
Attendance	3pts/section	30	30
Participation	3pts/section	30	30
Lectures:			
Attendance	1pt/lecture	20	20
Clicker games	occasional	20	20
Total:		500	500

Grading curve: Point totals will be converted to final letter grades on the following curve (graduate students and undergraduates will be curved separately):

A	75th percentile and above
B	25th - 75th percentile
C	5th - 25th percentile
NC	Below 5th percentile

Note that your final grade will depend on your standing *relative to your classmates*, not on your absolute score (but see the “safe harbor” provisions below).

Safe harbors: Some students find curved grading to be excessively stressful, because no one can be sure of his/her grade until the end of the semester. To reduce this stress, Soc 1114 will employ a set of “safe harbor” provisions, allowing you to guarantee that you will receive at least a B or at least a C, regardless of your position on the curve. (Grades of A will be awarded solely on the basis of the grading curve.)

Guaranteed B: To be guaranteed at least a B, you must accomplish *all* of the following:

- Point total (without extra-credit) of at least 400
- Section and lecture point total of at least 75
- Extra-credit point total of at least 30

Guaranteed C: To be guaranteed at least a C, you must accomplish *all* of the following:

- Point total (without extra-credit) of at least 325
- Section and lecture point total of at least 50
- Extra-credit point total of at least 30

Extra-credit: Students can earn extra credit by writing up to *three* 2-3 page “thinkpieces” (p. 3 below). To avoid penalizing students who do not write thinkpieces, however, extra-credit points will *not* be reflected in the “base” grading curve. Rather, alongside the base curve, we will calculate a second, “extra-credit” curve that includes any thinkpiece points that students have earned. Each student will then receive the *higher* of his/her two possible letter grades, as calculated from the base curve and the extra-credit curve, respectively.

Research/Reflection Assignments

Over the course of the semester, the syllabus lists seven "topical discussions" on various contemporary socio-legal issues. In addition to providing a focus for section discussion, these seven topics will form the basis for the research and reflection assignments described below. (An eighth discussion, "**Recognizing Power**" in **Week 6**, is available as a reflection-only option). Discussion topics are as follows:

Week 4	Topical Discussion #1: Immigration Policy (due 10/1)
Week 6	"Recognizing Power": *** <i>Reflective Essay Only</i> *** (due 10/15)
Week 7	Topical Discussion #2: The Death Penalty (due 10/22)
Week 8	Topical Discussion #3: Are We Too Litigious? (due 10/29)
Week 9	Topical Discussion #4: Is Justice (Color) Blind? (due 11/5)
Week 10	Topical Discussion #5: Same-sex Marriage (due 11/12)
Week 11	Topical Discussion #6: Jury Reform (due 11/19)
Week 13	Topical Discussion #7: Affirmative Action (due 12/3)

Each student is expected to write *either* a research memo *or* a reflective essay in conjunction with **any three** of these discussions. Of these three assignments, *you must do at least one research memo, and at least one reflective essay*; the remaining assignment may be either research or reflection, at your discretion.

Due Dates: Assignments should be submitted via MyCourses by midnight on the due-date indicated above. Note that most due-dates are *before* the corresponding discussion.

Grading: Research/reflection assignments will be scored on a 50-point scale. Grading will emphasize sociological insight, creativity, and effort. For group Research Memos (see below), all group members will receive the same grade, except in extraordinary circumstances.

IMPORTANT NOTE: Regardless of which topics you choose for research/reflection, you are expected to prepare for **all** discussions by completing the required readings and by thinking about the issues that these readings raise. Your ability to discuss these topics in section will compose a significant portion of your class-participation grade.

Research Memos: Research Memos are short talking-point outlines, presenting background information on various sociological issues related to a particular Topical Discussion. Ideally, teams of three or four students will work together on these memos; however, an individual-research option is available as well (see below).

The Group Research Memo has three parts:

- (1) **Two Sociological Questions:** Each memo should identify two "sociologically interesting" questions or hypotheses, related to the discussion topic. Ideally, these should go beyond simple factual issues, to get at larger themes that link the discussion to the lecture material. For example, rather than asking a factual question like "How many lawyers are there in America?" you should ask a more theoretically-grounded question like "Does the number of lawyers in a society exert a positive, negative or nil effect on that society's economic prosperity?"

These questions/hypotheses will be evaluated on their sociological significance and their linkage to the course material. Consequently, along with each question, you should include a brief (1-2 sentence) explanation of why you feel that this issue is important to the sociology of law.

- (2) **Six Pieces of Evidence:** For *each* sociological question/hypothesis, the team should provide 6 pieces of empirical evidence, *beyond the evidence contained in the assigned readings*. Typically, the evidence in Research Memos will consist of numerical statistics and "factoids." However, you may also include narrative evidence, if you wish (e.g., a summary of an interesting research study). In general, however, you should avoid summarizing landmark court opinions; as sociological evidence, a single court opinion is usually no better than an anecdote.

This section of the Memo will be evaluated on the quality of your research efforts. Consequently, you should be careful to draw your information from *at least* two different sources and to fairly represent the various sides of the underlying debate. Research Memos should strive to be

reasonably objective and even-handed. Don't try to "over-sell" a position; be attentive to the existence of counter-arguments, and only paint a one-sided picture if you find that the evidence really is one-sided. If necessary, you should also provide a brief (1-2 sentence) explanation of why each piece of evidence bears on the question/hypothesis that you have posed.

Note: In counting your "six" pieces of evidence, be aware that it often takes more than one "fact" to make a piece of evidence. For example, to address the question of whether the US is experiencing a litigation explosion, you would probably want to present a time-trend across several years -- and these data points would all count, together, as one "piece of evidence."

- (3) **One Open Issue:** For each question, you should also identify one issue that your research could *not* resolve. In a paragraph or so, (a) identify the missing evidence, (b) explain why it is important, and (c) briefly suggest what kind of research one would need to conduct in order to obtain it.

