



The University of Western Ontario
SOCIOLOGY 3260A
Introduction to the Sociology of Law
Fall 2021

Course offered remotely and in person (after Oct 12).

The course delivery might change due to health risks associated with COVID-19*

*I reserve the right to modify the course outline and readings

Time Zone: All times on syllabus are in Eastern Daylight Savings Time/Eastern Standard Time

Instructor: Dr. Ballucci, Assistant Professor, Email: dballucc@uwo.ca

Office Hours: Via Zoom (link and dates provided through OWL)

Wednesday at 930-12:30,
Room UCC-37

Teaching Assistants: Sam Ghebrai

Email: sghebrai@uwo.ca

Office Hours: By appointment only

Staying well during the pandemic: This edition of the course is being offered remotely. Essentially that means that we would ideally be having the course in person but because we are not able to do so, we are making a rapid conversion to an online/digital format. Normally, an online course is designed with a team of experts over a long period of time; this edition of the course was rapidly converted over a few months. I hope for your understanding if there are some bumps along the road and I welcome your suggestions any time. We are trying to make the most of a difficult situation. For some useful tips and information on Western's policies during the pandemic, please visit:

<https://www.uwo.ca/coronavirus/students.html>

COURSE INFORMATION

Learning Type:

Due to the impact of COVID 19, I have made several adjustments to the course outline to reduce the stress and challenges for students. Specifically, this course will be organized using modules, which will require fewer regular meetings, and increase student's ability to work independently. This approach is intended to address the need for flexible learning during this time. This course will primarily consist of writing assignments, which are designed to encourage students to engage with the materials in a comprehensive way. Students are required to read and engage with the course material on a weekly basis. The course also requires students to work with (at least) one other student to fulfill the requirements for the written seminar module. We will **NOT** be meeting each week. In the first week of class, I will post a video on OWL that will review the course components.

Course Description:

This course is designed to introduce students to the broad ranging field of law and society. Our focus is to challenge how people ordinarily understand law by beginning to think about law outside the box of legal logic. This course will introduce students to different ways of thinking about law as a social phenomenon, as well as some of the main themes and debates that characterize the field of law and society today. Themes addressed may include law and social control, law and culture, law and knowledge, law and violence, law and governance, law and diversity, and law and social change. Students will consider the various ways law gains its meaning and authority from society and the extent to which law shapes society through its regulatory force.

Antirequisite(s): The former Sociology 260F/G, and 2260

Prerequisites: 1.0 from: Sociology 1020, 1021E, 1025A/B, 1026F/G, 1027A/B

Learning Outcomes:

By the end of this course, students should:

- Distinguish between personal opinion and critical analysis
- Compare and contrast different ways of thinking about the interconnections between law and society
- Describe and challenge the ideal image of Law by looking at the everyday practices and experiences of law
- Identify and describe various social forces that influence, and are influenced by, law
- Identify, define and illustrate basic concepts of law and society
- Be prepared for Advanced topics in Sociology of Law 4455

Required Text(s):

- 1) Calavita, Kitty (2016). *Invitation to Law & Society: An Introduction to the Study of Real Law (second edition)*. Chicago and London: The University of Chicago Press.
- 2) Additional readings will be provided via OWL.

Office hours:

Professor Ballucci: I will be available for office hours on Wednesday afternoons between 12:30-2:00, or by appointment. Please email me to secure a time slot so you are not waiting. Also, provide me with some information concerning your questions.

Teaching Assistants: Sam Ghebrai's office hours will be by appointment only. The TA can be contacted if you have questions about the Module assignments. BEFORE you contact the TA please carefully read the instructions and information provided concerning the Module.

Method of Evaluation:

- Module 1: 10%, due date: October 6, 2021
- Module 2: 20%, due date: October 27, 2021
- Module 3: 20%, due date: November 24, 2021
- Module 4: 20%, due date: December 8, 2021
- Final Exam: 30%, date: TBA.

In person or Take Home exam: The format of the exam will depend on the conditions and restrictions of COVID.

**The final exam will cover ALL the materials, readings and videos assigned and covered in the course throughout the term.*

*You are welcome to hand in any of the assignments prior to the due date. All assignments are to be submitted via OWL. Please DO NOT send your assignments directly to the TA's email addresses.

IMPORTANT INFORMATION FOR MODULES READ CAREFULLY

Module Approach:

Each module assignment will allow you to learn about the concepts, theories and challenges in the Sociology of Law. The assignments will teach you about the discipline and help you further develop your academic skills. The modules encourage you to reflect and critically engage with the course material. It is important that you cover the required content assigned to each module, complete any assigned learning activities, and attend office hours if you have any questions or concerns about the course.

