Memorandum #4

Date: 13 October 2008

From: Sociology Program Faculty

Via: Kelly Alley (Chair, Department of Sociology, Anthropology and Social Work) 
J. Emmett Winn (Chair, Liberal Arts Curriculum Committee and Associate Dean for Curriculum and Teaching) 
Constance Relihan (Senior Associate Dean for Academic Affairs)

To: Linda Glaze (Associate Provost for Undergraduate Studies)

RE: Re-configuration of undergraduate Sociology Curriculum

As part of re-configuring the undergraduate Sociology major, it is requested that the following changes are made:

1. Change CRIM designation to SOCY
2. Change in course title

Re-named Courses:

<table>
<thead>
<tr>
<th>Old Course Number</th>
<th>Old Course Name</th>
<th>New Course Number</th>
<th>New Course Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRIM 5200/6200</td>
<td>Sociology of Criminal Law</td>
<td>SOCY 5200/6200</td>
<td>Sociology of Law</td>
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</tbody>
</table>

Note: Syllabus for the revised course can be found in Appendix A of this document.
Appendix A: Syllabus Outline for SOCY 5200 (See Memorandum #4)

**Sociology of Law**
(SOYC 5200/6200)

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**Course Description**

*Sociology of Law* examines the dynamic relationship between law and the society in which it is embedded. Major ideas on the nature of law will be highlighted; theoretical paradigms for examining the nexus between law and society will be reviewed. In addition, law will be examined both as a *dependent* variable and as an *independent* variable, as we look at those social factors which shape the law (dependent) and at the effect of law on society (independent). In addition, some of the key components of the legal system in the United States will be examined. Within this broad framework, several “issue areas” will be addressed.

**Course Objectives**

Upon completion of this course, the student should have an appreciation of the relationship between criminal law and society. Specific objectives include:

1. The student should be able to define the sociology of law, and how the study of criminal law fits within that field.
2. The student should understand the way in which law is shaped and affected by broader social forces.
3. The student should understand how the law, in turn, impacts on society.
4. The student should understand how the criminal legal system itself is socially organized.
5. The student should have some familiarity with the dominant schools of jurisprudence.
6. The student should become familiar with some of the major issues in law today.

**Course Requirements**

**Pre-Requisites**

SOCY 1000 and Junior Standing (undergraduates)

Justification for Graduate Credit:

The content of this course develops critical and analytical skills of students including their application of the relevant literature; it has rigorous standards for student evaluation, and the course instructor is a member of the graduate faculty.

**Required Texts**


Various readings on e-reserve.

**Additional Readings for Graduate Students:**


**Required Activities (undergraduates):**

The following required activities are designed to facilitate the realization of the course objectives outlined above.
1. **Attend class faithfully.** Students are expected to regularly attend class meetings. Ten percent (10%) of your overall course grade will be based on class attendance. Excused absences are outlined in your student handbook.

2. **Readings.** Required readings are to have been read *prior* to the class meeting in which they will be discussed. **THIS IS CRITICALLY IMPORTANT!**

3. **Oral Presentations** of discussion articles. Each student will be responsible, with another student, for presenting a summary of one "article for discussion." Following the presentation of the summary, student presenters will, with the assistance of the instructor, be responsible for leading the class in a discussion of the topic represented by that article.

4. **Question responses to articles.** Each student will be required to write and submit responses to questions for ten (10) of the articles in the *Boundaries* reader. Each of the articles is accompanied by about 4 thought-provoking questions located at the end of the article. Responses to these questions are to be written in narrative form. Headings should be used to capture each of the questions being addressed. Your response to these questions should read as a single integrated response (with transitions from section to section), rather than four separate self-contained responses representing each question. Each response should be about 3 pages long.

5. **Midterm Exam:** A midterm exam will be given approximately at the 7th week of class.

6. **Final Exam:** The final exam will not be comprehensive, though material from the first part of the class may be helpful in your responses. This exam format has not yet been determined, but you will be notified well in advance of the exam of its format.

**Required Activities (graduates):**

1. **Midterm Exam.** Each graduate student will complete a 10-15 page “take home” essay examination. The examination will be given out ten days prior to midterm and it is due one week later.

2. **Research Paper.** Each graduate student will complete a 20-25 research paper on a topic related to this course. Topics must be approved no later than midterm. Additional instructions will be distributed throughout the semester.

3. **Presentation.** Each graduate student will give a 15-20 minute presentation in class related to the research paper.

4. **Attendance.** Graduate students are expected to attend class and to actively participate in class discussions.