This section of the Memo will be evaluated on the creativity and perceptiveness of your methodological thinking. Consequently, you should be sensitive to the practical constraints of data gathering: Try to propose reasonable research projects, and if the study that you propose is likely to be unusually challenging, explain what the challenges are and how one might address them.

In short, the *group* version of the Research Memo requires you to work in teams to: (a) identify 2 sociologically interesting questions bearing on the discussion topic; (b) collect 12 pieces of evidence -- 6 for each question; and (c) explore 2 open issues -- 1 for each question. Research Memos should not be writing-intensive: Although this assignment has no formal page limit, **4-7 pages** should suffice, in most cases.

Individual Research Option: If you choose to do a Research Memo on your own, your memo should follow the preceding guidelines, as to substance and format. However, you may limit yourself to *one* sociological question, *five* pieces of evidence, and *one* open issue.

WARNING: Finding evidence can be challenging, so you should start work well before these deadlines.

Reflective Essays: Reflective essays are opinion or agenda pieces, in which you reflect on the sociological issues raised or illustrated by a particular discussion topic. Your reflections can be either conceptual or policy-oriented, but the tone should be thoughtful and scholarly. These essays *must* be written individually; there is no "group reflective essay" option. Each essay should be **4-7 pages** long and should follow the "General Guidelines for Written Assignments" (see page 7, below).

Among other things, these Reflective Essays should address:

- (a) the main points, facts and issues covered in the discussion readings -- in enough detail to demonstrate that you have read and understood these materials;
- (b) the sociological concepts, principles and themes involved in the topic -- including both the sociological claims of the various camps, and also the sociological processes illustrated by the debate, itself;
- (c) your own thoughts on the topic -- including either sociological observations or political/philosophical reflections, or both.

The primary goal of these reflective essays is to employ theories from the course to analyze the discussion topic. Although you may choose to advocate a *prescriptive* position (either pro or con) on a particular policy proposal, you do not need to do so. For most topics, you could write an equally excellent *descriptive* analysis of the sociological phenomena involved in (or exemplified by) the debate itself, without advocating one side or the other. In any case, essays will be evaluated primarily on the quality of their *sociological* arguments; therefore, you should explicitly incorporate concepts course and cite evidence from the readings wherever possible. Your primary objective should be to show how an understanding of the sociology of law might help to make sense of the topic and of the controversies surrounding it; arguing for or against specific policy initiatives should be of only secondary importance. And if you do choose to take sides in a policy debate, you should nonetheless be sure to address competing perspectives and competing arguments.

Extra-Credit Thinkpieces

Students who wish to receive extra credit may write up to *three* short “thinkpieces.” Thinkpieces should be 2-3 pages in length. They should follow the general guidelines for written assignments (p. 7, below), and they should include a title of some kind.

There are no assigned topics for these thinkpieces, except that they all must address the course material. Each thinkpiece should focus on *one* interesting idea or insight that the course has inspired in you. Thinkpieces may take a wide range of forms, including personal reflections, empirical observations, policy proposals, and reactions to theoretical arguments and debates; thinkpieces should not, however, be simple summaries of the readings.

These short essays should be neither hard to write nor time-consuming, particularly if you give them some thought in advance. In general, thinkpieces will prove easiest if you write them while insights are fresh in your mind. Do not wait until the end of the course to see whether an idea is genuinely “novel” or “correct”; that isn't the goal of these pieces.

Due Dates: To ensure that we can give adequate attention to your thinkpieces, we will accept no more than two thinkpieces from any given student after **October 20**, and we will accept no more than one thinkpiece after **November 24**. Your last thinkpieces must be submitted by **December 10**. *You need not wait for these deadlines to submit your thinkpieces, however.* Indeed, the earlier you hand in your thinkpieces, the more attention we will be able to give them.

Grading: Thinkpieces will be graded on a 15-point scale: Fair = 5 pts.; Good = 10 pts.; Excellent = 15 pts.

Special Reading-Review Thinkpiece: If you wish, you may structure *one* of your three thinkpieces as a series of “thumb-nail reviews” of various course readings. Each review should be no more than a few sentences long. It should: (a) identify the reading, (b) state the reading's central thesis, (c) state why you did or did not find the reading useful/enjoyable, and (d) rate the reading on a “five-star” scale. Reading-review thinkpieces will be graded based on the number of items reviewed -- 1 point for each item. (**Note:** *For the purposes of these thumb-nail reviews, you should treat *Opposing Viewpoints* books as single items, even though they contain multiple short selections.*)

General Guidelines for Discussion Sections

Weekly discussion sections are a **required** element of the coursework in Sociology 1114. Although you should certainly feel free to raise questions in lecture, discussion sections provide an invaluable opportunity to debate the nuances of the course material in conversation with your fellow students, and to explore linkages between theoretical concepts and contemporary policy issues.

Format: Section discussions will take a range of forms: Some will focus primarily on answering student questions and clarifying lecture material; however, this will not be the norm. More often, discussions will explore an advanced or applied topic related to -- but not redundant with -- the week's lecture material. Some of these explorations will take the form of open-ended conversations; others will take the form of "staged" debates; and still others may involve various kinds of classroom exercises. Most discussion sessions will have assigned readings of their own, although a few may ask you simply to think about the topic a bit in advance. In all cases, though, our goal is to allow you to wrestle with the complexities, ambiguities and controversies of the course material in a hands-on way, free from the shrink-wrapped pre-packaging that often goes into presenting a tight lecture.

Participation Guidelines: A colleague of mine once drafted the following list of section-participation best practices. Although you should certainly feel free to develop your own section-participation style, these basic guidelines are a good place to start:

- Consistently make valuable contributions about topics under discussion
- Stay focused and on-topic, keeping your comments relevant and succinct
- Demonstrate your listening skills, responding appropriately to others' comments
- Respectfully help to clarify points that others may not have understood
- Bring up good questions about subjects that need further exploration
- Draw creatively on personal experience or opinion, but only when relevant to the discussion
- Demonstrate your ability to analyze, apply, and synthesize course material
- Demonstrate your willingness to take risks (e.g. offer creative speculations, attempt to answer unpopular or difficult questions, be willing to recognize and acknowledge good counter-arguments.)

