

**Department of Sociology**  
**University of Toronto**  
**SOC396H1S – Selected Topics in Sociological Research**  
*Sociology of Law*  
**Spring 2013**  
**Class time: 11am-1pm WI 1017**  
**Professor R. Levi**

**email:** ron.levi@utoronto.ca  
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**Office Hours:** F, 3-4pm (Sociology 398)

**TA:** Meghan Dawe (email: meghan.dawe@utoronto.ca)

**SCOPE AND AIMS**

This course focuses on the sociology of law, legality, and legal institutions. The course is not about learning the state of the law on a topic, but instead provides sociological tools for studying the law in action, and the relationship between law and its social, political, and economic contexts. This includes core theoretical perspectives on the function of law and legal authority, the constitutive ways in which law shapes everyday life, the role of the legal profession, and law and globalization. The course will also devote special attention to issues relating to law, crime, and global change, including issues of genocide, human rights, and wartime violence.

**PREREQUISITES**

Any of: SOC212H1, SOC220H1, SOC260H1. Students without any of these prerequisites will be removed at any time discovered.

**READINGS**

Readings are available on BlackBoard.

**EVALUATION**

Reading Assignments (weekly) .....	10%
Test 1 (Take home test, Due February 15, 2013.....	25%
Test 2 (in class, April 5, 2013) .....	25%
Problem-Solving Paper (due March 22, 2013).....	40%

**Handing in Assignments**

Assignments must be handed in (or time-stamped) by 11:10 a.m. on the due date specified above. Papers handed in on the due date after 11:10 a.m. will be subject to a late penalty as outlined below.

All assignments must be handed to the instructor in hard copy in class and electronically via BlackBoard. The instructor and TA will NOT accept electronic copies of assignments via email. Do not put submissions under the office door of the

instructor. The instructor is not responsible for student assignments submitted in this way. Students must always keep an extra hard copy of their assignment for their own records. For instructions on how to upload an assignment using BlackBoard, please see:

<http://youtu.be/nZu0J9i7F3Q>

### **Reading Submissions (10%)**

This is a third year course, and the focus is on strong critical thinking, reading, and writing skills. Each week you are required to submit at the beginning of the class a one page (250-300 words) typed analysis of the main themes and arguments of the assigned articles for that week. There is no reading submission for week 1, meaning that there will be nine submissions total. Once students hand in a minimum of seven reading submissions, they will be eligible to receive one free point.

This should not be a simple description of the content of the readings, but an attempt to engage with the material analytically – as ways of thinking about the material. The “Critical Reading” page at <http://www.writing.utoronto.ca/advice/reading-and-researching/critical-reading> provides some excellent guidelines.

Your analysis should include the following:

- What are the readings about?
- What is/are the author’s main argument(s) or central claims?
- Is there evidence for these claims? What is it?
- What are the shortcomings of the evidence?
- What did you learn?
- Did the author overlook anything? Please reflect on previous weeks here where relevant.

Each submission is worth 1% of your final grade. Assignments will be scored as a 0, 0.5, or 1.0.

Due to the nature of this assignment, no makeup opportunities will be granted nor will the weight be transferred to another component of this course.

**Attendance:** Full and complete attendance is critical for learning the material in this course. Excessive lateness and other problematic in-class behaviours will not be tolerated and will result in mark penalties or other punitive action at the discretion of the instructor.

### **Late or missed tests and assignments**

*Late penalties (this excludes the Reading submissions):*

- Assignments will be penalized 5% per day including weekends and holidays. The penalty will be applied to work handed in after 11:10 a.m. on the due date.

- The penalty will run from the day the assignment was due until the day it is submitted electronically via Blackboard. You are still required to submit a hard copy at the next class. The electronic copy must be identical to any hard copy submitted.
- Assignments that are more than 5 days late will not be accepted unless they are accompanied by valid documentation of circumstances beyond student's control.
- Accommodation provision: In general, for missed or late tests or assignments we follow University of Toronto policy about accommodation for the following three reasons:
  1. Illness, as documented with a University of Toronto Student Medical Certificate. A completed form must be provided to the TA, and is available from <http://healthservices.utoronto.ca/pdfs/medcert.htm>
  2. Religious observances, following the guidelines at <http://www.viceprovoststudents.utoronto.ca/publicationsandpolicies/guidelines/religiousobservances.htm>
  3. Other documented unplanned circumstances entirely beyond the student's control (e.g., a court subpoena or a funeral).

