

# SOCIOLOGY OF LAW

Legal Studies 184 | Fall 2020  
University of California, Berkeley  
Lecture: Tu Th 12:30-2pm  
Location: <https://berkeley.zoom.us/j/96700865227>

## **Instructor**

Dr. Kristin M. Sangren  
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## **GSIs**

Lawrence Liu (Sections 101 & 102)  
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Section and OH Location: <https://berkeley.zoom.us/j/4316473257>

## **COURSE INFORMATION**

Law is a set of abstract rules meant to bind all members of a given social community. Yet law is itself also the product of many different types of social relationships, has many different effects on different groups over which it claims jurisdiction, and enacts the inclusion in and exclusion from community membership. It structures our relationships to one another, impacts the meaning we make out of our lives, informs our everyday practices, and shapes the way we view ourselves. It (re)produces privilege and disadvantage, and at times facilitates (or frustrates) social change in unpredictable ways. Although law stands as a discrete institution and form in nearly all modern societies, it is always intersected by a multiplicity of broader social forces and processes.

In this course, we will explore the many social lives of law. We begin by considering law's role in the maintenance of social solidarity, in framing moral attribution, and in shaping normativity. We then turn to the many uses of "rights" in legal mobilization and broader social movements. Next, we examine law's role in the (re)production of social inequalities of various types, focusing in particular on race, gender, and their intersections. We then explore the 'inside' of the law—how laws are crafted and practiced in the legal system by legal professionals, and how law constructs claims to objectivity, facticity, and truth. Turning to the life of the law beyond the hallowed halls of legal institutions, we go on to explore the ways that law shapes meaning, identity, and memory in a broader cultural milieu. Then, we investigate the variety of ways that law is recruited to demarcate inclusion and exclusion from political community membership, and the ways that modern nation-states navigate the proliferating legal regimes in our increasingly globalized world. Finally, we confront the perennial question: Does law produce social change? We focus on a particular case, that of the Anti-Abortion Movement, to consider the variety of unexpected ways that law can be mobilized to enact—or frustrate—social change.

## LOGISTICS & EXPECTATIONS

*Modules:* You will engage with course content primarily through the Modules function on bCourses. We will post mandatory weekly reading and assignments to bCourses>Modules, categorized as ‘Read,’ ‘Engagement Opportunities,’ ‘CRM,’ etc. You will not necessarily have tasks to complete in all categories every week, and in most weeks you will have multiple tasks to complete, for example, under ‘Read.’ Modules will also include a section ‘Recommended,’ where we will include optional content or assignments.

### COURSE ENGAGEMENT:

*Asynchronous Engagement:* Because of the uncertainties of our current moment, and the challenges associated with Remote Learning, I have endeavored to design this class to be flexible and responsive to a variety of learning circumstances. Owing to privacy concerns (both my own and those of your classmates) I will *not* be video or audio-recording lectures or making them available asynchronously. However, the course is designed to allow students to be successful even if they are infrequently able to attend synchronous sessions. As long as you keep up with the reading, actively engage on the various asynchronous platforms, and do your best to at least attend section meetings synchronously, you will be successful in this course.

We will be using a variety of different platforms to facilitate asynchronous engagement. The primary platforms will be bCourses [Modules](#) and [Discussion Boards](#), [Hypothesis](#), and [GSuite](#). Please do your best to familiarize yourself with these platforms, and let your GSIs know if you are having difficulties navigating the tech workflow. Please review the brief walkthrough of these platforms in the [Course Introduction Video](#).

All engagements will be evaluated in accordance with the [High-Quality Engagements Rubric](#).

During the first week of class, your GSIs will facilitate an activity during which you will collaborate with your section-mates to put together a set of policies and expectations about appropriate online conduct (“netiquette”). You will be expected to abide by these policies in all of your online engagements, both synchronous and asynchronous.

We will periodically assign activities to be conducted via **Discussion Boards**. We also strongly encourage you to post your question about course content as a Discussion Thread for your classmates to respond to, and to answer classmates’ questions (based on the criteria in the HQE rubric). Qualifying engagement in these threads will count towards your HQE score.