In the first week, students will choose a group to complete each of the modules. The groups must consist of 3-4 people. In your groups you will be expected to complete each module. You can have different group members for each module. The sign-up sheet will be available via OWL in the form of a google doc.

How to complete the Modules

First, to prepare, each student will complete the assigned readings and read or watch any additional materials provided. All links and assignments will be made available through OWL and below in the detailed course outline. Part of working in groups, and the purpose of the module assignments, are to create a virtual community for you to explore, discuss, and engage in your ideas and perspectives.

As mentioned, the goal is to simulate the classroom setting on a smaller scale. To do this, you are required to discuss your ideas and complete the assignment as a group. Meet at least once to discuss the module and then you can divide up work. Meeting one is intended to generate discussion and provide the venue for completing the assignments. It is expected that all group members complete the same amount of intellectual and written work. This means, each of you should offer ideas and suggestions during meeting one. This requires that you not only read and watch the materials but also think about them prior to meeting with your group. Although the plan is to provide all members of a group with one grade, I reserve the right to give individual grades if there is sufficient proof that the students did not contribute equally. In these cases, I will have a one-on-one interview with the student and ask questions concerning the material and request proof of their work. Therefore, it is important to document and save your work for the entire term.

All materials assigned for each module must be used in the assignment. Since the ideas and literature used from the course are required to complete the assignments, you must reference them in your module response. Each module submission should contain a reference list/page. You are welcome to, and at some points may be required, to use additional sources outside of the course. In such cases, these must also be referenced. If you use examples that you find from additional articles, news stories online etc. they too should be referenced. As for reference style, you are welcome to use the one you are most familiar with as long as you are consistent throughout each module assignment. **Each module must be treated as a**

formal essay. Make time to review the entire assignment and edit to so that your responses flow. This is VERY important, papers that do not flow are not clear. In working in groups, the differences in groups writing style can impact on the clarity of the work. For this reason, please make extra time edit and review to make responses clear, coherent and logical. This is a grading criterion.

Also, each module should have the names and student numbers of each person in the group.

Your responses DO NOT need to follow one specific format; but to achieve a good grade they must be written clearly, and in a formal and professional manner. I do not demand one specific format to encourage students to develop their own writing style, but this does not detract from the quality required to complete these assignments. Your grade will be derived from the quality of your argument and how well you articulate and tie together your ideas. There is no one format required besides a strong paper that uses, and references class material. This is done so that as a team you can build and integrate your different writing styles and idea.

IMPORTANT: Please submit your assignment via OWL. Each file should contain the names and ID numbers of each group member. The file should be saved as: **MOD #_** and the last name of one of the member uploading the module assignment. In the document all names and ID's of each group member must be listed to receive credit for your work.

Evaluation Breakdown and Requirements:

Reminder: For each module, you are required to use the readings and information listed below to, discuss and respond to the question of each module. Refer to above for full description of module requirements.

The grade allocations differ slightly due to the requirements of the modules. For example, module 1 is descriptive; modules 2 and 3 require more critical assessment. Module 4 that is replacement for your final exam, requires you to incorporate some additional course material.

Module 1 (10%): Understanding Perspectives of Law

Length: 5 Page Maximum

Module Question: Describe the various perspectives of law and discuss some of the challenges of both the sociological and legalist approach.

The readings discuss various schools of thought concerning the law; they discuss strands of legal thought/logic and sociological perspectives of the law; they provide you with the materials necessary to respond to the module question. In your response, discuss the different approaches to law making discussed in the readings and the challenges of this process. The readings contrast approaches to law making, for this assignment you are to discuss these positions and perspectives.

Readings For Module 1

Theme: Moving Beyond Legal Logic Reasoning

Calavita, Kitty. 2010. 'Introduction' in *An Invitation to Law and Society*, (Chapter 1) pp. 1-10. Chicago and London: The University of Chicago Press

Roach Anleau, Sharyn 2010. 'Introduction: The Meanings of Law' in *Law and Social Change*, pp. 7-13. London: Sage Publications.

Theme: Introducing Society: Some Schools of Thought

Question:

Calavita, Kitty. 2010. 'Types of Society, Types of Law' in *An Invitation to Law and Society* (Chapter 2) pp. 11-31. Chicago and London: The University of Chicago Press.

Vago, S. and Nelson, A. 2009. *Law and Society* (3rd Edition), pp. 19-21. Toronto: Pearson Canada.

Module 2 (20%): Understanding how the law regulates and governs society.

