

Political Science 370
Law and Society
Spring 2025, Session B

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** I reserve the right to change this syllabus during the semester.*

** I am happy to meet with students upon request either online or at ASU's Tempe campus.*

Course Description

Visitors to courts often encounter the statue of Themis, the Roman goddess of justice. She is blindfolded, with a sword in one hand and the scales in the other. Themis cannot see past her blindfold, and represents idealized justice, judging only by the weight of her scales. The courts obviously do not practice blind justice. Law is not indifferent to society. Politics and culture impact its practice. Is this good or bad? We will explore this question. This class will consider the common or collective good through the nexus of law and society. In America, does law serve the common good or particular interests? In answering this questions, why will consider many diverse perspectives from many of the different social sciences including political science, law, history, philosophy, economics, psychology, political theory, and criminal justice. At the completion of this course, students should be able to give an informed perspective on many law-related issues facing our society today.

Learning Outcomes

This course fulfills Arizona State University's "Gold" General Studies American Institutions learning requirements for students beginning in the fall of 2024. At the conclusion of this course, students will be able to:

Upon completion of a course in Governance and Civic Engagement, students will be able to complete all outcomes in one of the two following groups.

Group 1:

- analyze the context and consequences of one or more collective decision-making theories or practices
- define an element of the common good and propose a way to pursue it within a specific contemporary context
- communicate coherent arguments using evidence drawn from qualitative or quantitative sources

Group 2:

- articulate diverse perspectives on the common or collective good
- demonstrate the ability to collaborate effectively in the presence of dissenting opinions and experiences
- communicate arguments, narratives or information using qualitative or quantitative evidence

This course fulfills Arizona State University's "Maroon" General Studies Social and Behavioral Sciences learning requirements for students beginning prior to the fall of 2024. In addition to the General Studies learning outcomes, after completion of this course, students will be able to:

- articulate what justice is
- describe the sources of law
- describe important theories of justice
- describe world legal traditions
- describe the development of the American legal system
- give perspectives on how judges decide cases
- describe the legal actors' attitudes and characteristics
- describe international courts and law
- describe the two hemispheres of law
- give a position on whether the legal system prevents crime
- describe the impact of law on social change, inequality and privacy

Modules:

This course consists of seven modules and possibly some additional readings depending on the number of weeks in the course and whether the class starts on a Monday or Wednesday. The additional readings will help students with their understanding of the learning outcomes. Below is an overview:

Module One: Students will begin their inquiry into the law and common good by asking what is law, and what is justice? They are taught that law is not only the written codes and statutes. There exists an important linkage with the society itself. Students are introduced to the families of law including the common law. Students consider both the functions and dysfunctions of law as well as the consensus and conflict perspectives.

Module Two: This module will introduce students to many perspectives on the law and its role in society. They are drawn from many scholarly and historical perspectives, including theologian Thomas Aquinas, classical sociologists like Max Weber and Emile Durkheim, legal scholars such as Oliver Wendell Holmes, political theorists like John Rawls and Jeremy Bentham, and many others. This module also introduces students to the structure of the American legal system.

Module Three: In this module, students will learn about many of the important actors in the legal system including lawyers and judges. They will be introduced to the historical development of the contemporary legal system and important organizations like the American Bar Association. Students will learn about the "two hemispheres of law" and how difficult it can be for many Americans to access the legal system. This and subsequent modules will introduce students to the empirical research.

Module Four: In module four students will turn their attention to the criminal justice system. They will learn about models explaining how the criminal justice system works. Students will learn more about the actors including defense attorneys, prosecutors, and jurors. They will learn about some of the ways that defense attorneys "cope" with public sentiments that they are denying justice to the criminals' victims. This module introduces scholarship on how jurors

decide guilt or innocence. This module exposes students to the economics of criminal justice and the tradeoffs that our society chooses to make.

Module Five: In this module students learn about civil cases and how our society resolves disputes. Students learn about mediation, arbitration, and adjudication. They will discover more about why most Americans do not make use of the legal system in resolving their disputes. They will learn about Americans' legal consciousness and why Americans are often seen as overly litigious when the chances of them turning to the courts is small.

Module Six: This module considers law and the deterrence of crime. It introduces important perspectives from Jeremy Bentham, Cesare Beccaria, and John Stuart Mill. Students will take up the important debate as to whether law follows society or vice versa. Students will learn about the death penalty in the United States and its legality. Students will study the law's effect on policing, prison reform and social movements.

Module Seven: In the final module, students will study American law as it relates to inequality and privacy. These legal topics underlie many contemporary political debates. They will learn about the psychology and philosophy behind surveillance and Jeremy Bentham's Panopticon.