In this course, we will use [Hypothesis](#) to group-annotate readings. We encourage you to annotate and respond to your classmates’ annotations. These engagements will be evaluated based on the HQE Rubric and count towards your HQE score. Your GSIs will give you more information on how to set up your account and help you out with installing the extension.

*Synchronous Engagement:* This course prioritizes active learning strategies and activities. Synchronous lectures will incorporate many small-group learning activities during which you will be expected to engage directly with one another, occasionally with instructor oversight. You will not be required to turn your cameras or microphones on during synchronous sessions, although we encourage you to do so if you are comfortable.

You will be assigned a **Zoom Lecture Pod** (Breakout Room) at the beginning of the semester. This group will consist of ~five students, and you will periodically be broken-out into your Pods during lecture

for small-group activities. Many of these activities will require you to produce a deliverable or record of your discussion ('Pod Doc') that will be reviewed by your GSI and factored in to your Class Engagements grade.

Be aware that I or your GSI may join your Lecture Pod discussion at any time. This is a good time to ask questions or for clarification of the material under discussion in a smaller-group setting. Occasionally, we will assign homework assignments, for example short presentations, which will require you to collaborate with your Pod outside of class.

Pod members are mutually accountable—if you miss lecture, you should reach out to your Pod members to inquire about missed materials and get the link to the Pod Doc. If you would like to receive credit for asynchronous Pod Doc engagement, you must:

- 1) Review the *full* Pod Doc (not only our Pod's contribution)
- 2) Write a ~1 paragraph meta-reflection on the Doc prompt. You should summarize the various views of your classmates, comment on these views, respond to or clarify questions that your classmates raise, and note any questions that these views raised for you.

Submit your contribution by 9am the next day by emailing a link to the PodDoc (with your contribution) to your GSI. Input your contribution at the bottom of the PodDoc, in **Blue** font and with your name clearly indicated.

We strongly encourage you to leverage your Pod for group study, collaborative research, and general community.

Note that although attendance is only a small part of your grade, **High Quality Engagements (HQEs)**, which in synchronous sessions include raising comments or asking questions during class (either using your microphone or via Zoom chat), or actively participating in small-group work, are heavily weighted in this course (see [Grade Breakdown](#) and [HQE Rubric](#) for more detail).

In order for us to have productive discussions, it is imperative that you come to class prepared and ready to participate in thoughtful and respectful discussion. Successful engagement correlates with quality, rather than with quantity of comments. Coming to see your GSI or me in office hours also qualifies as engagement.

In class we will refer directly to portions of the text, so *always have your copy of the readings accessible during synchronous meetings!* It is possible that our discussions may touch on sensitive or controversial topics. It is imperative that we keep an open mind and respect everyone's differing viewpoints. Discriminatory behavior will not be tolerated.

In order to receive credit for attendance, you must log-in to the Zoom meeting on time. If you log in more than 20 minutes late to lecture, you will be marked absent. Consult with your individual GSI for section attendance policies.

*Assigned Readings:* All course readings will be made available electronically through bCourses>Modules. You are expected to come to class having completed all assigned readings in advance. ***It is imperative that you keep up with the reading if you want to succeed in this class!***

*Questions & Communications:* I will communicate with you primarily through the bCourses platform, and it is your responsibility to keep abreast of any course announcements (so turn on your notifications!) Please notify me ASAP if you are unable to access the bCourses site.

If you have a question about the class, you **must** complete the following steps before emailing the instructor or your GSI:

- 1) Check the syllabus
- 2) Check bCourses>Modules>Course Toolbox and Course Prep
- 3) Check bCourses>Discussions>the relevant Pinned Discussion ('Course Content Questions' or 'Course Logistics Questions')

If you do not find the answer to your question using the above strategies:

- If your question is not of a personal matter specific to you—e.g., inquiries about your grade, questions about your final project topic, etc.—post your question to the relevant Pinned Discussion ('Course Content Questions' or 'Course Logistics Questions'). Myself or a GSI will respond to your thread within 24 hours.
- If your question is of a personal matter, email the instructor or your GSI. I endeavor to respond to emails within 24 hours, but may take longer on weekends. I will not respond to emails received after 6pm until the following morning. Consult with your GSI about their email policy.
- If you do not receive a response to your email, it is likely that the information you need is available in one of the three steps listed above. Check again.

