



Western University
SOCIOLOGY 4455F-001
Theoretical Perspectives on the Sociology of Law
Fall 2016
Wednesday, 930-12:30, 5406 SSC

Instructor: Professor Dale Ballucci

Office Hours: Wednesday 12:30-2:00 pm or by appointment
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Course Description:

The purpose of this course is to examine the law as a product of social action, organizations, and processes. Contrary to the traditional legal approach, which views the law as a formal system of rules operating autonomously from society, this workshop treats law as a social institution. We will look at concepts and frameworks for thinking about law and legal process. We will explore classical and contemporary theoretical, and empirical developments in sociology and in the more inter-disciplinary area of socio-legal studies. The goal of this course is to understand how sociologists study law and to explain some of the patterns and dynamics of law in a variety of social settings. We will focus on: classical theoretical contributions to the sociology of law; selected writings from the contemporary sociology of law; and a selection of empirical themes of law and law-related processes to which sociological theories will be applied. This course places great emphasis on the gender, race, and the implantation and process of law. Upon completion of this course, students should understand the manner in which sociologists study law and empirically analyze relevant dynamics of law and law-related phenomena.

Required Text(s):

All readings will be made available to students on OWL or via email.

Prerequisites: Enrolment in fourth year of Honors Specialization in Sociology or Criminology.

Learning Outcomes:

By the end of this course, students should:

- be familiar with the sub-discipline of the sociology of law
- have an understanding of the connection between law and society
- be aware of the influence of race, ethnicity, gender, immigration status and social class on justice outcomes
- use knowledge on socio-legal theories to analyze contemporary problems in Canadian society.
- critically reflect on media reports concerning justice issues.

Method of Evaluation:

1. Final Paper Outline 15%
2. Participation/ Questions 25%
3. Conference Style Presentation 25%
4. Final Paper 35%

Evaluation Breakdown:

1. **Final Paper Outline (15%): Due Date: Oct 5, 2016**

This exercise is meant to give you feedback on your paper ideas. You are welcome to meet with the instructor to discuss an outline of their proposed term paper. It should be no more than two pages in length and it **must be** broken down into the following four (4) components:

1. Topic of study (legislation, policy and case law should also be described)
2. Thesis statement
3. Central texts that are to be considered (this **must** also include additional academic/scholarly readings such as journal articles or academic books)
4. Outline of your proposed argument

2. **Participation: Lead Discussion and Questions: (25%)**

This class will follow a seminar format. As a seminar, the success of this course depends on informed and engaged student participation. All students are expected to attend to class having done the readings and prepared for discussion. You **are** required to bring the reading material with you to class each week.

This proportion of your grade will reflect your efforts to contribute in meaningful ways to class discussions. To facilitate meaningful commentary you are required to prepare:

1. A brief summary: that highlights the key elements to the piece
2. Questions/ Points of Discussion: These can include, but are not exclusive to challenges raised in the piece, how the piece relates to, or diverts from other readings, or the strengths and limitations of the argument. The purpose is to illustrate that you are thinking about the piece and to get other to do the same. The amount of times a student is required to lead on an article will depend on class enrollment. Your presentation should be written, and delivered in a clear and comprehensive way. You will submit your summaries and questions/comments to me at the end of class.

10% of this grade will be reserved for your participation outside of the weeks you led on an article. I will evaluate not only how often you speak, but also the quality of your contributions. Your contributions should be informed by, and grounded in, the readings. Your attendance will also be reflected in this grade.

3. **Conference Style Presentation (25%)- Due Date: Week 13 and 14.**

Students are expected to prepare a 20-minute presentation of their paper to the class. This presentation is intended to simulate a conference presentation. This activity not only ensures that you are working diligently on your final paper throughout the course, but also helps structure your paper. A conference paper and presentation should have the following components.

1. An introduction to your topic that explains why your topic/research question is an important one.
2. Contextualizing your specific research question in the context of the field (sociology of law and the empirical field related to your topic)

3. Analysis section where you present your research and arguments
4. Integration of course material
5. Conclusion and Discussion points.

