The University of Western Ontario  
SOCIOLOGY 4455  
Advanced Perspectives on the Sociology of Law  
Fall 2020  
Course offered REMOTELY due to COVID-19  
*I reserve the right to modify the course outline and readings  

Wednesday, 9:30-12:30  

Time Zone: All times on syllabus are in Eastern Daylight Savings Time/Eastern Standard Time  

Instructor: Dr. Ballucci, Assistant Professor  
Office Hours: Via Zoom (link and dates provided through OWL)  
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Email: dballucc@uwo.ca  

Staying well during the pandemic:  
This edition of the course is being offered remotely. Essentially that means that we would ideally be having the course in person but because we are not able to do so, we are making a rapid conversion to an online/digital format. Normally, an online course is designed with a team of experts over a long period of time; this edition of the course was rapidly converted over a few months. I hope for your understanding if there are some bumps along the road and I welcome your suggestions any time. We are trying to make the most of a difficult situation. For some useful tips and information on Western’s policies during the pandemic, please visit: https://www.uwo.ca/coronavirus/faqs.html  

COURSE INFORMATION  

Learning Type:  
Due to the impact of COVID 19, I have made several adjustments to the course outline to reduce the stress and challenges for students. Specifically, this course will be organized using modules, which will require less regular meetings, and increase student’s ability to work independently. This approach is intended to address the need for flexible learning during this time. This course will primarily consist of writing assignments, which are designed to encourage students to engage with the materials in a comprehensive way. Students are required to read and engage with the course material on a weekly basis. The course also requires students to work with one other student to fulfill the requirements for the written seminar module. We will NOT be meeting each week. Voluntary synchronous sessions will be held every 3 three weeks throughout the semester (with the exception of the first day of class on Sept. 9th). For this first day of class, I ask all students to attend via Zoom to ensure that we can review the course components, and I can address any questions and concerns.  

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.

Prerequisite(s):
Enrolment in fourth year of one of the Honours Specializations in Sociology or Criminology.

Antirequisite(s): None

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.

Required Text(s):
All readings will be made available to students on OWL or via email.

Voluntary Synchronous Zoom Classes and Schedule:
- With the exception of the first class, attendance at synchronous classes is voluntary. I will hold a synchronous meeting on the first day of class (Thursday Sept. 9th) to introduce you to myself. I have also scheduled four additional voluntary synchronous classes (via Zoom) throughout the term to touch base, review/discuss materials, and answer any questions that you may have about the course material and assignments. They will be held during the scheduled class time on Wednesday at 10:30-12:30 (4 in total over the term). The need for these meetings will be reviewed.
- Schedule Zoom Classes:
  - Wednesday September 16, 2020
  - Wednesday October 14, 2020
  - Wednesday November 11, 2020
  - Wednesday December 2, 2020

Voluntary Synchronous Zoom Office Hours:
- I will also be available for one-on-one (and group) office hours via Zoom, from 10:30-12:30 on the following dates:
  - Wednesday September 23, 2020
  - Wednesday October 21, 2020
3. Wednesday November 18, 2020
4. Wednesday December 9, 2020

Expectations for Zoom and Course Materials Interactions

- It is your choice to have your camera on or off during the synchronous sessions. You can also turn the camera on/off or leave the session as needed. There are several reasons why people may not to turn on their cameras, and it is important to respect this decision by your classmates.

- As an essential aspect of academic integrity, do not share any of the details – such as links, sign-in information, lecture videos and powerpoints) with anyone outside this section of the course.

Module Approach:
Each module assignment will allow you to learn about the concepts, theories and challenges in the Sociology of Law. The assignments will teach you about the discipline and help you further develop your academic skills. Throughout the course, you will be asked to complete learning activities and assignments that encourage you to reflect and critical engage with the course material. For each module (roughly 3 weeks of work), you can expect 60-80 pages of reading. It is important that you cover the required content assigned to each module, complete any assigned learning activities, and attend office hours if you have any questions or concerns about the course.

Method of Evaluation:
Module 1: 15 %, due date: September 30, 2020
Module 2: 25%, due date: October 28, 2020
Module 3: 25%, due date: November 25, 2020
Module 4 (Take Home Exam): 35%, due date: TBA.

Evaluation Breakdown and Requirements:

Module 1: What is the Sociology of Law? (15%)
Each student will read the course materials and complete the following written assignment. The assignment will be 4-5 double-spaced pages (excluding references). For this assignment, referencing the readings, please answer the following question: What, if anything, does sociology offer the understanding of law?

