

**University of Toronto, Sociology
SOC240H1-F Sociology of Law
Professor Ronit Dinovitzer
Fall 2021 Tuesdays, 12:10pm-2pm**

Instructor Information

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

Teaching Assistant(s):

TBA
Email:
Office hours: TBA and by appointment via Zoom

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. Attention will also 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 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.

Textbooks and Other Materials

The course relies on 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	Approx. 4 pages, TBA	Oct 19	27.5%
c. Essay 2	Approx. 4 pages, TBA	Nov 16	27.5%
d. Class Test	Online class test during class time	Dec 7	25%
e. Engagement	10 posts (pass/fail)	Ongoing	10%
f. Short writing	2 submissions	Ongoing	10%

Essays (27.5% 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 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.

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

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

Assignments not submitted through Ouriginal will receive a grade of zero (0%) unless students instead provide, along with their exams, sufficient secondary material (e.g., reading notes, outlines of the paper, rough drafts of the final draft, etc.) to establish that the exam they submit is truly their own. The alternative (not submitting via Ouriginal) is in place because, strictly speaking, using Ouriginal is voluntary for students at the University of Toronto.

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 (50-70 words). These short writing exercises will be graded on a pass/fail basis, 1% per submission. There are no make-up opportunities for these assignments.

Posts are due by 12pm (Toronto time) the day of each class, starting with Class #2. The post is meant to help you prepare for each upcoming lecture, so you will be posting based on the material we are covering that day before the class lecture for that topic.

Short Writing (10% (5% each))

Between Week 2 and Week 11, you will write two submissions that compare and contrast two weeks of readings. The point is not to compare each article in those two weeks, but to reflect on the two weeks of readings and identify points of convergence and tension. Each submission is to be no more than 300 words, and is worth 5% each (two submissions, for a total of 10%).

The idea here is to really show that you learned something new by bringing the two weeks together. The key to keep in mind is: what do I now know that I didn't know before? Or, how might researchers from week A think about the research in Week B? Would it surprise them? Why or why not? And so on. It's designed to get you to really think about whether

the readings hold up, require expansion, and so on, when you compare two topics in the course. Also important: It is not simply a summary of the two articles. The two weeks need to be engaged with each other!

If there was more than one article assigned in a week, you can choose which one you will reference. Please also include citations (not included in the word count). Paste your text DIRECTLY into the textbox on Quercus, no attachments. Please include the word count on your submission.

These short writing exercises will be graded on a low/pass/fail basis:

- If your answer is excellent you will receive 5 marks
- If your answer does not demonstrate that you did the reading, we will assign a grade of 0
- We will assign partial marks for answers that are competent

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 the instructor 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 instructor 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.

Absence Declaration: The University is temporarily suspending the need for a doctor's note or medical certificate for any absence from academic participation. Please use the Absence Declaration tool on ACORN found in the Profile and Settings menu to formally declare an absence from academic participation in the University. The tool is to be used if you require consideration for missed academic work based on the procedures specific to your faculty or campus. If a personal or family crisis prevents you from meeting a deadline, please have your college email the instructor

directly (it is a good idea to advise your college registrar if a crisis is interfering with your studies). **In addition to this declaration, you are responsible for contacting me to request the academic consideration you are seeking.** You will be notified by the University if this policy changes.

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 240) 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.

Normally, students will be required to submit their course essays to the University’s plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool’s reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University’s use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://uoft.me/pdt-faq>).

Assignments not submitted through Ouriginal 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 Ouriginal) is in place because, strictly speaking, using Ouriginal 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.

If required, the link for the Accommodated Testing Services (ATS):
<https://lsm.utoronto.ca/ats/>

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) Sept 14: 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) Sept 21: 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) Sept 28: Theories #2: Durkheim

- Excerpt, read **only** 122-127: 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) Oct 5: 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>
- 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 Press. http://web.mit.edu/ssilbey/www/pdf/making_things_public.pdf

5) Oct 12: 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>

6) Oct 19: 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) Oct 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>
- Dinovitzer, Ronit and Meghan Dawe. 2020. "Lawyers in Canada." Pp. 65-88 in Richard Abel and Ole Hammerslev (eds.) *Lawyers in 21st Century Societies: National Reports*. Hart Publishing. NOTE: Posted on Quercus

8) Nov 2: Documentary movie TBA

****Nov 9 FALL READING WEEK – NO CLASS

9) Nov 16: Court Actors

Essay 2 Due at the Beginning of Class

- 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>

10) Nov 23: Lawmaking

Ramos, Howard. "What causes Canadian Aboriginal protest? Examining resources, opportunities and identity, 1951-2000." *Canadian Journal of Sociology/Cahiers canadiens de sociologie* (2006): 211-234.
<https://www.jstor.org/stable/20058697>

Bonilla, T., & Tillery, A. (2020). Which Identity Frames Boost Support for and Mobilization in the #BlackLivesMatter Movement? An Experimental Test. *American Political Science Review*, 114(4), 947-962. doi:10.1017/S0003055420000544
<https://www.cambridge-org.myaccess.library.utoronto.ca/core/journals/american-political-science-review/article/which-identity-frames-boost-support-for-and-mobilization-in-the-blacklivesmatter-movement-an-experimental-test/AD0E73AF21C32FE03F1C0897456CC5C5>

11)Nov 30: 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>

Unfounded: <https://www.theglobeandmail.com/news/investigations/unfounded-sexual-assault-canada-main/article33891309/>

12)Dec 7: Online timed test during class time