

San José State University
Department of Political Science
POLS 120: Law and Society, Fall 2021

Instructor: Dr. Sara Benson

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Class Days/Time: This is a fully asynchronous course with no live meeting times.

Office Hours: Mondays, 10:30 – 11:30 via Zoom
<https://sjsu.zoom.us/j/91088094738>
Password: 306955

Course Description

Social and philosophical foundations of law and legal systems and development of legal institutions in various cultures. Anglo-American law and administration of justice in the U.S. emphasized. *GE Area: S*

The course takes an interdisciplinary law and society approach to the study of punishment in relation to legal history and legal status. Against the backdrop of the theory and practice of constitutional law, students will engage the concepts of equality and inequality before the law, tracing the roots of these concepts in jurisprudence and constitutional law. In the process, we will examine identity formation, structural inequality, challenges to inequality in law and society, as well as legal and social interactions among differently situated groups. Students will also engage ideas about diversity and justice as we work to understand legal institutions and processes. Students will be evaluated not on the frequent expression of opinion, but on a demonstrated and textually grounded knowledge of the legal aspects of these issues. Student success in this course depends on an active engagement with course materials.

Passage of the Writing Skills Test (WST) or ENGL/LLD 100A with a C or better (C- not accepted), and completion of Core General Education are prerequisites for SJSU Studies courses like this one. Completion of, or co-registration in, 100W is strongly recommended. A minimum aggregate GPA of 2.0 in GE Areas R, S, & V shall be required of all students.

Course Format

This is a fully online course. All of your work in this course will be submitted using Canvas and you will need to be logged in to your SJSU Zoom account in order to access the lecture videos. This means that you will need to have regular access to a computer and a stable internet

connection. You may be able to rent equipment on campus through SJSU's [Equipment Loan Program](https://www.sjsu.edu/learnanywhere/equipment/index.php) available for students (<https://www.sjsu.edu/learnanywhere/equipment/index.php>).

Course Learning Outcomes (CLOs)

This course is designed for political science majors and fulfills the Area S component of the General Education curriculum (Self, Society & Equality in the United States). It has a writing requirement of 3,000 words. Students are strongly encouraged to satisfy GE Areas R, S, and V with courses from departments other than the major department. Completion of, or co-registration in, a 100W course is strongly recommended. A minimum aggregate GPA of 2.0 in GE Areas R, S, & V shall be required of all students.

Upon successful completion of this course, students will be able to:

CLO 1: Read and think critically about law and legal thinking using a range of primary and secondary texts.

CLO 2: Understand the major contributions of law and society as an approach to the study of equality and inequality in relation to US legal institutions.

CLO 3: Describe and analyze major trends in the history, theory, and practice of law (and law in relation to society) with regard to 5th, 8th, and 14th Amendment Jurisprudence.

GE Learning Outcomes (GELOs)

The General Education Critical Thinking goals for this course include the following:

GELO1: Students will be able to describe how identities are shaped by cultural and societal influences within contexts of equality and inequality.

GELO2: Students will be able to describe historical, social, political, and economic processes producing diversity, equality, and structured inequalities in the U.S.

GELO3: Students will be able to describe social actions which have led to greater equality and social justice in the U.S.

GELO4: Students will be able to recognize and appreciate constructive interactions between people from different cultural, racial, and ethnic groups within the U.S.

Department Learning Outcomes

The Department of Political Science has the following goals in mind for this course:

Breadth Students should possess a broad knowledge of the theory and methods of the various branches of the discipline.

Application and Disciplinary Methods Students should be able to formulate research questions, engage in systematic literature searches using primary and secondary sources, evaluate research studies, and critically analyze and interpret influential political texts. Students should be able to apply these techniques to identify, understand, and analyze domestic and international political issues and organizations.

Communication Skills Students should master basic competencies in oral and written communication skills and be able to apply these skills in the context of political science. This means communicating effectively about politics and/or public administration, public policy, and law.

Citizenship Students should acquire an understanding of the role of the citizen in local, state, national, and global contexts and appreciate the importance of lifelong participation in political processes.

Required Texts/Readings

All required readings for this course are posted on Canvas.

Course Requirements, Assignments, Grading Policy

Discussion Posts/Mapping Exercises	25% of course grade (CLO 1, 2, 3/GELO 1, 4)
3 discussions (250 words each); 1 mapping exercise (250 words) = 1000 words total	
Reading Quizzes	25% of course grade (CLO 2/GELO 2, 3)
Midterm Exam	25% of course grade (CLO 1, 2/GELO 1, 2)
1500 words	
Final Exam	25% of course grade (CLO 1, 3/GELO 3, 4)
1500 words	

This course has a writing requirement of 3,000 words.

Discussion Posts and Mapping Exercises

These short assignments are designed to get you thinking critically about law, society, and punishment as you engage the law's relationship to in/equality and identity. For each of the two discussion posts, post thoughtful and informal accounts of approximately 250 words. What did you find most interesting and/or intriguing in these readings on equality, diversity, and justice? All of the specific prompts are posted on Canvas. Always be affirming and respectful in communications with other students.

The mapping exercises, which require you to synthesize information, will help you prepare for quizzes and exams by visually representing the conversation about law, society, and punishment among the authors from this class. The two mapping exercises combined will require that you write approximately 250 words.

Reading Comprehension Quizzes

These quizzes (a combination of multiple choice and short essay questions) are designed to help you identify key concepts and arguments within the readings and to begin to see conversations across texts. See Canvas for due dates.

