

Course Syllabus

Course title: Law and Social Control

Course number: CRJ 704

Semester: Spring 2016

Professor: Department of Criminal Justice, UNLV

Email:

Phone:

Location and Time: CRJ conference room; TH: 11:30am-2:15pm

Office Location and Hours: 10-11:20am; TH: 9-11:20am

STUDENT LEARNING OBJECTIVES:

Upon completion of this class, students are expected to define, discuss and apply the following concepts/issues:

- Definitions and functions of law
- Theories of law and society
- Methods of socio-legal inquiries
- Process and rationale of lawmaking
- Law and social control
- Law and procedural justice
- Law and dispute resolution
- The effect of law on social change and social change on law
- Law and the legal profession (role of lawyers and its effects on case outcomes)
- Law and the death penalty

COURSE DESCRIPTION

Law has increasingly permeated all forms of social behaviors in the past century. Through its coercive and regulatory functions, law controls and manages almost all aspects of public and private matters in modern societies. This course examines some of the fundamental issues regarding law and social control (e.g., nature of law, law's functions and effectiveness in modern society). In particular, it focuses on the relationship between law and society. It surveys major theoretical and methodological perspectives in the sociology of law, lawmaking, law as an agent of social control, the role of law in dispute resolution, and its effect on social change. Citing both the classic and the most current socio-legal research, this graduate seminar course familiarizes students with these essential concepts of law and social control, and enables students to critically think about some of the most pressing issues (e.g., procedural justice, capital punishment, alternative

dispute resolution, race, ethnicity, and law) related to socio-legal studies. Moreover, this course applies the socio-legal theories to explain issues recently emerged (e.g., cyber crime, terrorism) in this increasingly globalizing context of politics, economy, society, and culture.

COURSE MATERIALS

- (1) Required readings (listed in the Course Schedule and Assignments section of this course syllabus and available for downloading on WebCampus)
- (2) Library and information resources

The UNLV library (<http://www.library.unlv.edu/>) has various online databases that are useful for conducting further research on issues related to this class, particularly for the research paper. The following databases are most relevant and useful for this class:

- a. Criminology – A Sage Full-Text Collectoin
- b. Lexis-Nexis Academic Full Text
- c. Scholar.google.com

EVALUATION AND GRADING POLICY:

Students are expected to complete the following tasks to earn a grade in this course. Detailed requirements and due dates are stated in the Course Schedule and Assignments section of this course syllabus.

There are a total of 800 points possible in this class.

Assignment	Number of Assignment	Points for each assignment	Total Points for each assignment
Assignments	6	10	60
Class participation	2	20	40
Presentation	1	100	100
Midterm Essay Exam	1	200	300
Paper	1	200	300

Grading scale:

A=93% or better; A-=90-93%; B+=87% or better; B=84%-86%; B-=80%-83%; C+=77% or better; C=74%-76%; C-=70%-73%, etc.

The Facione and Facione Holistic Critical Thinking Scoring Rubric (1994) will be used to grade written assignments in this class. It involved four levels of proficiency (A, B, C, and D with pluses and minuses). Written assignments that do not follow the instructions, for example, answers did not address the questions, failed to meet the length requirement substantially, will result in an F grade.

Level A	<p>Consistently does all or almost all of the following:</p> <p>Accurately interprets evidence, statements, graphics, questions, etc. Identifies the salient arguments (reasons and claims) pro and con. Thoughtfully analyzes and evaluates major alternative points of view. Draws warranted, judicious, non-fallacious conclusions. Justifies key results and procedures, explains assumptions and reasons. Fair-mindedly follows where evidence and reasons lead.</p>
Level B	<p>Does most or many of the following:</p> <p>Accurately interprets evidence, statements, graphics, questions, etc. Identifies relevant arguments (reasons and claims) pro and con. Offers analyses and evaluations of obvious alternative points of view. Justifies some results or procedures, explains reasons. Fair-mindedly follows where evidence and reasons lead.</p>
Level C	<p>Does most or many of the following:</p> <p>Misinterprets evidence, statements, graphics, questions, etc. Fails to identify strong, relevant counter-arguments. Ignores or superficially evaluates obvious alternative points of view. Justifies few results or procedures, seldom explains reasons. Regardless of the evidence or reasons maintains or defends views based on self-interest or preconceptions.</p>
Level D	<p>Consistently does all or almost all of the following:</p> <p>Offers biased interpretations of evidence, statements, graphics, questions, information, or the points of view of others. Fails to identify or hastily dismisses strong, relevant counter-arguments. Ignores or superficially evaluates obvious alternative points of view Argues using fallacious or irrelevant reasons, and unwarranted claims. Regardless of the evidence or reasons, maintains or defends views based on self-interest or preconceptions. Exhibits close-mindedness or hostility to reason.</p>

