In a cheap horror movie that was popular a while back, the world was invaded by some sort of living goo from outer space that spread relentlessly, gobbling up absolutely everything in its path. Some of the cries of alarm about the American legal system picture law as a phenomenon very much like this blob from outer space, growing relentlessly and swallowing up billions of dollars and whole social institutions as it spreads. . . . The machinery is breaking down. There is a "crisis" on our hands.

Lawrence Friedman, Total Justice

This course is an effort at demystifying the law through a survey of important perspectives and topics in the sociological study of law. Our focus will be the United States legal system. The five main course objectives are: 1) to gain an understanding of the nature and variety of legal problems; 2) to examine various social, political and economic factors that may explain actions of selected legal institutions such as the police, lawyers, courts and prisons, 3) to assess the intended and unintended consequences of legal actions; 4) to review selected theoretical approaches to the study of law; and 5) to engage in a critical discussion about the role of law in contemporary U. S. society.

Throughout the term we will use the representations of law in popular culture and parables as mechanisms for illuminating the hidden, ambiguous and contradictory dynamics of law, legal institutions, actors and practices. We'll also consider how various representations of the law inform & misinform our knowledge of the law as well as shape our legal consciousness. We will focus on the organization and professional socialization of police and lawyers, public beliefs about and expectations of the law, and social inequalities in legal rules, decisions and outcomes; etc.

Required Books at the Dartmouth Bookstore & Wheelock Books


And one of the following:


Additional required readings

Articles, images & other materials are posted in "Assigned Readings" or "Pages" folders on Canvas, streamed via Jones Media Center or on reserve Baker Library. A number of law-related online resources are posted in the "Links" Folder on Canvas.
COURSE REQUIREMENTS

Class members are expected to demonstrate their mastery of course materials through several formats. The specific requirements for evaluation and their percentage of your final course grade will be:

5% Participation
Students are expected to attend all class sessions as well as any mandatory co-curricular activities. Please come to class having completed assigned reading and viewing in a timely fashion, and be prepared to engage actively and meaningfully in discussions. Please arrive on time and remain until the end of the class period. You are encouraged to bring to class written observations, questions and criticisms of the assigned work plus relevant illustrations and examples from current events (i.e. follow the news) and popular discourse are welcome. Individual opinions, when offered, should be grounded in solid evidence; while personal experiences, when discussed, should be reflective and self-critical.

I assume that as adults you will be responsible for your own education. Students who are absent (due to illness, inter-collegiate athletics, religious observances, employment interviews, etc.) should secure the lecture notes, handouts, etc. from other class members. Also please notify me in advance, when possible, of any absences. A sign-in sheet will be circulated periodically throughout the term.

30% Midterm examination
The in-class, midterm examination will consist of an essay question and may include identifications or short answers. It will cover readings, lectures, discussions, videos, guest presentation, and any required co-curricular events.

15% An Exercise in Analyzing Law in Society
Each student will complete an exercise in the use of the sociological imagination. Detailed descriptions of each option will be posted on Canvas. Assignments will be due during the month of January.

10% Portfolio of Socio-Legal Post-Its
Completion of three (3) socio-legal post-Its, which are brief (1-2 page), critical essays on themes and issues emerging from the readings or are related to extracurricular lectures/programs. You will be able to select from among 8-10 options that will be scheduled throughout the term. Topics may include: the hidden curriculum at law school, law and social change, "Stand Your Ground," LGBT rights movement, law and the supernatural, policing and the reasonable person standard, or personal encounters with the law.

You must complete one (1) post-Its no later than Friday, January 29th. The remaining two (2) post-Its should be submitted no later than Wednesday, February 24th-including a mandatory post-It on "Encounters with the Law" for class discussion on January 25th. Detailed descriptions of each option will be posted on Canvas.

40% Final Research Project (approx. 12-14 pages)
Topics and guidelines for the project proposal and research paper will be posted on Canvas.

COURSE POLICIES

Honor Principle Academic work is simultaneously a collaborative and an independent enterprise. Consulting others and using their ideas, findings, and interpretations are integral parts of intellectual inquiry. The laborious, critical and creative work of developing one’s own understandings is equally important. In this course, you will have opportunities to engage in both endeavors. Therefore it is essential that you maintain the integrity of each. Class members are encouraged to discuss readings, lectures and other course matters with one another. There may be an opportunity for a team or group project that will require cooperation and a collective product. However required examinations, written assignments and presentations must reflect your own independent effort and ideas, (unless otherwise instructed) and in which you appropriately cite the intellectual property of others.

