The study of law and society embraces an interdisciplinary approach to the relationship between legal systems and societal practices and beliefs. As law students and practitioners, we routinely work with concepts such as rights/duties and justice/injustice. But where do these concepts come from? How do they change over time? What processes of resistance, deliberation and negotiation accompany these changes? In a conventional law school curriculum, these questions are posed in courses on Jurisprudence, Comparative Constitutionalism, or legal philosophy. This seminar reaches beyond liberal, Western legal theory and uses insights from the disciplines of anthropology, history, government, sociology, and geography to introduce students to the study of legal systems in conjunction with social and cultural processes. This seminar uses readings from cultural studies, Critical Legal Studies, Critical Race Feminism, Queer Theory, and New Social Movement theories to examine the interstitial relationship between law and society. These incursions outside of legal philosophy and constitutionalism are meant to encourage students to scrutinize their ideas about culture, citizenship, religion, “race” and sexuality, and the ways that these ideas influence their understanding of the law. We will think about the cultural dimensions of law in relationship to forms of power and governance. We will also think about the ways that legal processes are involved in social control and progressive social change.

We will focus our reading on two aspects of law and society: 1) the law of citizenship and alienage and 2) the law of slavery.

Course requirements:

Students will be evaluated on the basis of a short 5-page book review (25%), a final paper (50%) and class participation (25%). Attendance is mandatory. More than three (3) absences will affect the percentage of your grade for class participation. If you cannot attend class, please email me in advance with a reasonable excuse for your absence.

Class work:
The first paper should be a review of a set of books, articles and cases that identifies and analyzes contemporary currents in the field of law and society. For instance, you may choose to review a set of articles dealing with same-sex marriage, alternative dispute resolution in non-western settings, comparative approaches to immigration and citizenship, or forced labor, slavery and the law. These are suggestions based on the articles and books assigned early in the course.

Final papers:
Topics for final papers should be chosen very early in the semester in consultation with me. If you have already fulfilled the Writing Requirement in another course, your final paper should not exceed 15-20 double-spaced typed pages. You must submit a
substantive outline and a detailed bibliography for your paper topic *immediately after* Spring break.

All students will present their research papers in class at the end of the semester.

There will be several opportunities for discussion in class sessions as we wrap up and begin a new topic. Discussion groups will be assigned articles from the required readings as well as supplementary reading lists. Discussants are responsible for summarizing the main points of the articles for the class and for leading our class discussion.