Grading: Section attendance and participation are worth 60 points toward the final course grade -- 6 points per section. Unless your TA gives you prior approval to miss a section, any absences will count against **both** your attendance and your participation grades. In general, if you need to miss a section meeting, your TA will ask you to attend section at another time or to write a brief "reaction paper" summarizing your thoughts on the week's topic. Note, though, that you may **not** simply choose on your own to attend a different section or write a reaction paper in lieu of attending your assigned section; to avoid losing credit, you must: (a) have a valid excuse, (b) obtain *prior* permission from your TA, and (c) complete make-up work as specified by your TA.

General Guidelines for Written Assignments

Written assignments will be graded primarily on the clarity, comprehensiveness and originality of their substantive arguments. You should address and engage with lecture and section materials wherever appropriate, but you should do so creatively and critically, giving a fair presentation of core arguments (and counter-arguments) from prior scholarship, but also trying to make an intellectual contribution of your own. Think before you write, and do not hesitate to discuss your ideas with the instructor and your TA in advance.

Bear in mind, though, that some assignments -- particularly exams -- are supposed to be purely *individual* products. So your TA may be constrained in how much he/she can tell you. For such assignments, you should work independently and should not discuss your ideas with others until after the assignment has been submitted.

Organization and style: Papers should be carefully organized, with a clear thesis (or at least a clear sense of purpose), and a logical progression from point to point. They should adopt a mature, professional tone, but they should not be oblique or stuffy. Use direct, forceful language wherever possible, and if you need to use jargon, be sure to define your terms and explain the underlying concepts. Final drafts should be thoroughly proof-read; repeated errors in gender-neutrality, grammar and spelling will be frowned upon.

Page formats: All written assignments for this course should be typed, double-spaced, with margins of roughly one-inch on all four sides. Assigned page lengths do not include title pages and references, although you should include both when appropriate. Please *do not* engage in “creative typography” (e.g., huge, tiny, or excessively ornate fonts); this only distracts from your analysis and irritates your reader. If you cannot fit your argument within the specified guidelines, try to elaborate it (if it's too short) or rephrase it (if it's too long). If all else fails, ask permission to stretch the page limit; reasonable proposals will usually be accepted.

Titles and notes: All written assignments should include citations wherever appropriate. Course readings may be cited in abbreviated form in the text -- e.g., “(Weber 1978:3-4)”; other materials should be cited in full at least once, either in a footnote or in a list of citations. Feel free to include substantive footnotes and/or endnotes if they contribute to your argument, but be sure to count these toward your total page-length.

Term papers and thinkpieces should include a separate cover page, with a title, your name, your TA's name, your section time, the assignment for which the paper is being submitted, and the date of submission. Take-home exams should provide similar identifying information at the top of the first page, although they need not have a separate cover sheet or title.

Plagiarism: Scholarship is a collective enterprise, and you should take every opportunity to situate your work in the context of what has gone before. Nonetheless, written material that you present as your own should *be* your own. Although you should not hesitate to make use of other people's research findings and theoretical insights, you should *always* give credit to your sources, unless the point is clearly a matter of common knowledge. When in doubt, err on the side of attribution. You should, of course, explicitly indicate when you are quoting directly from someone else's work; in addition, though, you should also indicate when you are borrowing ideas without borrowing specific words. Paraphrasing (e.g., changing a few words in each sentence) does *not* relieve you of the duty to cite the original author. (Note that submitting a paper that you wrote for another course, or collaborating with another student on an individual-writing assignment also constitutes plagiarism. If you believe that you have a valid educational reason to engage in either of these activities, you should consult the instructor for explicit permission *before* proceeding.)

In a larger sense, you should be using other peoples' work to make *your own* arguments. Writing is a creative exercise. No amount of citation justifies simply restating the views of others, unless you are synthesizing them, critiquing them, or expanding upon them in some way. The best precaution against plagiarism is to formulate an argument before you begin writing, and then to produce a rough draft (or at least an outline) with your source-books closed. If you know what you want to say, you will not need to steal other people's words to say it.

Late work: Late assignments will be penalized 5 points per business day. Although extensions may be granted in cases of unusual hardship, extensions will *not* be considered routine. In particular, extensions will rarely be granted retrospectively, after a deadline has passed.

Miscellaneous Notes

i-Clickers: This semester, we will be experimenting with “i-Clickers,” a technology for allowing real-time in-class group feedback. All students should obtain an i-Clicker and should bring it to every class session. Participation in i-Clicker exercises will count for a (small) portion of the final course grade. i-Clickers are available without charge from the **Friedman Center of the Science Library**, level A. Once you have obtained your i-Clicker, you should register it online at www.iclicker.com in order to allow us to track (and to give you credit for) your responses throughout the semester.

H1N1 Emergencies: In the event of an H1N1 emergency, elements of the course may need to be changed on relatively short notice. If this occurs, e-mail will be our primary means of communicating with you about class cancellations, assignment changes, etc. So please be sure to check your e-mail regularly. If you yourself are quarantined because of H1N1 influenza at any time during the semester, please be sure to make use of whatever system the university establishes for reporting and recording illnesses. Also, please notify your TA (by e-mail!) immediately, so that we can begin making appropriate plans for make-up work, etc.

