

Rutgers University

Fall, 2017

LAW AND SOCIETY

SOCIOLOGY

01 920 349

1:10-2:30 pm

CAC Murray 208

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This course will explore the social forces that affect law and conversely how laws affect society. It will cover the ongoing global changes in legal systems with a concentration on the American legal system. The internet and other technological advances have created great changes in our society. The American legal system is also undergoing a revolutionary transition from a strict adversarial mode to alternative forms of dispute resolution. How have social forces expedited this transition? In this course we will also examine theories and current research as to the law and social control; the law and social change; and the relationship among the participants in the legal system. In addition, we will explore the dynamics, functions and dysfunctions of the law and how various social groups are affected by these dynamics and its effect upon our society.

Required Texts: Available at Rutgers Barnes and Noble store.

Law and Society (10th Edition) by Steven Vago; Pearson/Prentice Hall Publishers.

Shover, Neal. *Great pretenders: Pursuits and careers of persistent thieves*. Boulder, CO: Westview Press, 1996.

Sterk, Claire. *Fast lives: Women who use crack cocaine*. Temple University Press, 2008.

Chambliss, William J. *Power, politics and crime*. Westview Press, 2001.

Katz, Jack. *Seductions of crime: Moral and sensual attractions in doing evil*. Basic Books, 1988.

Exams and Grading Scale

1. Class attendance: 10 points
2. Memos: 10 points
3. Take Home Exam 1: 20 points
4. Take Home Exam 2: 20 points
5. Take Home Exam 3: 20 points
6. Take Home Exam 4: 20 points

Grading Scale

A = 90 – 100 Points

B+ = 88-89

B = 80 – 87

C+ = 78-79

C = 60 – 77

D = 50 – 59

F = < 50 Points

SAKAI: Syllabus will be posted on SAKAI as well as material and topics for discussion for each individual class. Students should check SAKAI for the material and current topic and be prepared to discuss the topic in class.

Course Calendar

The dates indicated are tentative and may change based upon how this class proceeds. In other words, some topics may take a bit more time than noted below and some may take less time than indicated. Any changes in dates, including assignment due dates, will be announced in class. You are responsible for finding out about any announcements made in class.

Part 1: Introduction to Law and Society

September 5

Introduction to syllabus

September 7

Topics: Law in Society; Law and Sociology; what is Law; Types of Laws

Readings: Text Book Chapter 1 “Introduction to Law and Society”

Anomie (Sakai)

September 12

Topics: Legal Systems; Principal Functions of Law; Dysfunctions of Law

Readings: Text Book Chapter 1 “Introduction to Law and Society”

“Anomie” (Sakai)

September 14

Topics: Paradigms of Society

Readings: Text Book Chapter 1

"Social Structure and Anomie" (Sakai)

September 19

Topics: Primitive legal system; transitional legal system; modern legal systems

Readings: Text Book Chapter 2 “Evolution of Legal System”

"Social Structure and Anomie" (Sakai)

September 21

Topics: pre-sociological perspective; classical sociological perspective

Readings: Text Book Chapter 2 "Theories of Law and Society"

"A Control Theory of Delinquency" (Sakai)

September 26

Topics: Socio-legal perspective; contemporary perspective

Readings: Text Book Chapter 2 "Theories of Law and Society"

"A Control Theory of Delinquency" (Sakai)

September 28

Topics: Current intellectual movements

Readings: Text Book Chapter 2 "Theories of Law and Society"

"The Theory of Differential Association" Sakai

September 28

Documentary: People's Century part 18 "1957 Skin Deep"

October 3

Discussion on documentary; summary and conclusion of Part 1

Take Home Exam 1 Announced

Part 2: Process of Law Making

October 5

Topics: Perspectives on law making; Legislation

Readings: Text Book Chapter 4 "Lawmaking"

Power, Politics and Crime "Introduction" pp. 1-13

October 10

Topics: Administrative rule making; administrative adjudication

Readings: Text Book Chapter 4 "Administrative Lawmaking"

Power, Politics and Crime "Introduction," pp. 1-13

Take Home Exam 1 Due

October 12

Topics: law making by precedents; law making by interpretation of statutes; the interpretation of constitution

Readings: Text Book Chapter 4 "Judicial Lawmaking"

Power, Politics and Crime "The Politics of Fear," p. 13-32

October 17

Topics: interest groups; public opinion; law making and social sciences

Readings: Text Book Chapter 4 "Influences on law making processes"

Power, Politics and Crime "The Politics of Fear," p. 13-32

October 19

Topics: detached scholarly diagnosis; a voice from the wilderness; protest activities; social movements; public interest groups; the mass media

Readings: Text Book Chapter 4 "Sources of the impetus for law"
Power, Politics and Crime "Marketing Crime" pp. 32-67

October 24

Documentary: Fahrenheit 9/11

October 26

Discussion on documentary; summary and conclusion of Part 2

Take Home Exam 2 Announced

Part 3: Social Control

October 31

Topics: Formal & informal controls; criminal sanctions; discord over death penalty; civil commitment

Readings: Text Book Chapter 5 "Social controls"

Fast Lives "Getting into Drugs" pp. 30-47

November 2

Topics: drug addiction; prostitution' gambling

Readings: Text Book Chapter 5 "Crimes without victims"

Fast Lives "Patterns of Income Generation and Drug Use," pp. 47-78

Take Home Exam 2 Due

November 7

Topics: white collar crime; social control of dissent

Readings: Text Book Chapter 5 "Crime"

Fast Lives "Significant Others," pp. 78-99

November 9

Topics: licensing; inspection; threat of publicity

Readings: Text Book chapter 5 "Administrative Law and Social Control"

Fast Lives "Off and On," pp. 119-144

November 14

Documentary: Heroin Nation

November 16

Discussion on documentary; summary and conclusion of Part 3

Take Home Exam 3 Announced

Part 4: law and social change

November 21

Topics: Reciprocity between law and social change; social changes as legal changes

Readings: Text book chapter 7 “Law and Social Change”

Great Pretenders “Pathways of Persistent Thieves,” p. 1-29

November 23

Thanks Giving Break

November 28

Topics: efficacy of law an instrument of social change

Readings: Text book chapter 7 “Law as an Instrument of Social Change”

Great Pretenders “Pathways of Persistent Thieves,” p. 1-29

Take Home Exam 3 Due

November 30

Topics: legitimate authority; the binding force of law; sanctions

Readings: Text book chapter 7 “Advantages of Law an Instrument of Social Change

Great Pretenders “Origins, Options, and Preparation,” pp. 29-49

December 5

Topics: social factors; psychological factors; cultural factors; economic factors

Readings: Text book chapter 7 “Limitations of Law an Instrument of Social Change”

Great Pretenders “Origins, Options, and Preparation,” pp. 29-49

December 7

Documentary: TBA

December 12 (Last Class)

Discussion on documentary; summary and conclusion of Part 4

Take Home Exam 4 Announced