

**POL SCI 250 – Law and Society**  
**University of Wisconsin-Milwaukee**  
**Fall 2013**

**Instructor: Zach Wallander**

Office: NWQ B5424

Email: [zdw@uwm.edu](mailto:zdw@uwm.edu)

Office Hours: Tuesdays Noon-2pm and by appointment

**CLASS MEETING TIMES: Tues. & Thur. 9:30-10:45am, Lubar S230**

**COURSE DESCRIPTION**

This course is designed to provide you with a broad overview of American legal traditions, institutions, and processes. You will read about topics related to the nature of law, the organization of law, legal theory, and the role of courts, judges, juries, and lawyers. We will also examine a number of debates in law and society, including, but not limited to, the death penalty, juries in democracy, alternative dispute resolution, and affirmative action. By the end of the semester you should have a greater understanding of the interplay that exists between the law and society.

**REQUIRED TEXTBOOK**

Samuels, Suzanne. 2006. *Law, Politics, and Society*. Boston, MA: Houghton Mifflin Company (now Cengage Learning).

**CLASS CONDUCT**

Class discussion is strongly encouraged. However, talking about law and society requires us to discuss potentially sensitive issues. I expect that you will come to class prepared to talk about these issues and that you do so in a respectful way. Being disrespectful to your fellow classmates or the instructor will not be tolerated.

**READINGS, PARTICIPATION, AND ATTENDANCE**

You are expected to do the assigned readings. This will force you think about the topic before you come to class, thus facilitating class discussion. Therefore, you are required to do the assigned readings before each class period. It may be beneficial to come with some questions and comments to stimulate discussion. Attendance will be taken each class period, which will be bundled into a participation grade.

Make sure you check the course D2L website frequently. Any changes made to the reading schedule, along with special announcements, will be posted here.

## DEBATE PAPERS

Each student will be randomly assigned to one of four debates for the purposes of developing a debate position paper. You will be required to submit one debate paper this semester for a topic that I assign to you. You may choose the side of the debate you wish to argue (i.e., pro or con). Your paper is not expected to be an exhaustive analysis of the issue. Instead, you should present at least three major arguments (but no more than four) to support your position.

Students should expect to engage in research for the purposes of this assignment. I will require an annotated bibliography be submitted prior to the due date of your debate paper to get students working early on their paper and familiar with academic research. Any reference(s) used in the development of a student's paper should be cited in the body of the paper followed by a parenthetical citation. Directly quoting language must be denoted by quotation marks around the relevant language and immediately followed by a parenthetical citation. Parenthetical citations are necessary when you are directly quoting, paraphrasing an idea, providing statistical facts, etc. Each paper must also include a works cited list in which the student provides citation for each reference cited in the body of the paper. All references in your works cited list must be cited in the body of your paper.

To receive a passing grade, students must cite at least four different scholarly sources (i.e., books, journal articles) in the body of their paper. Only credible Web sources should be utilized (for example, Wikipedia is not considered a credible or scholarly source). The paper should be approximately 3-5 pages in length and typed (12 point font, double-spaced, one-inch margins). The cover page, works cited list, and any tables/figures are not included in this page limit.

You are required to hand-in hard copies of your papers (Annotated Bibliography and Debate Paper) during class on the due date(s) noted in the syllabus below. I will not accept any late work unless you have a valid, documented reason for missing the deadline. You are expected to notify me in advance and provide documentation. If you cannot notify me in advance, or in the case of an emergency, you will need to contact me within 24 hours after the missed deadline.

**Your annotated bibliography will be due in class (hard copy) on October 8. The due dates for the debate papers correspond to the dates in which the debate topic will be presented in class.**

For writing assistance, please contact the UWM writing center by phone (229-4339) or online ([www.writingcenter.uwm.edu](http://www.writingcenter.uwm.edu)). The writing center also has a number of writing resources available (<http://www4.uwm.edu/writingcenter/Resources.htm>).

The fact that you share a debate with others in the class does not mean that this is a group project, per se. Each one of you is expected to turn in a paper that is reflective of your own work and research. However, you and your group are expected to take an active part in the discussion about your assigned issue on your group's day. I do not expect you to present your paper in class, but rather I will be there to guide discussion and it is up to you and your group to be the discussion leaders for that day. Come prepared to discuss your debate topic.

Your debate paper assignments will be distributed in class (and posted on our D2L site).

## ACADEMIC INTEGRITY

**No form of academic dishonesty will be tolerated in this class.** Anyone found guilty of cheating or plagiarism or of any other violation of academic integrity will be assigned an automatic grade of F *IN THE COURSE* and will be prosecuted to the fullest extent through University channels. Notes on plagiarism can be found here: <http://www.indiana.edu/~wts/pamphlets/plagiarism.shtml>. UWM's policy can be found here: [http://www4.uwm.edu/acad\\_aff/policy/academicmisconduct.cfm](http://www4.uwm.edu/acad_aff/policy/academicmisconduct.cfm). Be sure you know the definition and know how to avoid it. I am absolutely serious about this policy. It is indeed plagiarism to copy someone's words without citation or attribution or to copy the summary of a speech, book, article, or reading found on the web or any other source. **I will notice the plagiarism and you will fail the course. Consider this your ONLY warning.**

## EXAMS

There will be two exams in this course – a mid-term exam and a final exam. We will talk in more detail about the format of each exam as the date draws near.