You should familiarize yourself with Dartmouth College’s Academic Honor Principle regarding honesty in completing all course examinations, research papers, and exercises (see online “Academic Honor” under the Registrar Regulations, plus the Standards of Conduct regulations on computing resources and library privileges). This Principle commits each of us to individual responsibility and fairness in all course work; and prohibits cheating on exams, fabricating research, plagiarizing papers, submitting the same paper for credit in two courses without authorization, purchasing papers, submitting fraudulent documents, engaging in computing abuses and forging signatures. By putting your name on an assignment that you submit, you are indicating to me that the work is your own original work.
COURSE POLICIES, cont.

Acknowledgements & Citations Learning when and how to acknowledge appropriately the ideas, words and work of others is a critical skill for academic as well as other professional fields. Pay close attention to your citations of the intellectual and creative ideas, writings, images and products of others (including other class members, readings, films, government reports, art work, lectures, websites, etc.). Always consult Sources: Their Use and Acknowledgment, use links to various creative citation references posted on Canvas’ “External Links.” You might consider purchasing a comprehensive reference book on acknowledging sources. Several useful style guides include The Chicago Manual of Style, APA Style Guide, and Diana Hacker’s Research and Documentation Online. You should also feel free to consult me before submitting work that you think might be improperly cited.

Missed Classes As responsible adults, class members should notify the instructor in writing of any anticipated absences. In the event that you miss a class for any reason, you are responsible for getting the seminar discussion notes for that class from another student. I will not make my lecture/discussion notes available. I trust that members of the class will be cooperative in sharing their notes, realizing that you also may be in a similar position one day. Repeated absences, without documented evidence of illness or family emergency, will adversely affect your course grade.

Religious Observances Class members may wish to take part in one or more of the religious observances that occur during this academic term. However, some activities may conflict with your participation in this course. Before the end of the second week of the term, please send me an email detailing the occasion, date and the specific course responsibility that may be affected. I will use this information to determine any appropriate accommodations.

Submission and Return of Assignments The submission of response memos, assignments and papers is expected on the indicated due date and time. Requests for extensions beyond the submission deadline should be made at least 24 hours prior to the due date and time. Please note that grades on non-approved, late submissions may be penalized. Graded work will be returned in the sealed envelopes. Course assignments, examinations and papers may not be submitted by email, postal mail or fax (unless otherwise instructed and with prior approval).

Make-up Exam/Assignments Students with legitimate reasons may be permitted to make-up the midterm examination or other assignments. However, such arrangements are only available for students who inform me at least 48 hours prior to the original exam/due date.

Note for Students who Speak English as a Second Language Students who speak English as a second language are encouraged to meet with the professor during the first week of the term to discuss any academic accommodations that may be of assistance to you.

Note for Students with Disabilities and Special Concerns Students with learning or other disabilities as well as chronic health conditions that may disrupt your studies are encouraged to meet with the professor during the first two weeks of the term to discuss any academic accommodations that may be of assistance to you. All discussions will remain confidential, although the Student Accessibility Coordinator, Dick’s House staff or other college officials may be consulted.

Electronic Devices Cell and smart phones, iPods, MP3s, Bluetooth, tablets, etc. must be turned-off and put away during our class sessions. Laptop computers and notepads should only be used for note taking or researching information pertinent to a class discussion. Web browsing, texting, tweeting, instagamming, handing email, updating Facebook, or working on non-course related matters are especially distracting for others and not conducive to your own learning. The repeated disregard of this policy will lead to a reduction in your course participation grade.

Communications Policy Throughout the term, course information and announcements will be posted on Canvas or sent by email. Students are responsible for monitoring both for updates and changes. The most reliable means of contacting me is via email. Please note that I typically read and answer my email occasionally each day during the workweek (ie. Mon. - Fri.), but not necessarily according to a specific schedule. As a rule, I am not accessible via email during the weekends. Course assignments, examinations and research papers may not be submitted by email, snail mail or fax.

