

Professor: Dr. Conant
Department of Political Science

Class meets T/R noon-1:50 pm in Sturm 453
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Office Hours: Drop in to Sturm 475 in January on Fridays 8:15-11:15 am.
For February & March, drop in T/R 1:50-2:20 pm or Wednesdays 8:15-11:15 am.

Introduction

Welcome to the course. I appreciate your participation. PLSC 1810 introduces the relationship between law and society, bringing a social science perspective to the study of law. As a result, we will not study the “law on the books.” Instead, questions that guide our inquiry include Where does law come from? Whose interests does it reflect? Why do people obey, or not? What can we learn from gaps between formal “law on the books” and the “law in action” that is experienced in society? Under what conditions do people mobilize the law, and does this produce any social change? Who are our lawyers, judges, and juries, and do they provide justice for all? We will compare dynamics cross-nationally in select areas.

Learning outcomes for this “SI:Society” course include the ability to

- describe relationships between social contexts, individual actions, and law
- apply conceptual frameworks to account for these relationships, reasoning analytically to trace the interaction between law and society
- explain how social scientific methods are used to understand these interactions, clearly expressing how empirical evidence relates to analytical reasoning
- collaborate and/or exercise leadership in the development of these skills among peers
- manage time to meet deadlines in the context of competing priorities

Required readings

Kitty Calavita, *Invitation to Law & Society: An Introduction to the Study of Real Law*; Erik Larson and Patrick Schmidt (eds.), *The Law & Society Reader II*; and a set of documents on Canvas. I recommend that you attain “actual” books and *print* assigned readings from Canvas.¹

Schedule of Assignments

Reflections on readings	Posting of a reflection due by 10 am before each class meeting with assigned readings
Collaborative data analyses	Analysis 1 R 1/22: Attendance & laptop required Analysis 2 R 2/12: Attendance & laptop required Analysis 3 T 3/10: Attendance & laptop required
Midterm exam	Tuesday, 2/10: Bring laptop (2 hours battery life & wifi)
Legal challenge ²	5 hard copies of individual brief due in class: T 2/24 Case selection of an enforcement action: R 2/26 Case selection of a constitutional challenge: T 3/3
Final exam	Friday 3/13: Bring laptop (2 hours battery life & wifi)

¹ A growing body of research indicates that readers are more likely to skim electronic sources and take longer to complete readings given e-interruptions and the ergonomic discomfort and poorer resolution of e-texts. By contrast, readers of print text have been found to concentrate more effectively and annotate texts in ways that help them recall and retrieve information for later use (see p. 3-4).

² Attendance required on these three days to participate in all components of this assignment.

Percentage of course grade constituted by course assignments

Reflections on readings	20	Midterm exam	20
Three collaborative data analyses	30	Final exam	20
Legal challenge: Individual brief and participation in case selection			10

Calculation of the final course grade: Reflections are credit/no credit and must be completed on time for credit. Collaborative data analyses, legal briefs, and case selection participation receive letter grades with DU “grade points.”

Letter grades correspond to the following grade point values to calculate course grades:

A+ 4.33	A 4.0	A- 3.67	B+ 3.33	B 3.0	B- 2.67
C+ 2.33	C 2.0	C- 1.67	D+ 1.33	D 1.0	D- .67 F = 0

Percentage of (1) questions answered correctly on exams and (2) reflections submitted correspond to the following grades:

A+	100	C+	77 and less than 80
A	94 -99	C	74 and less than 77
A-	90 and less than 94	C-	70 and less than 74
B+	87 and less than 90	D+	67 and less than 70
B	84 and less than 87	D	64 and less than 67
B-	80 and less than 84	D-	60 and less than 64
		F	Less than 60

Example of a course grade calculation before participation is considered:

$$\text{Course grade} = (4.33 \times .2) + (3.0 \times .2) + (3.33 \times .2) + (3.67 \times .3) + (4.0 \times .1) = 3.633$$

This narrowly misses the DU threshold for an A-, which is a 3.67, so it is a B+ by calculation of grade points alone.