Answering your classmates' questions posted to either the Course Logistics or Course Content Questions threads (ACCURATELY) will count towards your HQE score!

*Critical Reading Memos (CRMs):* These memos are a ~3-page synthesis and evaluation of two of the readings for the week that the CRM is due (for greater detail and instructions, see the [CRM Guidelines](#)). There will be 12 weekly deadlines throughout the semester, and students must choose **FOUR (4)** deadlines at which to submit a CRM. It is your choice which deadlines to submit. You do not need to notify your GSI if you will be submitting in a given week, just upload your memo to bCourses by the deadline.

There will be **NO EXTENSIONS!** The bCourses Assignment will automatically close at the weekly deadline, and no additional submissions will be accepted. Don't panic! Remember, you have many more opportunities to submit!

*Final Project:* The final project in this course will be a presentation of an argument about a topic of the student's choice, based on original research. You will have considerable latitude in how you choose to present your argument—a conventional research paper, a 'Last Week Tonight'-style long-form video segment, an op-ed, a podcast, etc. You will be required to submit a short (~1 paragraph) project proposal (October 8<sup>th</sup>), which your GSI must approve before you begin research. You will then submit an annotated bibliography identifying and summarizing some preliminary sources you plan to use (November 5<sup>th</sup>). Finally, you must submit a full bibliography (not annotated) at the time that you upload your final submission Wednesday, December 9<sup>th</sup>, before 5pm. We will provide more guidelines and a rubric later in the semester, and provide activities and space to help you to develop your project during Discussion Sections.

#### **GRADE BREAKDOWN:**

Class Engagement	<b>50%</b>
• Lecture attendance	5%
• Section attendance	5%
• High-quality engagements (HQEs) (Contributions in class, section, and office hours, Hypothesis annotations, discussion)	

board and Lecture Pod contributions, homework, etc.)	40%
<b>Critical Reading Memos (CRMs)</b>	<b>25%</b>
• 6.25% per CRM	
<b>Final Project</b>	<b>25%</b>
• Project proposal	5%
• Annotated bibliography	5%
• Final submission	15%

**KEY DEADLINES:**

- Fridays, 11:59pm PST—CRM submission deadline
- Fridays, 11:59pm PST—HQE weekly cutoff
- Thursday, October 8<sup>th</sup>, 11:59pm—Final Project proposal due
- Thursday, November 5<sup>th</sup>, 11:59pm—Annotated bibliography due
- Wednesday, December 9<sup>th</sup>, 11:59pm—Final Project submission deadline

**POLICIES**

*Statement on Copyright and Recording:* Materials in this course—unless otherwise indicated—are protected by United States copyright law [Title 17, U.S. Code]. Materials are presented in an educational context for personal use and study and should not be shared, distributed, or sold in print—or digitally—outside the course without permission.

Video and audio recording of lectures and sections without my/your GSI/your fellow students' consent is prohibited. You may not reuse or circulate recorded lectures, my slides, or other course resources to anyone, whether or not they are enrolled in the class, without my permission. This includes screenshots of course materials and/or participants, unauthorized recording of lectures, presentations, or discussions.

*Disability-Related Accommodations and Extracurricular Conflicts:* If you need disability-related accommodations in this class, please arrange to meet with me or your GSI immediately to discuss your requirements.