Classroom Etiquette We will cover some complex and controversial subjects. Understandably, disagreement and debate are welcome and integral parts of the learning process. Please extend respect to all members of the class in terms of your verbal and nonverbal communications, listen attentively to their questions and comments as you would the lectures, and offer your informed observations and criticisms in a constructive manner.
PART I
Mon., Jan. 4

LAW AS A SOCIOLOGICAL PHENOMENON
Course Overview

Wed., Jan. 6

What is Law?: Sociological Questions from Jurisprudential Decisions

Read/view the following news accounts of 2010 Chilean mining disaster (links on Canvas “Assigned Readings”):
CNN Wire Staff. “Chilean Miners Waited for Death.” November 18, 2010
CBS 60 Minutes “Tough Recovery for Miners” August 21, 2011 (13:21 min.)
“Chilean miners considered cannibalism and talked about killing themselves during their 69 days trapped below ground.” Daily Mail Reporter (UK) February 17, 2011

Optional: browse news accounts about the 2010 mining disasters in West Virginia and New Zealand:
“No Survivors Found After West Virginia Mine Disaster”, New York Times April 9, 2010

Additional materials regarding mining disasters (on Canvas)

Fri., Jan. 8

What is Law?: The Rule(s) of the Powerful


Optional reading

Due: Legal Post-It Option #1

Mon., Jan. 11

What is Law?: (Dis)Order and Unintended Consequences of Formal Rules


Optional reading

Wed., Jan. 13

What is Law?: Terrorism and Islam - (Dis)Order and Consequences of Moral Panic


Due: Legal Post-It Option #2
Fri., Jan. 15

No new readings

MLK Public Lecture

WORDS & THEIR CONSEQUENCES: CIVIL DISCOURSE IN 21ST CENTURY
REV. LEAH DAUGHERTY ’84
CEO of 2016 Democratic National Convention Committee
Friday, January 15th
4:00 pm ~ 3 Rockefeller

MLK Celebration Films

SPOTLIGHT – Catholic Church child abuse scandal
Sunday, January 17th
4:00 and 7:00 pm
Loew Auditorium Black Family Visual Arts Center

PART II

WAR AGAINST CRIME: ORDER, JUSTICE & PUNISHMENT

Mon., Jan. 18

MLK Observance – No class meeting

ROHINA MALIK
Playwright/Performer
One Woman Show: 5 Muslim Women In the U.S.
Keynote for the MLK Observance
Monday, January 18, 2016
7:00 pm ~ Moore Theater

Tues., Jan. 19

x-Hour at
12:00 pm

What the Public Assumes about Police Work: Crime Fighting on TV & In the News

Read one (1) of the following three articles, plus viewing legal actors on television:


View at least one (1) hour of reality television programming related to criminal justice system:

"Cops" on Spike TV, airing on M & T 9 – 12 am, Th 12 pm, F 4 pm – 12 am, and S 5-12 am. Selected episodes also online at: http://www.spike.com/shows/cops

"Jail" on Spike TV, airing M 11 am, 12:00, 5:30 & 6:30 pm; Tu 12:30-2:30 pm; W 12:00 – 2:00 am; F 5:30 & 6:30 pm; Sa 12:00 – 2:00 am & 5:30 pm, see "Jail" schedule up to Jan. 17. Selected episodes also online at: http://www.spike.com/shows/jail

Due: Legal Post-It Option #3 related to above MLK events
Due: Legal Post-It Option #4 police reality shows

Wed., Jan. 20

Police Organizational Culture and the Control of Crime


Optional supplemental reading

Fri., Jan. 22

"To Protect and Serve": The Impossible Mandate
Epp, Maynard-Moody, and Haider-Markel, Pulled Over, Chaps. 4 - 7


Optional supplemental reading


Mon., Jan. 25

Lethal Policing: Making Sense of American Exceptionalism

"The Counted: People Killed by the Police in the US." The Guardian (on Canvas)

"Latino Experiences with Crime: Police Violence." Tomás Rivera Policy Institute, Sol Price School of Public Policy at the University of Southern California

Optional supplemental reading

Due: Legal Post-It Option #4

Panel: TEACHING WHY BLACK LIVES MATTER
Tuesday, January 26
4:30 pm ~ Flene Auditorium In Moore

Wed., Jan. 27

Reforming Policing, Restructuring the Police
Epp, Maynard-Moody, and Haider-Markel, Pulled Over, Chap. 8


View: "The Central Park Five" (streaming on Jones Media Center)
Browse: The Innocence Project, website (on Canvas)

Optional supplemental resources:
U. S. Department of Justice, Civil Rights Division. Investigation of the Ferguson Department of Police. March 4, 2015. (on Canvas)

U. S. Department of Justice, Civil Rights Division. Investigation of the Cleveland Department of Police. December 4, 2014. (on Canvas)

United States Department of Justice Investigation of the Maricopa County Sheriffs Office December 2011. (on Canvas)
PART III
WHAT LAW HAS TO DO WITH JUSTICE?

