

University of Toronto, Sociology
SOC240H1-F Sociology of Law
Professor Ronit Dinovitzer
Summer 2023
Tues/Thurs, 12:10 pm - 2:00 pm
Location: Online Synchronous (Zoom)

Instructor Information

Instructor: Dinovitzer Ronit
Email address: ronit.dinovitzer@utoronto.ca
Office hours: Zoom
Quercus/Course web site: q.utoronto.ca

Teaching Assistant(s):

TBA
Email:
Office hours: TBA and by appointment via Zoom

Course Description

This course asks students to think critically about the role of law in society, and to develop a sociological understanding of law and legal institutions. The course will include theoretical approaches to understanding the role of law and legal authority, and the constitutive ways in which law affects, shapes, and is negotiated in everyday life. In addition, attention will be paid to the legal profession, including empirical research on lawyers, legal careers, and their relationship to fields of practice, with an emphasis on the relationship between the structure of the legal profession and law as a democratic institution.

Goals and Learning Objectives

The goal of this course is not to focus on specific laws or cases, but instead to study law as an institution that both influences and is influenced by social relations. A main objective of the course is to connect conceptual understandings of law with empirical research on law “in action.”

Prerequisite

The prerequisite to take this course is SOC100H1. Students without this requirement will be removed at any time discovered and without notice.

Textbooks and Other Materials

The course relies on a collection of readings compiled by the instructor and available on Quercus.

Evaluation Components

<u>Description</u>	<u>Type</u>	<u>Date(s) Due</u>	<u>Weight</u>
a. Essay 1	Approx. 4 pages, TBA	May 25	30%
c. Essay 2	Approx. 4 pages, TBA	June 8	30%
d. Class Test	Online test (during class time)	June 15	25%
e. Engagement	10 Discussion posts	Weekly	10%
f. Study Notes	1 submission	June 15	5%

Essays

Each essay assignment will ask you to apply course material to a current problem or issue. The essays will be based on class lectures and readings. You will receive further details during the term.

Engagement (10%)

Our class readings and discussions do not live purely in the realm of the theoretical. Every week's lecture and readings can be connected to current events. In order to encourage you to make these connections, you will have 10 opportunities to post a link to a current event that connects to the week's readings. In addition to posting the link, you need to write a short comment about how they are related (50-70 words). These short writing exercises will be graded on a pass/fail basis, 1% per submission. There are no make-up opportunities for these assignments.

Posts are due by 12:10 pm (Toronto time) the day of each class, starting with Class #2. The posts are meant to help you prepare for each upcoming lecture (so posting on noon Tuesday for Tuesday's lecture).

Study Notes (5% each)

To help prepare you for the test, you will compile a set of study notes for Class #6-Class #11. For each of these weeks, write three sentences about the main points of the class. For each of these weeks, identify, in one sentence the main point of each reading. Ideally, you will complete these notes as the course progresses and not the night before it is due!

Organize your notes in table format as follows:

	Main points of class	Main points of readings
Week 6		
Week 7		
Etc.		

Test (25%)

The test is a take home test written during class time. The test will cover material from Class #6-Class #11.

The questions are essay style and ask you to answer a question informed by class material. You will need to be ready to provide examples from class readings and lectures to support a point you are making.

Procedures and Rules

1. Missed tests

Students who miss a test will receive a mark of zero; UNLESS within 48 hours (two days) of the missed test, students who wish to write the make-up test give the instructor an emailed request for special consideration which explains why the test was missed. A student who misses a test and the subsequent make-up test for a valid reason will not have a third chance to take the test. Instead, the grade assigned for the missed test will be the same as the grade the student earns for the other test in this course.

1. If a student misses tests for **medical reasons**, you will need to email the instructor, not the TA, and also declare your absence on ACORN.
2. If a **personal or family crisis** prevents you from meeting a deadline, have your college registrar email me directly (it is a good idea anyway to advise your college registrar if a crisis is interfering with your studies).