The campus-wide policy on extra-curricular conflicts is available online at <https://academic-senate.berkeley.edu/sites/default/files/guide-acad-sched-conflicts-final-2014.pdf>. Here are some highlights:

- It is the student's responsibility to inform the instructor (or designated GSI), in writing, before the end of the second week of term of all foreseeable conflicts between the syllabus (classes, exams, project due dates, field trips) and scheduled practices, matches, games, potential tournaments, interview weeks, performances, and other activities in which the student will be participating (or may be participating) that would require absence from academic activities during the semester, as well as to provide a proposal for resolving these conflicts.
- If unforeseen conflicts arise during the course of the semester students must promptly notify the instructor and arrange to discuss the situation as soon as these conflicts (or the possibility of these conflicts) are known.
- Students are responsible for material covered during missed classes whether or not they have been formally excused; therefore it is the student's responsibility to inform

him/herself about the material missed. Because of serious workload issues it is not the instructor's or the GSI's responsibility to tutor students in missed material. For this reason it is recommended that students absent from class for any reason make timely contact with several other students in the class to arrange for thorough briefing on the material they missed.

*Academic Integrity:* Plagiarism will be punished with a failing grade for the assignment and potential further disciplinary action. Please refer to <http://sa.berkeley.edu/conduct/integrity> for the university academic integrity policy.

*Territory Acknowledgement:* Although we are meeting remotely and most students are away from Berkeley, I would like to acknowledge that the brick-and-mortar buildings of UC Berkeley sit on the territory of Huichin, the ancestral and unceded land of the Chochenyo [Ohlone](#), the successors of the historic and sovereign Verona Band of Alameda County. This land was and continues to be of great importance to the Ohlone people. We recognize that every member of the Berkeley community has, and continues to benefit from the use and occupation of this land, since the institution's founding in 1868. Consistent with our values of community and diversity, we have a responsibility to acknowledge and make visible the university's relationship to Native peoples. By offering this Land Acknowledgement, we affirm Indigenous sovereignty and will work to hold University of California Berkeley more accountable to the needs of American Indian and Indigenous peoples (Statement adapted from the [Native American Studies library](#) website).

## COURSE SCHEDULE

### **Week 1 (Aug. 27)—Course Introduction**

### **Week 2 (Sept. 3 & 5)— Solidarity, Moral Attribution, and Norms**

Durkheim, Emile (1933 [1893]), *The Division of Labor in Society*. New York: The Free Press. [pp. 63-69, 105-115, 127-132] (21 pages)

Durkheim, Emile. (1974 [1906]), "The Determination of Moral Facts." pp. 35-62 in *Sociology and Philosophy*, D.F. Pocock (trans.). New York: The Free Press. [excerpt, pp. 37-38] (1 page)

Silver, Jasmine R. 2017. Moral Foundations, Intuitions of Justice, and the Intricacies of Punitive Sentiment. *Law & Society Review* 51(2): 413-450 (37 pages)

#### *Alternative Normative Systems*

Macaulay, Stewart. 1963, *Non-Contractual Relations in Business: A Preliminary Study*. *ASR* 28(1): 55-67 (13 pages)

Lempert, Richard. 1972. Norm-Making in Social Exchange: a Contract Law Model. *LSR* 7(1): 1-32 (32 pages)

#### *Recommended:*

Lauren B. Edelman, Howard S. Erlanger & John Lande. 1993. *Internal Dispute Resolution: The Transformation of Civil Rights in the Workplace*. *LSR* 27(3): 497-524 (27 pages)

Ruffini, Julio L. 2005[1976]. Disputing Over Livestock in Sardinia. *Law and Anthropology: A Reader*. Sally Falk Moore, ed. Malden: Blackwell Publishing, pp. 135-153 (18 pages)

### **Week 3 (Sept. 8 & 10) —The Use(s) of Rights**

#### *Social Movements*

McCann, Michael W. 1994. *Rights at Work: Pay Equity Reform and the Politics of Legal Mobilization*. Chicago: University of Chicago Press, chap 7 (pp. 227-277) (50 pages)

Lewis, Andrew R. 2017. *The Rights Turn in Conservative Christian Politics: How Abortion Transformed the Culture Wars*. Cambridge: Cambridge University Press, introduction (pp. 1-14) (14 pages)

#### *Individual Mobilization*

Engel, David M. and Frank W. Munger. 1996. Rights, Remembrance, and the Reconciliation of Difference. *LSR* 30(1): 7-54 (47 pages)

### **Week 4 (Sept. 15 & 17)—The Production of Inequality**

#### *Structural Disadvantage*

Marx, Karl and Frederick Engels (1947 [1846]), *The Relation of State and Law to Property. The German Ideology*. C.J. Arthur, ed. New York: International Publishers, pp. 79-81.

