

University of Toronto, Sociology
SOC293H1F - Sociology of Law
Professor Ronit Dinovitzer
May/June 2020
Tuesday/Thursday, 4:00pm-6:00pm
Live via MS Teams (links on Quercus, recorded lectures will be posted)

Instructor Information

Instructor: Dinovitzer Ronit
Email address: ronit.dinovitzer@utoronto.ca
Office hours: by appointment MS Teams
Quercus/Course web site: q.utoronto.ca

Teaching Assistant(s):

Catherine Yeh
Email: catherine.yeh@mail.utoronto.ca
Office hours: TBA and by appointment via MS Teams

Course Description

This course asks students to think critically about the role of law in society, and to develop a sociological understanding of law and legal institutions. The course will include theoretical approaches to understanding the role of law and legal authority, and the constitutive ways in which law affects, shapes, and is negotiated in everyday life. In addition, attention will be paid to the legal profession, including empirical research on lawyers, legal careers, and their relationship to fields of practice, with an emphasis on the relationship between the structure of the legal profession and law as a democratic institution.

Goals and Learning Objectives

The goal of this course is not to focus on specific laws or cases, but instead to study law as an institution that both influences and is influenced by social relations. A main objective of the course is to connect conceptual understandings of law with empirical research on law “in action.”

Prerequisite

The prerequisite to take this course is 0.5 Introduction to Sociology. Students without this requirement will be removed at any time discovered and without notice.

Online Learning

Classes will generally be held live via MS Teams (links will be provided on Quercus) (recorded session will also be posted). Some classes may be given by prerecorded lecture uploaded to Quercus in lieu of a live session.

Textbooks and Other Materials

The course relies on a collection of readings compiled by the instructor and available on Quercus.

Evaluation Components

<u>Description</u>	<u>Type</u>	<u>Date(s) Due</u>	<u>Weight</u>
a. Essay 1	3-4 pages, TBA	21-May	32.5%
c. Essay 2	3-4 pages, TBA	4-June	32.5%
d. Final test	On Quercus, 1 hour 50 minutes	11-June	25%
e. Engagement	10 Discussion posts	Ongoing	10%

Essays (32.5% each)

Each essay assignment will ask you to apply course material to a current problem or issue. The essays will be based on class lectures and readings. You will receive further details during the term.

All assignments must be uploaded to Quercus/Turnitin.com in plain text format.

Essays should NOT be submitted using the Quercus mobile app. You are responsible for ensuring your essay was successfully submitted to Quercus. You will receive a 0 if your essay is not successfully submitted to Quercus. I recommend taking a screenshot of your successful submission on Quercus so if you have any trouble you can refer to this submission notification.

This link explains how to be sure you submitted your assignment successfully:

<https://qstudents.utoronto.ca/submitting-assignments-to-your-course/>

Engagement (10%)

Our class readings and discussions do not live purely in the realm of the theoretical. Every week's lecture and readings can be connected to current events. In order to encourage you to make these connections, you will have 10 opportunities to post a link to a current event that connects to the week's readings. In addition to posting the link, you need to write a short comment about how they are related (50 words). These short writing exercises will be graded on a pass/fail basis, 1% per submission. You will be encouraged to share these connections in class! There are no make-up opportunities for these assignments.

Posts are due by 11pm the night before class, starting with the second lecture.

Procedures and Rules

1. Missed tests

Students who miss a test will receive a mark of zero; UNLESS within 48 hours (two days) of the missed test, students who wish to write the make-up test give their TA an emailed request for special consideration which explains why the test was missed. A request should be accompanied by contact information (the student's telephone number and email address) so the date and time of the make-up test can be communicated to the student. A student who misses a test and the subsequent make-up test for a valid reason will not have a third chance to take the test. Instead, the grade assigned for the missed test will be the same as the grade the student earns for the other test in this course.

