Sociology of Law
Sociology 318/Legal Studies 308
Winter 2018

Instructor: Robert L. Nelson
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Time: T Th 9:30-10:50
Room: Locy 214

Course Description: This course examines the relationship between law and the
distribution of power in society, with a particular emphasis on law and social change in
the United States. Readings will be drawn from the social sciences and history, as well
as selected court cases that raise critical questions about the role of race, gender, and
sexual orientation in American society. Among the material we will examine are the
documents made public in the shooting death of Michael Brown in Ferguson, Missouri.
Students should be aware that some of this material is graphic and disturbing.

Teaching Method: The only class meetings are two 90-minute class meetings a week.
There are no discussion sections. Class sessions are meant to provide an opportunity for
active engagement with assigned readings. Students are expected to come to class
prepared to discuss assigned material. Groups of students will be assigned responsibility
for leading class discussions on a rotating basis.

Evaluation Method: Pass/Fail is not allowed. All students must take the course for a
grade. Performance will be evaluated based on class participation and attendance and
four short writing assignments. These will be weighted as follows: 1) Attendance and
class participation: 2 points for each class attended up to a total of 30 points; and up to 20
points for contributing to class discussion. 2) 25 points for each of 4 writing assignments.
Assignments are due in class on the day indicated in the schedule, unless I receive
advance notice of a good excuse. Late papers automatically will receive reduced points.

Readings: We will read considerable portions of three books: Charles Epp, Making
Rights Real: Activists, Bureaucrats, and the Creation of the Legalistic State (U of
Chicago Press (2009); Michelle Alexander, The New Jim Crow: Mass Incarceration in
the Age of Colorblindness (The New Press 2012); and Ellen Berrey, Robert Nelson, and
Laura Beth Nielsen, Rights on Trial: How Workplace Discrimination Law Perpetuates
Inequality (U of Chicago Press 2017). The first two books can be ordered through
Amazon.com. or accessed through ebooks at the University Library. Readings from the
third book and other required and recommended readings will be included in online
materials in Canvas. Students are required to bring readings to class, either in print
or electronically. This is the only use that may be made of electronics in class.

1/9 T Introduction: What is Law? What is Sociology of Law? **Discuss Assignment One-Due 1/16**

1/11 Th Law, Meaning, and Power
   Readings: Canvas-Engel (pp. 551-582), Nielsen (pp. 1055-1090)

1/16 T Law, Courts, and Police Violence
   Readings: Epp, chs. 1-2; Canvas-Selected Ferguson Materials NY Times, “What Happened in Ferguson?” (pp. 37-43), Jury Instructions (pp. 44-45), Autopsy of Michael Brown (pp. 46-51), Summary of Justice Dept. Report (pp. 52-58) Color version of NYT article can be found at https://www.nytimes.com/interactive/2014/08/13/us/ferguson-missouri-town-under-siege-after-police-shooting.html?emc=eta1 **Assignment One Due in Class**

1/18 Th Law, Courts, and Police Violence
   Reading: Epp, chs. 3-4; selections from Ferguson Grand Jury materials on Canvas: Grand Jury Testimony of Dorian Johnson, pp. 16 (line 11) to 176 (line 19), of Grand Jury Transcript Volume 4. **Discuss Assignment Two Due in Class 1/30**

1/23 T Law, Courts, and Police Violence
   Reading: Epp, chs 5-6; selections from Ferguson Grand Jury materials on Canvas: Grand Jury Testimony of Darren Wilson, pp. 195 (line 20) to 281 (line 25) of Grand Jury Transcript Volume 5. Also on Canvas: Darren-wilson-medical-records.pdf

1/25 Th Law, Courts, and Police Violence
   Readings: Epp, ch. 10; selections from Ferguson Grand Jury materials on Canvas: Grand Jury Testimony of 2 unidentified witnesses. Witness X, pp. 231 (line 25) to 265 (line 19), and Witness 10, pp. 149 (line 5) to 210 (line 2) of Grand Jury Transcript Volume 6.

1/30 T Law, Courts, and Police Violence-In Class Exercise on Ferguson case
   **Assignment Two Due in Class and Basis of In Class Exercise**

2/1 Th Courts and Social Change – Race
   Readings: Canvas Plessy v. Ferguson (pp. 40-44), Brown v. Bd of Education (pp. 45-49). (Note: These are redacted versions of these opinions.)
2/6  T Courts and Social Change--Race and Affirmative Action
Readings: Canvas Parents Involved v. Seattle School District, no. 1 (Roberts opinion for majority; Kennedy concurring opinion)(pp. 2746-2754; 2767-68; 2788-2797); Fisher v. University of Texas (Kennedy opinion for majority; dissents by Thomas and Alito are optional reading)(pp. 2205-2243).

2/8 Th Race and Mass Incarceration
Readings: Alexander, Introduction, Ch 1

2/13 T Race and Mass Incarceration
Readings: Alexander, Chs. 2-3; Optional Readings: Ch. 4. **Discuss Assignment Three Due in Class 2/20**

2/15 Th Race and Mass Incarceration,
Readings: Alexander Ch. 5; Optional Readings Ch. 6

2/20 T In class discussion of Colorblindness **Assignment three due in class**

2/22 Th Courts and Social Change – Sexual Orientation
Readings: Canvas Bowers v. Hardwick (pp. 100-116), Lawrence v. Texas (pp. 117-137); Obergefell v. Hodges (Kennedy majority opinion; first section of Roberts dissent (pp.138-155).

2/27 T Anti-Discrimination Law and Inequalities of Race and Gender
Readings: Canvas Tilcsik “Pride and Prejudice” (pp. 586-626), Berrey et al. Excerpts from Ch. 1 (pp. -20) Audio clips at https://rightsontrial.com/chapter-1/ **Discuss Assignment Four Due on 3/19**

3/1 Th Anti-Discrimination Law, Sexual Harassment, and Gender Inequality
Readings: Canvas Meritor v. Vinson Savings Bank (pp. 2399-2411); Ridgeway, “Why Status Matters for Inequality” (pp. 1-16).

3/6 T Anti-Discrimination Law and Inequalities of Race and Gender
Readings: Canvas Berrey et al., Ch. 7 (pp. 169-201) Audio clips at https://rightsontrial.com/chapter-seven/

3/8 Th Last class—Anti-Discrimination Law and Inequalities of Race and Gender; wrap up. Readings: Course Pack Berrey et. al. Ch. 10 (pp. 259-280); Kalev et al., “Best Practices or Best Guesses?” (pp. 589-617).

**Assignment 4 Due on Monday 3/19- Turn into Professor Nelson’s Mailbox in Sociology at 1810 Chicago Avenue before 4 pm**