Participation and the final course grade

Your contributions to class discussion may influence your final course grade.

Students who routinely articulate new, relevant ideas and inspire broader engagement from peers may earn a one step (B+ becomes A-) improvement in their course grades. Periodic contributions may tip the scales in your favor if you are close to the next grade by calculation alone (example above). Attentive silence in whole-class discussions has a neutral impact on the course grade. Habitual absenteeism (more than three absences) results in a one step deduction (B+ becomes a B). *Inappropriate contributions and disruptive behavior result in one full grade deduction (B becomes a C).*

What are constructive contributions? These include comments and questions that relate directly to course material from assigned readings, lectures, and films or discussion of relevant current events. Your contributions should reflect your understanding of course materials and related ideas. The quality of contributions matters more than quantity, so avoid dominating discussions.

What is inappropriate and disruptive? The habitual expression of irrelevant points, claims from dubious sources, or unsubstantiated opinions; persistent efforts to dominate discussion; and tuning out of class by tuning in to electronic media or side discussions with a neighbor.

Cooperative and active learning

Students will spend part of most class sessions engaging in both independent and cooperative explorations and analyses. Cognitive research increasingly demonstrates that students learn most when they investigate facts, discover ideas, and solve problems on their own and in collaboration with peers *before* listening to instructors' explanations. By contrast, passively listening to a well-organized lecture first has been shown to result in limited engagement, little to no comprehension of newly presented information, and reinforcement of preexisting beliefs regardless of their accuracy or validity. Meanwhile, even auditory learners who readily absorb new ideas from lectures and perform well as "soloists" learn even more when they explain their thoughts to others (Kantrowitz 2014, Wieman 2014, Kolowich 2014). In addition to maximizing your learning in this class, learning to collaborate effectively with peers and exercising leadership are both valuable "soft skills" in contemporary careers (Casserly 2012, Holmes 2012).

CLASS AND UNIVERSITY POLICIES

Student conduct: Regular attendance and active engagement in assignments and discussions maximize learning. As we discuss course topics, feel welcome to question and disagree respectfully with the professor, your peers, and the assigned authors in a manner that facilitates the learning process for others and acknowledges the dignity of all individuals. University policy requires respect for values related to academic honesty, civility, and compliance with the law. You may consult University policies concerning the details of these values and the consequences for their violation at <http://www.du.edu/studentlife/studentconduct/policies/>

Technology and learning: I want you to learn as much as possible and earn a good grade. As a result, I ask that you bring *print copies of assigned readings* to class; *take notes on paper*; and *restrict your use of laptops during class sessions* to specific assignments that require online research, collaborative writing, or posting to Canvas. Meanwhile, texting during class is appropriate only in *emergencies*.

Why am I advocating such traditional approaches to learning? Research demonstrates that "students who read texts in print score significantly better on ... reading comprehension ... than students who read ... texts digitally" (Mangen, Walgermo, and Brønnick 2013, 61). Research also shows that "students who use laptops in class spent considerably more time multitasking and that *laptop use posed a significant distraction to both users and fellow students*" (Fried 2008). Indeed "participants who multitasked on a laptop during a lecture scored lower on a test compared to those who did not multitask, and *participants who were in direct view of a multitasking peer scored lower on a test compared to those who were not*" (Sana, Weston, and Cepeda 2013, 24). "Research on multitasking has uncovered clear evidence that human information processing is insufficient for attending to multiple stimuli and for performing simultaneous tasks" (Junco 2012a, 2236). This is true even for the "Net Generation" born after the 1980s (Kirschner and Karpinski 2010, 1237). As a result it is not surprising that "...*using Facebook and texting during class were negatively predictive of overall semester GPA*" (Junco 2012a, 2241). Finally, *even when laptops are solely used to take notes* and students are given the

