A dominant theme among many sociologists, jurists, and philosophers is that a primary function of law is to bring about social change. To this end, sociology of law will be explored through both historic and modern perspectives emphasizing the contributions of theorists such as Durkheim, Marx, Weber, Aquinas, Rousseau, Hobbs, Hart, Rawls, and Dworkin. Specific issues to be addressed by the course include: (1) the evolution, functions, and forms of social control, (2) forms of legal thought as they relate to contemporary social and political order, (3) conditions that give rise to forms of social control and the staff of specialists that are its promoters, and (4) the degree of freedom and coercion existing in the form of law. Sociological conditions that give rise to major legal developments will be explored through key appellate and supreme courts cases. An additional emphasis of the course will be to investigate what role sociology and other social sciences should play in the process of making new laws and abolishing obsolete ones.

At the conclusion of the course the student should be able to:

- Understand the focus of the sociology of law as distinguished from other areas of sociology
- Explain the contributions made by specific classical and contemporary theorists to the study of the sociology of law.
- Articulate how sociology influences case law and legal developments
- Critically evaluate what role sociology and other social sciences should play to the judicial system

Class Format

Course material will be presented through lectures by the instructor, assigned readings from a text and supplemental readings on E-reserve. Students will be expected to attend class on a regular basis, keep up with the assigned readings and come to class prepared to participate in class discussions guided by the instructor.

Required Text

Grading

The final grade will be based on two exams, a class presentation, final research paper, and class participation. There will be two in class essay exams each worth 25 percent of the final grade. Students will be divided into groups of two or three and asked to make a presentation on one of the articles from the reading list. The presentation will constitute 15 percent of the final grade. Each student will be required to turn in a research paper related to a topic in the sociology of law. The topic must be approved by the instructor. The paper is to be turned in towards the end of the semester and will constitute 25 percent of the grade. As class discussion is a vital part of the learning process, class attendance and participation will be worth 10 percent of the final grade.


Topics to be Covered

- Introduction – The Sources and Nature of Legal Authority
- Sociology of Law, Sociology of Jurisprudence, and Philosophy of Law: A Comparison
- The Legal system from a Marxian Perspective: The Rich Get Richer and the Poor Get Prison
- Corporate Liability: The Case of the Exploding Ford Pinto
- The Incarceration Binge: Forty Years of a Failed Policy
- What Should be Done with What Collar Criminals?
- How Dangerous are Sex Offenders?
- Tales from the Innocence Project: Death Row Offenders that were Exonerated
- What’s Science Got to do with it? What Role Should Science Play in Supreme Court Decisions
- Sociology of Law in the Twenty-First Century

Readings On Reserve


Fuchs, S., & Ward, S. (1994). What is deconstruction, and where and when does it take


**Special Accommodations**

I accordance with the American Disabilities Act (ADA), persons with disabilities requiring special accommodations to meet the expectations of the course are encouraged to bring this to the attention of the instructor as soon as possible. Written documentation of the disability should be submitted during the first week of the quarter along with the request for special accommodations. Contact the Center for Disabled Student Services (160 Union, 1-5020) to facilitate requests.

**Academic Honesty**

Unfortunately, academic dishonesty has become a serious problem on many campuses. The purpose for including the following statement is to prevent any misunderstanding about what constitutes academic dishonesty and what consequences will result if it is detected.

Academic honesty is expected. An act of academic dishonesty will result in a failing course grade of “E” and may result in a recommendation of additional disciplinary action. (The University of Utah Student Code provides for these sanctions and provides appeal rights.)

1. Cheating (as defined is Article XI of the Student Code) generally includes the giving or receiving of any unauthorized assistance on any academic work.
2. Plagiarism, as defined in Article XI of the Student Code, is “the appropriation of any
other person’s work and the unacknowledged incorporation of that work in one’s own work offered for credit.”

3. Falsification. Any untrue statement, either oral or written, concerning one’s own academic work or the academic work of another student, or the unauthorized alteration of any academic record.

4. Original work. Unless specifically authorized by the instructor, all academic work undertaken in this course must be original. Work that has been submitted in a prior or existing course may not be submitted in a course being taken concurrently.