COURSE DESCRIPTION:

This course serves to introduce students to the principles, process, and practice of law. Of particular emphasis in this class is the connection between law, politics, and society. The intersection of these three concepts is the foundation for most governments and societies. Consider how fundamental the following questions are to defining a society and government. What are the rules of behavior in the society? How are those rules and laws made? Do people always obey the laws, and why? How can an individual influence the lawmaking process? How do people think about their government? How might this influence how they think about their community and their own behavior?

The questions will will focus on in this course are:

1) What are law, politics, and society? How are they created, and what influence do they have over our lives?
2) How do law, politics, and society relate to one another?
3) How do law, politics, and society play out in the United States?

Thus, we proceed in three parts. First, we begin with an exploration of the principles undergirding the concept of law, particularly focusing on the social contract, rule of law, and justice. We then transition to a study of the processes of lawmaking, with special attention to the Constitution and the legislative and judicial branches of government. Finally, we apply our knowledge to a variety of policy areas to determine whether and how politics and society shape law and whether and how law shapes politics and society.

The goal of this course is to provide a foundation for students to build on in future classes on law and politics or simply in understanding law, politics, and society. Students will develop an ability to think critically about the legal system and will become cognizant of their place in the political process and their potential as forces of change.

COURSE REQUIREMENTS:

1) Since society is a key concept of this course, participation enables you to key into how people think about their government, politics, and law. While in class and section, talk with your peers, express your ideas and listen attentively to what others say and how they say it.

2) For the first part of the class, you will keep a journal. In this journal, you will track the making of a current piece of law (via either legislation or adjudication). You will make entries for at least seven of nine weeks (the first week is required), reporting on your law of choice, and answering the questions given in the syllabus for that week. While this is an informal, written assignment, I do expect complete sentences, use of logic and reasoning, and thoroughly supported answers. Each entry should be between ½ and 1 page, single-spaced. This is your chance to personally apply what you've learned, as your learning it, to something that interests you.

3) There will be one midterm in this course, taking place after the first part of the course on the principles of law (February 27th).

4) You will complete a final project. This project will ask you to synthesize the concepts from the course and show your creativity. The project is due on the last Friday of the semester (May 9th).
COURSE EVALUATION:
The grade break-down is as follows:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Percentage</th>
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<tbody>
<tr>
<td>Participation</td>
<td>10% (from section)</td>
</tr>
<tr>
<td>Journal (April 7th)</td>
<td>20%</td>
</tr>
<tr>
<td>Midterm (February 27th)</td>
<td>25%</td>
</tr>
<tr>
<td>Final (May 9th)</td>
<td></td>
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<tr>
<td>One page topic (March 14th)</td>
<td>5%</td>
</tr>
<tr>
<td>Outline (April 11th)</td>
<td>5%</td>
</tr>
<tr>
<td>Draft (April 25th)</td>
<td>10%</td>
</tr>
<tr>
<td>Final (May 9th)</td>
<td>25%</td>
</tr>
</tbody>
</table>

For all assignments, the grading rubric will be 40% logic and reasoning, 35% thoughtful use of class content, and 25% presentation—thesis, organization, grammar and punctuation.

COURSE READINGS:
Many readings for this course are in the original, dense format. While I've kept the reading short (no more than 35 pages a week), I expect you to use your critical reading skills to understand that reading thoroughly. Sections will be designed around helping you to understand the content of the readings, while lecture will extend the analysis by connecting ideas and relating them to current events.

The majority of these original readings are available online. Unless otherwise noted, these are complied on your Learn @UW site. You will, however, need to purchase the following books:


COURSE POLICIES:

*Make-up exams:* It is very rare that I will allow a student to take a make-up exam. There are a few exceptions, but other than a documented medical emergency, you must inform me of the need for an alternate testing date in advance. I may deny you the make-up exam option, but if I agree, you will take a separate exam before the class's scheduled exam time. The make-up exam is always harder.

*Late penalty:* For every day you are late turning in an assignment, your grade on that assignment will drop by 10%. For extraordinary circumstances, you may request an extension from your TA.

*Grade changes:* If you feel you have been unfairly graded, you can talk to me or the TA. But you must wait at least 24 hours before complaining. If you do wish to have your grade changed, you must prepare a memo (300-500 words) explaining why you think I should reevaluate your work. If I agree with your reasoning, I will grade the project or exam myself. Be aware that your grade may go up or down in this case.

*Group work:* You can elect to do both the midterm and the final project in a group. I do not ask you to tell me who did what. You should work this out yourselves so that everyone feels they are doing equal work. If you have a problem with a group member, talk to them—not me, not the TA. This is your chance to figure things out collaboratively.

*Academic (Mis)Conduct:* In all your work, conduct yourselves with the utmost integrity. Do not plagiarize others' work, do not paraphrase without citation, follow the rules of citation for whatever style you choose. In working with group members, be respectful and courteous. Your behavior reflects upon yourself and the university. You want that reflection to be professional and respectful.

