

LAKEHEAD UNIVERSITY

DEPARTMENT OF SOCIOLOGY

Sociology 2301: Sociology of Law

September – April 2010

Course Lecturer: DR. JENNIFER JARMAN

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Lecture: W, F 2:30-4:00

Lecture Hall: BB 1021

Office Hours: F 4:00-5:00

What is this Course About?:

Course Description (from Calendar): A study of the social aspects of law: the passage of laws; the profession and practice of law; the use of law for social control; and, the law as a means of conflict resolution. Emphasis is given to the topic of social change via law reform in Canada.

This course provides a basic introduction to the sociology of law. We will start by contrasting three different classical understandings of the basic purpose of law in any society. In so doing we will both deepen our understanding of how sociology approaches subject matter, as well as challenge our common sense understandings of law and legal institutions. Then we will consider how societies regulate themselves in an everyday manner, and how legal institutions shape these interactions. We will consider what happens when someone breaches norms and how the law shapes our responses and options in relation to breaches. We will examine how various professions interact in relation to this legal environment, and discuss the roles of police, lawyers and judges, media and ordinary members of broader communities. We will examine power relations in relation to the law and consider the impact of gender, ethnicity and culture. The main emphasis will be on the development of an understanding of the ways in which law shapes social interactions, but also in turn, is shaped by changing society. A diverse set of examples will be developed in class including case studies of the ways in which several important constituencies have sought to create social change through legal challenges. These will include challenges regarding inequalities in employment structures, First Nations challenges to the management of fishery resources in Canada, and environmental issues in relation to the law. The course will conclude with a discussion of problems which extend beyond national jurisdictions and discuss attempts to create international legal institutions in our increasingly globalized world.

Aims and Objectives:

1. To be able to describe different understandings about the role of law in society.

2. To understand how law is used to mediate social conflict.
3. To be able to illustrate how this happens with reference to some important case studies
4. To understand how the law changes over time in response to social change.

Assessment:

Term 1

	Due Date	Value
Assignment 1	September 29	10%
Mid Term Test	October 29	10%
Assignment 2	November 24	10%
Final Exam		10%
Tutorial Participation	Throughout term	10%

Term 2

	Due Date	Value
Assignment 3		10%
Mid Term Test		10%
Assignment 4		10%
Final Exam		10%
Tutorial Participation	Throughout term	10%

First Term:

There will be two required course assignments per term. The first assignment will be a 5 page essay in which the student is asked to explore one theoretical approach to the law in relation to an area of the law which particularly interests them. The second assignment will be an 8 page essay arising from an observation exercise.

Reference Style for Assignments:

The Department of Sociology uses the ASA Style Guide as a reference style for students. These guidelines are posted on the Sociology website, so please refer to them.

Mid Term Examination:

The Mid Term Examination will cover all assigned readings, class discussions and lecture topics up to the date of the class prior to the date of the test. It will be short-answer essay in format.

Final Examination:

The final examination will consist mainly of short essay type questions and will cover the entire scope of the topics discussed in class and in the assigned readings.

Key Texts:

Vago, Steven and Nelson, Adie. 2008. *Law and Society*. Toronto: Pearson, Prentice Hall.

Mirchandani, Kiran and Wendy Chan. 2007. *Criminalizing Race, Criminalizing Poverty, Welfare Fraud Enforcement in Canada*. Halifax: Fernwood Press. (second term)

Comack, Elizabeth et al. 2006. *Locating Law*, 2nd edition. Halifax: Fernwood Press. (second term)

Other Course Activities:

As part of this course we will also view short excerpts from films, invite speakers, and if possible conduct a field trip. These activities are not optional, but rather form an important part of the learning experience of the course. If you miss these activities, they cannot be “made up” and you will seriously decrease your ability to understand the issues of the course. Please make a commitment to regular attendance and participation! Knowledge about these activities will be included in the final examinations.

Plagiarism:

Plagiarism is unacceptable and subject to various sanctions. It involves not only copying word-for-word a portion of someone else's written work without crediting the author, but also paraphrasing the ideas of others without crediting the original author. See the website How to Avoid Plagiarism at <http://www.northwestern.edu/uacc/plagiar.html>, and see University Regulations section “IX Academic Dishonesty,” Lakehead University Calendar. You will receive zero on an assignment if any part of it is plagiarized, and your name will be reported to the Dean of Social Sciences and Humanities.

Tentative Schedule: (to be confirmed during First Week of Class)

Date	Topic	Text Readings
Sept 15, 17	Introduction, Types of Law	Ch. 1
Sept 22, 24	The ‘Function’ of the Law’	Ch. 1
Sept 29, Oct 1	Theories of Law	Ch. 2
OCT 6, 8 Ass 1.	The Organization of the Law	Ch. 3
Oct 13, 15	Lawmaking	Ch. 4
Oct 20, 22	Law and Social Control	Ch. 5
Oct 27, 29 Test	Review and Test	
Nov 3, 5	Law and the Process of Conflict Resolution	Ch. 6
Nov 10, 12	The Legal Profession	Ch. 8
Nov 17, 19	Law and Social Change	Ch. 7
Nov 24, 26	Law and Sociology	Ch. 9
Dec 1, 3	Conclusions & Review	

Final Exam Date and Time will be set by the Registrar's Office during the Exam Period December 8th to 18th. (Grades in December 22)

Second Term:

Part II of the course will draw upon the understanding we have built during the first term and it will have a much greater focus on the topic of Social Change and the Law.

We will explore current issues affecting several different Canadian social groups in terms of what they tell us about strategies for using and developing law to achieve their goals. This will involve two case studies: i. Women and the law (Charter challenges, equal pay and the development of other gender related employment protections, ii. First Nations people (the development of aboriginal fishing rights).

Then we will explore current issues at the international level. We will start with an exploration of the relationship between International legal governing bodies to national and local communities by examining the impact of World War I and subsequent attempts to build international legal entities such as the ILO to channel social conflicts through international bodies rather than erupting into open warfare. Then we will examine a newer area of concern – environmental protection – where the issues of pollution cross national boundaries and require international legal solutions.