For all the above, students must request an extension prior to the due date if at all possible.

For non-medical notes, I will accept a note from your College Registrar (or similar University official), social worker, clergy member, lawyer, etc. Non-medical notes must contain the same information requested on the "University of Toronto Student Medical Certificate." Once the student has provided adequate documentation of their inability to complete the assignment on time, the student and the TA will negotiate a new due date for the assignment. Papers submitted after the negotiated deadline will be subject to the late penalty outlined above.

### **Grade appeals**

The instructor and teaching assistants take the marking of assignments very seriously. Nonetheless, mistakes and oversights occasionally happen. If you believe that to be the case, you must adhere to the following rules:

- If it is a calculation error simply alert the TA of the error via email.
- In the case of substantive appeals, you must:
  1. Wait at least 24 hours after receiving your mark.
  2. Carefully re-read your assignment, all assignment guidelines and marking schemes and the grader's comments.

### **Remarking Procedures:**

Your request must be submitted in writing to the TA who graded the assignment. Requests must be submitted within one month the graded work was made available for pick up. The particular day you choose to retrieve your assignment is irrelevant. To request a remark, you must submit a written request explaining precisely why you believe your assignment should receive a different grade. As well, please

remember that on a remark your grade may go up or down. The grade after the remark will be the grade recorded on the assignment. If you are not satisfied with the decision of the TA, submit a written request for a second rereading to the Instructor within two weeks of the reread being made available for pick up by the TA.

***Work remarked by the instructor:***

The Instructor will remark the entire assignment, not simply the questions or portion you believe were scored improperly. Note that in the course of remarking your assignment, he may discover errors or defects that were not originally detected on the paper or test. As a result, it is possible that your revised mark may actually go down, rather than going up or staying the same. The revised mark stands. It is not to your advantage to submit a request for a second remarking unless you believe you will actually gain points.

***We will not discuss your assignment/ test on the day that it is handed back. All requests for re-grading must be made in writing.***

**Email**

- All course communication should be conducted through Blackboard or your Utormail account.
- All emails must include the course code (i.e., SOC396H1) in the subject line.
- All emails should be signed with the student's full name and student number.
- Emails from students will generally be answered within 72 business hours of receipt.
- Emails should be sent to your TA, not the professor:  
meghan.dawe@utoronto.ca

**Grading:** See U of T guidelines:

<http://www.artsandscience.utoronto.ca/ofr/calendar/rules.htm#term>

**Accessibility needs:** The University of Toronto is committed to accessibility. If you require accommodations or have any accessibility concerns, please visit <http://studentlife.utoronto.ca/accessibility> as soon as possible.

**Plagiarism:** cheating and misrepresentation will not be tolerated. Students who commit an academic offence face serious penalties. Avoid plagiarism by citing properly: practices accepted by teachers in high school may prove unacceptable in university. Know where you stand by reading the "Code of Behaviour on Academic Matters" in the Calendar of the Faculty of Arts and Science.

**Readings**  
**T=Tentative**  
**OB= Optional Background**

**Week 1. January 11**

*(no reading submission due)*

**Place of Law: What can a Sociology of Law Do?**

1. Silbey, Susan and Ayn Cavicchi. 2005. "The Common Place of Law: Transforming Matters of Concern into the Objects of Everyday Life." Pp. 556-565 in *Making Things Public: Atmospheres of Democracy*, edited by B. Latour and P. Weibel. Cambridge, MA: MIT.  
[http://web.mit.edu/ssilbey/www/pdf/making\\_things\\_public.pdf](http://web.mit.edu/ssilbey/www/pdf/making_things_public.pdf)
2. Option (a or b):
  - a. Baker, Tom. 2002. "The Blood Money Myth." *Legal Affairs* (September-October). [http://www.legalaffairs.org/issues/September-October-2002/review\\_baker\\_sepoct2002.msp](http://www.legalaffairs.org/issues/September-October-2002/review_baker_sepoct2002.msp)
  - b. Hagan, John. 2011. "Voices of the Darfur Genocide." *Contexts* 10(3): 22-28. <http://ctx.sagepub.com.myaccess.library.utoronto.ca/content/10/3/22.full.pdf+html>