Fri., Jan. 29
Law as Everyday Experiences & Expectations


Due: Legal Post-It Option #5 - Mandatory

Mon., Feb. 1
Before, With and Against the Law
Ewick and Silbey, The Common Place of Law, Part II – Chaps. 4 – 6


Wed., Feb. 3
Constructing Legal Consciousness for Social Change
Ewick and Silbey, The Common Place of Law, Part III – Chaps. 7 & 8

Fri., Feb. 5
MIDTERM EXAMINATION

Mon., Feb. 8
Case Study In Against the Law: Is Marriage Equality Sufficient?
Jacob and Wilhelm Grimm. 1857. “Little Snow-White,” translated by D. L. Ashliman (on Canvas) or Snow White Website by Kay E. Vandergrift (on Canvas)

Smith, Miriam. 2010. “Federalism and LGBT Rights in the U.S. and Canada: A Comparative Policy Analysis,” in Melissa Haussman, Marion Sawyer and Jill Vickers (eds.) Federalism, Feminism and Multilevel Governance (Farnham, UK: Ashgate, pp. 97-110 (on Canvas)

Due: Legal Post-It Option #6

Wed., Feb. 10
Is Justice Blind?: Gender & the Reasonable Person Standard

Plus one of the following topics in Forell, and Matthews, Law of Her Own
Chaps. 3-6 on sexual harassment
Chaps. 7-8 on stalking
Chap. 12 on rape

Fri., Feb. 12
From “Castle Defense” to “Stand Your Ground”: The Quagmire of Intimate Violence, Guns & Self Defense
Forell, and Matthews, Law of Her Own  Chaps. 9 - 11 (electronic resource via Berry-Baker Digital Library, also on Baker Reserve)


Mon., Feb. 15
How to (and Who) Get Away with Murder: Race, Immunity Provisions in Stand Your Ground Laws

Other readings: TBA (on Canvas)

Due: **Legal Post-It Option #7**

**PART IV**

**TOURNAMENTS OF LAWYERS**

**Wed., Feb. 17**

Everything I Needed to Know I Learned in Law School

*Read one of the following:*


*Play: Law School Ranking Game.* Copyright by Jeffrey E. Stake and Indiana University Maurer School of Law

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**Fri., Feb. 19**

The Hidden Curriculum


Kimes, *Ivy Briefs*, Chaps. 7-12 plus Epilogue

or

Turow, *One L*, pp. 156-276


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**Mon., Feb. 22**

Litigation, Deep-Pockets & Justice


CLEA "Profession in Crisis: New Results from the After the JD Study of Lawyers Careers," *ABF Researching Law*, v25 n4 Spring 2014: 1-16 (on Canvas)

Sandefur, Rebecca. *Accessing Justice in the Contemporary USA: Findings from the Community Needs and Service Study Researching Law*, v25 n4 Fall 2014: 1-12 (on Canvas)

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**Wed., Feb. 24**

Power, Greed, and Illegitivities

Harr, *A Civil Action*, pp. 149-290


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**Fri., Feb. 26**

Is Justice Being Served?

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Harr, A Civil Action, pp. 293 – 492.


Optional supplement materials regarding Woburn site

"Executive Summary," "What Can Be Done?: Policy Recommendations for Addressing Environmental Injustice in the Commonwealth and "Methodology" pp.: 1-11,54-59, and iii-vi (on Canvas)

Mon., Feb. 29  No new readings

Dartmouth Legal Studies’ The Roger S. Aaron ’64 Lecture
JEFFREY ROSEN
President & CEO, The National Constitution Center
Monday, February 29
4:30 pm “TBD

Wed., Mar. 2  Final Project Presentations
Fri., Mar. 4  Final Project Presentations
Mon., Mar. 7  Final Project Presentations

MONDAY, MARCH 14, 2016

Final Research Paper due no later than 5:00 p.m.

Please submit a hard copy of your Final in either 111 Silsby or 107 Silsby.
Submissions via email, dropbox, Google doc, snail mail or fax will not be accepted or graded.