Your classmates and myself will ask you questions that you are expected to be able to answer. You will be evaluated on the content of your presentation (see the list above), your presentation style and how you respond to questions.

See Appendix

4. **Final Paper (35%) – Due Date- December 14, 2016.**

Papers are open to any empirical or theoretical issue that is germane to the course themes. Papers must be original, in that they will be written specifically for this course. They will be clearly organized and articulate a coherent argument. They must use the appropriate literature and sources that would normally be expected for a scholarly paper being prepared for publication. They will be no longer than 6,000 words in length, correctly referenced, using any one of the standard academic reference styles. The grading rubric for this assignment will be made available for you to consult. We will further discuss the requirements for this assignment during class.

See Appendix

How to Contact Me:

I can be contacted via email at dballucc@uwo.ca. Only emails that use proper etiquette will be answered. For example, a salutation is required. “Hello Professor Ballucci, Dr. Ballucci, or Dale” is acceptable. “Hey”, “Miss”, or the absence of a salutation is not acceptable. Also, no texting terminology is acceptable. Lastly, provide me with your name and the course and section you are emailing about. Also, please do not email me questions about course content or course procedures. I will take time in every class to answer these types of questions. There are, however, two main exceptions to this policy:

1. You are experiencing a personal emergency that I need to know about before the next class.
2. You want to make an appointment to see me.

I will give my best effort to respond to these emails within 24 hours.

How to get important information:

All relevant course material will be available in the course outline and in class. Course announcements and information may also be sent to your western email account.

Appendices

Appendix 1: Reading and Note Taking

READING LAW

Mechanics of reading and note taking:

Read the text and make notes (on a separate piece of paper) indicating what seem like the most important parts of the text. When you have gone through the text once, go back and take notes in outline form, by paraphrasing sentences or paragraphs until you have reduced the many pages of text to a few pages in your own words. (Make sure to keep an accurate citation to the work so that any future use of these notes and paraphrases can be appropriately cited.) Do not rely on underlining. Do not rely on highlighting. To “know” a text, you need to convert it into your own words and phrases and claims. The text needs to be processed several different ways. Underlining does not help you learn the material.

Analytical Reading:

- a. Classify the book or article according to kind and subject matter. Into what paradigm or research program (genre) does that work fit? What is the piece about as a whole?
- b. Define the specific problem or problems the author has tried to address. What question does the author claim to address? You might also want to think about how this reading fits into the course. Why did the instructor place the reading at this point in the course? What is the topic on the syllabus? How does this reading provide an answer or information for this topic?
- c. A theoretical statement proposes a relationship between elements of a process. What theoretical statements does the author make?
- d. What are the concepts and variables used? Become familiar with the author by defining key words. Know the details of the argument.
- e. How does the author’s argument / position compare with that of others who address the same question or related questions? Where are the points of similarity and difference?
- f. What normative statements (value judgments) does the author make? What values does the author assume readers will share? What assumptions does the author make that may be contestable?
- g. What is the author’s methodology? What constitutes data in this reading? Know the author’s arguments by finding them in, or constructing them out of, sequences of sentences.
- h. Determine which of the problems the author has solved and which she has not; and of those not solved, decide which the author knows he has failed to solve. If you disagree with the author, on what basis do you disagree? Is the author uninformed, misinformed, illogical, imprecise, or incomplete? Criticize fairly; do not pass judgment based on personal opinion, taste, or preference. Is the argument internally consistent? Does the data (both that presented by the author and other data in the field) support the argument?

Appendix 2: Conference Style Presentation and Paper Guidelines

Using the reading and note taking guidelines above will provide you with the analytical tools necessary to produce a strong paper and presentation. In preparing your paper consider the following questions.

1. What are the opposing arguments to this law/policy?
2. What motivates the support or contestation of the law/policy?
3. How would a Sociologist of Law understand the issues?
4. What would the theories from the text say about this law? Its purpose? Implementation?
5. What does this law try to regulate? Does this answer/explain why there is support or resistance for its implementation?
6. Why is there an absence of law to regulate particular behaviours?
7. What debates are there around this topic/issue?
8. What academic criticism can you provide?
9. What are some of the counter arguments? How compelling is the evidence presented?

