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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

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| 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***