*McBurney Students:* If you are affiliated with the McBurney Center, please contact me and your TA within the first two weeks of class.
COURSE CALENDAR:

Introduction

Week 1 – Course Introduction (January 21st) and What is Law? (January 23rd)
Plato's Crito (The University carries this as an ebook, accessible via the Library homepage)

Week 2 – What are Politics (January 28th) and Society? (January 30th)
Hannah Arendt's The Human Condition, excerpts from Prologue and Chapters 1&2

**Sections and Journaling begin this week.

Journal Question: What law have you chosen? Describe the law, give a brief history, and what's currently happening to the law. Is there any mention of the legitimacy of the law in your readings (news, the legislation or case itself)? What mention is there, if any? Do you think the law is legitimate? Why should people follow it? Why might they not?

Part 1 – Principles of Law

Week 3 – Origin of Law: The Social Contract (February 4th and 6th)
John Locke's Second Treatise on Government, Chapters 7-10

Journal Question: How might your law come from society? Is there any indication of social contract theory operating in the creation of your law? What is it? How might you tell?

Week 4 – Purpose of Law: Law as Social Control (February 11th) and as Social Change (February 13th)
Lon L. Fuller's “Law as an Instrument of Social Control”
Gerald Rosenberg's “The Fly-Paper Court” from The Hollow Hope

Journal Question: What does your law attempt to do to society? Does it control or shape human interaction? Does it try to change the way that interaction currently takes place? Or does it try to codify an existing interaction? How do you know?

Week 5 – Principles of Law – Justice and Morality (February 18th and 20th)
John Rawl's A Theory of Justice, excerpts from Chapter 2
George Bernard Shaw's Why Law is Indispensable

Journal Question: Is there a concept of justice in your law? How does the idea of rightness or fairness embed in lawmaking in general? What questions of morality are at the heart of your law? Is it just (fair or right) that society legislate morality? Can a society be uniform enough for moral legislation to be successful (however you define success)?

Week 6 – Creating Law – Representation (February 25th)
Hanna Pitkin's The Concept of Representation, excerpts from Chapters 1&10

Journal Question: Which kind(s) of representation affect your law? How might the question of representation affect the legitimacy of your law? Do you think that representation and legitimacy are or should be interconnected?
MIDTERM EXAM – February 27th

Part 2 – Process of Law

Week 7 – Creating Law: The U.S. Constitution (March 4th and 6th)
Madison, Larson, and Winship's *The Constitutional Convention: A Narrative History*

Journal Question: What constitutional questions are in your law? If it's not an obvious constitution question, how does your law use the Constitution for legitimacy? Do you think this legitimacy of the Constitution stems from the people? Why or why not? Is the Constitution called into question? Does it use different interpretations of the Constitution?

Week 8 – The Legislative Process (March 11th and 13th)
Richard F. Fenno, Jr.'s *Home Style*, Chapter 1
Robert Draper's “Lindsey Graham, this Year's Maverick” *The New York Times*

Journal Question: If your law is a piece of legislation, how have these readings affected your understanding of how the law was created? If your law is a court case, do you see any elements of legislation in it? Is there a possibility that an existing law needs to change or is affirmed, or a new law might be created?

**TOPIC PAPERS DUE – 4pm, March 14th**

Week 9 – The Judicial Process (March 25th and 27th)
Alexander Bickel's *The Least Dangerous Branch*, excerpts from Chapter 1
Richard A. Posner's *How Judges Think*, Introduction

Journal Question: If your law is a court case, how have these readings affected your understanding of how the case was/is being decided? If your law is a piece of legislation, do you see any potential judicial disputes arising from it? What are they? How might the Court treat the dispute?

Week 10 – Bureaucracy and Administration (April 1st)
Matthew D. McCubbins's “Abdication or Delegation? Congress, the Bureaucracy, and the Delegation Dilemma”

– Heresthetics (April 3rd)
Riker, Chapters 4 and 8

Journal Question: What is (or will be) the role of the bureaucracy in the execution of your law? Is this role in line with the principles of social contract theory and representation? How might heresthetics have played into the creation of your law? How might the presence of heresthetics change the answers to some of your earlier entries (especially on the social contract, social control or change, justice, morality, and representation)?

**JOURNALS ARE DUE**
Please turn your journals in to your TA during section on the week of April 7th-10th.
Part 3 – Practice of Law

Week 11 – ___________________ (April 8th and 10th)

OUTLINES DUE – 4pm, April 11th.

Week 12 – ___________________ (April 15th)

NO LECTURE – April 17th

Week 13 – ___________________ (April 22nd and 24th)

FIRST DRAFT DUE – 4pm, April 25th

Week 14 – ___________________ (April 29th and May 1st)

Week 15 – ___________________ (May 6th and 8th)

FINAL PROJECT DUE – 4pm, May 9th

SECTION PRESENTATIONS

During the first week of class, topics and order to be chosen by students from the following list. There will be five topics, each one of which will get one week’s discussion. We will read a selection of the relevant court cases, laws, and news stories. The first lecture will cover the intricacies, history, and details of the policy; the second lecture of the week will be on how law, politics, and society are in play during the creation and execution of the policy.

Education               Gun Control               Privacy Rights
Equal Pay              Health Care               Racial Equality
Fiscal Responsibility  Immigration              Voter Registration
Gay Marriage           Minimum Wage              The Welfare State