**Week 2. January 18**

**Law, Social Class, and Symbolic Violence**

1. Chambliss, William J. 1964. "A Sociological Analysis of the Law of Vagrancy" *Social Problems* 12:67-77.  
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/798699>
2. Wacquant, Loic. "Deadly Symbiosis: When Ghetto and Prison Meet and Mesh." 2000. *Punishment and Society* 3:95-134.  
[http://resolver.scholarsportal.info.myaccess.library.utoronto.ca/resolve/14624745/v03i0001/95\\_ds](http://resolver.scholarsportal.info.myaccess.library.utoronto.ca/resolve/14624745/v03i0001/95_ds)
3. Auyero, Javier and Debora Swistun. 2009. "Tiresias in Flammable Shantytown: Toward a Tempography of Domination." *Sociological Forum* 24:1-21.  
[http://resolver.scholarsportal.info.myaccess.library.utoronto.ca/resolve/08848971/v24i0001/1\\_tifstatod](http://resolver.scholarsportal.info.myaccess.library.utoronto.ca/resolve/08848971/v24i0001/1_tifstatod)

**Week 3. January 25**

**Law, Criminal Punishment, and Expression**

1. Beckett, Katherine and Steve Herbert. 2010. "Penal Boundaries: Banishment and the Expansion of Punishment." *Law and Social Inquiry* 35:1-38.  
<http://onlinelibrary.wiley.com/doi/10.1111/j.1747-4469.2009.01176.x/abstract>
2. T: Smith, Philip. 2008. "The Electric Chair." Pp. 142-168 in *Punishment and Culture*. Chicago: University of Chicago Press. Available on Blackboard.

**Week 4. January 25**

**Who uses Law, Who Wins, and How?**

1. Engel, David. 1994. "The Oven Bird's Song: Insiders, Outsiders, and Personal Injuries in an American Community." Pp. 27-53 in *Law and Community in Three American Towns*, by Carol J. Greenhouse, Barbara Yngvesson, and David M. Engel. Ithaca and London: Cornell University Press. Available on Blackboard.
2. Galanter, Marc. 1974. Abridged version of "Why the 'Haves' Come Out Ahead: Speculations on the Limits of Legal Change." At pp. 297-323 in Abel, Richard. *The Law & Society Reader*. Available on Blackboard.
3. Hadfield, Gillian. 2008. "Framing the Choice Between Cash and the Courthouse: Experiences with the 9/11 Victim Compensation Fund." *Law & Society Review* 42:645-682.  
[http://resolver.scholarsportal.info.myaccess.library.utoronto.ca/resolve/00239216/v42i0003/645\\_ftcbcawt9vcf](http://resolver.scholarsportal.info.myaccess.library.utoronto.ca/resolve/00239216/v42i0003/645_ftcbcawt9vcf)

OB: Felstiner, William, Richard Abel, and Austin Sarat (1981). Pp 99-104 in Sarat, *The Social Organization of Law*. Available on Blackboard.

## **Week 5. February 8**

### **Legal Consciousness and the Culture of Legality**

1. Silbey, Susan and Patricia Ewick. 1999. "Common Knowledge and Ideological Critique: The Importance of Knowing Why the 'Haves' Come Out Ahead." *Law & Society Review* 33:1025-1042. <http://www.jstor.org/stable/3115157>
2. Hull, Kathleen. 2003. "The Cultural Power of Law and the Cultural Enactment of Legality: The Case of Same-Sex Marriage." *Law & Social Inquiry* 28:629-657. <http://onlinelibrary.wiley.com/doi/10.1111/j.1747-4469.2003.tb00210.x/abstract>

OB: Hay, Douglas. 1975. Short Excerpt of "Property, Authority and the Criminal Law." Chapter 1 in *Albion's Fatal Tree: Crime and Society in Eighteenth Century England*. New York: Pantheon. Available on Blackboard.