2. Missed Assignments

Time bank: In this course, we will be using time banks. Our time bank is made up of three days. This means that you have a 72 hour grace period for one assignment or distributed across different assignments. If you are using your time bank credit for a particular assignment, you must inform us by using the assignment comment box on Quercus when you submit the assignment for which you are applying the time bank. You cannot use the time bank for tests. The time bank will be calculated using 12 hour time blocks, meaning you have 6 time blocks total ($6 \times 12 \text{ hours} = 72 \text{ hours}$).

Late penalties: Late assignments without the required steps in case of delays (see below) and outside of the time bank limits — will be penalized 5% of the assignment marks per day. The penalty will run from the day the assignment was due until the day it is submitted via Quercus.

1. If a student misses tests or submit assignments beyond the time bank for **medical reasons**, you will need to email me the instructor, not the TA, and also declare your absence on ACORN.
2. If a **personal or family crisis** prevents you from meeting a deadline, have your college registrar email me directly (it is a good idea anyway to advise your college registrar if a crisis is interfering with your studies).

Students who have been approved by me to submit a late paper (beyond the time bank) must do so within 2 days after receiving my permission.

- You are expected to keep a back-up, digital copy of your assignments and online tests.

Grade appeals

Instructors and teaching assistants take the marking of assignments very seriously, and will work diligently to be fair, consistent, and accurate. Nonetheless, mistakes and oversights occasionally happen. If you believe that to be the case, you must adhere to the following rules:

- If it is a mathematical error simply alert the TA of the error.
- In the case of more substantive appeals, you must:
 1. Wait at least 24 hours after receiving your mark.
 2. Carefully re-read your assignment, all assignment guidelines and marking schemes and the grader's comments.
 3. You have up to one month from the date of return of the item to inquire about the mark beyond the course instructor. In order to meet this deadline, you must inquire about the mark with your instructor no longer than 15 days after receiving your mark. If you are not satisfied with the instructor's re-evaluation, you may appeal to the Associate Chair, if the term work is worth at least 20% of the course mark. If your work is remarked, you must accept the resulting mark.

If you wish to appeal:

- A. You must submit to the instructor a written explanation of why you think your mark should be altered. Please note statements such as "I need a higher grade to apply to X" are not compelling. Also, please note that upon re-grade your mark may go down, stay the same, or go up.
- B. Attach to your written explanation your original assignment, including all of the original comments. Scan all documents and submit via email to your TA.

Communication

Email communication is rapid, convenient, and efficient—and you are encouraged to use it to enhance your learning and experience in the course. With that said, it is essential that you follow a few rules:

- All course communication should be conducted through Quercus or your utoronto account.
- All emails must include the course code (e.g., SOC 240) in the subject line.
- All emails should be signed with the student's full name and student number.
- Emails from students will generally be answered within 72 hours of receipt.
- Treat emails as you would any other professional communication.
- Emails that ask questions that are answered in the course syllabus or website (e.g., "how much is assignment X worth") will not receive a response.

Emails that do not follow these guidelines will not receive a response.

Academic integrity

Cheating and misrepresentation will not be tolerated. Students who commit an academic offence face serious penalties. Avoid plagiarism by citing properly: practices acceptable in high school may prove unacceptable in university. Know where you stand by reading the “Code of Behaviour on Academic Matters” in the Calendar of the Faculty of Arts and Science.

Sometimes, students will be required to submit their assignments to the University’s plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool’s reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University’s use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://uoft.me/pdt-faq>).

For some of your assignments, we will be using the software Ouriginal. It uses text matching technology as a method to uphold the University’s high academic integrity standards to detect any potential plagiarism. Ouriginal is integrated into Quercus. For the assignments set up to use Ouriginal, the software will review your paper when you upload it to Quercus. To learn more about Ouriginal’s privacy policy please review its [Privacy Policy](#).

Students not wishing their assignment to be submitted through Ouriginal will not be assessed unless a student instead provides, along with their work, sufficient secondary material (e.g., reading notes, outlines of the paper, rough drafts of the final draft, etc.) to establish that the paper they submit is truly their own.

