

LAW & SOCIAL CHANGE

Course Outline

<u>DATE</u>	<u>Topic</u>	<u>Assignment</u>
09/29	Introduction	None
10/06	What is Law? What is Culture?	See additional readings
10/13	Theories Of Law and Society - I	Aubert: pp. 17-31 (Durkheim; Sir Henry Maine) Vago: pp. 38-54
10/20	Theories of Law and Society - II	Aubert: pp. 46-51) (Thurman Arnold) Vago; pp. 22-23,
10/27	The Use of Rules to change behavior; What is a Legal System?	Aubert: pp. 71-79 (Dicey) Vago: Ch. 3,4,5 (Organization of Law; Law Making; Social Control)
11/03	MID-TERM EXAM	
11/10	Dispute Settlement Innovation and Collaborative Law	Vago: Ch. 1 & 6 (Functions of Law) Dispute Modalities 3 rd Party Intervention
11/17	Impact of Legislation and Case law & "rights" in Change	Aubert: pp. 99-116 (Dror; Aubert) Vago: pp. 314-330 (Law & Social Change)
11/24	THANKSGIVING	

- 12/01 Role of Processes of Aubert: pp. 153-160,
Conflict Resolution, 182-210 (Weber;
Legal Institutions, and Kawashima; Macauley)
Lawyers in Social Change Vago: pp. 330-338
 (Limitations to
Non-Legal Strategies in Change)
Change Aubert: pp. 321-331
 (Blumberg)
 Vago: Ch. 8 (Legal
 Profession)
- 12/01 As time permits presentation of Term Papers.
Term Papers are due.

FINAL EXAM, DECEMBER 8, 2016 (6:15 - 8:15 p.m.)

- Attendance Policy: Student dropped upon 3rd unexcused absence.
You are responsible for registering your
Drop at the Administrative Office.
- Office Hours: THURSDAYS 5:15 - 6:15 p.m.
Emergency number (650) 856-6262
E-Mail: lowylaw@yahoo.com
- Grading Policy: Mid-Term Exam 30%, Term Paper 40%,
Final Exam 30%
- Texts: Law and Society (10th Ed., 2012), Steven Vago
Sociology of Law, Vilhelm Aubert (ed.)
*Additional reading will be distributed.

LAW & SOCIAL CHANGE
Additional Readings

DATE	Assignment
10/06	LAW: The Case of the Spelunking Explorers McDonald's Case Jurisdictional Overview CULTURE: Steel Axes for Stone Age Australians Two Concepts of Authority *The Fetishes are There: The Treatment of Sorcery in a Ghanaian Court Vocabulary
10/13	Modernized Societies
10/20	
10/27	Why the Haves Come Out Ahead Law as an Instrument of Revolutionary Change in a Traditional Milieu: The Case of Soviet Central Asia
12/01	Third Party Intervention *The Creation of Legal Dependency - Law School in a Nutshell. Lowy and Haney: Danzig and Lowy: Everyday Disputes and Mediation in The United States: A Reply to Professor Felstiner Some Notes on Law & Change in North India; The Kpelle Moot; Court vs. Bargain Model Rules for Radicals - Alinsky

***OPTIONAL**

Law and Social Change

The following are suggested topics for term papers. These topics are "pre-approved." If you wish to write a paper on another topic, please have it cleared with me first. Each topic is very general. Please consult with me to narrow down the focus of your term paper. Read chapter 9 in the Vago text.

1. The impact and/or societal knowledge of various statutes or legal decisions (for example):
 - a. ADA
 - b. Brown v. Board of Education
 - c. Roe v. Wade
 - d. Lawrence v. Texas / Bowers v. Hardwick
 - e. Plessy v. Ferguson
 - f. Three-strike law in CA
 - g. Minimum wage law
 - h. Child labor laws
 - i. Family Leave Act
 - j. Endangered Species Act
 - k. EPA
 - l. OSHA
 - m. NLRB
 - n. Hobby Lobby case
 - o. Citizens United

2. The history and development of:
 - a. Death penalty in the US
 - b. Juvenile law in CA
 - c. Drug laws in US, e.g. NORMAL
 - d. Plea-bargaining in US
 - e. ADR
 - f. Community policing
 - g. Zoning laws
 - h. Legal aid
 - i. IP law, e.g. Internet law, copyright, trademark, patent, NAPSTER
 - j. International war crimes law
 - k. International space law
 - l. Legal education in US
 - m. Medical malpractice law in CA
 - n. The penitentiary in US
 - o. Privatization of the law
 - p. Paralegal profession
 - q. "No-fault" divorce in CA
 - r. Gun control in US
 - s. Defamation law in US
 - t. Insanity plea in US
 - u. Universal suffrage

- v. Prohibition
- w. DUI laws
- x. Collaborative law
- y. Affirmative Action
- z. Immigration law
- aa. Control of terrorists, e.g. The Patriot Act
- bb. The Patient Protection and Affordable Care Act (PPACA) ("Obama Care")

Your term paper should be at least 8 typed pages, double-spaced. The format should include an introduction, body, conclusion, and references cited section. Each paper will contain references to at least four primary sources (e.g. book, article, or case).