Hunt, Alan. 1996. *Marxist Theory of Law. A Companion to Philosophy of Law and Legal Theory*. Hoboken: Blackwell Publishers, pp. 355-365.

Alexander, Michelle. 2010. *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press, chap. 2 (pp. 58-94)(36 pages)

#### *Law and the Micropolitics of Disadvantage*

Kohler-Hausmann, Issa. 2013. Misdemeanor Justice: Control without Conviction. *American Journal of Sociology* 119(2): 351-393 (42 pages)

Pager, Devah (2003) The Mark of a Criminal Record. *American Journal of Sociology* 108(5): 937-975 (38 pages)

#### *Recommended:*

Lara-Millan, Armando. 2020. Theorizing financial extraction: The curious case of telephone profits in the Los Angeles county jails. *Punishment and Society*. Available: <https://journals-sagepub-com.libproxy.berkeley.edu/doi/full/10.1177/1462474520941929>

### **Week 5 (Sept. 22 & 24)—The Production of Inequality (cont.)**

#### *The Color and Gender of Justice*

*The New Jim Crow*, chap. 3 (pp. 95-136)(41 pages)

Stanko, Elizabeth Anne. 1981. The Impact of Victim Assessment on Prosecutors' Screening Decisions: The Case of the New York County District Attorney's Office. *Law & Society Review* 16(2): 225-240 (15 pages)

Frohman, Lisa. 1997. Convictability and Discordant Locales: Reproducing Race, Class and Gender Ideologies in Prosecutorial Decisionmaking. *Law and Society Review* 31: 531-556 (25 pages)

Farrell, Amy, Geoff Ward and Danielle Rousseau. 2010. Intersections of Gender and Race in Federal Sentencing: Examining Court Contexts and the Effects of Representative Court Authorities. *Journal of Gender, Race & Justice* 14: 127-142 (15 pages)

*Recommended:*

Report by The Criminal Justice Policy Program, Harvard Law School. Racial Disparities in the Massachusetts Criminal System. Available: <http://cjpp.law.harvard.edu/assets/Massachusetts-Racial-Disparity-Report-FINAL.pdf>

Kurwa, Rahim. “[Deconcentration without integration: Examining the social outcomes of housing choice voucher movement in Los Angeles County.](#)” *City & Community* 14, no. 4 (2015): 364-391

Kricheli-Katz, Tamar. 2012. Choice, Discrimination, and the Motherhood Penalty. *LSR Review* 46(3): 557-587 (30 pages)

Gurusami, Susila. 2019. “ Motherwork Under the State: The Maternal Labor of Formerly Incarcerated Black Women .” *Social Problems* 66 (1): Pages 128–143

Addington, Lynn A. 2020. Police response to same-sex intimate partner violence in the marriage equality era. *Criminal Justice Studies*. Available: [https://www.tandfonline-com.libproxy.berkeley.edu/doi/full/10.1080/1478601X.2020.1786277?journalCode=gjup20](https://www.tandfonline.com.libproxy.berkeley.edu/doi/full/10.1080/1478601X.2020.1786277?journalCode=gjup20)

**Week 6 (Sept. 29 and Oct. 1)—The ‘Making’ of Law**

*Administrators*

Latour, Bruno. *The Making of Law: An Ethnography of the Conseil D'Etat*. Cambridge: Polity, chap. 4 (pp. 127-197).