Attendance

Students are responsible for all material covered in class and in the assignment readings.

Student resources

Accessibility. If you require accommodations or have any accessibility concerns, please visit <http://studentlife.utoronto.ca/accessibility> as soon as possible.

If required, the link for the Accommodated Testing Services (ATS):
<https://lsm.utoronto.ca/ats/>

The University of Toronto is committed to equity and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect. As a course instructor, I will neither condone nor tolerate behaviour that undermines the dignity or self-esteem of any individual in this course and wish to be alerted to any attempt to create an intimidating or hostile environment. It is our collective responsibility to create a space that is inclusive and welcomes discussion. Discrimination, harassment and hate speech will not be tolerated.

Course Schedule

Every attempt will be made to follow this schedule, but it is subject to change at the discretion of the instructor.

1) May 9: Introduction

- Sutton, John. 2001. Excerpt from Chapter 1, "An Introduction to the Sociology of Law." Pp. 8-13 in *Law/Society: Origins, Interactions, and Change*. Thousand Oaks, CA: Pine Forge. (Read from the heading "Law from a Sociological Perspective" and stop at "Law as an Institution.") <http://knowledge.sagepub.com.myaccess.library.utoronto.ca/view/law-society/n1.xml>

2) May 11: Theories #1: Marx

- O'Grady, B. & Gaetz, S. & Buccieri, K. "Tickets ... and More Tickets: A Case Study of the Enforcement of the Ontario Safe Streets Act." *Canadian Public Policy*, vol. 39 no. 4, 2013, pp. 541-558. <http://muse.jhu.edu.myaccess.library.utoronto.ca/article/534407>
- Western, Bruce and Becky Pettit. 2002. "Beyond Crime and Punishment: Prisons and Inequality." *Contexts* 1:37-43. <https://journals-sagepub-com.myaccess.library.utoronto.ca/doi/pdf/10.1525/ctx.2002.1.3.37>

3) May 16: Theories #2: Durkheim

- Excerpt, read **only** 122-127: David Garland. 1991. "Sociological Perspectives on Punishment" *Crime and Justice*, Vol. 14, (1991), pp. 115-127 <http://www.jstor.org.myaccess.library.utoronto.ca/stable/1147460>
- Posner, Eric. 2015. "A Terrible Shame" *Slate Magazine*. http://www.slate.com/articles/news_and_politics/view_from_chicago/2015/04/internet_s_haming_the_legal_history_of_shame_and_its_costs_and_benefits.html

4) May 18: Theories #3: Legal Consciousness

- Silbey, Susan and Patricia Ewick. 2000. "The Rule of Law – Sacred and Profane." *Society* 37(6):49-56. <http://link.springer.com.myaccess.library.utoronto.ca/article/10.1007%2Fs12115-000-1023-0>
- Silbey, Susan and Ayn Cavicchi. 2005. "The Common Place of Law: Transforming Matters of Concern into the Objects of Everyday Life." Pp. 556-565 in *Making Things Public: Atmospheres of Democracy*, edited by B. Latour and P. Weibel. Cambridge, MA: MIT Press. http://web.mit.edu/ssilbey/www/pdf/making_things_public.pdf

5) May 23: Theories #4: Feminism and the Law

- Elizabeth A. Sheehy 1999. "Legal responses to violence against women in Canada." *Canadian Woman Studies* 19:62-73. <http://pi.library.yorku.ca/ojs/index.php/cws/article/viewFile/8081/7261>

6) May 25: Legal Education

Essay 1 Due at the Beginning of Class

- Granfield, Robert. 1986. "Legal Education as Corporate Ideology: Student Adjustment to the Law School Experience." *Sociological Forum* 1:514-523.
http://www.jstor.org.myaccess.library.utoronto.ca/stable/684650?seq=1#page_scan_tab_contents
- Dinovitzer, Ronit and Meghan Dawe. 2020. "Lawyers in Canada." Pp. 65-88 in Richard Abel and Ole Hammerslev (eds.) *Lawyers in 21st Century Societies: National Reports*. Hart Publishing.