Prerequisites

There are no prerequisites, but this course is more advanced. This course draws from legal and political theory, sociology, in addition to political science. Consequently, I think that having taken an introductory course in American government will be helpful. If you understand the basics, then you will master the more complex material more easily. ASU's POS 270, the American Legal System, is also a very good course to prepare you for this one.

Course Format

This is a seven-and-a-half-week-long online course. I expect that students complete the assigned readings, finish all assignments and take all required tests and quizzes. I have outlined the course on Canvas and in this syllabus. Students will take tests and turn in assignments in Canvas.

Dates

This course will adhere to all dates on ASU's academic calendar for Fall 2024, session B. See: <https://students.asu.edu/academic-calendar>.

Class Notes

I have included my notes on the readings in each week's Canvas module. In the notes, I have outlined what I consider to be important. The notes are not a substitute for the class readings.

Movies

This class has a tradition of watching movies. I will give students points in this class for watching movies, which I have assigned for five of the seven and a half weeks. To receive credit for watching the movie, students must answer a question that I have asked in Canvas. Here is the list:

Movie	Week Assigned	Rental cost	Where I found the film/show*	Class Points
Hot Coffee	Five	\$3.99	Apple Tv	5
Justice for Sale	Two	free	https://billmoyers.com/content/justice-for-sale-2/	5
Gideon's Trumpet (the movie, not documentary)	Four	free	The Roku Channel/Tubi/Filmrise/Freevee	5
A Civil Action	Three	\$3.99	Apple Tv	5
To Kill a Mockingbird	Six	\$3.99	Apple Tv	5
*You can rent/buy/watch the movie/show from any provider you choose. You may find the film for less than the price that I quoted. If you would like to compare prices, here is one site that you can use: https://www.justwatch.com/				

Required Reading:

We will read two books in this class. These are:

Law and Society, 4th Edition

Author: Matthew Lippman

ISBN-13: 978-1071919248

ISBN-10: 1071919245

The Law and Society Anthology: Justice in 21st Century America and Beyond, 1st Edition

Author: Paul Lohse

ISBN-13: 979-8823311717

The required materials for this course, The Law and Society Anthology and Law & Society, will be provisioned as e-books and made available at a discounted price significantly cheaper than if purchased directly from the publisher. If you wish to take advantage of this discounted group price, no additional action is needed. Following the drop/add period, a charge of \$121.25, plus tax, will post to your student account under the header "Digital Integrated Course Mtrl" and your access will continue uninterrupted.

If you'd rather purchase the material from an alternate source, you may choose to opt out of the program by using this link: <https://includedcp.follett.com/1230> *Enter your ASU e-mail address AS IT APPEARS IN THE ASU DIRECTORY (<http://asu.edu/directory>), then follow the instructions provided. Be aware that if you do opt-out, your access to the e-book will be discontinued.

TO ACCESS THE E-BOOK, CLICK ON THE BRYTEWAVE TOOL IN YOUR COURSE'S CANVAS SHELL. Please note: the ebook won't appear on your shelf until approximately 5 days prior to the start of classes. If you need assistance accessing the book or the opt-out portal, fill out the support request form: <https://forms.gle/uD4GhBxMoixnbwYx5>

If you purchase the books on your own, please check to see that you purchased the correct edition. I have only one copy of each book, which I personally need. Students can sometimes check these books out through university libraries.

Grading

Students may earn up to 100 points in this class. One point equals one percent of your final grade. I will assign points as follows:

- A. Movies: 25 points. Students may earn points for watching movies that I think give insight into the relationship between law and society. These movies can be rented for free or a small cost. To receive the points, students must also answer a question that I have asked in the weekly Canvas module. I will give 5 points for an outstanding answer, 4.5 points for a good answer and 4 points or less descending in increments of .5 for responses that I think need improvement. I expect that assignments will be complete (all the questions are answered) and substantive (it's clear to me that you thought about the question and integrated learning). I do not expect references and there is no maximum or minimum word count, but I expect a paragraph or more of writing.
- B. Weekly Quizzes: 24 points. Students will take a weekly quiz in weeks 1-3 and 5-7. There is no quiz on the week of the midterm, but the material from that week will be on the Midterm. There are 10 questions, each worth .4 points; so, students can earn up to four quiz points in a week. The questions will be multiple choice and/or true/false. Students may take the quiz up until Sunday at 11:59 p.m. The quizzes are open book and note; however, students cannot have someone take the test for them or solicit answers. I have named the quizzes to correspond with the weeks.
- C. Midterm: 25 points. I will give the midterm at the end of the fourth week. The questions may include multiple choice, fill-in-the-blank, short, and long essay answers. This test is open book and note; however, students cannot have someone take the test for them or solicit answers. I have included a study guide and description of the test in Canvas. If you cannot complete the test during this time, please let the instructor know, and I will schedule a make-up.
- D. Final: 26 points. Students will take the final at the end of the course. The questions may include multiple choice, fill-in-the-blank, short, and long essay answers. This test is open book and note; however, students cannot have someone take the test for them or solicit answers. The final is cumulative and will include questions from the first half of the class, but I will give more weight to the second. I have included a study guide and description of the test in Canvas. If you cannot complete the test during this time, please let the instructor know, and I will schedule a make-up.

