

Sociology (I)50: INTRODUCTION TO LAW AND SOCIETY

Winter 2026
COA 130
MWF 1-1:50 PM

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In law schools, students learn legal rules and how to apply them. The social science field of law and society, however, is designed to show both the impacts of the broader social context on the making of laws and court decisions, and also the impacts of law and courts on society. In other words, laws and courts do not exist in a vacuum, and our goal is to understand the multiple connections between law and its contexts. We will examine, for example, how court decisions are influenced by or rest on arguments that go beyond legal rules, and how they are instead rooted in or inspired by social logics.

Course organization and requirements: Three in-class exams (short answers and essays). Midterm 1 is worth 25% of the grade, Midterm 2 is worth 30% of the final grade, and the final exam is worth 30% of the grade.

Class participation (faithful completion of the reading assignments, and regular and informed participation in discussions) is 15% of the final grade. Class participation is your chance to develop some skills of oral expression and thinking on your feet. Though there will be ample opportunity for participation in class, most of the participation grade will be determined by regular attendance and informed participation in *sections*. Attendance will be taken in sections, and students who miss three or more sections lose all credit for participation. Doctor's note needed for exceptions.

Classroom ethics: Sociology is the study of society, and society is filled with sensitive issues. Some topics may appear to be unpleasant, ugly, and disturbing. In this class, we will be reading, discussing and writing about topics including, but not limited to: violence, the death penalty, sexual harassment, abortion, physical injuries, and others. I encourage you to challenge yourself in dealing with these, but if you find some topics to be very difficult personally, you may want to avoid this course.

In classroom discussion, I encourage all of you to draw on your own unique perspective on issues, though this may be uncomfortable for many. Disagreements in classroom discussions are to be resolved with evidence or logic, and not personal attacks. A lack of courtesy will get you dismissed from the day's class or more—this is a serious issue.

Exam policy: Do not take this course if you will miss the exams. *No make-up exams.* Doctor's note needed for exceptions.

Required texts:

All readings are PDFs available without cost from the course website on Canvas. Note: some readings may change.

January 5, 7, 9: Introduction: What is “law and society”? What is law? What do judges and lawyers do? and how to read a court opinion

Ronald L. Akers, “Toward a Comparative Definition of Law,” *Journal of Criminal Law, Criminology and Police Science* 56(1965): 301-306

American Bar Association, “What Is a Lawyer?” September 10, 2019

The State Bar of California, “Where Do California Attorneys Work?” Bar Brief 3

David Kairys, “Legal Reasoning” *The Politics of Law*, Kairys, ed. (Pantheon) pp. 11-17

Daniel de Visé, “The American public no longer believes the Supreme Court is impartial,” *The Hill*, January 11, 2023

January 12, 14, 16: Courts, business interests, and society’s interests

Farwell v. The Boston and Worcester Rail Road Corporation 45 Mass 49 (1842)

Lochner v. New York 198 U.S. 45 (1905)

Adam Winkler, “Why Big Business Keeps Winning at the Supreme Court,” *Washington Post*, June 26, 2017

Linda Kintzler, “Big Tech Wants Direct Access to Our Brains,” *New York Times*, November 14, 2025

Barnes v. Glen Theatre, Inc., 501 U.S. 560 (1991)

January 21, 23, 26: Property rights, intellectual property, and innovation

Chavie Lieber, "Fashion Brands Steal Design Ideas All the Time. And It's Completely Legal," *Vox*, April 27, 2018
Todd Hixon, "For Most Small Companies Patents Are Just About Worthless," Oct. 4, 2013, *Forbes*
John F. Luman III and Christopher L. Dodson, "No Longer a Myth, the Emergence of the Patent Troll: Stifling Innovation, Increasing Litigation, and Extorting Billions," *Intellectual Property and Technology Law Journal* 18(2006): 12-16
Tori Noble, "Copyright and AI: the Cases and the Consequences," *Electronic Frontier Foundation*, February 19, 2025
Amelia Nierenberg, "Denmark Aims to Use Copyright Law to Protect People From Deepfakes," *New York Times*, July 10, 2025