opportunity to review their notes after a week's delay, "*participants who had taken notes with laptops performed worse on tests of both factual content and conceptual understanding, relative to participants who had taken notes longhand*" (Mueller and Oppenheimer 2014, 1, 8). As you learn to manage competing demands for your time outside of class, you may want to consider that "time spent on Facebook was strongly and significantly negatively related to overall GPA" (Junco 2012b, 187). Those who access Facebook while studying at home also have lower GPAs than those who stay "on task" (Rosen 2014, 948). Similar to the impact of multitasking during class, "...evidence from psychology, cognitive science, and neuroscience suggests that when students multitask while doing schoolwork, their learning is far spottier and shallower than if the work had their full attention. They understand and remember less, and they have greater difficulty transferring their learning to new contexts" (Paul 2013). You must decide how to balance such trade-offs outside of class. During class, multitasking with your laptop, phone, or tablet will result in a reduction in your course grade.

Accommodations for students with special needs: If you have a disability protected under the Americans with Disabilities Act, the Disability Services Program (303.871.2278 or dsp@du.edu) is a resource on campus that can help you to coordinate appropriate accommodations with faculty in all of your courses. Please consult with me privately during office hours or via email *before assignments are due and before exams are administered* if you need an accommodation in order to demonstrate your learning more accurately. For information about the Disability Services Program at the University of Denver, see <http://www.du.edu/studentlife/disability/dsp/index.html>.

Accommodations for religious observance: University policy grants students excused absences from class for observance of religious holy days, unless the accommodation would create an undue hardship. Please consult with me privately during office hours or via email *prior to missing* class or assignments. For more information about the University of Denver's religious accommodation policy, see http://www.du.edu/studentlife/religiouslife/DU_religious_accommodations_policy.html

Make-ups and late assignments: Students with legitimate reasons for missing an exam or needing more time to submit assignments may consult with the professor privately during office hours or via email to qualify for a make-up/late submission. Credible excuses for all but emergencies are communicated *prior to* missing any exam or deadline. Please use email or voice mail in the event of potentially contagious illness and obtain a written excuse from your health care provider. Make ups of collaborative assignments requiring in-class participation entail individual completion of the assignment: Students are responsible to *pre-arrange* these make-ups or consult with the professor as soon as possible after an emergency. Make-ups are due at the time of the missed class session or within 72 hours of the professor's communication of an alternative written assignment, depending on the circumstances of the absence.

In the absence of a pre-approved exception or documented emergency, late penalties apply:
Same day after the specified deadline (until midnight): a one-step deduction (–). Each 24 hours after the deadline: another step down (A becomes a B+ when submitted the next day but within 24 hours after a deadline).

Schedule of Readings and Discussions

All students are expected to come to each class prepared to discuss the readings assigned for that day. For example, you should read Chapter 1 from Calavita and Chapters 13 and 14 from the anthology edited by Larson and Schmidt *before* coming to the second day of class on January 8. All readings marked with an asterisk * are available for downloading and printing via Canvas. Further short readings distributed in class or via Canvas are also required.

Week 1 Introduction: What is “law & society”?

Tuesday 1/6 Read the syllabus carefully, attain hard copies of the books, and explore the course Canvas site.

Thursday 1/8 Calavita, Chapter 1, Introduction
Sauder and Lancaster, Chapter 13, “Do Rankings Matter?”
Dinovitzer and Garth, Chapter 14, “Lawyer Satisfaction...”

Week 2 How do societies and legal systems vary?

Tuesday 1/13 Calavita, Chapter 2, “Types of Society, Types of Law”

Thursday 1/15 Diamant, Chapter 21, “Pursuing Rights and Getting Justice...”
Lazarus-Black, Chapter 30, “Alternative Readings...”
Engel, Chapter 31, “Landscapes of the Law...”
Gibson, Chapter 32, “Truth, Reconciliation, and the Creation...”