Extra Credit

There are two opportunities to earn extra credit points.

- A. Class Evaluations: 1 point. If at least 80% of the students from both the ASU on-campus online and off-campus online class complete evaluations (together, combined), I will give each student an additional point, worth 1% of your final grade.
- B. Discussion Board: 1 point. I will be experimenting with discussion boards. To encourage engagement, I will award students who write an original post or reply to post for at least five class weeks. Class introductions count. Students may not submit discussion posts after they have finished the final exam.

I will assign grades based on the number of points that you earn:

99-100=A+
93-98=A
90-92=A-
88-89=B+
83-87=B
80-82=B-
78-79=C+
65-77=C
55-64=D
<55=E

Late Assignments and Missed Tests/Quizzes

I expect that students will complete all assignments and tests by the date given in this syllabus and in Canvas. Arizona State University requires that I grant some exceptions. These include:

1. The instructor's general policy on absences.
2. Information on excused absences related to religious observances/practices that are in accordance with [ACD 304-04](#) "Accommodations for Religious Practices."
3. Information on excused absences related to university-sanctioned events/activities that are in accordance with [ACD 304-02](#) "Missed Classes Due to University-Sanctioned Activities."

Academic integrity

Academic honesty is expected of all students in all examinations, papers, and laboratory work, academic transactions and records. The possible sanctions include, but are not limited to, appropriate grade penalties, course failure (indicated on the transcript as a grade of E), course failure due to academic dishonesty (indicated on the transcript as a grade of XE), loss of

registration privileges, disqualification and dismissal. For more information, see <http://provost.asu.edu/academic-integrity>

Disabilities

Students who feel they will need disability accommodations in this class but have not registered with the Disability Resource Center (DRC) should contact DRC immediately. The DRC Tempe office is located on the first floor of the Matthews Center Building. DRC staff can also be reached at (480) 965-1234 (V) or (480) 965-9000 (TTY). For additional information, visit: www.asu.edu/studentaffairs/ed/drc.

Behavior

While this class is online, students will interact with the instructor and other students. I expect that students treat each other and the instructor with courtesy and consideration.

All incidents and allegations of violent or threatening conduct by an ASU student (whether on- or off campus) must be reported to the ASU Police Department (ASU PD) and the Office of the Dean of Students. If either office determines that the behavior poses or has posed a serious threat to personal safety or to the welfare of the campus, the student will not be permitted to return to campus or reside in any ASU residence hall until an appropriate threat assessment has been completed and, if necessary, conditions for return are imposed. ASU PD, the Office of the Dean of Students, and other appropriate offices will coordinate the assessment in light of the relevant circumstances.

Policy on Discrimination

Arizona State University is committed to providing an environment free of discrimination, harassment, or retaliation for the entire university community, including all students, faculty members, staff employees, and guests. ASU expressly prohibits discrimination, harassment, and retaliation by employees, students, contractors, or agents of the university based on any protected status: race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, and genetic information.

Reporting Title IX violations

Title IX is a federal law that provides that no person be excluded on the basis of sex from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity. Both Title IX and university policy make clear that sexual violence and harassment based on sex is prohibited. An individual who believes they have been subjected to sexual violence or harassed on the basis of sex can seek support, including counseling and academic support, from the university. If you or someone you know has been harassed on the basis of sex or sexually assaulted, you can find information and resources at <https://sexualviolenceprevention.asu.edu/faqs>.

As a mandated reporter, I am obligated to report any information I become aware of regarding alleged acts of sexual discrimination, including sexual violence and dating violence. ASU Counseling Services, <https://eoss.asu.edu/counseling> is available if you wish to discuss any concerns confidentially and privately. ASU online students may access 360 Life Services, <https://goto.asuonline.asu.edu/success/online-resources.html>.

Copyrighted materials

A warning to students that they must refrain from uploading to any course shell, discussion board, or website used by the course instructor or other course forum, material that is not the student's original work, unless the students first comply with all applicable copyright laws; faculty members reserve the right to delete materials on the grounds of suspected copyright infringement.