January 28: Midterm Exam #1

Jan. 30, Feb. 2, 4: "Reasonableness" standards in law, gender, and litigiousness

Philip J. Cook, "Why Stand Your Ground Laws Are Dangerous," *Scholars Strategy Network*
Ellison v. Brady, 924 F.2d 872 (1991)
Knight v. Jewett 3 Cal. 4th 296 (1992)
Johnny Diaz, "Jury Awards \$50 Million to California Man Burned by Starbucks Tea," *New York Times*, March 17, 2025

February 6, 9, 11: Law's power to define us: ethnic/racial identity, gender, legal residence, and employment

Bennun v. Rutgers State University, 941 F.2d 154 (3rd Circuit, 1991)
Geoff Mulvihill and Carla K. Johnson, "What to Know about President Donald Trump's Order Targeting the Rights of Transgender People," *Associated Press*, January 23, 2025
Shouse California Law Group, "ABC Test in California—A 5-Minute Guide"
Congressional Research Service, "The Department of Homeland Security's Authority to Expand Expedited Removal," September 18, 2025

Feb. 13, 18, 20: What is crime—and is "white-collar crime" different?

"Merton's Strain Theory of Deviance and Anomie in Sociology"
Victor M. Rios, "Stealing a Bag of Potato Chips and Other Crimes of Resistance" *Contexts* 11(2012): 49-53
Sally S. Simpson, "White-Collar Crime: A Review of Recent Developments and Promising Directions for Future Research," *Annual Review of Sociology* 39(2013): 309-331
Jacqueline Mroz, "Their Mothers Chose Donor Sperm. The Doctors Used Their Own," *New York Times*, Aug. 21, 2019
Josephine Wolff, "Why It's So Hard to Punish Companies for Data Breaches," *New York Times*, Oct. 16, 2018

Feb. 23: Midterm Exam #2

February 25, 27, March 2: Morality, politics and punishment

Buck v. Bell, 274 U.S. 200 (1927)
Congressional Research Service, "Supreme Court Rules No Constitutional Right to Abortion in *Dobbs v. Jackson Women's Health Organization*," June 27, 2022
Michael C. Campbell, "The Emergence of Penal Extremism in California: A Dynamic View of Institutional Structures and Political Processes," *Law and Society Review* 48(2014): 377-409.
Roper v. Simmons 125 S. Ct. 1183 (2005)

March 4, 6, 9: Inequality, plea bargaining, juries

Emily Yoffe, "Innocence is Irrelevant in the Age of the Plea Bargain," *The Atlantic*, Sept. 2017
Marc Galanter, "Why the 'Haves' Come Out Ahead: Speculations on the Limits of Legal Change" *Structure of Procedure*, Cover and Fiss, eds. (Foundation), pp. 199-211
Mike Robinson, "What is Voir Dire? A Guide"

March 11, 13: Regulating social media

Matt Stoller, Sarah Miller, and Zephyr Teachout, “Addressing Facebook and Google’s Harms Through a Regulated Competition Approach,” *American Economic Liberties Project Working Paper Series on Corporate Power* #2, 2020
Mark Wilson, “We’re About to Glimpse Life on the Other Side of Algorithms,” *Fast Company*, June 7, 2024

Sara Randazzo, “Schools Sue Social-Media Platforms Over Alleged Harms to Students,” *Wall Street Journal*, July 23, 2023
Gilad Edelman, “Why Don’t We Just Ban Targeted Advertising?” *Wired*, March 22, 2020,
<https://www.wired.com/story/why-dont-we-just-ban-targeted-advertising/>

FINAL EXAM IS FRIDAY, MARCH 20 FROM 11:30 TO 1 PM IN SAME ROOM AS LECTURE