Graduate Sociology of Law-Sociol 408 - revised
Professor Robert L. Nelson; Winter 2021-Description and Syllabus, subject to change
2.28.21
T, Th 11-12:20; Remote-Synchronous, but recorded for Canvas
Office Hours: 2-3 pm Tuesday and by appointment

Description
This course is a general introduction to the sociology of law intended for graduate students in all disciplines. The course takes a critical empirical approach to the relationship between law and society, with an emphasis on law and inequality. The course will cover classic and contemporary works on central topics in the sociology of law, including the relationship between social theory, critical race theory, and law; the politics and social organization of disputes; legal pluralism and legal consciousness; law and inequalities of race, gender, and citizenship; the relation of law, rights, and social movements; law, employment rights, and organizations; and the role of litigants, lawyers, and judges as social actors.

Required Reading Materials
All required readings will be available through canvas or course reserves. We will read substantial portions of two books that may be purchased through Amazon or other outlets.


Course Requirements
1) active and prepared participation in class discussions, including leadership (30%); 2) a report on one of the recommended readings (a book or pair of articles)(30%); and 3) a term paper including a short oral report (40%).
The term paper may be either: (1) a critical review of the literature on some problem or issue in the sociology of law; (2) a small-scale study, which might turn out to be a pilot study for later research; or (3) a research design (proposal) for a future empirical study, e.g. a second-year paper, article, dissertation (this third option is appropriate only if the student has already done preliminary research and knows the literature on the topic). Students need to decide which type of paper they are writing and turn in a short description of their proposed papers in week 3.

Each class begins with a lecture, followed by a student-led discussion on the reading for the class; the class ends with one or more book reviews. I expect all seminar members to prepare and participate actively in discussions.

Note: Asterisk indicates tentative assignment as discussion leader.

Week 1: The Trajectory of the Sociology of Law

T January 12 Introduction: Toward a Critical Sociology of Law

Recommended

Th January 14: Legal Estrangement

Leaders: Ochoa, Shames

Week 2: Classical and Contemporary Theory in the Sociology of Law
T January 19 Durkheim, Weber, Marx, DuBois-read Cotterrell overview and any other two, treat others as recommended.


**Leader: Okai**

**Supplementary Readings**


Th January 21 Foucault, Williams, MacKinnon, Bourdieu (through Dezalay and Madsen), and Crenshaw-read any two, treat others as recommended

Michel Foucault, *Discipline and Punish: The Birth of the Prison* (1977) Ch 1, pp. 3-31; online copy available through library.

[https://babel.hathitrust.org/cgi/pt?id=mdp.49015000211756&view=1up&seq=21](https://babel.hathitrust.org/cgi/pt?id=mdp.49015000211756&view=1up&seq=21)


Leaders: Roswaldy, White, Okai

Supplementary Readings


Week 3 – Power, Legitimacy, Pluralism, and Legal Consciousness


Leaders: Kuo, Phillips

Recommended


E.P. Thompson, Excerpt from Whigs and Hunters


**Leaders: Kang, Mangum***

**Classics**


**Supplementary Readings**


Week 4 – Politics and Social Organization of Disputing-“Private” Injuries


Ch 1, pp. 1-30-The Social Production of Legal Knowledge; Ch 3, pp. 73-110- In Retort: Narratives versus Numbers.

**Leaders: Kang, Ouellet, Davis**

Recommended

Chs. 2 and 4 of Haltom and McCann

**Classic**

Th February 4: Selections from Haltom and McCann, Ch 6, pp. 183-226-Java Jive: Genealogy of a Juridical Icon; Ch 8, pp. 265-306-Law Through the Looking Glass of Mass Politics

Leaders: Ouellet, Novak-Herzog

Recommended

Chs. 5 and 7 of Haltom and McCann

Week 5 - Law and Inequalities – Race 1


Leaders: Esthappan, White

Recommended

Osagie K. Obasogie, *Blinded by Sight: Seeing Race Through the Eyes of the Blind*

Stanford University Press (2013)


Leaders: Lee, Roswaldy, Stallings

Recommended


https://heinonline.org/HOL/P?h=hein.beal/refpthwbs0001&i=1

Supplementary Reading

Week 6 – Law and Inequalities – Race/Ethnicity/Citizenship - 2


Leaders: Stallings, Mangum

Recommended

Jonathan Yovel and Elizabeth Mertz, “The Role of Social Science in Legal Decisions,” pp. 410-431, in Blackwell Companion

Supplementary Readings

Paul Butler, Chokehold: Policing Black Men (2018), available online through NU library.


Th February 18: Jamie G. Longazel, “Moral Panic as racial degradation ceremony: Racial stratification and the local-level backlash against Latino/a immigrants,” Punishment & Society 2013

Leaders: Kang*, Buyukakbus

Recommended


Jamie G. Longazel, Undocumented Fears: Immigration and the Politics of Divide and Conquer in Hazleton, Pennsylvania (Penn State U Press 2016)

Week 7 – Law, Rights, and Social Movements


Leader: Ochoa

Recommended

Wards Cove Packing Co. v. Atonio, 490 U.S. 642 (1989)-available online

The Rights Debate:


Classics


Leaders: Shames, Ochoa*

Recommended


Supplementary Material

Books:


**Week 8 - Employment Rights, Law, and Organizations**


**Leaders: Buyukakbas, Lee**

Recommended
Chs 1, 4 of Edelman


**Leaders: Kuo, Phillips**

Recommended
Chs 5, 7 of Edelman
Supplementary Material


Books


Week 9 - Lawyers and Social Structure


Leaders: Novak-Herzog, Esthappan, Davis

Recommended


**Classics**


**Th March 11** – Student Presentations: Elif, Clay, Sino, Alice, Elsinore

**Week 10** – Student Presentations

**T March 16** – Kristina, Hannah, Maya, Erin, Ewurama

**Th March 18** – Leah, Carson, Pepe, Michelle, Carrie, Luna