

McGill University
Prof. Jason Carmichael
Fall 2015
Location: McConnell Engineering Building 11
Time: T – TH: 2:35-3:55

Sociology 395

Sociology of Law

Instructor: Jason T. Carmichael
Office: 814 Leacock Building
Office Hours: Mondays 12:30-2:00
Phone: office: 514-398-6838; Sociology main office: 514-398-6948
E-mail: jason.carmichael@mcgill.ca

Teaching Assistant and office hours:

- 1) Qiaoling He – email: qiaoling.he@mail.mcgill.ca
Office Hours: Monday 1-2 in Leacock 822a

COURSE DESCRIPTION

Broadly speaking, the course will explore sociological understanding of law, legal institutions, and ‘law in action’. The course will provide students with an overview of the role that law plays in modern society. We will examine how the law not only shapes society but is itself transformed by societal shifts. The first part of the course will explore major historical and theoretical traditions within the law with an emphasis on relevant theoretical statements by core social thinkers such as Durkheim, Marx, and Weber as well as more contemporary sociological scholars. We will examine how these theories continue to influence our understanding of the law today. The second part of the course draws from both theoretical and empirical work to assess the ways in which the law serves as a form of social control, produces and reproduces inequality in society, and finally considers the possibility that law can act as a vehicle for social change. In the second part of the course, we will examine the “law in action” by focusing on the social, political, economic and cultural contexts of law rather than the “law on the books”.

COURSE OBJECTIVES

- To help students understand and apply the sociological perspective when formulating their understanding of the law
- To increase student appreciation of the complex web of social factors at play within the law and legal institutions.
- Offer possible answers to important questions about law and society. Among others: Why do we need laws? What is the role of law in society? In whose interest is the law designed? Are all citizens equal under the law or do some benefit disproportionately? Why do individuals obey the law? Why do we punish lawbreakers? What is the relationship between the law and social values and norms?

REQUIRED TEXTS

There are two required texts (Available at Paragraph Bookstore on Sherbrooke and McGill College):

- Vago, Steven and Adie Nelson (2014) *Law and Society* 4th Edition. Pearson.
- Black, Donald. (1993) *Sociological Justice*. Oxford University Press.

Note: Additional readings will be assigned throughout the semester. These readings will be assigned in the class period before the topic is to be discussed. All additional readings will be available on the MyCourses site for this course the day they are assigned.

COURSE REQUIREMENTS

Your grade will be based on the following:

Midterm Exam 35%

NOTE: THE MIDTERM WILL TAKE PLACE ON October 15th

Final Exam 45%

Note: Final will take place during the normal exam period

Exams: Questions on the exams will consist of predominantly multiple-choice questions but **MAY** contain fill in the blank, true-false or short essay questions. The midterm and final exam may not be the same format. The specific format breakdown will be given to you prior to the exams. All material in the course including, readings, lectures, movies, discussions material are likely to be included in the exams.

Term Paper: (5-6 pages). **20% of Final Grade:** All students will read the same book and write a review/theoretical development article on it.

Paper topic: The paper will be a critical book review of *Wayward Puritans* by Kia Erickson. This paper is not a simple summary of the book, but must include an expansive integration of course material. In particular, those who choose this option should extensively integrate the theoretical (sociological) elements discussed in class and in the texts. Excerpts of the text will be placed on WebCT. The full text should be purchased online or obtained through the library.

TERM PAPERS DUE ON NOVEMBER 26TH. THEY MUST BE TURNED IN DURING THE CLASS. ANY PAPERS TURNED IN AFTER THE END OF THE CLASS WILL BE MARKED DOWN AS FOLLOWS: Best Possible Grade on the paper: The evening after class – A-; the next day – B+, the day after that – a zero.

Paper must be double-spaced, standard size font (12 point) and 1 inch margins. If you have difficulties writing (technically), I highly recommend using the writing center services in the main library.

Grading is as follows:

Grade	Grade Point	Percentages
A	4.0	85-100
A-	3.7	80-84
B+	3.3	75-79
B	3.0	70-74
B-	2.7	65-69
C+	2.3	60-64
C	2.0	55-59
D (Conditional Pass)	1.0	50-54
F (Fail)	0.0	0-49