Module 2/3: Written Seminar (25% x 2 for each)
In the first week, students will choose two of the course topics; one for each module. In groups of two, students will be required to, using the readings, complete the following written assignment. The assignment will be 6-8 double-spaced pages (excluding references). Only one written submission will be required for the two students. You may choose the same or different partner for each module. Each assignment should be referenced, and include a complete bibliography. You are NOT required to use any additional readings. The components of the assignment are below:

First, to prepare, and complete the assignment each student will read all three articles and identify the issues raised in all three articles. Compare these notes and discuss your ideas. Some questions to think about include: what is the overall purpose of the articles? How are the authors framing the value of the
research? In other words, how do they answer the so what question? Why are the issues raised, and why are they important? What do the articles have in common? Are their differences in article perspectives? Do the perspectives compliment or compete with each other?

For the written assignment, begin with an introduction that informs the reader of the goals of the paper (this step does not need to be completed first), but it is what the end product should reflect.

The body of the paper should include a discussion on the key themes, problems or issues raised in the readings. Identify two, or three themes that overlap between the readings. To do this, read the articles, and consider the readings in relation to each other (and if applicable to readings discussed in previous seminars weeks), and review the notes and ideas you generated from your first meeting. For integrating the three articles with your partner consider how the articles are related. Are the ideas presented in the article complimenting each other? Do they present competing ideas? Do the arguments build on each other?

For the discussion and conclusion: briefly summarize your position and arguments. This section should also discuss issues and consideration for future research and ideas. Please provide two research questions, in this section, that generated from your discussion. These questions should aim to encourage critical and analytical thinking about the readings and the topic.

Your written assignment will be evaluated according to the quality of the themes identified, critical/analytical content of the paper ideas; and the quality and clarity of the writing.

Module 4: Take Home Exam( Research Paper) (35%)

The term paper requires you to engage in a critical analysis of a law or policy related using one of the topics of the course (these topic options are listed below). You must choose a different topic then you did for Module 2 and 3. This assignment requires you to take a critical perspective to law and policy making, which is germane to the course theme, and reflects the course material. More broadly, this exercise shows how law and policy on the books is different than law in action. Specifically, it allows you to understand the relationship between society, politics and policymaking.

What law or policy can I use?

Students are welcome to choose any law or policy of interest to them that is related to the topics listed in the course outline. Law aims to bring justice to society members and is administered through the courts. Laws set standards and principles and procedures. Policies are framed for achieving certain goals, or outline what government will not do. Policies are documents, and although they are not law, they can lead to law.

The paper on a policy or law must have the following components, and be supported by academic references. The below outline will also be the grading rubric for this assignment. The assignment will be graded out of 100 marks.

a. Introduction: Briefly discuss the law or policy you have chosen, and introduce the issues you will be discussing. 20 marks
b. Context and Debates: Discuss the history, its implementation, and the debates around its implementation. What are some of the extra-legal factors that influence the law or policy’s creation? For example, was there resistance? From who, or what (political party, activists
groups)? What was the justification for the resistance? What influenced the government to implement the policy? For example, was it due to changing social norms, rise of technologies, or economic inequality? *35 marks*

c. In your paper, include, a discussion on whether or not the law or policy resulted in the intended outcomes? Does the law or policy in its current form achieve the purpose or/and outcome intended? In this section, if relevant you can also discuss if the law and policy and changed over time. *25 marks*

d. Conclusion and Discussion points. This should NOT be a summary of your paper. Instead, use this section to reflect on the policy. This is a place where you can express your position, as long as it is grounded in the literature. *20 marks*

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. *You are required to use a minimum of three readings (you may use more) from the course, and 7 additional references.*

Research papers cannot exceed 8-10 double-spaced in length (excluding references). Your paper must be correctly referenced (including a bibliography/reference list), using any one of the standard academic reference styles. You can use whatever reference style you are most familiar with as long as you are consistent through the paper.

**Module Topics and Readings**
*Indicates required reading

*Week 1 (Sept 9): Introduction to the course: The only mandatory class of the course.*
Review course expectations outline, and discuss components of the course and assignments.