2. Missed Assignments

To request accommodation for a **late assignment** you must present your case to the TA via email; you must also declare your absence on ACORN on the day the assignment was due

- In order not to be considered late, assignments must be submitted by the due date on the syllabus via Quercus at the beginning of class.
- You are expected to keep a back-up, hard copy of your assignment in case it is lost.
- Late assignments for reasons that are *within your control* will be penalized 5% marks per day. The penalty will run from the day the assignment was due until the day it is submitted via Quercus. The penalty period does include weekends and holidays. Assignments that are more than 5 days late will not be accepted.

Grade appeals

Instructors and teaching assistants take the marking of assignments very seriously, and will work diligently to be fair, consistent, and accurate. 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 mathematical error simply alert the TA of the error.
- In the case of more 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.
 3. You have up to one month from the date of return of the item to inquire about the mark beyond the course instructor. In order to meet this deadline, you must inquire about the mark with your instructor no longer than 15 days after receiving your mark. If you are not satisfied with the instructor's re-evaluation, you may appeal to the Associate Chair, if the term work is worth at least 20% of the course mark. If your work is remarked, you must accept the resulting mark.

If you wish to appeal:

- A. You must submit to the instructor a written explanation of why you think your mark should be altered. Please note statements such as “I need a higher grade to apply to X” are not compelling. Also, please note that upon re-grade your mark may go down, stay the same, or go up.
- B. Attach to your written explanation your original assignment, including all of the original comments. Scan all documents and submit via email to your TA.

Communication

Email communication is rapid, convenient, and efficient—and you are encouraged to use it to enhance your learning and experience in the course. With that said, it is essential that you follow a few rules:

- All course communication should be conducted through Quercus or your utoronto account.
- All emails must include the course code (e.g., SOC 293) 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 hours of receipt.
- Treat emails as you would any other professional communication.
- Emails that ask questions that are answered in the course syllabus or website (e.g., “how much is assignment X worth”) will not receive a response.

Emails that do not follow these guidelines will not receive a response.

Academic integrity

Cheating and misrepresentation will not be tolerated. Students who commit an academic offence face serious penalties. Avoid plagiarism by citing properly: practices acceptable 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.

Students will be required to submit their course essays to Turnitin.com for a review of textual similarity and detection of possible plagiarism. Assignments not submitted through Turnitin will receive a grade of zero (0 %), unless a student instead provides, along with their position paper, sufficient secondary material (e.g., reading notes, outlines of the paper, rough drafts of the final draft, etc.) to establish that the paper they submit is truly their own. The alternative (not submitting via Turnitin) is in place because, strictly speaking, using Turnitin is voluntary for students at the University of Toronto.

Attendance

Students are responsible for all material covered in class and in the assignment readings.

Student resources

Accessibility. If you require accommodations or have any accessibility concerns, please visit <http://studentlife.utoronto.ca/accessibility> as soon as possible.

The University of Toronto is committed to equity and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect. As a course instructor, I will neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual in this course and wish to be alerted to any attempt to create an intimidating or hostile environment. It is our collective responsibility to create a space that is inclusive and welcomes discussion. Discrimination, harassment and hate speech will not be tolerated.

Course Schedule

Every attempt will be made to follow this schedule, but it is subject to change at the discretion of the instructor.

1) May 5: Introduction

- Sutton, John. 2001. Excerpt from Chapter 1, "An Introduction to the Sociology of Law." Pp. 8-13 in *Law/Society: Origins, Interactions, and Change*. Thousand Oaks, CA: Pine Forge. (Read from the heading "Law from a Sociological Perspective" and stop at "Law as an Institution.") <http://knowledge.sagepub.com.myaccess.library.utoronto.ca/view/law-society/n1.xml>

2) May 7: Theories #1: Marx

- O'Grady, B. & Gaetz, S. & Buccieri, K. "Tickets ... and More Tickets: A Case Study of the Enforcement of the Ontario Safe Streets Act." *Canadian Public Policy*, vol. 39 no. 4, 2013, pp. 541-558. <http://muse.jhu.edu.myaccess.library.utoronto.ca/article/534407>
- Western, Bruce and Becky Pettit. 2002. "Beyond Crime and Punishment: Prisons and Inequality." *Contexts* 1:37-43. <https://journals-sagepub-com.myaccess.library.utoronto.ca/doi/pdf/10.1525/ctx.2002.1.3.37>

