

Dept. of Sociology Web Page: <http://www.soci.ucalgary.ca>

**SOCIOLOGY OF LAW
SOCIOLOGY 429.02
FALL 2008**

COURSE OUTLINE

INSTRUCTOR: Dr. Bruce Arnold*
OFFICE: SS912
PHONE: 220-6508
OFFICE HRS: Tuesdays/Thursdays 9:30-10:30AM (SS912)
CLASS: Tuesdays & Thursdays 11:00-12:15 (SH 284)

* **Instructor does not use e-mail for course related correspondence.**

* For student study resources see ¶ <http://soci.ucalgary.ca/18/jfstud.htm>[⊥]

* The instructor may make some changes to course deadlines, timing, format, and content.

* Concerns about evaluations and grades must be first put in writing, including the grounds and rationale for said concerns, and submitted to the instructor in advance of a meeting being scheduled.

Sociology and law are combined into a multidisciplinary area of study referred to as the "sociology of law". The sociology of law in this course is located within the general discipline of sociology that studies the origins, impact and interaction between *informal* (everyday) cultural rules and *formal* (i.e. torts) legal rules that organize intra and inter-individual, group and societal behaviour. Law and legal systems are cultural products that form a structure of meaning that guides individuals and groups in everyday interactions and conflicts and or formal legal disputes. This structure is passed on through socially transmitted role specific norms of conduct and rules for expectations and decisions that influence the construction of intentional systems within the legal system and everyday interactions. In this course, we will use a *social cognition* approach to investigate how understanding "law" is also ultimately learning about ourselves and the social world we inhabit.

This course draws from selected tort laws, including intentional torts and negligence. Students are introduced to legal concepts, which are then examined empirically with reference to selected legal cases and how they are linked to our everyday experiences. From this foundation, we then move to investigate the socio-legal ambiguities, paradoxes, pluralisms, as well as utilities in their formal and informal manifestations. Relevant developments in social cognition, emotion and socio-linguistics are used to unpack how and why "law" is so embedded in all aspects of our lives. Students will collect data throughout the term, drawing from the classic movie "Twelve Angry Men" to investigate, understand, and apply conceptual issues to socio-legal empirical events.

Specific Learning Outcomes for Students:

- Critical thinking skills through appreciation that different cultures and societies develop and solve problems in diverse ways
- Gain knowledge about specific substantive topics in the Canadian and other cultural contexts
- Improve understanding of the relationship between common law and civil code legal systems
- Improve critical understanding of cultural and legal issues in the Canadian context
- Appreciation of unidimensional limitations of sociological and legal theories, concepts and principles developed within a specific cultural-social-legal context
- Appreciation of the value of multidisciplinary approaches to socio-legal research questions
- Multicultural understanding
- Increase self-awareness of and respect for individual and group diversity
- Social skills appropriate for cross-cultural interaction
- Increase communication skills
- Thinking critically, logically and comparatively to evaluate situations, solve problems and make decisions
- Increase ability to plan and manage time, goal setting and priorities
- Work effectively as a responsible member of a team

This course will include a number of teaching and research formats so as to link classroom activities to course readings and issues, and establish linkages between formal law and law as experienced in everyday life. Students will be in small research teams (depending upon class size) and will be required to work independently, as a team member, establish and meet deadlines, identify and resolve team and research related difficulties. Any and all team membership changes must be approved by the instructor.

EVALUATION: Course evaluation will be based upon (1) 2 examinations; (2) an article and or chapter presentation from the assigned readings, (3) a research presentation; (4) final quiz; and (5) participation. Students are strongly encouraged to study in small groups or teams. All components must be completed to receive a passing grade in the course. Make-up examinations will only be allowed in instances of documented medical problems, or other documented emergencies.

Exams: The two examinations will include short answer questions drawn from all materials presented in class including the readings and discussions. (1) One exam will be a short-notice exam where students will be given an exam with notice of the exam one week prior to the exam. This is to encourage students to keep up-to-date with all the

readings and therefore be prepared for contributing to class discussion. (2) The final examination will include questions drawn from course material covered since the previous exam and the team research presentation materials.

Reading presentation: Students will be asked to briefly summarize KEY course issues in an assigned reading(s) and clearly connect them to class issues, with a brief course related analysis, and resulting question for the class (about 15 minutes). Students will distribute a 2-3 pages outline of their presentation to the instructor and all students at the beginning of their presentation. More instructions and details for this presentation will be given in class.

Participation: Students are expected to do the readings and other class assignments in a timely manner and come to class prepared to participate in discussions and debates. Students will be called upon randomly and regularly to thoughtfully summarize and comment analytically on the readings and are expected to be fully prepared to do so.

Research Presentation: Students will use the classic movie (DVD format) “12 Angry Men” as their source of data to analyze (narrative analysis) and to apply course readings and discussion materials. These will be professional (including PowerPoint) 20 minute presentations raising central course questions, issues, paradoxes and demonstrating understanding through an analysis of the classic film (also used in U.S. law schools) ‘12 Angry Men.’ Students will distribute a 3-4 pages outline, plus bibliography, to the instructor and all students at the beginning of their presentation. More instructions and details for this research and presentations will be given in class.

Mid-term Exam:TBA – short notice exam (in class only) 25%

Final Quiz:Last class (in class only) 10%

Team article presentations:TBA 5%

Research presentations: Presentations: end of term TBA (50%)

Individual Participation:10%

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- Students are expected and encouraged to make use of the instructor and team members as learning resources for this course. Please come and see me during office hours or before or after class.
 - All members of teams are expected to equally and responsibly contribute to all team undertakings in a timely manner and must be present during their article and research presentations. Team members who are unable to meet these expectations will be given alternative assignments at the discretion of the instructor. All components of this course must be completed to receive a passing grade. A deadline is a deadline and 10% per day (including weekends) will be deducted from the final course grade. Students with appropriate reasons for being late with course work must provide official documentation the instructor so alternative arrangements can be made to accommodate student’s circumstances.