CLASS RULES

1. Late (makeup) exams generally will only be allowed under the most severe situations. A doctor's note does NOT guarantee that a student can receive a make-up exam.
2. In the event you will be allowed to take a make-up exam, the format of the exam may differ in both content and format.
3. Attendance is strongly encouraged as most of the course materials will be explained more fully in class and some material is covered only in class. Students are responsible for all information provided in lecture, reading, and class discussions. If you must miss class, be sure to get notes *from someone else in class*.
4. Academic misconduct (i.e. cheating, plagiarism) will not be tolerated. Suspected infractions will be forwarded to the university's academic misconduct office for review.
5. ***Open classroom policy*** - Students should feel free to express their opinions in class. However, state your opinion in a socially responsible way. I'm not asking you to be "politically correct" just responsible, respectful citizens. I will not always agree with your opinions and I do not expect that you will always agree with mine. This is OK! The university is a place where ideas should be exchanged and debated. We must, however, be sure to maintain a spirit of mutual respect within the classroom at all times.
6. **The use of laptop computers is encouraged as a tool to assist in taking lecture notes or accessing MyCourses but do NOT use them during class to do any of the following: chat with friends, watch movies, surf the web, explore Facebook or any other none-academic activity. Those who do will be asked to leave the class.**
7. **If you feel you have been graded unfairly on an exam and would like to have it reviewed, write a one-page summary detailing the error/inconsistency. Note: Upon review, your grade may either increase or Decrease. The first review will be done with the TA. If, after this review, you still feel the grade is not acceptable, bring it to me for review.**

COURSE SCHEDULE

Note: Flow of the course may be altered over the term depending on how we progress through topics. Readings listed below are only from the course textbooks. Articles will be added throughout the term.

<u>Date</u>	<u>Topic</u>	<u>Assigned Readings</u>
Week 1:		
Sept. 8	Introduction to course	
Sept. 10	Intro to the Sociology of Law	Vago and Nelson Ch. 1
Week 2:		
Sept. 15	Intro to the Sociology of Law (cont)	Vago and Nelson Ch. 2
Sept. 17	Theoretical Perspectives	
Week 3:		
Sept. 22	Theoretical Perspectives (Cont)	2-3 Articles for each theorist on WebCT
Sept. 24	Theoretical Perspectives (Cont)	
Week 4:		
Sept. 29	Theoretical Perspectives (Cont)	2-3 Articles for each theorist on WebCT
Oct. 1	Theoretical Perspectives (Cont)	
Week 5:		
Oct. 6	Theoretical Perspective (Cont)	
Oct. 8	Overview of Canadian CJ System	Vago Ch. 3
Week 6:		
Oct. 13	Overview of Canadian CJ System and REVIEW FOR MIDTERM	
Oct. 15	MIDTERM EXAM	
Week 7:		
Oct. 20	The Legal Profession	Vago Ch. 8
Oct. 22	Lawmaking	Vago Ch. 4
Week 8:		
Oct. 27	Lawmaking	Movie (Prohibition)
Oct. 29	Law and Social Change	Vago Ch. 7
Week 9:		
Nov. 3	Law and Social Control	Vago Ch. 5
Nov. 5	Sociological Justice	Donald Black
Week 10:		
Nov. 10	Sociological Justice	Donald Black
Nov. 12	Sociological Justice	Donald Black
Week 11:		
Nov. 17	Law in Action	TBA
Nov. 19	Law in Action	TBA
Week 12:		
Nov. 24	Law in Action	TBA
Nov. 26	Law in Action	TBA

Week 13:

Dec. 1	Law in Action	TBA
Dec. 3	Law in Action	TBA

TBA: each week I will assign reading for the next week. The readings will be assigned in class.

Additional Points:

- 1) McGill University values academic integrity. Therefore, all students must understand the meaning and consequences of cheating, plagiarism and other academic offences under the Code of Student Conduct and Disciplinary Procedures (see www.mcgill.ca/students/srr/honest/ for more information).**

L'université McGill attache une haute importance à l'honnêteté académique. Il incombe par conséquent à tous les étudiants de comprendre ce que l'on entend par tricherie, plagiat et autres infractions académiques, ainsi que les conséquences que peuvent avoir de telles actions, selon le Code de conduite de l'étudiant et des procédures disciplinaires (pour de plus amples renseignements, veuillez consulter le site www.mcgill.ca/students/srr/honest/).

- 2) In accord with McGill University's Charter of Students' Rights, students in this course have the right to submit in English or in French any written work that is to be graded.**

Conformément à la Charte des droits de l'étudiant de l'Université McGill, chaque étudiant a le droit de soumettre en français ou en anglais tout travail écrit devant être noté (sauf dans le cas des cours dont l'un des objets est la maîtrise d'une langue).

- 3) In the event of extraordinary circumstances beyond the University's control, the content and/or evaluation scheme in this course is subject to change.**
- 4) If you have a disability that requires special accommodations please contact the instructor to arrange a time to discuss your situation. It would be helpful if you contact the [Office for Students with Disabilities](#) at 514-398-6009 before you do this.**