

POLS 4444: Law & Society

Spring 2018

Department of Political Science
Idaho State University

1 Instructor Information

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Office Hours: Tuesdays: 3:00-4:30,
Wednesdays: 1:30-3:00
and by appointment
Class Location: Rendezvous 118
Course Time: 1:00pm to 2:15pm TR

2 Course Description and Purpose

Law does not exist in a vacuum; rather it is influenced by the surrounding context, including people, politics, and social institutions. Of course, each society is also influenced by the laws it produces. This course explores this complex relationship in two major parts. First, we look at the actors, social forces, and governmental institutions that shape the law. In the second half of the class, we turn to the societal context to see how law and society interact in examples from contemporary society. Throughout the semester we will often employ case studies, where we take concepts we have discussed in class and apply them in order to highlight how the law impacts society and vice versa.

A key component of this class are your critical reading, writing, and organizational skills. Toward that end, we will read several scholarly articles over the course of the semester in addition to the more conventional textbook to help build your critical thinking skills. Since this course focuses on contemporary political and social phenomena, we will often draw upon podcasts. Since writing is a critical skill that is important regardless of your major or eventual career, you will produce a group research paper that explores the law & society in the context of a contemporary political issue. Feedback and direction will be provided on the research paper throughout the semester.

3 Course Format

This course is heavily readings based, from both the text book and supplemental materials available on Moodle. While the class is technically lecture based, I find class is more fun when we have a discussion rather than me talking for seventy-five minutes. Please come prepared to discuss the readings and with any questions you might have. It is okay if you don't understand them fully, but please come to class prepared to discuss the readings and with any questions you might have.

4 Requirements

Text

There are two required books, which the majority of our readings will come from. Other readings are posted on Moodle and are noted on the course schedule.

The books are available at the campus bookstore, although it is available at a *substantially* lower rate online. To this end, I provide the ISBN for the book below and have placed all of the first week's readings on Moodle to allow for shipping time. After the first week I expect you to have the book and bring it with you to class. Unfortunately, I will not be able to place the book on course reserve at the library.

1. Lippmann, Matthew R. 2015. *Law & Society*. Congressional Quarterly Press: Washington.
ISBN-10: 1412987547
ISBN-13: 9781412987547
2. LaVaque-Manty, Mika and Danielle LaVanque-Manty. 2015. *Writing in Political Science: A Brief Guide*. Oxford University Press: New York.
ISBN-13: 978-0-19-020393-1

Assessment¹

This course is worth 100 points which are broken up over several different items

- Exams: 35 points
 - Research Paper Assignment: 30 points
 - Synthesis Short Paper: 15 points
 - Quizzes: 10 points
 - Participation: 10 points
1. **Exams (35 points)**—There are two exams, the first is worth 20 points the second is worth 15 points. That is to say they are collectively worth three and a half letter grades. Exams will consist of short identification terms and essays. One week before the exam day, I will release the exam on Moodle. It will contain a number of essay questions and identification terms. By the due date, you must submit one completed essay question and five completed ID terms. You should note that if you are unable to take the exam at the scheduled time, the make-up exam will be a separate research paper.
 2. **Group Research Project (30 points)**— You will write a group research paper addressing a contemporary political issue in the context of law and society. The writing assignment will be broken up over several smaller assignments. Groups will be assigned based on shared interests in a topical area. Rest assured, you will have the opportunity to evaluate your fellow students' contributions to the project to deter free riders. For more information on the writing assignment please see the writing assignment handout which will be passed out on the first day of class and will also be available on Moodle.

¹This assessment scale only applies to undergraduates. Graduate students, please see the POLS 5544 Supplement for additional information.