*Course Outline***UNIT I: CENTRAL DEBATES IN THE SOCIOLOGY OF LAW**

Thursday, September 10	Introduction
Tuesday, September 15	A Brief History of Legal Thought
Thursday, September 17	Cultural vs. Material Models I: Culturalism
<i>Week #2 Section</i>	<i>Introductions and Explanations</i>
Tuesday, September 22	Cultural vs. Material Models II: Materialism
Thursday, September 24	Consensus vs. Conflict Models
<i>Week #3 Section</i>	<i>Cultural vs. Material Explanations</i>
Tuesday, September 29	Miscellaneous Metatheoretical Debates

UNIT II: MICRO FOUNDATIONS OF LEGAL BEHAVIOR

Thursday, October 1	Rational Choice and Deterrence	Immigration RM/RE
<i>Week #4 Section</i>	<i>Topical Discussion #1: Immigration Policy</i>	
Tuesday, October 6	Normative Decision-Making and Moral Suasion	
Thursday, October 8	Cognitive Decision-Making and Labeling	
<i>Week #5 Section</i>	<i>To Cheat or Not To Cheat?</i>	
Tuesday, October 13	Procedural Justice & Legitimacy	Paper proposal
Thursday, October 15	Power and Authority	Power RE
<i>Week #6 Section</i>	<i>Recognizing Power</i>	
Tuesday, October 20	Social Responses to Crime	Thinkpiece #1 (optional)
Thursday, October 22	Symbolic Law	Death Penalty RM/RE
<i>Week #7 Section</i>	<i>Topical Discussion #2: The Death Penalty</i>	

UNIT III: LAW AND SOCIAL STRUCTURE

Tuesday, October 27	Law and the Economy I	Midterm distributed
Thursday, October 29	Law and the Economy II	Litigiousness RM/RE
<i>Week #8 Section</i>	<i>Topical Discussion #3: Are We Too Litigious?</i>	
Tuesday, November 3	Law and Stratification I	Midterm due
Thursday, November 5	Law and Stratification II	Blind Justice RM/RE
<i>Week #9 Section</i>	<i>Topical Discussion #4: Is Justice Blind?</i>	
Tuesday, November 10	Law and Ideology	

UNIT IV: LAW AND SOCIAL CHANGE

Thursday, November 12	Can Law Change Society?	Marriage RM/RE
<i>Week #10 Section</i>	<i>Topical Discussion #5: Same-Sex Marriage</i>	
Tuesday, November 17	Institutional Filters I: The Judiciary	
Thursday, November 19	Institutional Filters II: The Jury	Jury Reform RM/RE
<i>Week #11 Section</i>	<i>Topical Discussion #6: Jury Reform</i>	
Tuesday, November 24	Institutional Filters III: The Legal Profession	Thinkpiece #2 (optional)
Tuesday, December 1	Law & The Transformation of Disputes	Paper outline
Thursday, December 3	Law & The Transformation of Politics	Affirm. Action RM/RE
<i>Week #13 Section</i>	<i>Topical Discussion #7: Affirmative Action</i>	
Tuesday, December 8	Video: <i>The Road to Brown</i>	

CONCLUSION: December 10

Thursday, December 10	Conclusion	Thinkpiece #3 (optional)
Saturday, December 12		Final Exam
Friday, December 18		Term Paper

[Intentionally left blank]

COURSE SYLLABUS**SOCIOLOGY 1114: LAW & SOCIETY**

Autumn 2009, T/Th 1:00-2:20

Smith-Buonanno Hall 201

Readings marked "***" are required
 Readings marked "*" are required *only* for students submitting assignments
 All other readings are optional

MF&S = Macaulay, Friedman & Stookey (1995), *Law & Society: Readings on the Social Study of Law*.

Kidder = Kidder, Robert L. (1983), *Connecting Law and Society*.

Treviño = Treviño, A. Javier (1996), *The Sociology of Law: Classical and Contemporary Perspectives*.

Friedman = Friedman, Lawrence M. (1984), *American Law*.

F&M = Friedman & Macaulay (1977), *Law and the Behavioral Sciences*, 2d edition.

UNIT I: CENTRAL DEBATES IN THE SOCIOLOGY OF LAW

September 10 **Introduction**

17 pp.

** MF&S, "Introduction," pp. 1-17.
 Kidder, chapters 1 and 2, pp. 1-35.
 Friedman, chapters 1 and 2.

Section, week 1 ***No Section Meeting***

September 15 **A Brief History of Legal Thought**

21 pp.

** Treviño, "The Sociological Movement in Law," pp. 55-75.
 Friedman, chapter 3.

September 17 **Cultural vs. Material Models I: Culturalism**

34 pp.

** Kidder, "The Origins of Law: Custom," chapter 3, pp. 36-57.
 ** Bohannon, Paul (1965), "The Differing Realms of Law," *American Anthropologist*, 67(6):33-42. [excerpt]
 ** Sumner, W.G. (1940), "Folkways and Mores," [excerpt in Treviño, pp. 50-54.]

Section, week 2 ***Introductions and Explanations***

September 22 **Cultural vs. Material Models II: Materialism**

40 pp.

** Kidder, "The Origins of Law: Structure," chapter 4, pp. 58-82.
 ** Schwartz, Richard (1954), "Social Factors in the Development of Legal Control: A Case Study of Two Israeli Settlements," *Yale Law Journal*, 63:471-491. [excerpt and notes in MF&S:171-185]

September 24

Consensus vs. Conflict Models

33 pp.

- ** Kidder, "The Origins of Law: Conflict, The Critical Perspective," chapter 5, pp. 83-110.
- ** Turk, Austin (1976), "Law as a Weapon in Social Conflict," *Social Problems* 23:276-291. Excerpted in Austin Sarat (ed.), *The Social Organization of Law* at pp. 43-47.
- Treviño, "Structural Functionalism," "Conflict Theory," pp. 311-323, 349-372.
- Parsons, Talcott (1962), "The Law and Social Control," pp. 56-72 in W. Evan (ed.) *Law and Sociology*. New York: Free Press. [excerpt in Treviño, pp. 334-339]
- Cain, Maureen (1974), "The Main Themes of Marx' and Engels' Sociology of Law," *British Journal of Law and Society* 1:136-148.

*Section, week 3****Discussion: Cultural vs. Material Explanations***

September 29

**Law on the Books vs. Law in Action;
Law as Dependent vs. Independent Variable;
Law and Society vs. Critical Legal Studies**

42 pp.