Length: 7 Page Maximum

Module Question: There are two parts to this module. First, describe how the law governs, large if not all, portions of our lives. Second, describe how and why it governs so unequally.

The readings discuss how the law is everywhere, and how it criminalizes, regulates and monitors some groups more than others. In your response, discuss (and provide examples) of how and why

the law exists in all aspects of our lives, AND how a system meant to provide justice unequally criminalizes particular groups.

Readings For Module 2

Theme: Law Everywhere

Calavita, K. 2010. 'Law in the Everyday, Everywhere' in *An Invitation to Law and Society*, (Chapter 3) pp. 37-58. Chicago and London: The University of Chicago Press.

Ewick, P. and Silbey, S. 1998. *The Common Place of Law*, pp. 15-32. University of Chicago Press.

Theme: Law, Race and Ethnicity

Calavita, K. 2010. 'The Colour of Law' in *An Invitation to Law and Society*, (Chapter 4) pp. 59-85. Chicago and London: The University of Chicago Press.

Lindberg, T. 2011. 'What Do You Call an Indian Woman with a Law Degree? Nine Aboriginal Women at the University of Saskatchewan College of Law Speak Out' in Kimmel et al (Eds.), *The Gendered Society Reader*, pp. 301-335. Oxford: Oxford University Press.

Module 3: (20%) Heterogeneity in the Law: Understanding Pluralism and Law in action

Length: 7 Page Maximum

Module Question: Discuss why the law that matters is the law that is lived by people every day.

The readings discuss the variation in law; specifically, they discuss how they can differ across societies (pluralism) and how law differs in practice. The readings illustrate that there is a gap between the needs of society, and how the law-on-the-books often differs from law-in-action. They also speak of why understanding the variations in laws are a central concern of law and society scholars. In your module, discuss using the readings why it is important to see the gap. Discuss why the law that should matter is the law that is lived by people everyday

Readings For Module 3

Theme: Legal Pluralism

Calavita, K. 2010. 'Many Laws, Many Orders' in *An Invitation to Law and Society*, (Chapter 5) pp. 85-110. Chicago and London: The University of Chicago Press.

Theme: Law on the Books vs. Law in Action

Calavita, K. 2010. 'The Talk versus the Walk of Law' in *An Invitation to Law and Society*, (Chapter 6) pp. 109-134. Chicago and London: The University of Chicago Press.

Ranasinghe, P. and Valverde, M. 2006. Governing Homelessness through Land-Use: A Socio-Legal Study of the Toronto Shelter Zoning By-Law. *The Canadian Journal of Sociology*, 31(3): 325-349.

Module 4 (20%): Social Change and the Potential for Justice

Length: 7 Page Maximum

Module Question: Can law promote social change? Why or why not? Discuss and support your answer.

The readings discuss whether the law can promote social change.

Readings for Module 4

Theme: Law and Social Change

Calavita, K. 2010. 'Law and Social Justice' in *An Invitation to Law and Society*, (Chapter 7) pp. 135-171. Chicago and London: The University of Chicago Press.

Calavita, K. 2010. 'Reflecting on Law's Image' in *An Invitation to Law and Society*, (Chapter 8) pp. 17-188. Chicago and London: The University of Chicago Press.

Calavita, K. 2010. 'Conclusion' in *An Invitation to Law and Society*, (Chapter 9) pp. 189-196. Chicago and London: The University of Chicago Press.

Final Exam (30%): TBA

The final exam will cover all course readings and materials assigned, and used in classes for the entire term

ADDITIONAL IMPORTANT INFORMATION

How to Contact Me and the Teaching Assistants

I can be contacted via email at dballucc@uwo.ca. The teaching assistants' email will be provided at the top of the syllabus. Only emails that use proper etiquette will be answered. For example, a salutation is required. "Hello Professor Ballucci, or Dr. Ballucci" is acceptable. "Hey", "Miss", or the absence of a salutation is not acceptable. Also, no texting terminology is acceptable. Lastly, provide me with your name and the course and section you are emailing about. These rules also apply when email teaching assistants.

Also, please do not email me questions about course content or course procedures. I will take time in every class to answer these types of questions. There are, however, two main exceptions to this policy:

1. You are experiencing a personal emergency that I need to know about before the next class.
2. You want to make an appointment to see me.

I will give my best effort to respond to these emails within 24 hours.

How to get important information:

All relevant course material will be available in the course outline and in class. Course announcements and information may also be sent to your western email account.