**Basis for Course Grade**

Grading will be on a ten point percentage scale: 90-100=A; 80-89=B; 70-79=C; 60-69=D; <60=F. Final grades will be weighted as follows:

**Undergraduate Students**

- Presentation................................20%  (120 Points)
- Question responses..................20%  (120 Points)
- Midterm.....................................25%  (150 Points)
- Final........................................25%  (150 Points)
- Attendance..............................10%  (60 Points)
- **Total.....................................100%  (600 Points)**

**Graduate Students**

- Midterm..................................20%  (100 Points)
- Research Paper.......................50%  (250 Points)
- Presentation............................10%  (50 Points)
- Attendance..............................10%  (50 Points)
- **Total.....................................100%  (500 Points)**
AVAILABILITY OF INSTRUCTOR

Office hours are posted at the top of this syllabus. If you need to see me at a time other than the posted hours do not hesitate to contact me. My first priority as your professor is to enhance your learning experience. You are never imposing on my time if it can contribute to your learning experience.

E-mail availability: I can be contacted by e-mail. You may use e-mail me for "nuts and bolts" type questions (e.g., scheduling, to inform me of an absence—though see the policy on class attendance and make-up work below). I do NOT respond to substantive questions by e-mail (e.g., detailed questions about material you are studying for the exam). I require that you stop by my office if you need any sort of substantive review. Normally, I respond to e-mails within one "business day." (If you e-mail me on Friday, I will usually get back to you by the following Monday.)

Format of the Course

This course will be a combination of lecture, film, and discussion. Approximately the first four weeks of the course will be lecture. During this time, important theoretical and conceptual materials will be presented. The remaining weeks will include some lecture (typically one day per week), film (typically one day per week), and discussion (Fridays).

Course Schedule

This course schedule is tentative. Topics are subject to change or rearrangement as we progress through the class.

Week 1:

W: Introduction to Course
F: Lecture: Basic concepts: Defining Law
Reading: Akers, The Concept of Law (e-reserve)

Week 2:

M: Lecture: Basic Concepts: Images of Society
W: Lecture: Emergence of the Sociology of Criminal Law
F: Lecture: Emergence of the Sociology of Criminal Law
Reading: Quinney, A Critical Theory of Criminal Law (e-reserve)

Week 3:

M: Martin Luther King Day - No Class
W: Lecture: Legal Theories of Law I: Natural Law, Legal Formalism
F: Lecture: Legal Theories of Law II: Cultural and Historical Schools, Utilitarianism
Reading: Quinney, A Critical Theory of Criminal Law (e-reserve)

Week 4:

M: Lecture: Legal Theories of Law III: Sociological Jurisprudence, Legal Realism
W: Lecture: Sociological Theories of Law I: Durkheim
F: Lecture: Sociological Theories of Law II: Weber
Reading: None

Week 5:

M: Lecture: Sociological Theories of Law II: Marx
W: Lecture: Sociological Theories of Law II: Marx (cont.)
F: Discussion: Marx, Social Class, the State and the Law
Read for Discussion: Marx, Social Class, the State and the Law (pp. 1-11)
Week 6:

**M:** Lecture: Law as Dependent I: Consensus explanations of Law  
**Read:** Davie article, e-reserve  
**W:** Lecture: Law as Dependent II: Conflict Explanations of Law  

Week 7:

**M:** Catch up; Review  
**W:** Midterm Exam  
**F:** Go over exam

Week 8:

**M:** Lecture: Law as Independent I: Law and Conflict Resolution  
**W:** Lecture: Law as Independent II: Law and Social Change  
**Read:** Horney and Spohn, *Rape Law Reform and Instrumental Change in Six Urban Jurisdictions* (e-reserve)  
**F:** Discussion: Horney and Spohn, *Rape Law Reform and Instrumental Change in Six Urban Jurisdictions*

Week 9:

**M:** Lecture: Law as Independent III: Deterrence and Social Control  
**W:** Discussion: Berk et al, *The Deterrent Effect of Arrest in Incidents of Domestic Violence*; Cochran and Chamlin, *Deterrence and Brutalization: The Dual Effects of Executions*  
**Read for Discussion:** Berk et al, *The Deterrent Effect of Arrest in Incidents of Domestic Violence* (pp. 43-63); Cochran and Chamlin, *Deterrence and Brutalization: The Dual Effects of Executions* (pp. 64-89)  
**F:** Discussion: Gusfield, *Moral Passage: The Symbolic Process in Public Designations of Deviance*; Marx, *Ironies of Social Control*  

Week 10:

**M:** Lecture: Organization of Criminal Law I: Overview of the Criminal Justice System  
**W:** Discussion: Packer, *Two Models of the Criminal Process*; Smart, *The Women of Legal Discourse*  
**Read for Discussion:** Packer, *Two Models of the Criminal Process* (pp. 148-166); Smart, *The Women of Legal Discourse* (pp. 167-186)  
**F:** Film: *Altered States*

Week 11:

