

LAW and Society SOC5810/CRJ5810 FALL, 2014

Wednesday: 5:30 p.m. – 8:15 p.m.

1

Lecturer: David C. Peters II, J.D., M.S., PhD

Phone Number (Home): 734-421-6691 (please note: I do NOT routinely clear my home voice mail but you can usually catch me in the early afternoon. The BEST way to reach me is via e-mail).

Office Hours: By appointment and 4:30 p.m. – 5:30 p.m. Mondays, location TBD)

e-mail: dpeters@med.wayne.edu

This course is an advanced undergraduate/introductory graduate class covering a wide variety of perspectives drawn from several disciplines:

- Sociology of Law: Study of the legal system or parts as a discrete social system
- Law and Society: Study of the impact of law on society
- Law: Primarily U.S. Constitutional cases of significant social and historical impact
- Sociology: Scientific study of society
- Criminology: Scientific study of crime and related social systems

Communication: Most course information will be posted on BLACKBOARD including slides, course notes, syllabus, and additional reading materials. You have been assigned log in information by the university. **Not checking or not getting your email is no excuse for missing assignments or other information relevant to this course.**

Contact Info: The best way to contact me is by **email:** dpeters@med.wayne.edu.

I will respond to email within 24 hours; please use this as the main form of communication. You can contact me at home if necessary but I greatly prefer email communication. If you do not get an email response from me within 24 hours, assume that I did not receive your email and send it again. Please exchange phone numbers/emails and other contact information with your classmates. Your colleagues should always be your point of first contact on questions about the course content and upcoming course events.

Readings: The following textbooks will be used for this course:

1. **Author: John Sutton ISBN: 9780761987055 Publication Date: 12/27/2000 Publisher: SAGE Publication *Law/Society: Origins, Interactions, and Change*. Thousand Oaks, CA: Pine Forge Press, 2001.**
2. **Thomas Hickey: Taking Sides: Custom Textbook Publisher: McGraw-Hill**

I am working on this right now. A new feature with the publisher lets us customize books and include only the materials to be used in class. This should be available from the book store by the 2nd month of class.

Please note: A few of the cases you will cover in your case presentation are also in this book but most are not. As advanced undergraduate students you should have no problem researching prominent constitutional cases and to identify: Issue, Rule Analysis, Conclusion for each case to be discussed.

Other books that will be used extensively in this course but are not required:

Folkways by William Graham Sumner

The Law of Primitive Man by E. Adamson Hoebel

On Law and Morality by St. Thomas Aquinas

All of these are exceptional books and I STRONGLY urge you to read them. However, insofar as most of my extensive slides will be taken from these sources these are OPTIONAL and I have NOT ordered them from the Book Store.

3. **Additional Readings**: Students will be presenting and leading a discussion on journal articles from social science, law and criminology. These are academic papers related to Law and Society or Sociology of the Law. Students are expected to read these before class and come prepared to ask and answer questions about the readings. **Students who are leading the discussion on the reading for that week will be expected to go well above and beyond the material contained in the article and to provide me a copy of the article you are presenting in plenty of advance time for me to post it on Blackboard before the presentation.**

Again, you MUST get me the paper you will be presenting a week in advance so I can post it on Blackboard and your classmates have time to read it.

General Course Policies and Guidelines

Attendance: Class attendance is up to you. I recognize that occasionally things come up that we cannot control. However, class participation IS included as part of your final evaluation so regular attendance is strongly recommended. Further, 20% of your grade is for class participation and you cannot participate if you do not attend.

Computer/Laptop/I-Phone Policy: In the past some of the top students come to class prepared with computers and frequently exercise the opportunity to “fact check” me as the class proceeds. Unfortunately, other students have taken the opportunity to conduct unrelated searches, check e-mail, and update social sites. This is extremely distracting to other students. Therefore, my policy is that computers are definitely allowed in class. However, searching, blogging or other computer use unrelated to class is NOT permitted at any time.

Missed lectures and office hours: I will not repeat lecture material during office hours. If you miss a class for any reason, make sure that you have done the reading and get lecture notes from a classmate. Student/Instructor meetings are to be used as a time to address specific questions about course material, course assignments or your general performance. Come prepared to meet with me with a list of your specific questions.

Challenging Grades: If you believe that you have been graded unfairly on any assignment, you should provide specific points...for example if you believe that a multiple-choice question was graded incorrectly, you must provide evidence from the course book(s) to document your statement. Once I have reviewed your request for a grade change, one of several things may happen. If you are able to show that you are correct your grade will be changed. I may request an in-person meeting if I need more clarification on your argument. If you still feel after this process that your grade is not reflective of your effort, your next line of appeal would be through the Sociology Department. Be advised that challenged grades can result either in an increase, a decrease or no change in one's grade.