- ** Kidder, "Legal Impact: Does Law Make Any Difference?" chapter 6, pp. 112-143
- ** Treviño, "Critical Legal Studies," pp. 391-396 (top), 411-414.
- Treviño, "Critical Legal Studies," pp. 396-411.
- Gordon, Robert W. (1998) "Some Critical Theories of Law and Their Critics." pp. 641-661 in David Kairys, ed. *The Politics of Law: A Progressive Critique*. 3rd ed.. New York: Perseus.

UNIT II: MICRO FOUNDATIONS OF LEGAL BEHAVIOR

October 1

Decision-Making I: Rational Choice and Deterrence

61 pp.

- ** Suchman, Mark (1997), "On Beyond Interest: Rational, Normative and Cognitive Perspectives in the Social Scientific Study of Law," *Wisc. L. Rev.* 1977:475-501.
- ** Nagin, Daniel S. (1998), "Criminal Deterrence Research at the Outset of the Twenty-first Century," in M. Tonry (ed.), *Crime and Justice: A Review of Research*. 23:1-42. [excerpt pp. 1-23, 33-42.]
Friedman, chapter 11.
- Chambliss, William J. (1967), "Types of Deviance and the Effectiveness of Legal Sanctions," *Wisconsin Law Review* 703-719.
- Friedman, Lawrence (1975), "The Deterrence Curve," in *The Legal System*. New York, NY: Russell Sage. [excerpt and notes in MF&S:440-444]
- Gibbs, Jack (1986), "Deterrence Theory and Research," in G. Melton (ed.), *The Law as a Behavioral Instrument*. [excerpt and notes in MF&S:417-421]

Section, week 4

Topical Discussion #1: Immigration Policy (RM/RE due October 1)

55 pp.

- ** Cooper, Mary (1993), "Immigration Policy: A Historical Overview," pp. 11-16 in B. Scott, ed. (1995), *Immigration Policy*. San Diego, CA: Greenhaven Press.
- ** Williams, Mary E., ed. (2003), *Immigration: Opposing Viewpoints*. San Diego, CA : Greenhaven Press, pp. 71-102, 153-166.
- ** "The Bush Administration's Immigration Reform Proposal: A Brief Summary," Sociology 641 supplement.
- * Leiterman, Hannah and John Paul Ryan, eds. (1999), "Immigration: A Dialogue on Policy, Law, and Values," *Focus on Law Studies*, vol. XIV(2), ABA Division for Public Education.
- Williams, Mary E., ed. (2003), *Immigration: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 17-50, 167-174.

October 6

Decision-Making II: Normative Decision-Making and Moral Suasion

24 pp.

- ** Tyler, Tom (1990), *Why People Obey the Law*. New Haven, Connecticut: Yale University Press. [excerpt and notes in MF&S:474-497]
Friedman, chapter 12, pp. 205-236.
- Schwartz, Richard and Sonja Orleans (1967), "On Legal Sanctions," *University of Chicago Law Review*, 34:274-300.
- Berkowitz, Leonard and Nigel Walker (1967), "Laws and Moral Judgements," *Sociometry* 30:410. [excerpt in F&M:195-212]
- Grasmick, Harold G. and Robert J. Bursik, Jr. (1990), "Conscience, Significant Others, and Rational Choice: Extending the Deterrence Model," *Law & Society Review*, 24:837-861. [excerpt and notes in MF&S:461-464]
- Milgram, Stanley (1978), *Obedience to Authority*. [excerpt in MF&S:498-504]
- Griffiths, John (1995), "Normative and Rational Choice Accounts of Human Social Behavior," *European Journal of Law and Economics* 2:285-299.

October 8

Decision-Making III: Cognitive Decision-Making and Labeling

13 pp.

- ** Scott, W. Richard (1995), "Contemporary Institutional Theory," in *Institutions and Organizations*. Thousand Oaks, CA: Sage, pp. 33-45, 49-52.
- Dobbin, Frank (1995), "The Origins of Economic Principles: Railway Entrepreneurs and Public Policy in 19th-Century America," in Scott & Christensen (eds.) *The Institutional Construction of Organizations*. Thousand Oaks: Sage, pp. 270-301.
- Berger, Peter L. and Thomas Luckmann (1966), *The Social Construction of Reality*. New York: Anchor, esp. pp. 53-92, 129-173.
- DiMaggio, Paul (1997), "Culture and Cognition," *Ann. Rev. of Sociol.* 23:263-287.

Section, week 5

Discussion: To Cheat or Not To Cheat?

10 pp.

- ** Tittle, Charles and Alan Rowe (1973), "Moral Appeal, Sanction Threat, and Deviance: An Experimental Test," *Soc'l Prob's* 20:488 [excerpt & notes, MF&S:465-474]
- McCabe, Donald L., Linda Klebe Trevino, Kenneth D. Butterfield (2001), "Cheating in Academic Institutions: A Decade of Research," *Ethics & Behavior* 11(3):219-232.
- Web: <http://ethics.sandiego.edu/Resources/AcademicIntegrity/Index.html>

October 13***** TERM PAPER PROPOSAL DUE *****

October 13

Procedural Justice & Legitimacy

17 pp.

- ** Tyler, Tom R. (2000), "Social Justice: Outcome and Procedure," *International Journal of Psychology* 35(2):117-125.
- ** MacCoun, Robert J. (2005), "Voice, Control, and Belonging: the Double-edged Sword of Procedural Fairness," *Ann. Rev. of Law and Soc. Sci.* 1:171-201. [excerpt, pp. 186-193].
- Tyler, Tom R. and E. Allan Lind (1988), *The Social Psychology of Procedural Justice*, pp. 61-83, 93-112, 217-220.
- Tyler, Tom R., & Steven L. Blader, (2003), "The Group Engagement Model: Procedural justice, social identity, and cooperative behavior," *Personality and Social Psychology Review* 7:349-361.
- Morris M. and K. Leung (2000), "Justice for All? Progress in Research on Cultural Variation in the Psychology of Distributive and Procedural Justice," *Applied Psychology An International Review* 49(1):100-132.

October 15

Power and Authority

35 pp.

