

Spring 2-1-2018

## SOCI 435.50: Law and Society

Blaine C. Bradshaw

*University of Montana, Missoula*

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## LAW AND SOCIETY

Sociology 435

Spring 2018

**Online Course:** January 22, 2018 through May 11, 2018 (Spring break March 26-30)

**Instructor:** Blaine C. Bradshaw (“Blaine”), Adjunct Professor

**Instructor’s E-mail:** [blaine.bradshaw@mso.umt.edu](mailto:blaine.bradshaw@mso.umt.edu)

**Office hours:** E-mail instructor with questions or to set up telephone call

**Required Readings:** Law and Society, an Introduction by Professor Steven E. Barkan; weekly readings from “Barkan” are given below and additional reading assignments will be given in lectures as well as other postings on Moodle.

**Quotes:**

“The life of the law is not logic, but experience.” Oliver Wendell Holmes Jr., The Common Law (1881)

“The law is the law.” Michael Bloomberg (2017) and others

“The best laws cannot make a constitution work in spite of morals; morals can turn the worst laws to advantage. That is a commonplace truth, but one to which my studies are always bringing me back. It is the central point in my conception. I see it at the end of all my reflections.” Alexis de Tocqueville, Oeuvres complètes (1831)

**Focus:**

Law is common and yet distinct of everyday life in modern societies. This course examines the central features of the law as a social institution and as a feature of popular culture. We will explore the nature of law as a set of social systems, central actors in the systems, legal reasoning, and the relationship of the law on society and vice versa. The course will be taught from the perspective of the instructor, who is a local government attorney and prosecutor in western MT.

**Grading/Weight:**

**Weekly assignments:** 30% (Worth 10 points weekly; due Friday by 5:00 pm of the week following the week the assignment is given during lectures; See course introduction on Moodle for more specific information on weekly assignments; **Mid-semester exam:** 30% (50 questions; to be taken from 6 pm on March 5, 2018 through March 7, 2018 at 10 pm (completion time)); and **Final exam:** 40% (75 questions with 1/3 of the questions from first half of semester; to be taken from 6 pm on May 7, 2018 through May 9, 2018 at 10 pm (completion time)).

**Course Requirements:** As applicable, review all posted Powerpoint presentations, watch weekly lectures, and read all assigned readings in lectures and postings on Moodle. Complete exams as well as turn in assignments in a timely manner. Please comply with all of UM’s codes of conduct and polices: <http://www.umt.edu/safety/policies/>

## Weekly Reading Assignments

- Week 1: Introduction to the Course**  
Reading: Barkan, Preface and Chapter 1
- Week 2: Law and Equity**  
Reading: See Moodle, Week 2 for readings
- Week 3: What is Law?**  
Reading: Barkan, Chapter 2
- Week 4: Types of Law**  
Reading: Barkan, Chapter 3
- Week 5: Law and Disputing Processing**  
Reading: Barkan, Chapter 4
- Week 6: Law and Social Control**  
Reading: Barkan, Chapter 5
- Week 7: Review and Mid-semester Exam**  
Reading: No additional readings
- Week 8: Law and Social Change, Part 1**  
Reading: Barkan, Chapter 6 (Part of chapter, see Moodle, Week 8)
- Week 9: Law and Social Change, Part 2**  
Reading: Barkan, Chapter 6 (Remainder of chapter, see Moodle, Week 9)
- Week 10: Spring Break** (no additional readings)
- Week 11: Law and Inequality, Part 1**  
Reading: Barkan, Chapter 7 (Part of chapter, see Moodle, Week 11)
- Week 12: Law and Inequality, Part 2**  
Reading: Barkan, Chapter 7 (Reminder of chapter, see Moodle, Week 12)
- Week 13: Legal Profession**  
Reading: Barkan, Chapter 8
- Week 14: Courts and Juries**  
Reading: Barkan, Chapter 9
- Week 15: Review for Final Exam** (no additional readings)
- Week 16: Take Final Exam**