**M:** Lecture: Organization of Criminal Law II: Law Making--Case Study of Drug Laws  
**W:** Lecture: Organization of Criminal Law II: Law Making--Case Study of Drug Laws (cont)  
**F:** Discussion: Peterson, *Discriminatory Decision-Making at the Legislative Level*  
**Read for Discussion:** Peterson, *Discriminatory Decision-Making at the Legislative Level* (e-reserve)

Week 12:

**M:** Lecture: Organization of Criminal Law III: Police  
**W:** Lecture: Organization of Criminal Law III: Police (cont.)  
**F:** Discussion: Buzawa and Austin, *Determining Police Response to Domestic Violence Victims*; Herbert, *Police Subculture Revisited*
Read for Discussion: Buzawa and Austin, *Determining Police Response to Domestic Violence Victims* (pp. 187-203); Herbert, *Police Subculture Revisited* (pp. 204-232)

Week 13:

**M:** Lecture: The Courtroom Structure  
**W:** Lecture: The Judicial Process  
**F:** Discussion: Blumberg, *The Practice of Law as Confidence Game*; Cole, *The Decision to Prosecute*; Fried, *Juror Selection: An Analysis of Voir Dire*

Read for Discussion: Blumberg, *The Practice of Law as Confidence Game* (pp. 233-258); Cole, *The Decision to Prosecute* (pp. 259-273); Fried, *Juror Selection: An Analysis of Voir Dire* (pp. 274-293)

Week 14:

**M:** Lecture: Courts and Rules of Evidence  
**W:** Film: Exclusionary Rule  
**F:** Discussion: Alexander and Gy;amerah, *Differential Punishing of African Americans and Whites Who Possess Drugs*; Reiman, *The Rich Get Richer and the Poor Get Prison*

Read for Discussion: Alexander and Gy;amerah, *Differential Punishing of African Americans and Whites Who Possess Drugs* (pp. 294-307); Reiman, *The Rich Get Richer and the Poor Get Prison* (pp. 308-337)

Week 15:

**M:** Film: Why OJ Simpson Won  
**W:** Film: Why OJ Simpson Won (cont.)  
**F:** Lecture: The Insanity Defense and Self-Defense

Final Exam on Date Set by Auburn University

Policy on Class Attendance and Makeup Work (Including Exams)

Make-ups for all missed and late work are allowed with proper University approved excuses within one week of the original due date.

**EARLY WITHDRAWAL**

Students may withdraw from the course without grade penalty until the mid-term date for the semester. (Check the calendar on the university website for the specific date.) Any withdrawal prior to this date will simply be designated on your transcript as a "W" and will not affect your grade point average.

**Policy on Cheating**

*Auburn University expects students to pursue their academic work with honesty and integrity. Violations of this principle may include:*

- The possession, receipt, or use of any material or assistance not authorized in the preparation of any essay, laboratory report, examination, or class assignment to be submitted for credit as a part of a course or to be submitted in fulfillment of a University requirement. The possession, receipt, or use of unauthorized material while an exam or quiz is in progress, or cheating of any other nature, will be a violation of the Code.
- Knowingly giving assistance to another in such preparation.
- Selling, giving, lending, or otherwise furnishing to any other person any material which can be shown to contain the questions or answers to any examination scheduled to be given at some subsequent date in any course of study, excluding questions and answers from tests previously administered and returned to a student by the instructor.
• The submission of themes, essays, term papers, tests, design projects, similar requirements or parts thereof that are not the work of the student submitting them. When direct quotations are used, they should be indicated, and when the ideas of another are incorporated into a paper, they must be appropriately acknowledged. Almost every student has heard the term "plagiarism." Nevertheless, there is a danger of failing to recognize either its full meaning or its seriousness. In starkest terms, plagiarism is stealing -- using the words or ideas of another as if they were one's own. If, for example, another person's complete sentence, syntax, key words, or the specific or unique ideas and information are used, one must give that person credit through proper documentation or recognition, as through the use of footnotes.

• Altering or attempting to alter an assigned grade on any official University record. This violation may also be subject to review and action by the Student Disciplinary Committee.

• An instructor may delineate in advance other actions he or she considers a violation of the Code. For example, the teacher may consider dishonest or unethical the submission of papers substantially the same in content for credit in more than one course unless specific permission has been given in advance.

STUDENTS WITH DISABILITIES

It is the policy of Auburn University to provide accessibility to its programs and activities and reasonable accommodation for persons defined as having disabilities under Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990.

If any student has a certifiable disability, he or she should contact the Program for Students with Disabilities located in 1234 Haley Center, (334)844-2096. All reasonable accommodations will be made for students with appropriate documentation from the Program for Students with Disabilities. This documentation must be presented prior to or within the first week of class.