3. **Synthesis Paper (15 points)**— It is possible to dive deeper into a number of the topics we discuss over the course of the semester and draw upon other readings to make a more complete account of any given topic. Select one of the topics listed on the Synthesis Paper handout (available on Moodle) and connect that reading to other relevant readings and the listed supplementary reading. More details can be found on the Synthesis Paper Supplement.
4. **Quizzes (10 points)**— Periodically throughout the semester I will administer unannounced quizzes. These quizzes will be given at the start of class and will consist of multiple choice, true or false, fill in the blank, and/or short answer items. They can cover anything previously discussed in class or anything from that day's readings. Quizzes will be passed out at exactly 1:00PM and no quizzes will be passed out after that time, so it is important to arrive to class on time. There will be a total of seven quizzes; I will take your top five quizzes over the course of the semester to compile your total quiz score (with each worth 2% of your final grade). Quizzes cannot be made up, therefore it is imperative you attend class regularly, read for class, and are on time for class.
5. **Participation (10 points)**— Class is more fun when it is not just me talking and I will accordingly call on students to provide summaries of the readings. I am aware, however, that not everyone is an outgoing person that enjoys talking. To this end, I consider active listening to be participation.

Assessment Scale

A: 93-100	A-: 90-92	B+: 87-89	B: 83-86	B-: 80-82	C+: 77-79
C: 73-76	C-: 70-72	D+: 67-69	D: 63-66	D-: 60-62	F: <60

An Important Note About Grades

I do not post grades to Moodle; instead, I maintain an offline gradebook. Since the course is worth 100 points, you can keep track of your performance in the class by noting your scores on exams and assignments. Because of federal student privacy laws, I cannot discuss grades via e-mail. If you need a grade check for whatever reason, please let me know via e-mail the day before you want that check.

Disclaimer

Since politics is a reflection of the society in which we live, we will cover several topics which touch on topics which might be sensitive. Some examples include rape culture, transgender rights, white nationalism, terrorism, and hate crimes. These topics are included because we cannot adequately study law & society without covering them. My personal policy is to remain neutral (I'm a political scientist, emphasis on the second word). I encourage disagreement, but it must be done in a respectful way. You have my assurance that I will do everything reasonably related to keeping these discussions academic.

5 Course Policies

Contacting the Instructor

I am happy to help you via e-mail, telephone, and in person. I have several office hours posted, if my office hours do not fit your schedule let me know and we can schedule a meeting at a time that is more convenient. If you come to office hours you should come prepared; bring your book and notes and read the material in advance. You can call me on my office phone if you like, but e-mail may be faster if I am away from my desk. If you contact me via e-mail, I will respond within 48 hours, though in most cases it will be less than six hours. However, in any e-mail you must identify yourself and use proper format which consists of an opening (As simple as the recipient's name), a closing (as simple as your name), and a descriptive message subject. If you do not follow that convention or if you use Internet shorthand (ie: "u" instead of "you,") I will not reply to the message.

Make-up Exams and Assignments

To qualify for a make-up test a student must notify me of the absence in advance via e-mail and provide documentation. Make-up exams will be a written research paper.

Papers are due in hard copy at the beginning of the class on the date indicated in the schedule. I will not accept e-mail copies or papers placed under my door. Please do not be afraid to print multiple rough drafts and revise them before turning them in. I am happy to look at drafts and help you with crafting your final paper. I do not accept excuses about dogs, computers, or traffic. Be responsible.

Technology in the Classroom

I understand that laptops and tablets have become the primary means of note taking for many of you. To this end, you are welcome to bring those devices to class. *However*, I ask that you only use them for class purposes. So, you can take notes and view the readings, but please do not browse the Internet or update Facebook in class. The screens are distracting to those around you and takes away from learning. No cell phones are permitted to be out in class without first notifying me of a valid reason (i.e.: You're waiting on a phone call/ your kids are home alone).

Particularly with new technology, some students opt to record lectures to compliment their notes. If you wish to do so, please let me know before you record me. You are more than welcome to record, I just want to know when/if I am being recorded.

Extra Credit

The only extra credit I offer is a one point bonus on each writing assignment for going to the writing center. Since the research paper is split over multiple assignments, you can potentially increase your letter grade. If you do so, you can potentially get a 4% bump in your final grade.