- ** Lukes, Steven (2007), "Power," *Contexts* 6(3):59-61.
- ** John Gaventa (1980), "Power and Participation," *Power and Powerlessness: Quiescence and Rebellion in an Appalachian Valley*, pp. 1-32.
- Lukes, Steven (1974), *Power: A Radical View*. New York: Macmillan. [57 pages]
- Weber, Max (1963), "The Basis of Legitimacy," "Legal Authority with a Bureaucratic Staff," "Traditional Authority," "Charismatic Authority," "The Routinization of Charisma," *Economy and Society*, pp. 212-227, 241-254.

Section, week 6

Discussion: Recognizing Power (RE due October 15)

2 pp.

- ** "Recognizing Power: Discussion Questions," Sociology 641 supplement.

October 20	*** OPTIONAL THINKPIECE #1 DUE ***
-------------------	---

October 20

Social Responses to Crime

17 pp.

- ** Lauderdale, Pat (1976), "Deviance and Moral Boundaries," *ASR* 41:660-76.
- Dentler, Robert and Kai Erikson (1959), "The Functions of Deviance in Groups," *Social Problems* 7:98-107.

October 22

Symbolic Law

14 pp.

- ** Gusfield, Joseph (1967), "Moral Passage: The Symbolic Process in Public Designations of Deviance," *Social Problems* 15:175-188. [excerpt & notes in MF&S:509-522]
- van der Burg, Wibren (2001), "The Expressive and Communicative Functions of Law, Especially with Regard to Moral Issues," *Law and Philosophy* 20(1):31-59.

Section, week 7

Topical Discussion #2: The Death Penalty (RM/RE due October 22)

70 pp.

- ** Williams, Mary E., ed. (2002), *The Death Penalty: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 63-82, 92-126, 133-138.
- ** Winters, Paul, ed. (1997), *The Death Penalty: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 134-144.
- * Radelet, Michael L. & Marian J. Borg (2000), "The Changing Nature of Death Penalty Debates," *Annual Review of Sociology* 26:43-61.
- "The Death Penalty" *Focus on Law Studies*, Spring 1997, vol. XII(2), ABA Div. for Public Education.[online at: <http://www.abanet.org/publiced/focus/spr97toc.html>]

October 27 - November 3	*** TAKE-HOME MIDTERM EXAM ***
------------------------------------	---------------------------------------

UNIT III:	LAW AND SOCIAL STRUCTURE
------------------	---------------------------------

October 27

Law and the Economy I (Theory)

44 pp.

- ** Weber, Max (1954 [19??]), "Selections" in Max Rheinstein (ed.), *Max Weber on Law in Economy and Society*. [excerpt and notes in MF&S:185-207]
- ** Coase, Ronald (1960), "The Problem of Social Cost," *Journal of Law and Economics* 3:1-44. [excerpt]
- Friedman, chapter 8, pp. 141-144.
- Hirsch, Werner (1988), "Introduction," pp. 1-22 in *Law & Economics: An Introductory Analysis*. San Diego, CA: Academic Press.
- Trubek, David (1972), "Max Weber on Law and the Rise of Capitalism." *Wisconsin Law Review* 1972:720. [excerpt in Treviño, pp. 220-231]

October 29

Law and the Economy II (Research)

19 pp.

- ** Macaulay, Stewart (1963), "Non-Contractual Relations in Business: A Preliminary Study," *Am. Sociol. Rev.* 28:55-66. [excerpt and notes in MF&S:86-104]
- Ellickson, Robert C. (1986), "Of Coase and Cattle: Dispute Resolution Among Neighbors in Shasta County," *Stanford Law Review*, 38:623-687.
- Mnookin, Robert and Lewis Kornhauser (1979), "Bargaining in the Shadow of the Law: The Case of Divorce" *Yale Law Journal* 88:950. [excerpt and notes in MF&S:111-119]
- Macaulay, Stewart (1977), "Elegant Models, Empirical Pictures, and the Complexities of Contract," *Law & Society Review*, 11:506-528.
- Ross, H. Laurence (1980), *Settled Out of Court: The Social Process of Insurance Claims Adjustment*. New York: Aldine Publishing Co. [excerpt in MF&S:104-111]
- Edelman, Lauren B. and Mark C. Suchman (1997), "The Legal Environments of Organizations," *Annual Review of Sociology* 23:479-515.

Section, week 8

Topical Discussion #3: Are We Too Litigious? (RM/RE due October 29)

69 pp.

- ** Roleff, Tamara, ed. (1996), *The Legal System: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 55-123.
- * Hayden, Robert M. (1991), "The Cultural Logic of A Political Crisis: Common Sense, Hegemony and the Great American Liability Insurance Famine of 1986," *Studies in Law, Politics and Society* 11:95-117. [excerpt and notes in MF&S:236-258]
- Burke, Thomas F. (2002), *Lawyers, Lawsuits, and Legal Rights: The Battle over Litigation in American Society*. Berkeley, CA: Univ. of California Press.
- Haltom, William and Michael McCann (2004), *Distorting the Law: Politics, Media, and the Litigation Crisis*. Chicago, IL: University Of Chicago Press, pp. 1-30 (esp. pp. 7-25) and 265-306 (esp. 265-281 and 303-306).

November 3

Law and Stratification I (Instrumentalism and Structuralism)

40 pp.

- ** Chambliss, William J. (1964), "A Sociological Analysis of the Law of Vagrancy," *Social Problems*, 12:67-77.
- ** Galanter, Marc (1974), "Why the 'Haves' Come Out Ahead: Speculations on the Limits of Legal Change," *Law & Society Review* 9:95-160. [excerpt]
- Seron, Carroll and Frank Munger (1996), "Law and Inequality: Race, Gender and, of Course, Class," *Annual Review of Sociology* 22:187-212.

November 5

Law and Stratification II (Mixed Models)

34 pp.