Midterm Exam

The midterm exam is comprised of one take home essay question. Your task is to explain the key concepts addressed in the prompt, refer to and cite course readings where appropriate, and explain how the concept is connected to the larger themes of the course. Your exam should be 1500 words.

Final Exam

The final is cumulative and comprehensive. *Because this is a take home exam, you should not use outside sources.* You will respond to three essay questions in 1500 words. Your task is to explain the key concepts addressed in the questions, refer to and cite course readings where appropriate, and then explain how the concept is connected to the larger themes of the course.

Grading Policy

No extra credit is available.

Grading Scale

93 to 100	A
90 to 92	A minus
87 to 89	B plus
83 to 86	B
80 to 82	B minus
77 to 79	C plus
73 to 76	C
70 to 72	C minus
63 to 69	D
60 to 62	D minus
less than 60	F

University Policies

Per [University Policy S16-9](#), relevant university policy concerning all courses, such as student responsibilities, academic integrity, accommodations, dropping and adding, consent for recording of class, etc. and available student services (e.g. learning assistance, counseling, and other resources) are listed on the [Syllabus Information web page](#) (<https://www.sjsu.edu/curriculum/courses/syllabus-info.php>). *Make sure to visit this page to review and be aware of these university policies and resources.*

You do not have my permission to post or distribute my lectures in any way.

Please review the information about university policies on plagiarism, which may result in a failing grade. Faculty members are required to report all infractions to the office of Student Conduct and Ethical Development.

Success in this course is based on the expectation that students will spend, for each unit of credit, a minimum of 45 hours over the length of the course (normally 3 hours per unit per week with 1 of the hours used for lecture) for instruction or preparation/studying or course related activities including but not limited to internships, labs, clinical practica. Other course structures will have equivalent workload expectations as described in the syllabus.

Political Science Departmental Writing Policy and SJSU Writing Center

Students of political science should develop the ability to write in clear, grammatical English. Spelling and grammar count! Students must take care that appropriate citations are used. Direct quotations must be so indicated with quotation marks and a specific reference to the page in the source from which it was taken. Failure to cite your sources constitutes academic misconduct which carries with it serious sanctions. A tutorial on citations is available at the library website at http://www.sjlibrary.org/services/literacy/info_comp/citing.htm.

For assistance with writing, please see me or visit the SJSU Writing Center located in Clark Hall, Suite 126. In addition to one-on-one tutoring services, the Writing Center also offers workshops every semester on a variety of writing topics. To make an appointment, visit the Writing Center website at <http://www.sjsu.edu/writingcenter>.

Political Science 120: Law and Society, Fall 2021

The schedule is subject to change with fair notice.

Week	Date	Topics, Readings, Assignments, Deadlines
1	8/23	<u>Introduction to Law and Society</u> Austin Sarat and Thomas R. Kearns, "Writing History and Registering Memory in Legal Decisions and Legal Practices: An Introduction" Reading Quiz on Sarat and Kearns
2	8/30	<u>Law and Society as an Approach</u> David Garland, "Sociological Perspectives on Punishment" Reading Quiz on Garland
3	9/6	<u>The Meaning of Mass Incarceration</u> Paul Rucker's "Proliferation" https://www.youtube.com/watch?v=ySH-FgMljYo Discussion Post Due
4	9/13	<u>Punishment as a Project</u> Angela Y. Davis, <i>Are Prisons Obsolete?</i> Sandow Birk's Paintings Discussion Post Due
5	9/20	<u>Prisons as Economic, Racial, Political, Cultural Projects?</u> Eric Schlosser, "The Prison Industrial Complex" Rebecca Bohman and Naomi Murakawa, "Remaking Big Government" Alessandro De Giorgi, "Five Thesis on Mass Incarceration" Vera Institute, "American History, Race, & Prisons" The Indicator (NPR), "The Uncounted Workforce" Reading Quiz Due
6	9/27	<u>Prison Architecture and the Gothic Architecture of Civil Death</u> <i>Ruffin v. Commonwealth [of Virginia] 1871</i>
7	10/4	<u>Civil Death and Legal Status</u> <i>Ruffin v. Commonwealth [of Virginia] 1871</i>
8	10/11	Mapping Assignment Due
9	10/18	Midterm Exam

10	10/25	<u>The Death Penalty and the History of Law</u> “Cruel and Unusual” <i>Execution of Czolgosz, with Panorama of Auburn:</i> https://www.loc.gov/item/00694362 Discussion Post Due
11	11/1	<u>Death Penalty Jurisprudence: 8th & 14th Amendment Claims</u> Scott Christianson, “Envisioning the Lethal Chamber” “Death Penalty Jurisprudence” <i>Furman v. Georgia</i> (1972) <i>Gregg v. Georgia</i> (1976)
12	11/8	<u>Pain and Procedure in 8th Amendment Jurisprudence</u> Austin Sarat, “Recapturing the Spirit of Furman” Garland, “The Problem of the Body in Modern State Punishment” <i>Baze v. Rees</i> (2008)
13	11/15	<u>Solitary Confinement and the Law</u> Watch Video Lecture on Canvas Watch Discussion Post
14	11/22	<u>The Deliberate Indifference Standard</u> “An Interview with Colin Dayan” <i>Wilson v. Seiter</i> (1991)
15	11/29	Punishment, Power, Inequality Craig Haney and Philip Zimbardo, “The Past and Future of the Stanford Prison Experiment” Film Screening: <i>The Stanford Prison Experiment</i>
16	12/6	<u>Course Closing</u> <i>*Final Exam Due on Canvas by Thursday, December 9th at 7:30 pm.</i>