Week 3 How do law and society relate to each other?

Tuesday 1/20 Tyler and Boeckmann, Chapter 24, “Three Strikes and You’re Out...”
Nielsen, Chapter 25, “Situating Legal Consciousness...”
Marshall, Chapter 26, “Idle Rights”
Gallagher, Chapter 27, “Mobilizing the law in China”

Thursday 1/22 Are citizens different than subjects? Democracies vs autocracies
Collaborative data analysis 1: Comparing public opinion across regimes

Week 4 How does society engage the law?

Tuesday 1/27 Calavita, Chapter 3, “Law in the Everyday, Everywhere”

Thursday 1/29 Stream the film, “A Civil Action,” to your laptop: No class session
Lovell, Chapter 23, “Justice Excused...”

Friday 1/30 Contribute to an online discussion board about the film and Lovell article by 4 pm today

Week 5 Whose interests does law serve?

Tuesday 2/3 Calavita, Chapter 4, “The Color of Law”

Thursday 2/5 Sohoni, Chapter 37, “Unsuitable Suitors...”
Obasogie, Chapter 41, “Do Blind People See Race?” (continued next page)

Moran, Chapter 43, “What Counts as Knowledge?”
Kirkland, Chapter 38, “Think of a Hippopotamus”

Week 6 **How do law and culture interact? Can law change culture?**
Tuesday *Midterm exam:* Bring a fully charged laptop with functional wireless capability
2/10
Thursday Keck, Chapter 7, “Beyond Backlash...”
2/12 * Jacoby, “Is there a Culture War?...”
Collaborative data analysis 2: Comparing public opinion across cultures

Week 7 **Who regulates society? Adversarial legalism and its discontents**
Tuesday Calavita, Chapter 5, “Many Laws, Many Orders”
2/17
Thursday Kagan, Thornton, and Gunningham, Chapter 8, “Explaining Corporate...”
2/19 Parker, Chapter 9, “The ‘Compliance’ Trap...”
Edelman, Erlanger, and Lande, Chapter 11, “Internal Dispute Resolution...”
Conti, Chapter 3, “The Good Case...”

Week 8 **What is the impact of law on society?**
Tuesday Calavita, Chapter 6, “The Talk versus the Walk of Law”
2/24 *Five hard copies of “Individual legal brief” due at noon in class*
Thursday Garth and Sterling, Chapter 42, “From Legal Realism to Law and Society...”
2/26 Seron et al, Chapter 17, “Impact of Legal Counsel on Outcomes for Poor...”
Hajjar, Chapter 18, “Cause Lawyering in Transnational Perspective...”
Case selection: Enforcement actions

Week 9 **Can law change the balance of power in society?**
Tuesday Calavita, Chapter 7, “Law and Social Justice: Plus Ça Change...”
3/3 *Case selection: Constitutional challenges*

Thursday View the film, “Shawshank Redemption”
3/5 Grossman, Kritzer, and Macaulay, Chapter 1, “Do the ‘Haves’ Still...”
Zackin, Chapter 6, “Popular Constitutionalism...”

Week 10 **Show me the money: How does wealth relate to law and society?**
Tuesday Ahlering and Deakin, Chapter 10, “Labor Regulation, Corporate Governance...”
3/10 Dezalay and Garth, Chapter 34, “Merchants of Law as Moral Entrepreneurs...”
Collaborative data analysis 3: Comparing public opinion across economies

Thursday Calavita, Chapter 8, “Conclusion”
3/12 Review for final exam

Final exam *Bring fully powered laptop with wireless access to Sturm 453, 12-1:50 pm*
Friday
3/13

COURSE ASSIGNMENTS AND EXAMS

Reflections on readings: On-time submission required for credit

To encourage active engagement in the course and thoughtful reflection on the ideas presented in readings, students will post a quotation with its citation and a discussion question related to the assigned readings for each class to a discussion board on Canvas. Postings are due by 10 am on the day that the reading is assigned. For each posting, a student receives credit for one quotation with a properly formatted in-text citation and credit for one discussion question.