*Courts*

Hollis-Brusky, Amanda. *Ideas With Consequences: The Federalist Society and the Conservative Counterrevolution*. Oxford: Oxford University Press, chap 3 (pp. 61-89)(28 pages)

Sunstein, Cass R., David Schadke, and Lisa Michelle Ellman. 2004. Ideological Voting on Federal Courts of Appeals: A Preliminary Investigation. *Virginia Law Review* 90(1), 304-354. *Read the Introduction and section IV closely, skim especially section III.*

**Week 7 (Oct. 6 & 8)—Disputes**

Felstiner, William L.F., Richard L. Abel, and Austin Sarat. 1980. “The Emergence and Transformation of Disputes: Naming, Blaming, Claiming . . .” *Law & Society Review* 15 (3/4): 631–54 (23 pages)



Calavita, Kitty and Valerie Jenness. 2015. *Appealing to Justice: Prison Grievances, Rights, and Carceral Logic*. Berkeley: University of California Press, chap. 3 (pp. 49-79)

Li, Ke. 2015. "What He Did Was Lawful": Divorce Litigation and Gender Inequality in China. *Law & Policy* 37(3), 153-179.

Nader, Laura. 1996. *Coercive Harmony: the Political Economy of Legal Models*. Kroeber Anthropological Society Papers. (pp. 1-12).

*Recommended:*

Bumiller, Kristin. 1986. Victims in the Shadow of the Law: A Critique of the Model of Legal Protection, *Signs*, 12, 3-16.

McElthattan, David, Laura Beth Nielsen, and Jill D. Weinberg. 2017. Race and Determinations of Discrimination: Vigilance, Cynicism, Skepticism, and Attitudes about Legal Mobilization in Employment Civil Rights. *Law & Society Review* 53(3), 669-703.

**Week 8 (Oct. 13 & 15)—The Legal Profession**

Sutton, John R. 2001. *Law as Profession. Law/Society: Origins, Interaction, and Change*. Thousand Oaks: Pine Forge Press, chap. 8 (pp. 221-252)(31 pages)

Johnson, Alex M. Jr. 2013. "Knots in the Pipeline for Prospective Lawyers of Color: The LSAT Is Not the Problem and Affirmative Action Is Not the Answer," 24 *Stan. L. & Pol'y Rev.* 379-424.

Halliday, Karpik, and Feeley. 2007. *Fighting for Political Freedom: Case Studies of the Legal Complex*, pp. 1-14, 32-34 (16 pages)

*Recommended:*

Nelson, Robert L. and Laura Beth Nielsen. 2000. Cops, Counsel, and Entrepreneurs: Constructing the Role of Inside Counsel in Large Corporations. *LSR* 34(2): 457-494 (38 pages).

**Week 9**

**October 20—*Constructing Law's Facticity***

Sanders, Andrew. 1987. Constructing the Case for Prosecution. *Journal of Law and Society* 14(2): 229-253 (25 pages)

Cooney, Mark. 1994. Evidence as Partisanship. *Law & Society Review* 28(4): 833-858 (26 pages)

*Recommended:*

Geertz, Clifford. *Fact and Law in Comparative Perspective. Local Knowledge: Further Essays in Interpretive Anthropology*. Basic Books, pp. 167-234 (67 pages)

**October 22—*Speaking-cum-Thinking in Law***

Ewick, Patricia, and Susan S. Silbey. 1998. *The Common Place of Law: Stories from Everyday Life*. Chicago: University Of Chicago Press, chap. 2-3 (pp. 15-53)(38 pages)

*Recommended:*

Merry, Sally Engel. 1990. *Getting Justice and Getting Even: Legal Consciousness among Working-Class Americans*. Chicago: University of Chicago Press, chap. 3, 5-6 (pp. 37-63, 88-133)(71 pages)

**Week 10**

**October 27— *Speaking-cum-Thinking in Law (cont.)***

Ewick, Patricia, and Susan S. Silbey. 1998. *The Common Place of Law: Stories from Everyday Life*. Chicago: University Of Chicago Press, chap. 4-6

*Recommended:*

Mertz, Elizabeth. 2007. *The Language of Law School: Learning to "Think Like a Lawyer."* Cambridge: Oxford University Press, chap. 6 (pp. 97-137)(40 pages)

**October 29—*Legal Constructions of Identity***

Collier, Jane F., Bill Maurer, and Liliana Suarez-Navaz. 1995. *Sanctioned Identities: Legal Constructions of Modern Personhood*. *Identities* 1(1-2): 1-27 (27 pages)

Goodale, Mark. 2009. *Dilemmas of Modernity: Bolivian Encounters with Law and Liberalism*. Stanford: Stanford University Press, chaps. 1, 4

*Recommended:*

Ruskola, Teemu. 2013. *Legal Orientalism: China, the United States, and Modern Law*. Cambridge, Mass: Harvard University Press, chap. 2.