7) May 30: Legal Profession

- Sutton, John. 2001. Chapter 9, "The Transformation of Legal Practice in the Late Twentieth Century." Pp. 253-277 in *Law/Society: Origins, Interactions, and Change*. Thousand Oaks, CA: Pine Forge.
<http://knowledge.sagepub.com.myaccess.library.utoronto.ca/view/law-society/n9.xml>
- Dobby, Christine. 2020. "Why are there still so few Black lawyers on Bay Street?" *Globe & Mail* July 17, 2020.
https://librarysearch.library.utoronto.ca/permalink/01UTORONTO_INST/9q2131/BM_eNrjZDAPz6hUSCxKVSjJSAWSxSWZOTkKxfkKaanlCk45icnZCjmJ5ZWpRcUK-XkKTomVCsElRampIfY8DKxpiTnFqbxQmptBw801xNIDt6Aov7A0tbgkPjezODk1jycxLzW_tDjeYMTY0MLI0sTYyJgEpQBfdTOR

8) June 1: Law, Recognition, and Inequality

- <http://blogs.lse.ac.uk/impactofsocialsciences/2020/09/28/how-to-research-policing-talk-to-people-who-have-been-arrested-4-insights-from-150-arrested-individuals-on-role-and-reform-of-the-police/>
- <https://www-proquest-com.myaccess.library.utoronto.ca/docview/2421245638?accountid=14771&parentSessionId=Px2zIszMEWM%2FtWj735PQuM%2FYISybeW1QRcxuq9bkpiE%3D&pq-origsite=primo>

9) June 6: Court Actors

- Blumberg, Abraham. 1967. "The Practice of Law as Confidence Game: Organizational Cooptation of a Profession." *Law & Society Review* 1:15-40.
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/3052933>
- Frohmann, Lisa. 1991. "Discrediting Victims' Allegations of Sexual Assault: Prosecutorial Accounts of Case Rejections." *Social Problems* 38:213-226.
<http://www.jstor.org.myaccess.library.utoronto.ca/stable/800530>

10) June 8: Lawmaking

Essay 2 Due at the Beginning of Class

Richez, E., Raynauld, V., Agi, A., & Kartolo, A. B. (2020). Unpacking the political effects of social movements with a strong digital component: the case of # IdleNoMore in Canada. *Social Media+ Society*, 6(2), 2056305120915588.

Reny, T., & Newman, B. (2021). The Opinion-Mobilizing Effect of Social Protest against Police Violence: Evidence from the 2020 George Floyd Protests. *American Political Science Review*, 115(4), 1499-1507.

<https://www-cambridge-org.myaccess.library.utoronto.ca/core/journals/american-political-science-review/article/opinionmobilizing-effect-of-social-protest-against-police-violence-evidence-from-the-2020-george-floyd-protests/C62FCC5556A43F0AE3CDA5EB6AFD3673>

11) June 13: Police

Peter J. Carrington and Jennifer L. Schulenberg. 2008. "Structuring Police Discretion: The Effect on Referrals to Youth Court." *Criminal Justice Policy Review* 19: 349.

<https://journals-sagepub-com.myaccess.library.utoronto.ca/doi/pdf/10.1177/0887403407307240>

Harcourt, Bernard. [2001] 2004. "Policing Disorder: Can We Reduce Serious Crime by Punishing Petty Offenses?." Pp. 416-423 in *The Social Organization of Law: Introductory Readings*, edited by A. Sarat. Los Angeles: Roxbury.

<http://www.bostonreview.net/us/bernard-e-harcourt-policing-disorder>

Doolittle, R. (2017, Feb 04). "Unfounded" The Globe and Mail

<http://myaccess.library.utoronto.ca/login?url=https%3A%2F%2Fwww.proquest.com%2Fnewspapers%2Funfounded%2Fdocview%2F1864909321%2Fse-2%3Faccountid%3D14771>

<https://www.theglobeandmail.com/news/investigations/unfounded-sexual-assault-canada-main/article33891309/>

12) June 15: No class, take home test during class time