1. *Your quotation should articulate an idea that was striking to you for some reason. Was it surprising? Was it controversial? Was it something you agree with? Was it something you disagree with? Does it represent an "a ha" moment for you that brought ideas together in a way that helps you understand the author's main point? Be prepared to explain why you selected a particular passage during class discussion, but post only the quotation with its citation on Canvas.*
2. *Your discussion question should be a question related to ideas in assigned readings that can be expected to inspire more than one response from your peers. That is, your posted question should not ask a question for which the answer is a precise fact that no one else in class is likely to know, and it should not be a question that is answered elsewhere in the assigned readings for the day. Most welcome are questions that encourage critical thinking and analysis that build off from puzzles and issues that the readings inspires.*
3. *What counts as a properly formatted citation in this course? Look at the examples provided on p. 3-4 and p. 9-10 of the syllabus.*

Collaborative data analyses: Each team of students submits one analysis (3 total)

During class, cooperative learning teams will be required to complete three assignments that analyze data specified by the professor. All students will need to complete preparatory readings or research before the in-class analysis and then teams will have most of a class session to bring together results and complete each of these assignments.

All analyses must be uploaded to Canvas during class, formatted according to the specifications on p. 8-10. Students must alternate in the role of the "scribe," who takes the primary role in combining all components of the assignment before submission.

Students who miss a collaborative data analysis assignment will be able to submit an individually prepared make-up assignment *only if* they emailed the *professor and all team members* indicating a valid reason for their absence (e.g. illness) *prior* to the beginning of the relevant class or if they provide documentation of an emergency *after* missing the class.

Exams

Exams test understanding of the ideas introduced in this class and are not intended to emphasize memorization of facts. As a result, students may consult their own *hand-written* notes/worksheets from class materials during exams. Students with a peer note-taker may consult hard copies of these notes and/or their own hand-written transcriptions of peer notes.

Students will complete exams on their laptops during class. As a result, each student is responsible for bringing a laptop with sufficient battery power, wireless access, and browser compatibility to sustain a connection to Canvas for the entire class period on each scheduled exam session. A limited number of outlets are available in the classroom: *Prearrange access* with the professor if upgrading/replacing your battery presents a hardship.

If you require other specific accommodations, please consult with the professor privately during office hours or via email at least a week before exams are scheduled.

Legal brief and case selection

Half of the students in the class will write a 1-2 page legal brief proposing an enforcement action in order to try to align “law” and “society.” The other half of the students in the class will write a 1-2 page brief proposing a constitutional challenge to a law or practice that violates constitutional rights. In these briefs, each student will identify *either* an important gap between the “law on the books” and the “law in action” *or* a meaningful violation of constitutional rights. Good briefs will describe the nature and source of the problem and explain how legal action could contribute to a solution. Excellent briefs will also specify and justify the most promising judicial forum for the case.

Students will consult with others who identified similar problems on Tuesday, 2/24 and vote on which legal claim to pursue for a presentation and open debate to the entire class on Thursday, 2/26 for enforcement actions and Tuesday, 3/3 for constitutional challenges. Consultations on 2/24 should produce suggestions for improving the winning claim, and both the original author of the winning claim or consultants may participate in the oral arguments concerning the claim during case selection discussions in class. The class as a whole will operate as a “law firm” and “select” a claim to litigate.

Students will be evaluated on the basis of their legal brief, their contributions to improving a winning claim, and oral arguments during open debates. Authors of winning briefs should acknowledge consultants who provided constructive suggestions prior to the open debates. Students who remain silent *during* “plenary” case selection discussions and are not cited as contributors to winning claims will be evaluated exclusively on the merits of their written briefs.