**Topic and readings for Module 1**

*Week 2 (Sept 16): What is the Study of the Sociology of Law?*


This session explores the themes we will encounter during the term. We will focus on the role that law plays in regulating social life. We also will look at the relationship between law and social science and social theory as well as at a number of significant issues that are emerging in legal and social theory at the beginning of this century. What is the connection between the rise of sociology, sociological jurisprudence, and the sociology of law?
Topics for Module 2, 3 and 4

*Students choose two of the following topics for your written seminar, and one for the term paper. Each topic must be different for each assignment.

**Topic 1: Neo-Marxist Conceptions of Law and Governance**


**Topic: Foucault, Law and Governance**


Foucault has had an immense impact on conceptualizations of power and sovereignty. What place does law hold for Foucault as a modality of social regulation? In what way is the idea of ‘petty sovereigns’ useful for conceptualizing governance today? Do you agree with the interpretation that there has been an expulsion of law in Foucault´s text?

**Topic: Law and Risk**


*Ericson, Richard and Aaron Doyle “Catastrophe Risk, Insurance and Terrorism” Economy and Society 33(2) 2004:135-173 [on line]

**Topic: Law and Knowledge**

*Pratt, Anna “Between a Hunch and a Hard Place: Making Suspicion Reasonable at the Canadian Border” Social and Legal Studies 19(4), 2010: 461- 480


**Topic: Law and Culture**


*Merry, Sally Engle, Rosen, Mihaela Serban; Levitt, Peggy; Yoon, Diana H. “Law from Below: Women’s Human Rights and Social Movements in New York City” Law and Society Review 44(1), 2010: 101-128.

**Topic: Feminism and Law**


*Razack, Sherene “Domestic Violence as Gender Persecution: Policing the Borders of Nation, Race and Gender” Canadian Journal of Women and the Law (45) 1995: 45-88.[on line]


* Students are to choose one of the two Razack articles. The issue of gender and legal knowledge did not emerge as a topic of study until the 1960s, and has remained marginal in the sociology of law. In what ways has law been used to regulate women’s bodies? What are the limits of a ‘social control’ approach to women and the law? In what ways have forms of feminism challenged law and led to revision of certain laws?

**Topic: Law, Racialization and Colonialism**


Questions of racism and racialization have been not been central to socio-legal studies until recently. How are law and racialization connected? How are law, race, and space connected? In what ways have forms of antiracist activism led to revision of certain laws?
**Topic: Legal Consciousness**


**Topic: Refugee Law**


**COURSE POLICY AND PRACTICES**

**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, or Dr. Ballucci” 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, the course and section (if applicable) that you are emailing about. Also, please do not email me questions about course content or course procedures. I have provided a very detailed syllabus, so please review it before emailing me. 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 during weekdays. I do not answer emails frequently over the weekend.

**How to get important information:**
All relevant course materials will be made available in the syllabus or through OWL. Course announcements and information will be sent to your Western email account via OWL.
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 (https://www.turnitin.com/).

Policies on Examinations
Electronic devices will be required to attend zoom calls. This course has a take home exam, where students are allowed to use the internet but must be VERY mindful not to plagiarize.

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:
https://counselling.ssc.uwo.ca/procedures/medical_accommodation.html.

Academic Consideration for Missed Work
Students who are seeking academic consideration for missed work during the semester may submit a Self-Reported Absence (SRA) form online provided that the absence is 48 hours or less and the other conditions specified in the Senate policy are met. Two important exceptions to this rule: SRAs will NOT be allowed for final examinations or assessments worth more than 30% of a given course. Students whose absences are expected to last longer than 48 hours, or where the other conditions detailed in the policy are not met (e.g., work is worth more than 30% of the final grade, the student has already used 2 self-reported absences, the absence is during the final exam period), may receive academic consideration by submitting a Student Medical Certificate (for illness) or other appropriate documentation (for compassionate grounds) to your Home Faculty Academic Counselling office.
All students pursuing academic consideration, regardless of type, must contact their instructors no less than 24 hours following the end of the period of absence to clarify how they will be expected to fulfill the academic responsibilities missed during their absence. Students are reminded that they should consider carefully the implications of postponing tests or midterm exams or delaying submission of work, and are encouraged to make appropriate decisions based on their specific circumstances.  

www.uwo.ca/univsec/pdf/academic_policies/appeals/Academic_Consideration_for_absences.pdf

**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 519 661-2111 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/academics/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: https://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 (www.uwo.ca/health/mental_wellbeing/index.html) for a complete list of options how to obtain help.