- ** Balbus, Isaac (1973), *The Dialectics of Legal Repression: Black Rebels before the American Criminal Courts*. New York: Russell Sage. [excerpt: pp. 1-25, 249-256]
- Tonry, Michael (1997), "Ethnicity, Crime, and Immigration," *Crime and Justice: A Review of Research* 21:1-29 (especially pp. 11-19).
- Duster, Troy S. (1970), *The Legislation of Morality: Law, Drugs and Moral Judgement*. New York: Free Press.

Section, week 9

Topical Discussion #4: Is Justice (Color) Blind? (RM/RE due November 5)

50 pp.

- ** Roleff, Tamara, ed. (1996), *The Legal System: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 125-163.
- ** Williams, Mary E., ed. (2002), *The Death Penalty: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 173-183.
- * Barkan, Steven E. & Steven F. Cohn (2001 [1994]), "Racial Prejudice Raises Support for the Death Penalty," pp. 233-236 in H. Mitchell (ed.), *The Complete History of The Death Penalty*. San Diego, CA: Greenhaven Press.
- * Jacoby, Jeff (2001 [1997]), "The Death Penalty Ultimately Saves Black's Lives," pp. 240-241 in H. Mitchell (ed.), *The Complete History of The Death Penalty*. San Diego, CA: Greenhaven Press.

November 10

Law and Ideology

27 pp.

- ** Cotterrell, Roger (1992), "Law and Ideology," "Legal Individualism," "Law in Corporate Society," pp. 114-127 in *The Sociology of Law: An Introduction, 2nd ed.* London: Butterworths.
- ** Gabel, Peter & Jay Feinman (1998), "Contract Law as Ideology," pp. 497-510 in D. Kairys (ed.) *The Politics of Law: A Progressive Critique, 3rd ed.* New York: Basic Books.
- Treviño, "Neo-Marxian Contributions to the Marxian Perspective," pp. 110-125.
- Genovese, Eugene D. (1976), "The Hegemonic Function of Law," pp. 25-49 in *Roll Jordan Roll*. New York: Pantheon Books.
- Thompson, E.P. (1975), "The Rule of Law," *Whigs and Hunters: The Origin of the Black Act*. New York: Pantheon. [excerpt in Bierne & Quinney, pp. 130-137]
- Hunt, Alan (1985), "The Ideology of Law: Advances and Problems in Recent Applications of the Concept of Ideology to the Analysis of Law," *Law & Society Review* 19:11-37.
- Hay, Douglas (1975), "Property, Authority and the Criminal Law," in D. Hay et al., *Albion's Fatal Tree*. New York: Pantheon.
- Stone, Alan (1985), "The Place of Law in the Marxian Structure-Superstructure Archetype," *Law & Society Review* 19:39-68.

UNIT IV:	LAW AND SOCIAL CHANGE
-----------------	------------------------------

November 12

Can Law Change Society?

37 pp.

- ** Friedman, Lawrence and Jack Ladinsky (1967), "Social Change and the Law of Industrial Accidents," *Colum. L. Rev.*, 67:50-82. [excerpt & notes in MF&S:211-232]
- ** Zimring, Franklin and Gordon Hawkins (1971), "The Legal Threat as an Instrument of Social Change," *Journal of Social Issues*, 27:33-48.
Friedman, chapter 14.
- Friedman, Lawrence M. (1967), "Legal Rules and the Process of Social Change," *Stanford Law Review* 19:786. [excerpt and notes in MF&S:689-703]
- James March & Johan Olsen (1984), "The New Institutionalism: Organizational Factors in Political Life," *American Political Science Review* 78:734-749

Section, week 10

Topical Discussion #5: Same-Sex Marriage (RM/RE due November 12)

58 pp.

- ** Burns, Kate, ed. (2005), *Gay Marriage: At Issue*. San Diego, CA: Greenhaven Press, pp. 7-41, 54-75.
- ** Ferree, Myra (2004), "The Gay Wedding Backlash," *Newsday*, 5/23/2004, p. A50.
- * Ryan, John Paul, ed. (2003), "Same-Sex Marriage and the Law," *Focus on Law Studies*, vol. XIX(1), ABA Division for Public Education. pp. 1, 4-7, 12-13.
- Burns, Kate ed. (2005), *Gay Marriage: At Issue*. San Diego, CA: Greenhaven Press, pp. 42-53, 76-91.
- Ryan, John Paul, ed. (2003), "Same-Sex Marriage and the Law," *Focus on Law Studies*, vol. XIX(1), ABA Division for Public Education. pp. 2-3, 7-9.
- Roleff, Tamara (1998), *Gay Marriage*. San Diego, CA: Greenhaven Press, pp. 12-22, 30-40, 64-90.
- Web resource: <http://ethics.sandiego.edu/Applied/SexualOrientation/index.html>

November 17

Institutional Filters I: The Judiciary

28 pp.

- ** Grodin, Joseph (1989) "Do Judges Make Law," *In Pursuit of Justice*, Berkeley, CA: University of California Press, pp. 133-161.
Friedman, chapter 4, pp. 57-64.
- MF&S, "Judges [selected readings]," pp. 732-791.
- Shapiro, Martin (1981) "The Prototype of Courts," *Courts: A Comparative and Political Analysis*. Chicago:University of Chicago Press, pp. 1-64.
- Yngvesson & Mather (1983), "Courts, Moots, and the Disputing Process," pp. 51-83 in Boyum & Mather (eds.), *Empirical Theories about Courts*. NY: Longman.

November 19

Institutional Filters II: The Jury
Video: "Inside the Jury Room"

36 pp.

- ** Eisenberg, Theodore, Paula Hannaford-Agor, Valerie Hans, Nicole Waters, G. Thomas Munsterman, Stewart Schwab, and Martin Wells (2005), "Judge-Jury Agreement in Criminal Cases: A Partial Replication of Kalven and Zeisel's The American Jury," *J. of Empirical Legal Studies* 2(1):171-206.
- Kalven, Harry & Hans Zeisel (1971), *The American Jury*. Chicago, IL: University of Chicago Press. [excerpt in F&M: 418-433].
- Devine, Dennis J., Laura Clayton, Benjamin Dunford, Rasmy Seyer, and Jennifer Pryce (2001), "Jury Decision Making: 45 Years of Empirical Research on Deliberating Groups." *Psychology, Public Policy, and Law* 7:622-727.