3) May 12: Theories #2: Durkheim

- Excerpt, read 115-127: David Garland. 1991. "Sociological Perspectives on Punishment" *Crime and Justice*, Vol. 14, (1991), pp. 115-127 <http://www.jstor.org.myaccess.library.utoronto.ca/stable/1147460>
- Posner, Eric. 2015. "A Terrible Shame" *Slate Magazine*. http://www.slate.com/articles/news_and_politics/view_from_chicago/2015/04/internet_s_haming_the_legal_history_of_shame_and_its_costs_and_benefits.html

4) May 14: Theories #3: Legal Consciousness

- Silbey, Susan and Patricia Ewick. 2000. "The Rule of Law – Sacred and Profane." *Society* 37(6):49-56. <http://link.springer.com.myaccess.library.utoronto.ca/article/10.1007%2Fs12115-000-1023-0>
- 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/v24i001/1_tifstatod

5) May 19: Theories #4: Feminism and the Law

- Elizabeth A. Sheehy 1999. "Legal responses to violence against women in Canada." *Canadian Woman Studies* 19:62-73. <http://pi.library.yorku.ca/ojs/index.php/cws/article/viewFile/8081/7261>
- Unfounded: <https://www.theglobeandmail.com/news/investigations/unfounded-sexual-assault-canada-main/article33891309/>

6) May 21: Legal Education

Essay 1 Due at the Beginning of Class

- Granfield, Robert. 1986. "Legal Education as Corporate Ideology: Student Adjustment to the Law School Experience." *Sociological Forum* 1:514-523.
http://www.jstor.org.myaccess.library.utoronto.ca/stable/684650?seq=1#page_scan_tab_contents
- Laura Drake. 2010. "Getting into law school is harder than ever. Getting in has never been easy. But now, it's nearly impossible." *Macleans*.
<http://www.macleans.ca/news/canada/last-year-maybe-this-year-no-way/>

7) May 26: Legal Profession

- Sutton, John. 2001. Chapter 9, "The Transformation of Legal Practice in the Late Twentieth Century." Pp. 253-277 in *Law/Society: Origins, Interactions, and Change*. Thousand Oaks, CA: Pine Forge.
<http://knowledge.sagepub.com.myaccess.library.utoronto.ca/view/law-society/n9.xml>

8) May 28: Court Actors

- Blumberg, Abraham. 1967. "The Practice of Law as Confidence Game: Organizational Cooptation of a Profession." *Law & Society Review* 1:15-40.
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/3052933>
- Frohmann, Lisa. 1991. "Discrediting Victims' Allegations of Sexual Assault: Prosecutorial Accounts of Case Rejections." *Social Problems* 38:213-226.
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/800530>

9) June 2: Lawmaking

- Levi, Ron. 2009. "Making Counter-Law: On Having No Apparent Purpose in Chicago." *British Journal of Criminology* 49:131-149.
<https://academic-oup-com.myaccess.library.utoronto.ca/bjc/article/49/2/131/351689>

10) June 4:

Essay 2 Due at the Beginning of Class

Documentary movie TBA

11) June 9: Police

Peter J. Carrington and Jennifer L. Schulenberg. 2008. "Structuring Police Discretion: The Effect on Referrals to Youth Court." *Criminal Justice Policy Review* 19: 349.
<https://journals-sagepub-com.myaccess.library.utoronto.ca/doi/pdf/10.1177/0887403407307240>

Harcourt, Bernard. [2001] 2004. "Policing Disorder: Can We Reduce Serious Crime by Punishing Petty Offenses?." Pp. 416-423 in *The Social Organization of Law: Introductory Readings*, edited by A. Sarat. Los Angeles: Roxbury.
<http://www.bostonreview.net/us/bernard-e-harcourt-policing-disorder>

12) June 11: Final Test, on Quercus during class time (if you living are in a different time zone, contact the instructor ahead of time for arrangements)