

R1B: Reading and Composition, Fall 2023

Writing on Law, Religion and Society

INSTRUCTOR

Yael Plitmann

EMAIL

yaelplitmann@berkeley.edu

OFFICE HOURS

Mon. & Wed.

3:45 to 4:45pm

at Café Strada

Sign up [here](#).

TIME AND LOCATION

Mondays and Wednesdays 5-6:29 PM

Room 50 - Social Sciences Building

COURSE OVERVIEW

This class seeks to explore the intersection of law and religion by bringing together several strands of scholarly discussion that are seldom read alongside each other: the legal, sociological, anthropological, and philosophical. Institutionally and discursively taken as separate, the consideration of these overlapping and diverging conversations raises interesting questions for the relationship between law and religion: What are the religious roots of our legal orders? Are law and religion distinct, autonomous realms? Should they be? By considering possible answers to these questions, we will reflect not only on the subject matter of this course, but also on how knowledge is constructed differently in each tradition. We will ask: what writing strategies, vocabularies and literary techniques are used in each discipline? How do those differ from one another? How do they correspond with the scientific approach and institutional commitments of their authors? We will explore these themes through students' attentive reading, reflective writing, and class discussions on these matters.

This class is designed to guide you in the development and improvement of your writing skills, using the academic debates around law and religion as a useful example for exploring a scholarly topic from varying angles. Class will be a mixture of lecture, discussion, and group workshops on writing assignments. We will work primarily in a seminar environment where exchange among us will be a key feature of the learning process. You are expected to read the class materials and complete the assignments for each week. The course assignments build on each other and will later inform your final research paper. I will provide each student with extensive written and verbal feedback on your written assignments, and I expect you to implement that feedback and to consult with me regularly via office hours. At regular intervals you will participate productively in workshops on each other's works, and at the end of the semester you will present your final essay.

GRADING

	Component	% Final Grade
1	First Major Essay (due Sept. 5)	20%
2	Second Major Essay (due Oct. 17)	20%
2	Final Essay (due Dec. 10)	40%
3	Mini assignments	10%
4	Participation and final presentation	10%

Class participation will be evaluated on the basis of active engagement in class discussions. Active engagement includes: on-time attendance, actively and thoughtfully engaging with the readings for the week, providing constructive feedback and help to your classmates during workshops, and asking questions when you have them. Mini assignments will be graded for on-time completion only. However, keep in mind that the more you put into your mini assignments, the more I can provide feedback that will assist you in your major essays and final paper. Each major essay will be evaluated on a number of criteria, including:

- Conciseness and clarity in writing
- Precision and sophistication of ideas
- Implementing feedback from previous drafts
- Organization
- Spelling and grammar

COURSE POLICIES

In-person attendance is required unless you are ill. Please arrive on time. You may use your computers for note-taking during lectures, but not during discussions and workshops. Please do not use your laptop to do other work during class (it is often obvious and is distracting both to fellow students and to the instructor).

DISABILITY AND RELIGIOUS ACCOMMODATION

If you need accommodation for a disability, please let us know as soon as possible. You will need to be evaluated by the Berkeley Disabled Students Program, which will recommend the appropriate accommodations. If you will need accommodation based on your religious preferences, please let me know as soon as possible.

COURSE SCHEDULE

WEEK 1

Wed., Aug. 23 Class 1: Introduction

WEEK 2

Reading: Cover, "Nomos and Narrative"

Mon., Aug. 28 Class 2: How to read socio-legal materials

Tue., Aug. 29 Submit: [Mini Assignment #1](#)

Wed., Aug. 30 Class 3: Class discussion

WEEK 3

Reading: no additional readings this week

Mon., Sept. 4 NO CLASS – Labor Day:

Tue., Sept. 5 Submit: [First Major Essay](#)

Wed., Sept. 6 Class 4: Class workshops

WEEK 4

Reading: Bob Jones University v. United States, 461 U.S. 574 (1983)