Clifford, James. 1988. *The Predicament of Culture: Twentieth-Century Ethnography, Literature, and Art*. Cambridge: Harvard University Press, chap.12 (Identity in Mashpee). Selections TBA.

**Week 11 (Nov. 3 & 5)—Law, Memory, and History**

*Tuesday, November 3<sup>rd</sup>—Election Day, NO CLASS! (Go vote or volunteer!)*

Levin, Daniel. 2004. *Federalists in the Attic: Original Intent, the Heritage Movement, and Democratic Theory*. *LSI* 29: 105-124 (19 pages)

*Recommended:*

Markovits, Inga. 2001. *Selective Memory: How the Law Affects What We Remember and Forget about the Past: The Case of East Germany*. *LSR* 35(3): 513-563 (50 pages)

Fronza, Emmanuela. 2006. The Punishment of Negationism: The Difficult Dialogue between Law and Memory. Vermont Law Review 30: 609-626 (17 pages)

### **Week 12 (Nov. 10 & 12)—Law, Sovereignty, and Exclusion**

De León, Jason. 2015. The Land of Open Graves: Living and Dying on the Migrant Trail. Berkeley: University of California Press, Part 1 and chap. 5 (pp. 21-87, 107-144)(103 pages)

#### *Recommended:*

Sutton, John R. 2001. Law and the State: Max Weber's Sociology of Law. Law/Society: Origins, Interaction, and Change. Thousand Oaks: Pine Forge Press, chap. 4 (pp. 99-132)(33 pages)

Simpson, Audra. 2014. Mohawk Interruptus: Political Life Across the Border of Settler States. Durham: Duke University Press, chap. 1 (pp. 1-36) (36 pages)

Volpp, Leti. 2019. [Protecting the Nation from 'Honor Killings': The Construction of a Problem](#). Constitutional Commentary, pp. 133-169.

### **Week 13 (Nov. 17 & 19)—Proliferations of Law in an Interconnected World**

Merry, Sally Engel. 1988. Legal Pluralism. LSR 22(5): 869-896 (28 pages).

Clarke, Kamari. 2010. Fictions of Justice: The International Criminal Court and the Challenge of Legal Pluralism in Sub-Saharan Africa. Cambridge: Cambridge University Press, selections TBA.

#### *Recommended:*

von Benda-Beckmann, Franz. 1988. Comment on Merry. Law & Society Review 22.5: 897-902.

de Sousa Santos. Boaventura. 1987. Law: A Map of Misreading. Toward a Postmodern Conception of Law. JLSR 14(3): 279.302 (24 pages).

### **Week 14 (Nov. 24 & Dec. 1)—Does Law Produce Social Change? A Case Study**

Galanter, Mark, "Why the Haves Come Out Ahead: Speculations on the Limits of Legal Change" Law and Society Review, 1.9 (Autumn, 1974): 95-160 (65 pages)

Albiston, Catherine. 2011. The Dark Side of Litigation as a Social Movement Strategy. Iowa Law Review Bulletin 96: 61-77.

Luker, Kristin. 1984. Abortion and the Politics of Motherhood. Berkeley: University of California Press, chap. 6-7 (pp. 126-191) (65 pages)

Arey, Whitney. 2019. Web Roundup: Abortion Bans, Heartbeat Bills, and the Future of Roe v. Wade. Somatosphere. Available: <http://somatosphere.net/2019/web-roundup-abortion-bans-heartbeat-bills-and-the-future-of-roe-v-wade.html/>.

*Recommended:*

Chemerinsky, Erwin and Michele Goodwin. 2019. Constitutional Gerrymandering Against Abortion Rights: *NIFLA v. Becerra*. NYU Law Review 94: 61-124.

[In class: Reversing Roe]

**Week 15 (Dec. 3)—Wrapping Up Loose Ends**