Approach and Expectations

The learning outcomes will be achieved through lectures, readings, class discussions and activities, multimedia clips, written and collaborative work, and exams. Students are expected to:

- Attend **all** classes;
- Read any required readings **before** class;
- Participate actively and thoughtfully in class discussions and group assignments (treat others with respect);
- Make notes on class content and identify questions as they arise during the process of reading required texts;
- Keep all rough work (notes, drafts, etc.) until their final marks have been officially recorded and be able to supply this rough work if requested by the course instructor;
- Keep an electronic copy of any paper or written commentary that is submitted in this course. The instructor may verify any written work using anti-plagiarism software (e.g., Turnitin.com);
- Contact Dr. Ballucci with any problems that may arise during the semester.
- **Turn off all handheld electronic devices in class and refrain from using cell phones, messenger, Facebook, and other social networking tools during class time;**

Important Policies

Policies for Assignment Deadlines:

All assignments are due on the dates noted. Late course work will only be accepted without penalty with appropriate documentation that has been approved by the Academic Counseling office. Coursework received after the due date will have their grade reduced by a rate of 5% per day (including weekends). If an assignment is due at the end of a morning class (12:30) it will be considered one day late any time after 12:30 p.m. the following day).

A Note on Plagiarism:

Students must write their assignments in their own words. Whenever students take an idea from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major scholastic offence (the Scholastic Offence Policy can be viewed in the Western Academic Calendar).

Plagiarism Checking:

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>).

Examinations:

There will be no electronic devices allowed during tests and examinations.

Policy on Laptops and other Electronics/Phones in Class:

Laptops are permitted in class but if it is observed that students are on social networking sites such as Facebook or Twitter, they will be told to close the lid and they will not be permitted to use it for the remainder of the class. Be sure that all cell phones are turned off at the beginning of class.

Policy on Accommodation for Medical Illness:

Western's policy on Accommodation for Medical Illness can be found at https://www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_medical.pdf. Students must see the Academic Counsellor and submit all required documentation in order to be approved for certain accommodation: https://counselling.ssc.uwo.ca/procedures/academic_consideration.html

Accessibility Options:

Please contact the course instructor if you require material in an alternate format or if you require any other arrangements to make this course more accessible to you. You may also wish to contact Services for Students with Disabilities (SSD) at 661-2111 x 82147 for any specific question regarding an accommodation. Information regarding accommodation of exams is available on the Registrar's website:

http://www.registrar.uwo.ca/examinations/accommodated_exams.html

Scholastic Offences

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following web site:

http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf

Mental Health

Students who are in **emotional/mental distress** should refer to Mental Health@Western

(https://www.uwo.ca/health/mental_wellbeing/index.html) for a complete list of options how to obtain help.

Appendices

Appendix 1: Reading and Note Taking

READING LAW

Mechanics of reading and note taking:

Read the text and make notes (on a separate piece of paper) indicating what seem like the most important parts of the text. When you have gone through the text once, go back and take notes in outline form, by paraphrasing sentences or paragraphs until you have reduced the many pages of text to a few pages in your own words. (Make sure to keep an accurate citation to the work so that any future use of these notes and paraphrases can be appropriately cited.) Do not rely on underlining. Do not rely on highlighting. To “know” a text, you need to convert it into your own words and phrases and claims. The text needs to be processed several different ways. Underlining does not help you learn the material.

Analytical Reading:

- a.** Classify the book or article according to kind and subject matter. Into what paradigm or research program (genre) does that work fit? What is the piece about as a whole?
- b.** Define the specific problem or problems the author has tried to address. What question does the author claim to address? You might also want to think about how this reading fits into the course. Why did the instructor place the reading at this point in the course? What is the topic on the syllabus? How does this reading provide an answer or information for this topic?
- c.** A theoretical statement proposes a relationship between elements of a process. What theoretical statements does the author make?
- d.** What are the concepts and variables used? Become familiar with the author by defining key words. Know the details of the argument.
- e.** How does the author’s argument / position compare with that of others who address the same question or related questions? Where are the points of similarity and difference?
- f.** What normative statements (value judgments) does the author make? What values does the author assume readers will share? What assumptions does the author make that may be contestable?
- g.** What is the author’s methodology? What constitutes data in this reading? Know the author’s arguments by finding them in, or constructing them out of, sequences of sentences.
- h.** Determine which of the problems the author has solved and which she has not; and of those not solved, decide which the author knows he has failed to solve. If you disagree with the author, on what basis do you disagree? Is the author uninformed, misinformed, illogical, imprecise, or incomplete? Criticize fairly; do not pass judgment based on personal opinion, taste, or preference. Is the argument internally consistent? Does the data (both that presented by the author and other data in the field) support the argument?