Mon., Sept. 11 Class 5: Class discussion

Tue., Sept. 12 Submit: [Mini Assignment #2](#)

Wed., Sept. 13 Class 6: Class workshops

WEEK 5

Reading: Hosanna-Tabor Evangelical Lutheran Church v. Equal Employment Opportunity Commission (2012)

Mon., Sept. 18 Class 7: class discussion

Tue., Sept. 12 Submit: [Mini Assignment #3](#)

Wed., Sept. 20 Class 8: class discussion

WEEK 6

Reading: Sullivan, *Church State Corporation*, Ch. 1

Mon., Sept. 25 Class 9: class discussion

Tue., Sept. 26 Submit: [Mini Assignment #4](#)

Wed., Sept. 27 Class 10: class workshops

WEEK 7

Reading: *Africa v. Commonwealth of Pennsylvania* 662 F.2d 1025 (1972)

Mon., Oct. 2 Class 11: Class discussion

Tue., Oct. 3 Submit: [Mini Assignment #5](#)

Wed., Oct. 4 Class 12: Class workshops

WEEK 8

Reading: Evans, *MOVE: An American Religion*, Ch. 1 & 6

Mon., Oct. 9 Class 13: Class discussion

Tue., Oct. 10 Submit: [Mini Assignment #6](#)

Wed., Oct. 11 Class 14: Class workshops

WEEK 9

Reading: no additional readings this week

Mon., Oct. 16 Class 15: Introduction to socio-legal research

Tue., Oct. 17 Submit: [Second Major Essay](#)

Wed., Oct. 18 Class 16: Class discussion

WEEK 10

Reading: Comaroff, "Reflections on the Rise of Legal Theology"

Mon., Oct. 23 Class 17: Class discussion

Tue., Oct. 24 Submit: [Mini Assignment #7](#)

Wed., Oct. 25 Class 18: Individual consultations

WEEK 11

Reading: *Mclvor, Representing God* (selected parts)

Mon., Oct. 30 Class 19: Class discussion

Tue., Oct. 31 Submit: [Mini Assignment #8](#)

Wed., Nov. 1 Class 20: Class discussion

WEEK 12

Reading: *Sullivan, The Impossibility of Religious Freedom* (selected parts)

Mon., Nov. 6 Class 21: Class discussion

Tue., Nov. 7 Submit: [Mini Assignment #9](#)

Wed., Nov. 8 Class 22: Class workshops

WEEK 13

Reading: *Perry, Religious Responses to Marriage Equality* (selected parts)

Mon., Nov. 13 Class 23: Class discussion

Tue., Nov. 14 Submit: [Mini Assignment #10](#)

Wed., Nov. 15 Class 24: Class workshops

WEEK 14

Reading: TBD

Mon., Nov. 20 Class 25: Individual consultations

Tue., Nov. 21 Submit: [First or second draft of the final essay](#)

Wed., Nov. 22 Thanksgiving: no class

WEEK 15

Reading: no reading for this week

Mon., Nov. 27 Class 26: students' presentations

Tue., Nov. 28 Submit: [First or second draft of the final essay](#)

Wed., Nov. 29 Class 27: students' presentations

FINAL ESSAY

Sun. Dec. 10 Submit: [Final Paper](#)

ASSIGNMENTS

FIRST ESSAY

MINI ASSIGNMENT #1

Due Aug. 29: Reread the essay “Nomos and Narrative” by Robert M. Cover that we discussed in our first class. In one or two paragraphs explain what Cover means by a “nomos” and how his concept of a normative universe connects to his conception of “narrative.” You can quote relevant parts directly from the text, but make sure to explain them in your own words.