Make-up exams will only be given to students who have a medical excuse, University-excused absence, or other reasonable excuse (as determined by me). To qualify for a make-up examination, students must provide documentation and must contact me prior to the scheduled exam. If a student cannot contact me prior, the student is required to contact me within 24 hours after the missed exam.

## GRADES

Attendance/Participation	10%
Mid-term Exam	25%
Final Exam	25%
Annotated Bibliography	10%
Debate Paper	30%

## GRADING SCALE

The grading scale is as follows\*:

100 – 93	A
92 – 90	A-
89 – 88	B+
87 – 83	B

82 – 80	B-
79 – 78	C+
77 – 73	C
72 – 70	C-
69 – 68	D+
67 – 63	D
62 – 60	D-
59 – 0	F

\* The instructor reserves the right to curve grades, should the need present itself.

## **STUDENT ACCOMODATIONS**

Any students with special needs due to a physical or learning disability should see me as soon as possible. Every effort will be made to accommodate your needs. See [www.sac.uwm.edu](http://www.sac.uwm.edu) for more information or contact the Student Accessibility Center (SAC) counselor on campus (414) 229-6287.

## **SYLLABUS LINKS**

Information regarding policies on students with disabilities, religious observances, students called to active military duty, incompletes, discriminatory conduct, academic misconduct, complaint procedures, grade appeal procedures, and final exam schedule requirements can be found here: <http://www4.uwm.edu/secu/SyllabusLinks.pdf>

## **TOPIC & READING SCHEDULE**

\*This reading schedule is subject to change  
Changes will be announced in class and/or posted on D2L\*

September 3: Introduction to the course, course objectives, and policies

September 5: Introduction to terms, parties, courts, and legal research

September 10: Introduction to the study of law I – Samuels pgs. 1-13

September 12: Introduction to the study of law II – Samuels pgs. 14-26

September 17: Legal theory I – Samuels pgs. 28-40

September 19: Legal theory II – Samuels pgs. 40-56

September 24: Major legal systems and types of law I – Samuels pgs. 85-97

September 26: Major legal systems and types of law II – Samuels pgs. 97-106

October 1: Foundations of the U.S. legal system I – Samuels pgs. 57-70

October 3: Foundations of the U.S. legal system II – Samuels pgs. 70-83

**October 8:** Structure of the U.S. court system – Samuels pgs. 135-154

**ANNOTATED BIBLIOGRAPHY DUE**

**October 10: Paper Meetings (Debates 1 & 2)**

October 15: Judges, legal reasoning, and judicial decision making I – Vago pgs. 166-170 (on D2L); J. Frank's, "The Judging Process and the Judge's Personality," reprinted in Bonsignore et al., 2006. *Before the Law: An Introduction to the Legal Process*, Eighth Edition, Boston, MA: Houghton Mifflin. (on D2L)

October 17: Judges, legal reasoning, and judicial decision making II – L. Fuller. 1949. "The Case of the Speluncean Explorers." *Harvard Law Review* 62: 616-645. (on D2L)

October 22: Mid-Term Review – no assigned reading

**October 24: Mid-Term Exam**

October 29: Erin Brockovich

October 31: Erin Brockovich

**November 5: Paper Meetings (Debates 3 & 4)**

**November 7: Juries** – Samuels pgs. 154-162

**DEBATE1: Is the jury necessary?**

November 12: Functions of law – Vago pgs. 194-202 (on D2L)

**November 14: Death penalty** – Samuels pgs. 276-277 and Vago pgs. 203-213 (on D2L)

**DEBATE 2: Should the U.S. continue to employ the death penalty?**

November 19: Courts and dispute resolution – Samuels pgs. 169-182

**November 21: Alternative dispute resolution (ADR) – Samuels pgs. 182-186**

**DEBATE 3: Is ADR a friend or foe?**

November 26: Law, social change, social movements I – Vago pgs. 309-324 (on D2L)

November 28: NO CLASS – THANKSGIVING BREAK

December 3: Law, social change, social movements II – Samuels pgs. 186-191 & Vago pgs. 324-338 (on D2L)

**December 5: Law and Inequality – Affirmative Action – Samuels pgs. 265-276 & 278-287**

**DEBATE 4: Are affirmative action policies necessary?**

December 10: Affirmative action – “Affirmative Action versus Reverse Discrimination” (Video presentation)

December 12: In-class review session – Q&A – no assigned reading

**FINAL EXAM: Thursday, December 19 (10am-12noon) in Lubar S230 (same room as lecture)**