Grading Policy

Final course grades are the product of your collective scores from several sources of (roughly) equal weight.

1) In-class, Verbal Participation (10% for each half of term)	20%
2) Mid-term Examination	20%
3) Presentation on Readings	10%
4) Presentation on Prominent Case (IRAC + Social Impact)	10%
5) Research Paper or Extended Critical Book Review	10%
6) Presentation on Research Paper or Book Review	10%
7) Final Examination	20%

The actual number and distribution will vary depending on what material we are able to cover. Every class is a little bit different and we are not bound by the letter of this syllabus.

Class Participation (20%)

Class participation is essential and expected. You can ask questions, make comments, or be prepared to respond to questions I ask in class. Participation is worth approximately 20% of your final grade. This does not mean you must participate every day of class but it does mean that participation is particularly important in an upper level seminar class. You should be at the stage where you consolidate and integrate some of the ideas and concepts you have learned these past years in school.

Please note this grading portion is subjective. Some instructors have attempted to quantify this using checklists and other recording techniques. I prefer to imagine the class as a sports team where we rank players on how well they help the team, considering both quality AND quantity of play. To use a U.S. football analogy from my coaching years: Who is more valuable? The Running back who touches the ball 26 times in the game but only gets 10 yards running? Or the Quarterback who only throws the ball 8 times but gets 2 touchdowns? Or the blocker who is in the trenches battling every day in the mud and blood to protect the passer? Answer: EACH of these players put in an all-star effort! The domain of class participation is no different and ranking 25 (or so) students into a few groups is rarely difficult. YOU as a class will decide, ultimately, who receives the highest grades for class participation and who does not.

You will receive 2 grades for class participation, one at the mid-point (approximately) of the course and one at the end. I will physically walk around the room and briefly speak with each student. This is an INTERACTIVE process. If you do not agree with my assessment this will be the time to speak up. If you think you belong with the “A” students then you will have to convince me (and the other “A” students) if I do not agree.

Finally, note that your presentation grades are SEPARATE from your class participation grade. I will not consider your presentations in your “Class Participation” grade. However, in the past students who do their presentations EARLY tend to be the students who get higher Class Participation grades!! Nothing ‘breaks the ice’ like standing in front of the class and leading a discussion!

Examinations (40% Total: 20% Mid-Term, 20% Final Exam)

The questions on the mid-term exam cover all the material assigned to that point; the second exam will be more heavily weighted with questions on the course material from the second half but will still be comprehensive. Questions may be multiple choice, essay, matching or any other format. Everything in the readings or discussed in class is fair game.

Exams are open book and open note. This is NOT a class that requires you to memorize a google of factoids. This IS a class that requires you to synthesize what you have learned and apply it to the subject matter. The Final Exam may be take-home and primarily essay format with a choice of writing 4-5 essays from a slightly larger list.

On the format of the examinations, it is likely one portion will be take-home and one will be in-class.

THREE (3) PRESENTATION(S): TOTAL 30%, Equally Divided

Each student will do at least three (3) presentations in this class.

(1). **Presentation on Readings:** (10%): Lead at least one class seminar/presentation on a related readings from the reading list appended to this syllabus. The goal is to provide a summary for the class so that everybody understands the main points of the articles.

Students may also select DIFFERENT readings to present BUT these MUST BE APPROVED BY ME IN ADVANCE. If you are presenting on a different set of papers you MUST provide the complete citation AND A COPY TO ME AT LEAST 1 WEEK IN ADVANCE. I will attempt to post this on BLACBOARD but if this is not possible due to copyright or other issues EACH STUDENT is still responsible for locating the article, copying it, and reading it before class. Students are expected to use some type of audio-visual aid in the presentation. This could be an outline passed out to the class, powerpoint slides (usually 8-15) or another medium (like the chalkboard). **This should be accomplished in approximately 20 minutes or less including questions so the actual presentation is only 10 minutes.**

(2). **Presentation on Prominent Caselaw:** (10%): Present an important case of significant social and legal impact. I have a list of U.S. Constitutional cases from which you may choose. Prominent foreign cases dealing with important social issues are also acceptable. Students are expected to outline the case for the class including: Issue(s), Rule, Analysis and Conclusion PLUS a discussion of the social impact of the case. Students are expected to use some type of audio-visual aid in the presentation. This could be an outline passed out to the class, powerpoint slides

(usually < 10) or another medium (like the chalkboard). **This presentation will probably take about 10 minutes.** However, in the past we have had several “10 minute” presentation turn into several hours of debate. Be prepared- especially if you choose Curzon or Roe vs. Wade!