Academic Honor Code

Academic integrity is the expected norm for all academic activity at ISU, and all members of the ISU community are expected to act in accordance with this principle. Academic integrity is the pursuit of scholarly activity in an open, honest, and responsible manner. Consistent with this expectation is an ISU code of conduct that all students should act with personal integrity, respect other students dignity, rights and property, and help create and maintain an environment in which all can succeed through the fruits of their efforts. Academic integrity includes a commitment not to engage in or tolerate acts of deception, falsification, or misrepresentation. Such acts of dishonesty violate the fundamental ethical principles of the University community and compromise the worth of the work completed by others.

Plagiarism is an act of academic dishonesty and shall be dealt with according to ISU policy. Plagiarism is any misrepresentation of anothers work as your own. For example, copying portions of articles, papers, web pages, etc, or using portions of another persons work (either word for word or paraphrasing) without proper citations. If you have questions about plagiarism, please come talk to me, or refer to Plagiarism Statement written by the ISU Department of English and Philosophy: (<http://www.isu.edu/english/DeptDocs/PlagiarismStatement.pdf>).

I adhere to the University policy regarding academic misconduct and expect academic integrity. Academic misconduct will result in an “F” for the assignment, a possible “F” for the course, and the filing of charges with the University against the student involved. Academic misconduct includes, but is not limited to, taking credit for work done by others, cheating, and helping others to cheat. I encourage students to study together and exchange ideas and information, but you must do your own work when taking exams and completing writing assignments. If you are unclear on this topic, please let me know. I am happy to discuss it further.

Students with Disabilities

ISU is committed to providing equal opportunity in education for all students. If you have a diagnosed disability or if you believe you have a disability physical, learning, hearing, vision, psychiatric etc.) that might require reasonable accommodation in this course, please contact the Disability Services Center, Rendezvous Building, Room 125 (282-3599) or on the web at <http://www.isu.edu/ada4isu>. It is the responsibility of students to contact instructors during the first week of each semester to discuss appropriate accommodations. Of course any communication with me about disabilities remains strictly confidential.

Classroom Courtesy

Classroom courtesy is an essential component of creating an effective learning environment. All students have the right to learn without unnecessary distractions. These distractions include: cell phones, talking during lectures (unless recognized by the instructor), reading newspapers, falling asleep, etc. If you need a cell phone for emergency purposes, leave it on vibrate. Entering and leaving are also significant sources of distraction. It is your responsibility to be on time and to stay for the entire period. In circumstances where you need to leave early, tell the instructor beforehand. Repeated disruptions of class will lead to a reduction in your final grade.

Most importantly, class discussions of law will include several sensitive topics which can lead to strong feelings and heated debate. Because this is a college classroom, all discussion must be respectful and scholarly. This is to say you must be respectful, in both content and tone, of diverse opinions and not make personal or partisan attacks.

Acceptable Comments

- are respectful of diverse opinions and open to follow up questions and/or disagreement
- are related to class and/or the course material
- focus on advancing the discussion about issues related to the course and/or course material rather than personal beliefs, and
- are delivered in normal tones and a non-aggressive manner.

Unacceptable Comments

- are personal in nature. This includes attacks on a person's appearance, demeanor, or political beliefs.
- include interrupting the instructor or other students. Raise your hand and wait to be recognized.
- often use the discussion to argue for political positions and/or beliefs. If political discussions arise, they must be discussed in a scholarly way (see above).
- may include using raised tones, yelling, engaging in arguments with other students and being threatening in any manner.
- include ignoring the instructor's authority to maintain the integrity of the classroom environment.

Syllabus Change Policy

This syllabus is a guide for the course and is subject to change with advanced notice. These changes may come via e-mail. Make sure to check your university supplied email regularly. You are accountable for all such communications.

6 *Tentative* Course Schedule

A few notes about reading the course schedule:

- “*Lippman*” refers to the required Lippman book
- “(M)” means that reading can be found on Moodle
- “AUDIO” means that reading is a podcast and can be found on Moodle
- “VIDEO” means that reading is a video and can be found on Moodle

Course Introduction

Tuesday January 9– Introduction to the Course

- *No readings*

The Role of Law in Society

Thursday January 11– What is the Law?