Section, week 11 **Topical Discussion #6: Jury Reform (RM/RE due November 19)**

37 pp.

- ** Bonsignore, John, et al. (1998), "The Jury as a Political Institution," pp. 386-407 in *Before the Law: An Introduction to the Legal Process, 6th ed.*. Boston: Houghton Mifflin. [excerpt pp. 392-407]
- ** Roleff, Tamara, ed. (1996), *The Legal System: Opposing Viewpoints*. San Diego, CA: Greenhaven Press, pp. 16-37.
- * Williams, Mary E. (1997), *The Jury System*. San Diego, CA: Greenhaven Press, pp. 63-73.

November 24***** OPTIONAL THINKPIECE #2 DUE *****

November 24

Institutional Filters III: The Legal Profession

17 pp.

- ** Spangler, Eve & Peter Lehman (1982), "Lawyering as Work," in C. Derber (ed.), *Professionals as Workers*. Boston, MA: G.K. Hall, pp. 63-73, 94-99 (skim pp. 74-93).
Friedman, chapter 13.
MF&S, "Lawyers [selected readings]," pp. 791-902.
- Rosenthal, Douglas (1974), *Lawyer and Client: Who's in Charge*.
- Heinz, John P. and Edward O. Laumann (1982), *Chicago Lawyers: The Social Structure of the Bar*. New York: Russell-Sage.
- Kagan, Robert A. and Robert E. Rosen (1985), "On the Social Significance of Large Law Firm Practice," *Stanford Law Review*, 37:399-443.
- Friedman, Lawrence (1989), "Lawyers in Cross-Cultural Perspective," in R. Abel & P. Lewis (eds.) *Lawyers in Society, vol. iii*. Berkeley: UC Press, pp. 1-26.
- Suchman, Mark C. and W. Richard Scott (2004), "Beyond Pros and Cons: Framing a Social Constructionist Model of the Professions," unpublished manuscript.

Section, week 12 **No Section Meeting****November 26****Solidarity Ritual: Thanksgiving****December 1******* TERM PAPER OUTLINE DUE *****

December 1

Law & The Transformation of Disputes

24 pp.

- ** Felstiner, William, Richard Abel & Austin Sarat (1980), "The Emergence and Transformation of Disputes: Naming, Blaming, Claiming...", *Law & Society Review* 15:631-54.
- Blumberg, Abraham (1967), "The Practice of Law as a Confidence Game: Organizational Cooptation of a Profession," *Law & Society Review*, 1:15-39. [excerpt and notes in MF&S:63-85]
- Mather, Lynn and Barbara Yngvesson (1980), "Language, Audience, and the Transformation of Disputes," *Law & Society Review*, 15:775-821.
- Bumiller, Kristin (1986), "Victims in the Shadow of the Law: A Critique of the Model of Legal Protection," *Signs*, 12:3-16.

December 3

Law & The Transformation of Politics

18 pp.

- ** Scheingold, Stuart (1974), "Constitutional Values and Political Goals," "Legal Rights and Political Mobilization," in *The Politics of Rights: Lawyers, Public Policy, and Political Change*. New Haven: Yale Press, pp. 97-116, 131-148.
- Galanter, Marc (1983), "The Radiating Effects of Courts," in K. Boyum and L. Mather *Empirical Theories about Courts*. New York: Longman. pp. 117-142.
- Smith, Rogers M. (1988), "Political Jurisprudence, The 'New Institutionalism,' and the Future of Public Law," *Am. Political Science Review*, 82:89-108.
- Kostiner, Idit (2003), "Evaluating Legality: Toward a Cultural Approach to the Study of Law and Social Change," *Law & Society Review* 37(2):323-368.
- Espeland, Wendy (1994), "Legally Mediated Identity: The National Environmental Policy Act and the Bureaucratic Construction of Interests," *Law & Society Review* 28:1149-79.

Section, week 13

Topical Discussion #7: Affirmative Action (RM/RE due December 3)

- ** Maltz, Leora, ed. (2005), *Affirmative Action*. San Diego, CA: Greenhaven Press.
- ** Eden, John and John Ryan, eds. (1998), "Affirmative Action: Dialogue on Race, Gender, Equality and Law in America," *Focus on Law Studies*, vol. XIII(2)

December 8

Video: The Road to Brown

31 pp.

- ** Rosenberg, Gerald (1993), *The Hollow Hope*. Chicago: University of Chicago Press. [excerpt and notes in MF&S:574-591]
- ** McCann, Michael (1993), "Reform Litigation on Trial" [critical review of Rosenberg], *Law & Social Inquiry* 17:715-743. [excerpt, pp. 729-741]
- Friedman, chapter 12, pp. 254-268.
- Ryan, John Paul, ed. (2004), "Brown and Its Impact on Schools and American Life: A Dialogue," *Focus on Law Studies*, vol. XIX(2), ABA Division for Public Education.
- Rosenberg, Gerald (1993), *The Hollow Hope*, esp. pp. 9-30, 35-36, 336-343.

December 10***** OPTIONAL THINKPIECE #3 DUE *****

December 10

Conclusion

16 pp.

- ** Friedman, Lawrence M. (2005), "Coming of Age: Law and Society Enters an Exclusive Club," *Annual Review of Law and Social Science* 1:1-16.
- Sarat, Austin and Susan S. Silbey (1988), "The Pull of the Policy Audience," *Law & Policy*, 10:97-166.
- Macaulay, Stewart (1984), "Law and the Behavioral Sciences: Is There Any There There?," *Law & Policy*, 6:149-187.
- Leff, Arthur A. (1978), "Law And...," *Yale Law Journal*, 87:989-1011.

December 12***** FINAL EXAM (9:00 A.M.) *******December 18******* TERM PAPER DUE *****

Happy Holidays!