This course is organized as an upper level seminar. Active and ongoing participation in class is expected (inquiry based learning).

Required readings/DVD (data):

BOOKS/DVD Available in U of C bookstore:

Robert C. Solomon (1995) **A Passion for Justice: Emotions and the Origins of the Social Contract**. Rowman & Littlefield Publishers: Boston.

Linda Elder & Richard Paul. (2005) **Asking Essential Questions**. The Foundation for Critical Thinking.

Amia Lieblich, Rivka Truval-Mashiach & Tamar Zilber (1998). **Narrative Research**. Applied Social Science Research Methods Series (Vol. 17). Thousand Oaks, Calif.: Sage Publications.

DVD – **12 Angry Men** (1957).

ARTICLES Articles are available through the University of Calgary's on-line collection:

Paul DiMaggio (1997) Culture and Cognition. **Annual Review of Sociology**, 23: 263-287.

Jayne S. Docherty (2004) Narratives, Metaphors, and Negotiation. **Marquette Law Review**, Special Issue, April, 87(4): 847-851.

Ricardo A. Guibourg (2001) Norms and the Categories of Inaccurate Thinking. **Ratio Juris**, 14(1) March: 10-33.

Claire A. Hill (2004) Law and Economics in the Personal Sphere. **Law & Social Inquiry**, Winter, 29(1): 219-260.

Jerry Kang (2005) Trojan Horses of Race. **Harvard Law Review**, March 118(5): 1490-1593.

Bettina Lange (2002) The Emotional Dimension in Legal Regulation. **Journal of Law and Society**, March 29(1): 197-225.

David Morgan, David L. & Michael L Schwalbe (1990) Mind and Self in Society: Linking Social Structure and Social Cognition. **Social Psychology Quarterly** 53(2) June: 148-164.

David Moshman (2004) From inference to reasoning: The construction of rationality. **Thinking & Reasoning**, 10(2): 221-239.

Matti I. Niemi (2003) Facts, Fictions or Reasoning. Law as the Subject Matter of Jurisprudence. **Ratio Juris**, March 16(1): 1-13.

Norbert Schwarz (1998) Warmer and More Social: Recent Developments in Cognitive Social Psychology. **Annual Review of Sociology**, 24: 239-264.

Steven L. Winter (1995) A Clearing in the Forest. **Metaphor and Symbolic Activity**, 10(3): 223-245.

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Exam Policies: You must provide advance notice to the instructor if you are unable to take an exam. All requests for deferral of an examination due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the physical or emotional problem rather than after recovery. Deferred exams may be allowed in the following circumstances: illness, domestic affliction or religious conviction. If you have missed an exam for a legitimate reason, you will be able to write a “make up” exam as close to the original exam as possible. The date and location will be at the convenience of the Sociology Department. Travel arrangements and misreading of the syllabus are not valid reasons for requesting a deferred exam. Deferred exams will not be granted if it is determined that just cause is not shown by the student.

Ethics Research: Students are advised that any research with human subjects--including any interviewing (even with friends and family), opinion polling, or unobtrusive observation--must have the approval of the Departmental Ethics Committee. In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required.

Academic Misconduct: cheating is regarded as a serious academic offense. Students are advised to consult the University Calendar, which presents a Statement of Intellectual Honesty and definitions and penalties associated with cheating, plagiarism, and other academic misconduct.

The Freedom of Information and Protection of Privacy (FOIP) legislation disallows the practice of having students retrieve assignments from a public place, e.g., outside an instructor’s office or the Department main office. Term assignments must be returned to students individually, during class, or during the instructor’s office hours; if a student is unable to pick up her/his assignment s/he may provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.

Safewalk: The University of Calgary provides a “safe walk” service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the “Help” phones located around Campus.

Academic Accommodation

Students with a disability, who require academic accommodation, need to register with the Disability Resource Centre (MC 295, telephone 220-8237). Academic accommodation letters need to be provided to course instructors no later than fourteen (14) days after the first day of class. **It is a student's responsibility to register with the Disability Resource Centre and to request academic accommodation, if required.**

Deferrals:

If at all possible you must provide advance notice to the instructor if you are unable to take a test or pass in an assignment or essay on time. All requests for deferral of a course component due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the physical or emotional problem rather than after recovery. Deferrals will be allowed in the following circumstances: illness, domestic affliction or religious conviction. Travel arrangements and misreading of the syllabus are not valid reasons for requesting a deferral. Deferrals will not be granted if it is determined that just cause is not shown by the student.

If you have missed a test for a legitimate reason, the instructor can require you to write a "make up" test as close in time to the original test as possible or can choose to transfer the percentage weight to another course component. If the instructor schedules a "make up" test for you, its date and location will be at the convenience of the Sociology Department.

Please note that requests to defer a final examination or to defer term work past the end of a term go through the Undergraduate Programs Office (UPO) and must be processed by the deadlines that are established in the U. of C. Calendar. You can find the forms you need at:

Deferred Final Exam Application:

<http://www.ucalgary.ca/registrar/files/registrar/Winter2008DEFERREDFINALEXAMINATIONS.pdf>

Deferred Term Work Form:

<http://www.ucalgary.ca/registrar/files/registrar/defTW.pdf>

You must submit these deferral forms to the Social Sciences Associate Dean (Students) through the UPO office: Undergraduate Programs Office, 4th Floor, MacEwan Student Centre.

To make an appointment with the Associate Dean, phone (403) 220-8155.

Only the Associate Dean approves requests for deferrals which extend beyond the end of a term. Instructors are not involved in such decisions.