DETAILED COURSE SCHEDULE AND ASSIGNMENTS

<p><u>Week 1</u></p> <p><u>1/21</u></p>	<p>(1) Download and print all articles from WebCampus (2) Review syllabus (3) Pretest (4) Introduction</p>
<p><u>Week 2</u></p> <p><u>1/28</u></p>	<p><u>What is law; Law and social control</u></p> <p>Reading 1: Lippman M. (2015). Chapter 1 An Introduction to Law and Society.</p> <p>Reading 2: Lippman M. (2015). Chapter 2 Theories of Law and Justice</p> <p><u>Assignment 1 (Due before class on Webcampus; bring a hardcopy to class for discussion)</u></p>
<p><u>Week 3</u></p> <p><u>2/4</u></p>	<p><u>Theory of law and society</u></p> <p>Reading 3: Fuller, L. 1949. The case of the Speluncean explorers. Harvard Law Review 62. http://www.nullapoenade/stud/explorers.html</p> <p>Reading 4: Nelson, W.E. (2003-2004). Brown v. Board of Education and the jurisprudence of legal realism. <i>St Louis University Law Journal</i>, 48: 795-815.</p> <p><u>Assignment 2</u></p>
<p><u>Week 4</u></p> <p><u>2/11</u></p>	<p><u>Methodologies in the study of law and society; Law and Social Change</u></p> <p>Reading 5: Stoddard, T.B. (1997). Bleeding heart: Reflections on using the law to make social change. <i>New York University Law Review</i>, 1-19.</p> <p>Reading 6: Rosenberg, G.N. (1991). The dynamic and the constrained court. In Rosenberg, G.N., <i>The hollow hope: Can courts bring about social change?</i> (pp.9-36). Chicago, IL: The University of Chicago.</p> <p>Reading 7: Reading 4: Roby, P.A. (1969). Politics and criminal law: Revision of the New York State Penal Law of Prostitution. <i>Social Problems</i>, 17.</p> <p><u>Assignment 3</u></p>
<p><u>Week 5</u></p> <p><u>2/18</u></p>	<p><u>Legal profession: Access, ethics and regulation</u></p> <p>Reading 8: Rhode, D. L. (2000). Lawyers and their discontent. In Rhode, D.L., <i>In the Interests of Justice: Reforming the Legal Profession</i> (pp.23-48). Oxford, UK: Oxford University Press.</p> <p>Reading 9: Hull, K. (1999). The paradox of the contented female lawyer. <i>Law & Society Review</i>, 33: 687-702.</p>

	<p>Reading 10: Freeman, M. 1966. Professional responsibility of the criminal defense lawyer: The three hardest questions. <i>Michigan Law Review</i> 64: 1469-1484.</p> <p><u>Assignment 4</u></p>
<p><u>Week 6</u></p> <p><u>2/25</u></p>	<p><u>Legal Profession: Effectiveness</u></p> <p>Reading 11: Grossman, J.B., Macaulay, S. & Kritzer, H. (1999). Do the 'haves' still come out ahead? <i>Law & Society Review</i>, 33: 803-810.</p> <p>Reading 12: White, W.S. (2005). Effective assistance of counsel in capital cases. In White, W.S., <i>Litigating in the shadow of death: Defense attorneys in capital cases</i> (pp.2-12). Ann Arbor, MI: University of Michigan Press.</p> <p><u>Assignment 5</u></p>
<p><u>Week 7</u></p> <p><u>3/3</u></p>	<p><u>Disputes and law – Litigation explosion, adjudication and mediation</u></p> <p>Reading 13: Engel, D.M. (1987). The ovenbird's song: Insiders, outsiders, and personal injuries in an American community. <i>Law & Society Review</i>, 18: 551-582.</p> <p>Reading 14: Galanter, M. (1988). Beyond the litigation panic. <i>Proceedings of the Academy of Political Science</i>, 37: 18-30.</p> <p>Reading 15: Roehl, J.A. & Cook, R.F. (1985). Issues in mediation: Rhetoric and reality revisited. <i>Journal of Social Issues</i>, 41: 161-178.</p> <p><u>Assignment 6</u></p>
<p><u>Week 8</u></p> <p><u>3/10</u></p>	<p><u>Midterm Exam</u></p> <p><u>(Instructions on the paper handed out)</u></p>
<p><u>Week 9</u></p> <p><u>3/17</u></p>	<p><u>Capital punishment: Legal requirements</u></p> <p>Reading 16: Latzer, B. & McCord, D. (2002). Cruel and unusual as applied – Furman v. Georgia (1972). In Latzer, B. & McCord, D., <i>Death penalty cases: Leading U.S. Supreme Court cases on capital punishment</i> (pp.21 & 32-40). Burlington, MA: Butterworth-Heinemann.</p> <p>Reading 17: Latzer, B. & McCord, D. (2002). Vague aggravating factors – Godfrey v. Georgia (1980). Latzer, B. & McCord, D., <i>Death penalty cases: Leading U.S. Supreme Court cases on capital punishment</i> (pp.97-104). Burlington, MA: Butterworth-Heinemann.</p> <p>Reading 18: White, W.S. (2005). The role of defense lawyers in capital cases. In White, W.S., <i>Litigating in the shadow of death: Defense attorneys in capital cases</i> (pp.2-12). Ann Arbor, MI: University of Michigan Press.</p>