Technology Issues

We have found that Mozilla Firefox offers the most stable and problem-free browser for taking tests and submitting assignments online. I have also embedded files in Canvas from my ASU Google Drive. To view these files, students must grant permission. If you are uncomfortable doing this, please let me know, and I will send you the files as an email attachment.

Outline and Readings:

Week	Dates	Reading/Discussion Assignment
Week 1	Mar. 17 – Mar. 23	Begin: Module One Read: Chapter 1 “An Introduction to Law and Society” Read: “Five Histories,” Karl N. Llewellyn and Adamson Hoebel, <i>The Law and Society Anthology</i> . Read: excerpt from “The Military Societies,” Karl N. Llewellyn and Adamson Hoebel, <i>The Law and Society Anthology</i> . Quiz One: Mar. 21 - 23
Week 2	Mar. 24 – Mar. 30	Begin: Module Two Read: Chapter 2 “Theories of Law and Justice” Read: Chapter 3 “The Structure and Function of Courts, Legislatures, and Administrative Agencies” Read: “Early Forms of Liability,” Oliver Wendell Holmes, Jr., <i>The Law and Society Anthology</i> . Watch “Justice for Sale” This is a PBS Frontline episode that is becoming increasingly hard to find. You can watch it for free here: https://billmoyers.com/content/justice-for-sale-2/ Quiz Two: Mar. 28 - 30 Justice for Sale assignment due Mar. 30 at 11:59 p.m.
Week 3	Mar. 31 – Apr. 6	Begin: Module Three Read: Chapter 4 “The Legal Profession” Read: Chapter 5 “Access to Justice and Legal Ethics”

		<p>Read: "The Road to Individual Practice," Jerome E. Carlin, <i>The Law and Society Anthology</i>.</p> <p>Read: "The Ethical Dilemmas of Individual Practice," Jerome E. Carlin, <i>The Law and Society Anthology</i>.</p> <p>Read: "Harvard and Yale Ascendant: The Legal Education of the Justices from Holmes to Kagan," Patrick J. Glen, <i>The Law and Society Anthology</i>.</p> <p>Watch "A Civil Action." This can be rented on Apple Tv for \$3.99.</p> <p>Quiz Three: Apr. 4 - 6</p> <p>A Civil Action assignment due Apr. 6 at 11:59 p.m.</p>
Week 4	Apr. 7 – Apr. 13	<p>Begin: Module Four</p> <p>Read: Chapter 7 "Criminal Courts"</p> <p>Read: Chapter 8 "Juries"</p> <p>Read: "Defending the Guilty" After 30 Years,' Barbara Babcock, <i>The Law and Society Anthology</i>.</p> <p>Watch: "Gideon's Trumpet." We are going to watch the movie, not the documentary. I was able to watch this for free through Roku.</p> <p>Midterm: Apr. 11 - 13</p> <p>Gideon's Trumpet assignment due Apr. 13 at 11:59 p.m.</p>
Week 5	Apr. 14 – Apr. 20	<p>Begin: Module Five</p> <p>Read: Chapter 6 "Dispute Resolution"</p> <p>Read: "Why Do We Have Federal Courts?," Erwin Chemerinsky, <i>The Law and Society Anthology</i>.</p> <p>Watch: "Hot Coffee." This can be rented on Apple Tv for \$3.99.</p> <p>Quiz Five: Apr. 18-20</p> <p>Hot Coffee assignment due Apr. 20 at 11:59 p.m.</p>
Week 6	Apr. 21 – Apr. 27	<p>Begin: Module Six</p> <p>Read: Chapter 9: "Law and Social Control"</p> <p>Read: Chapter 10 "The Impact of Law on Society"</p> <p>Read: "The Rule of Law Versus the Order of Custom," Stanley Diamond, <i>The Law and Society Anthology</i>.</p> <p>Watch "To Kill a Mockingbird." This can be rented on Apple Tv for \$3.99.</p> <p>Quiz Six: Apr. 25 - 27</p> <p>To Kill a Mockingbird assignment due Apr. 27 at 11:59 p.m.</p>
Week 7	Apr. 28 – May 2	<p>Begin: Module Seven</p> <p>Read: Chapter 11 "Law and Racial and Ethnic Inequality"</p> <p>Read: Chapter 12 "Privacy and Surveillance"</p> <p>Read: "Suspect Citizens," Frank Baumgartner, Derek A. Epp, and Kelsey Shoub, <i>The Law and Society Anthology</i>.</p> <p>Quiz Seven: Apr. 28 – May 2.</p> <p>Final Exam: Apr. 28 – May 2.</p> <p>*I apologize for assigning a test and a quiz. ASU's schedule doesn't give time the following week for the final.</p>