Formatting for all formal writing assignments in this class (collaborative analysis, legal brief)

The text must be double-spaced, with 1-1.25” margins and a 12 point font. Fonts must be easily legible, standard manuscript fonts, e.g. Times New Roman or Helvetica are good choices. Each “side” of a page of paper counts as one page for the purposes of all assigned page lengths.

Refer to the discussion of technology and learning on p. 3-4 and the works cited listing on p. 9 for examples of required in-text citation and fuller bibliographic listing of sources for all material that you quote, paraphrase, or borrow.

Refer to p. 10 for an example of a clearly formatted table of survey data: This table has a title and headings that identify the meaning of the data. It specifies its source at the bottom. It fits on one page. Take care to create tables that communicate such information clearly.

Works cited

Cassery, M. (2012). "The 10 skills that will get you hired in 2013," *Forbes*, available at <http://www.forbes.com>.

Fried, C. (2008). "In-class laptop use and its effects on student learning," *Computers & Education* 50, p. 906-914.

Holmes, B. (2014). "Hone the top 5 soft skills every college student needs," *US News*, available at <http://www.usnews.com>.

Junco, R. (2012a). "In-class multitasking and academic performance," *Computers in Human Behavior* 28, p. 2236-2243.

Junco, R. (2012b). "Too much face and not enough books: The relationship between multiple indices of Facebook use and academic performance" *Computers in Human Behavior* 28, p. 187-198.

Kirschner, P. and A. Karpinski (2010). "Facebook and academic performance," *Computers in Human Behavior* 26, p. 1237-1245.

Kolowich, S. (2014). "Confuse students to help them learn," *The Chronicle of Higher Education*, available at <http://chronicle.com>.

Kantrowitz, B. (2014). "The Science of Learning," *Scientific American* (August), p. 69-73, also available at ScientificAmerican.com.

Mangen, A., B. Walgermo, and K. Brønnick (2013). "Reading linear texts on paper versus computer screen: Effects on reading comprehension," *International Journal of Educational Research* 58, p. 61-68.

Mueller, P. and D. Oppenheimer (2014). "The pen is mightier than the keyboard: Advantages of longhand over laptop note taking," *Association for Psychological Science*, p. 1-10.

Paul, A. (2013). "You'll never learn! Students can't resist multitasking, and it's impairing their memory," *Slate*. Available at <http://www.slate.com>.

Rosen, L. (2014). "Facebook and texting made me do it: Media-induced task-switching while studying," *Computers in Human Behavior* 29, p. 948-958.

Sana, F., T. Weston, and N. Cepeda (2013). "Laptop multitasking hinders classroom learning for both users and nearby peers," *Computers & Education* 62, p. 24-31.

Wieman, C. (2014). "Stop lecturing me," *Scientific American* (August), p. 70-71, also available at ScientificAmerican.com.

Table 1**How much confidence do you have in the police?****2010-2014****Percentage of respondents answering with the following:**

Country	"Quite a lot to a great deal"	"Not very much to none"
Argentina	25	74
Australia	83	16
Brazil	45	55
Chile	64	35
China	67	24
Taiwan	62	34
Estonia	77	22
Germany	82	17
Ghana	57	43
Hong Kong	80	20
India	62	37
Iraq	57	42
Japan	68	26
South Korea	58	42
Kuwait	68	27
Libya	55	40
Malaysia	74	26
Mexico	28	72
Morocco	62	33
Netherlands	66	31
New Zealand	79	17
Nigeria	30	70
Pakistan	21	77
Philippines	67	33
Poland	51	44
Qatar	96	3
Romania	42	56
Russia	32	64
Rwanda	63	37
Singapore	79	21
South Africa	45	51
Zimbabwe	57	44
Spain	59	40
Sweden	79	20
Thailand	46	50
Tunisia	59	36
Turkey	74	24
Ukraine	32	68
Egypt	50	50
United States	68	30
Yemen	29	61

Source: World Values Survey, available at <http://www.worldvaluessurvey.org/> (2014).