<u>Week 10</u>	<u>No class. Have a safe Spring Break!</u>
<u>3/24</u>	
<u>Week 11</u>	<u>Capital punishment: Deterrence and public opinion</u>
<u>3/31</u>	<p>Reading 19: Lambert, E. & Clarke, A. (2001). The impact of information on an individual's support of the death penalty: A partial test of the Marshall Hypothesis among college students. <i>Criminal Justice Policy Review</i>, 12: 215-234.</p> <p>Reading 20: Dezhbakhsh H. and P. Rubin. 2003. Does capital punishment have a deterrent effect? New evidence from post moratorium panel data. <i>American Law and Economics Review</i> 5: 344-376.</p> <p><u>Paper Title, Abstract, Outline due</u></p>
<u>Week 12</u>	<u>Disenfranchised individuals and groups and law – Affirmative action</u>
<u>4/7</u>	<p>Reading 21: Buestein, P. (1992). Affirmative action, jobs, and American democracy: What has happened to the quest for equal opportunity? <i>Law & Society Review</i>, 26: 901.</p> <p>Reading 22: Card, D. 2005. Would the elimination of affirmative action affect highly qualified minority applicants? Evidence from California and Texas. <i>Cornell University ILR Preview</i> 58: 416-434</p>
<u>Week 13</u>	<u>Reading 23: Weitzer, R. (2000). Racialized policing: Residents' perceptions in three neighborhoods. <i>Law & Society Review</i>, 34: 129.</u>
<u>4/14</u>	<p>Reading 24: Rollins, J. (2005). Same-sex unions and the spectacles of recognition. <i>Law & Society Review</i>, 39: 457-483.</p> <p><u>Paper draft 1</u></p>
<u>Week 14</u>	<u>Cyber crime, Internet, and the law</u>
<u>4/21</u>	<p>Reading 25: Adult Material: Drawing the Line between the Legal and Illegal. Cavazos, E. & Morin, G. (1994). <i>Cyberspace and the law: Your rights and duties in the on-line world</i>. Cambridge, MA: MIT Press.</p> <p>Reading 26: Akendiz, Y. (2001). Criminalizing online speech to protect the young: What are the benefits and costs? In Wall, D. (ed.), <i>Crime and the Internet</i>. NY: Routledge</p> <p><u>PowerPoint presentation document</u></p>
<u>Week 15</u>	<u>Presentation</u>
<u>4/28</u>	<u>Paper draft 2</u>
<u>Week 16</u>	<u>Presentation</u>
<u>5/5</u>	

<u>Week 17</u>	<u>Paper Due</u>
5/12	

Academic Misconduct – Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility and professionalism. By choosing to join the UNLV community, students accept the expectations of the Academic Misconduct Policy and are encouraged when faced with choices to always take the ethical path. Students enrolling in UNLV assume the obligation to conduct themselves in a manner compatible with UNLV's function as an educational institution. An example of academic misconduct is plagiarism. Plagiarism is using the words or ideas of another, from the Internet or any source, without proper citation of the sources. See the *Student Academic Misconduct Policy* (approved December 9, 2005) located at: <http://studentconduct.unlv.edu/misconduct/policy.html>.