## **Week 6. February 15**

### **Take Home TEST #1 DUE**

#### **Lawyers: The Social Structure of Legal Education and the Legal Profession**

1. Rivera, Lauren. 2012. "Hiring as Cultural Matching: The Case of Elite Professional Service Firms." *American Sociological Review* 77:999-1022. <http://www.asanet.org/journals/ASR/Dec12ASRFeature.pdf>
2. Sauder, Michael and Ryon Lancaster. 2006. "Do Rankings Matter? The Effect of U.S. News & World Report Rankings on the Admissions Process of Law Schools." *Law and Society Review* 40:105-134. <http://onlinelibrary.wiley.com/doi/10.1111/j.1540-5893.2006.00261.x/abstract>

## **Reading Week (February 22)**

**Week 7. March 1**

**Law, Legal Authority, and Organizations**

1. Edelman, Lauren, Sally Riggs Fuller, and Iona Mara-Drita. 2001. "Diversity Rhetoric and the Managerialization of Law." *American Journal of Sociology* 106:1589-1641  
<http://www.jstor.org/stable/10.1086/321303>
2. Suchman, Mark and Mia Cahill. 2006. "The Hired Gun as Facilitator: Lawyers and the Suppression of Business Disputes in Silicon Valley." *Law & Social Inquiry* 21:679-712. <http://www.jstor.org/stable/828900>

**Week 8. March 8**

**Law, Globalization, and the Human Rights Turn**

1. Boyle, Elizabeth, Fortunata Songora, and Gail Foss. 2001. "International Discourse and Local Politics: Anti-Female-Genital-Cutting Laws in Egypt, Tanzania, and the United States." *Social Problems* 48: 524-44.  
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/10.1525/sp.2001.48.4.524>
2. Hafner-Burton, Emilie, Kiyoteru Tsutsui and John Meyer. 2008. "International Human Rights Law and the Politics of Legitimation: Repressive States and Human Rights Treaties." *International Sociology* 23:115-141.  
<http://iss.sagepub.com/content/23/1/115.short>

**Week 9 March 15**

**War, Crime and Law: The Case of Genocide**

1. Jones, Adam. 2006. *Genocide: A Comprehensive Introduction*. Pp.8-29. New York: Routledge. See [http://www.genocidetext.net/gaci\\_origins.pdf](http://www.genocidetext.net/gaci_origins.pdf)
2. "Genocide", and *Prosecutor v. Akayesu* (1998, International Criminal Tribunal for Rwanda), as excerpted in Beth Van Schaack and Ronald C. Slye, eds. 2007. *International Criminal Law and Its Enforcement – Cases and Materials*. New York: Foundation Press. Pp. 410-420. Available on Blackboard.
3. Hagan, John and Wenona Rymond-Richmond. 2008. "The Collective Dynamics of Racial Dehumanization and Genocidal Victimization in Darfur." *American Sociological Review* 73:875-902.  
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/25472566>

**Week 10. March 22**

**Paper Due**

**After Atrocity: Law as a Platform for Collective Memory**

1. Levi, Ron and John Hagan. 2012. "Lawyers, Humanitarian Emergencies, and the Politics of Large Numbers." In *Lawyers and the Construction of Transnational Justice*, edited by Y. Dezalay & B. Garth. New York: Routledge. Available on Blackboard.

2. T: Savelsberg, Joachim and Ryan King. 2011. Excerpt from *American Memories: Atrocities and the Law*. New York: Russell Sage. Available on Blackboard.

**Week 11. March 29**  
***Good Friday, No class***

**Week 12. April 5**  
**Test #2 (in class)**