- Lippman: Chapter 1

Tuesday January 16– Theories of Law

- Lippman: Chapter 2

Making the Law Happen: Formal Institutions

Thursday January 18– Courts & Judicial Preferences

- Lippman: Chapter 3 (69-96)
- Baum, Lawrence. 1994. “What Judges Want: Judges’ Goals and Judicial Behavior.” *Political Research Quarterly*. 47(3):749-768. (M)

Tuesday January 23– The Executive & the Police

- Samuels: Chapter 9 (M)

Tuesday January 25– Policing Styles

- Embedded. “When It Comes to Policing LAs Skid Row, What Tactics Work?” *WNYC Radiolab*. April 21, 2016. (AUDIO)
- *Guest lecture: Captain Cliff Kelley, Pocatello Police Department*

Tuesday January 30– Courts in Practice

- Selections from: Rosenberg, Gerald N. 1991. *The Hollow Hope: Can Courts Bring About Social Change?* University of Chicago Press. (M)

Thursday February 1– Legislatures

- Lippman Chapter 3 (96-123)

Tuesday February 6– Library Research Tutorial

- *Class meets in Library– exact room to be announced*

Thursday February 8– Social Movements

- Adams, Tony. 2008. “Frames of Homosexuality: Comparing Los Angeles Times Coverage of California’s Proposition 6 (1978) and Proposition 8 (2008).” *Sexuality and Culture*. 17: 213-228. (M)
- Kane, Melinda D. 2010. “You’ve Won, Now What?: The Influence of Legal Change on Gay and Lesbian Mobilization, 1974-1999.” *Sociological Quarterly*. 51:255-277. (M)

Tuesday February 13– Lawyers

- Lippman: Chapter 4

Thursday February 15– Cause Lawyers

- More Perfect. “The Imperfect Plaintiffs.” *WNYC Radiolab*. June 28, 2016. (AUDIO)

Making Legal Change Happen: Formal and Informal Routes

Tuesday February 20– The Civil Rights Movement

- Thurmond, Strom. 1956. “The Southern Manifesto.” *Congressional Record*. (M)
- Selections from: Lewis, John. 1999. *Walking With the Wind: A Memoir of the Movement*. Mariner Books: New York. (M)
- George Wallaces 1963 Inaugural Speech (M)
- Selections from Landsberg, Brian K. 2007. *Free at Last to Vote: Alabama and the Origins of the Voting Rights Act*. University of Kansas Press: Lawrence, KS. (M)

Thursday February 22– Race & Politics Today

- Stevenson, Bryan. 2012. “We Need to Talk About Injustice.” *TED Talks*. (VIDEO)
- Solorzana, Daniel, Miguel Ceja, and Tara Yosso. 2000. “Critical Race Theory, Racial Microaggressions, and Campus Racial Climate: The Experiences of African American College Students.” *Journal of Negro Education*. 69:60-73. (M)
- Yancy, George and Judith Butler. 2015. “Whats Wrong With ‘All Lives Matter?’” *New York Times*. January 12, 2015. (M)

Tuesday February 27– The Women’s Rights Movement

- Samuels: Chapter 12 (291-306) (M)
- Constitutional. 2017. “Gender.” *The Washington Post*. (AUDIO)

Thursday March 1– The Abortion Debate

- Excerpts from: Epstein, Lee and Thomas Walker. 2016. *Constitutional Law for a Changing America: Civil Rights & Liberties*. (M)
- Only Human. “One Doctors Mission: Safe Abortions in the South.” *WNYC Radio*. February 2, 2016. (AUDIO)

Thursday March 6– Rape Culture

- Hayes, Rebecca M., Rebecca L. Abbott, and Savannah Cook. 2016. “Its Her Fault: Student Acceptance of Rape Myths on Two College Campuses.” *Violence Against Women*. XX: 1-16. (M)
- Barber, Kristen and Kelsey Kretschmer. 2013. “Walking Like a Man?” *Contexts*. 12:40-45. (M)