Copyright—The University requires all members of the University Community to familiarize themselves with and to follow copyright and fair use requirements. **You are individually and solely responsible for violations of copyright and fair use laws. The university will neither protect nor defend you nor assume any responsibility for employee or student violations of fair use laws.** Violations of copyright laws could subject you to federal and state civil penalties and criminal liability, as well as disciplinary action under University policies. Additional information can be found at: <http://www.unlv.edu/provost/copyright>.

Disability Resource Center (DRC) – The UNLV Disability Resource Center (SSC-A 143, <http://drc.unlv.edu/>, 702-895-0866) provides resources for students with disabilities. If you feel that you have a disability, please make an appointment with a Disabilities Specialist at the DRC to discuss what options may be available to you.

If you are registered with the UNLV Disability Resource Center, bring your Academic Accommodation Plan from the DRC to me during office hours so that we may work together to develop strategies for implementing the accommodations to meet both your needs and the requirements of the course. Any information you provide is private and will be treated as such. To maintain the confidentiality of your request, please do not approach me before or after class to discuss your accommodation needs.

Religious Holidays Policy – Any student missing class quizzes, examinations, or any other class or lab work because of observance of religious holidays shall be given an opportunity during that semester to make up missed work. The make-up will apply to the religious holiday absence only. It shall be the responsibility of the student to notify the instructor **within** the first 14 calendar days of the course for fall and spring courses (excepting modular courses), or **within** the first 7 calendar days of the course for summer and modular courses, of his or her intention to participate in religious holidays which do not fall on state holidays or periods of class recess. For additional information, please visit: <http://catalog.unlv.edu/content.php?catoid=4&navoid=164>.

Incomplete Grades - The grade of I – Incomplete – can be granted when a student has satisfactorily completed all course work up to the withdrawal date of that semester/session but for reason(s) beyond the student’s control, and acceptable to the instructor, cannot complete the last part of the course, and the instructor believes that the student can finish the course without repeating it. A student who receives an I is responsible for making up whatever work was lacking at the end of the semester. If course requirements are not completed within the time indicated, a grade of F will be recorded and the GPA will be adjusted accordingly. Students who are fulfilling an Incomplete do not register for the course but make individual arrangements with the instructor who assigned the I grade.

Tutoring and Coaching—The Academic Success Center (ASC) provides tutoring, academic success coaching and other academic assistance for all UNLV undergraduate students. For information regarding tutoring subjects, tutoring times, and other ASC programs and services, visit <http://www.unlv.edu/asc> or call 702-895-3177. The ASC building is located across from the Student Services Complex (SSC). Academic success coaching is located on the second floor of the SSC (ASC Coaching Spot). Drop-in tutoring is located on the second floor of the Lied Library and College of Engineering TEB second floor.

Transparency in Learning and Teaching—The University encourages application of the transparency method of constructing assignments for student success. Please see these two links for further information:

<https://www.unlv.edu/provost/teachingandlearning>

<https://www.unlv.edu/provost/transparency>

UNLV Writing Center – One-on-one or small group assistance with writing is available free of charge to UNLV students at the Writing Center, located in CDC-3-301. Although walk-in consultations are sometimes available, students with appointments will receive priority assistance. Appointments may be made in person or by calling 895-3908. The student’s Rebel ID Card, a copy of the assignment (if possible), and two copies of any writing to be reviewed are requested for the consultation. More information can be found at: <http://writingcenter.unlv.edu/>

University Library – Students may consult with a librarian on research needs. For this class, the subject librarian is Susie Skarl (https://www.library.unlv.edu/contact/librarians_by_subject). UNLV Libraries provides resources to support students’ access to information. Discovery, access, and use of information are vital skills for academic work and for successful post-college life. Access library resources and ask questions at <https://www.library.unlv.edu/>.

Rebelmail – By policy, faculty and staff should e-mail students’ Rebelmail accounts only. Rebelmail is UNLV’s official e-mail system for students. It is one of the primary ways students receive official university communication such as information about deadlines, major campus events, and announcements. All UNLV students receive a

Rebelmail account after they have been admitted to the university. Students' e-mail prefixes are listed on class rosters. The suffix is always [@unlv.nevada.edu](mailto:unlv.nevada.edu).

Final Examinations—The University requires that final exams given at the end of a course occur at the time and on the day specified in the final exam schedule. See the schedule at: <http://www.unlv.edu/registrar/calendars>.