General Guidance on Structuring Academic Term Papers

A good general rule when writing a social science term paper is to discuss each point of the argument you make in your paper in the following way:

(Stage 1) **Description:** show you understand the basic idea, premise and/or argument(s) made by the position or theory you are considering

(Stage 2) **Connections:** show how the different ideas, premises and/or arguments you are considering might relate to one another: how might they have similar thinking/understanding on the topic in question? Or, alternatively, how they might not be similar to one another?

(Stage 3) **Critical assessment:** show your sociological thinking by looking at what the issues, counter-arguments, alternative perspectives, etc. might be and then, looking at the issue under consideration for its formation) and ask yourself: what is it about them that might be problematic? (e.g. what might they assume?; what might be contentious in their 'understanding' of a particular issue?; what alternative explanations might there be?)

Many students spend too much time on the descriptive (i.e. Stage 1) part, a little on Stage 2 and then hardly anything (sometimes nothing at all) on Stage 3. To perform well on this 400 level paper, you need to demonstrate that you have also done the difficult analytical work involved in Stages 2 and 3 and can present it in a thoughtful and balanced exposition.

You should also strive to write your paper concisely, organize your exposition clearly, and use concepts accurately.

Appendix 3: Potential Research Topics

Below is a list of presentation topics; by no means is the list exclusive. I am open to hearing your areas of interest and will accept any topic that is relevant to the course objectives and content.

Pornography law	Sexual Assault Law (Response to sexual assaults)
Consent law	Rape, law and practice
Violence against woman	Foreign domestic workers
Racism and Inequality	Wrongfully convicted
Punishment and Sentencing	Euthanasia
Child Custody law	Gambling laws
Corporate Crime	Corporate crime
Terrorism law	Racial discrimination
How judges make decisions	Employment equity
Intellectual property	Aboriginal and treaty rights
Human rights law	Lesbian and gay rights
International Law	Domestic violence
Refugee and Immigration law	Environmental law
Human Trafficking	Child welfare

Important Policies

Policies for Assignment Deadlines:

All assignments are due on the dates noted. Late course work will only be accepted without penalty with appropriate documentation that has been approved by the Academic Counseling office. Coursework received after the due date will have their grade reduced by a rate of 5% per a day (including weekends). If an assignment is due at the end of a morning class (12:30) it will be considered one day late any time after 12:30 p.m. until 4:30 p.m. the following day).

A Note on Plagiarism:

Students must write their assignments in their own words. Whenever students take an idea from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major scholastic offence (the Scholastic Offence Policy can be viewed in the Western Academic Calendar).

Plagiarism Checking:

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (www.turnitin.com).

Examinations:

There will be no electronic devices allowed during tests and examinations.

Policy on Laptops and other Electronics/Phones in Class:

Laptops are permitted in class but if it is observed that students are on social networking sites such as Facebook or Twitter, they will be told to close the lid and they will not be permitted to use it for the remainder of the class. Be sure that all cell phones are turned off at the beginning of class.

Policy on Accommodation for Medical Illness:

Western's policy on Accommodation for Medical Illness can be found at www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_medical.pdf. Students must see the Academic Counsellor and submit all required documentation in order to be approved for certain accommodation: http://counselling.ssc.uwo.ca/procedures/medical_accommodation.html

Accessibility Options:

Please contact the course instructor if you require material in an alternate format or if you require any other arrangements to make this course more accessible to you. You may also wish to contact Services

for Students with Disabilities (SSD) at 661-2111 x 82147 for any specific question regarding an accommodation. Information regarding accommodation of exams is available on the Registrar's website:
www.registrar.uwo.ca/examinations/accommodated_exams.html

Scholastic Offences

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following web site:
www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf

Mental Health

Students who are in **emotional/mental distress** should refer to Mental Health@Western (http://uwo.ca/health/mental_wellbeing/index.html) for a complete list of options how to obtain help.