Tuesday March 13– Rape Culture & #metoo

- Zacharek, Stephanie, Eliana Dockterman, and Haley Sweetland Edwards. 2017. “Person of the Year 2017: The Silence Breakers.” *Time*. (M)
- Statements of Brock Turner, His Victim, and Others (M)

Thursday March 15– Intersectionality

- Crenshaw, Kimberlee. 2016. “The Urgency of Intersectionality.” *TED Talks* (VIDEO)

Tuesday March 20– **NO CLASS: SPRING BREAK**

Thursday March 22– **NO CLASS SPRING BREAK**

Tuesday March 27– Gay Rights

- Gilreath, Shannon and Lydia E. Lavelle. 2016. “Treatment of LGBT, Questioning, and Gender Non-Conforming Youth.” In: *Sexual Orientation and Identity: Politics and Legal Analysis*. St. Paul, MN: West Academic Publishing. (M)
- Sherkat, Darren E., Kylan Mattias De Vries, and Stacia Creek. 2010. “Race, Religion, and Opposition to Same-Sex Marriage.” *Social Science Quarterly*. 91:80-98. (M).

Thursday March 29– LGBTQ Discrimination

- Levitt, Heidi M. et al. 2009. “Balancing Dangers: GLBT Experience in a Time of Anti-GLBT Legislation.” *Journal of Counseling Psychology*. 56:67-81. (M)
- Browne, Katherine and Catherine J. Nash. 2014. “Resisting LGBT Rights Where ‘We Have Won’: Canada and Great Britain.” *Journal of Human Rights*. 13(3):322-336.
- Only Human. 2016. “I’d Rather Have a Living Son Than A Dead Daughter.” *WNYC Radiolab*. (AUDIO).

Tuesday April 3– Immigration

- Reveal. “No Country for Sanctuary Seekers.” *Center for Investigative Reporting* (AUDIO)
- Valentino, Nicholas A., Ted Brader, and Ashley E. Jardina. 2013. “Immigration Opposition Among U.S. Whites: General Ethnocentrism or Media Priming of Attitudes About Latinos?” *Political Psychology*. 34:149-166. (M)

Thursday April 5– **NO CLASS MPSA CONFERENCE**

Tuesday April 10– Guns

- More Perfect. “The Gun Show.” *WNYC Studios*. (AUDIO)

Thursday April 12– White Nationalism

- Al Letson Reveals. “A Frank Conversation with a White Nationalist.” *Center for Investigative Reporting*. (AUDIO)
- Perry, Samuel L. and Andrew L. Whitehead. 2015. “Christian Nationalism and White Racial Boundaries: Examining Whites’ Opposition to Interracial Marriage.” *Ethnic and Racial Studies*. 38(10):1671-1689. (M)

Tuesday April 17– Economic Class - Galanter, Marc. 1974. “Why the ‘Haves’ Come Out Ahead: Speculations on the Limits of Legal Change.” *Law & Society Review*. 9:95-160. (super edited version).(M)

- Reveal. 2017. “If You Can’t Afford a Lawyer.” *Center for Investigative Reporting*. (AUDIO)

Thursday April 19– Social Movements in Action: Immigration Law

- Guest speaker: Melanie Gleason, JD, Attorney on the Move

Tuesday April 24– Fake News

- Reveal. 2017. “A Slice of Fake News.” *Center for Investigative Reporting*. (**AUDIO**)
- Shellenbarger, Sue. 2016. “Most Students Don’t Know When News is Fake, Stanford Study Finds.” *Wall Street Journal*. (**M**)
- De keersmaecker, Jonas and Arne Roets. 2017. “Fake news: Incorrect, but hard to correct. The role of cognitive ability on the impact of false information on social impressions.” *Intelligence*. XX:1-4. (**M**)

Tuesday April 24– **CATCH UP DAY:**

- *Class may or may not meet*

Final Exam: Tuesday May 1 12:30pm to 2:30pm in our normal classroom