FIRST MAJOR ESSAY

Due Sept. 5: Building on the first assignment (you may use what you have already written), draft a short essay (about 3-4 pages) that includes these parts:

- (a) Describe one or two elements of the normative universe that you inhabit. These can include, for example, unwritten norms that your family follows, religious precepts that you observe, rules of your sorority/fraternity/co-op, house rules, a regulation in your workplace/university, or, of course, an official law, that is meaningful to you in some way. When describing these norms be as detailed as possible. Include information on the norm’s different applications, its sanctions (if there are any), and any other feature you find interesting about it.
- (b) Provide the narratives that lend your chosen norms their meaning. What is the origin story of these norms? How are they perceived by you or other adherents? How do “nomos and narrative” connect in your example?
- (c) Describe and evaluate your own relationship to the normative elements you have described above. Is it one of dedication? Compliance? Contradiction? Resistance? Something else? How so?

SECOND ESSAY

MINI ASSIGNMENT #2

Due Sept. 12: read the court case *Bob Jones University v. United States*. In two or three sentences describe what – if anything – surprised you about the court’s opinion, especially after reading Cover’s essay.

MINI ASSIGNMENT #3

Due Sept. 19: read the court case *Hosanna-Tabor v. Equal Employment Opportunity Commission*. In two or three sentences describe what are the two legal and Constitutional principles at odds with each other in this case.

MINI ASSIGNMENT #4

Due Sept. 26: read Ch. 1 in Sullivan's book. In two or three sentences describe one disagreement that Sullivan has with the court in *Hosanna-Tabor*.

MINI ASSIGNMENT #5

Due Oct. 3: read the court case *Africa v. Pennsylvania*. In two or three sentences describe the court's definition of religion. Do you agree? Why?

MINI ASSIGNMENT #6

Due Oct. 10: read Ch. 1 and 6 in Evans' book. In two or three sentences describe one disagreement that Evans has with the court in *Africa v. Pennsylvania*.

SECOND MAJOR ESSAY

Due Oct. 17: write an essay (about 5-6 pages) comparing and contrasting ONE of the following pairs of readings:

The court's opinion in *Bob Jones University* with Cover's essay; or,
The court's opinion in *Hosanna-Tabor* with Ch. 1 in Sullivan's book; or,
The court's opinion in *Africa v. Pennsylvania* with Ch. 1 and 6 in Evans' book.

FINAL ESSAY

MINI ASSIGNMENT #7

Due Oct. 24: choose one court case in law and religion from the list provided in class (or from your own search), that you find interesting. Describe the case in a few sentences. What do you find particularly interesting about this case? What do you find disturbing? Is there a question arising from the case that you would like to answer? Choose carefully, as your final essay will present a socio-legal critique of the case you choose.

MINI ASSIGNMENT #8

Due Oct 31: Think about which literatures are most relevant to analyzing the case you chose to write about and explain why. List three or four readings that fit this category.

MINI ASSIGNMENT #9

Due Nov. 7: Write the introduction to your final paper that contains a description of the court case you chose, why it is important and what is the main question or argument arising from it that you would like to address in your essay. Provide your own argument in response to the court case and describe the literature you are relying on to make this claim.

MINI ASSIGNMENT #10

Due Nov. 14: Write a one paragraph abstract for your research according to examples we discussed in class.

FIRST OR SECOND DRAFT OF THE FINAL ESSAY

Final paper draft due Nov. 21 or Nov. 28: combine your abstract, introduction, and literature review and revise them according to the feedback you have received so far. Add a section with your original argument and support it with examples from the case you have chosen and from other sources you have gathered and read. If you have time, add a conclusion that ties the paper together. You may submit this draft to me for additional feedback before submitting your final paper.

FINAL ESSAY

Due Dec. 10: Combine your abstract, introduction, and literature review and revise them according to the feedback you have received so far. Add a section with your original argument and support it with examples from the case you have chosen and from other sources you have read. Add a conclusion that ties the paper together.

Your final paper should be 8-10 pages and should include the following sections: (1) Research Title; (2) Abstract; (3) Introduction; (4) Short Literature Review; (5) Argument; (6) Conclusion; (7) Works Cited list.

For the final paper, use Chicago Style citations described in the Chicago Manual of Style, available at: www.chicagomanualofstyle.org/tools_citationguide/citation-guide-2.html.