All students will present the findings (Issue, Rule, Analysis, and Conclusion) along with an explanation of the larger social context of an important Constitutional Law case in American history.

Undergraduate Students will do 1 Conlaw presentation.

Graduate Students will be expected to present 3 Conlaw cases.

Graduate Students:

Some additional assignments are required of Graduate Students:

1,2) Book Review and Presentation on a book related to the area of law and society, due the class before the mid-term exam. Graduate Students should consult me concerning the book they propose to review.

3) Term Paper: Graduate students will also be expected to produce a more detailed paper at a more advanced level of analysis (e.g., 12-15 pages; 12-15 references). Note: This is the same paper required of undergraduate students! This is **not** a requirement that you write **two** term papers but only a requirement that you write a more detailed paper that is consistent with your status. Students in the past have found that writing a paper in part dealing with the Journal presentation and the Constitutional Case presentation saves time and effort but you are certainly free to write a completely different paper is separate and apart from your presentations.

4) AS INDICATED ABOVE GRADUATE STUDENTS ARE EXPECTED TO PRESENT THREE (3) CONLAW CASES TO THE CLASS.

Law Students:

In addition to the extra assignments for Graduate Students, law students will be expected to present or “recite” at least three additional historically relevant cases to the class including reasons (legal and sociological) for the decision. The cases are found in the “Taking Sides” book or in a list I will provide but law students are expected to add to the information provided in the book and to be able to argue both sides of the case before any conclusion.

Thus law students will present a total of SIX (6) important Constitutional Law cases to the class.

(3). **Presentation on Term Paper or Book Report:** (10%): Half the grade on the paper is your presentation to the class. Obviously well written, comprehensive papers are easier to present in a well ordered, comprehensive way. Students are expected to use some type of audio-visual aid in the presentation. This could be an outline passed out to the class, powerpoint slides (usually < 10) or another medium (like the chalkboard). **This presentation is expected to take less than 20 minutes.**

General Rules on Presentations: Remember: Advanced students are expected to go well beyond the readings when giving presentations. I will give an example of a presentation early in the course. If you want to work with another person (or even a small group) that is not a problem but EACH of you will be graded separately and the time expectations are PER PERSON presenting and/or answering questions. Again make sure you stay in close contact with me. For example, if you were interested in presenting on the recent National Federation of Independent Business vs. Sebelius (the Supreme Court case upholding “Obamacare”) I would strongly suggest you recruit some help. Many Supreme Court cases are very complicated and simply cannot be done in the time allotted.

The student should begin the presentation by summarizing the reading(s), caselaw, or their paper *in their own words*, for the class (i.e. ***neither the reading nor the summary (see below) should be read verbatim in class***) and then briefly discussing what he or she sees as some implications of the reading(s). Reading something verbatim is guaranteed to result in a low mark and to bore the class- Instead condense the reading for the class to a few major points and then tell us what you think is important in the reading in about 10 minutes. Do not feel the need to cover every point in the article or the case. You can use the board or Power Point to list your points or lay out the argument of the article but this is not required. It is the responsibility of the student leading the seminar to then garner responses to the discussion questions and, from there, to both encourage and moderate class discussion during their allotted time as best they can. Moderating discussion may entail calling on participants to give their thoughts about a discussion question or issue. It may also occasionally require suggesting that the class has heard enough on a particular question or issue or is way off topic and that it is time to move on to another question or issue. It is also the responsibility of the discussion leader to ensure the class is clear about who has the floor at any moment. Moderating discussion in this way will ensure that most students get a chance to get their views heard and that discussion is productive.

Each student will be evaluated for the presentations on organization, brevity, clarity, timing, and depth of knowledge conveyed. The main grading criteria is qualitative. That is, how was the presentation generally run (e.g., did the student show effort and energy in leading the seminar and in generating and moderating discussion?).

RESEARCH PAPER OR CRITICAL BOOK REVIEW (YOUR CHOICE) (10%)

1. Each student will complete either an extended critical book review or research paper (**not both**). For students choosing an extended critical book review, some helpful guidelines will be distributed. The book you choose to review must be directly relevant to the sociology of law, and I will have to have approve them beforehand. I am usually very open to novel ideas that further your own research interests. Sociology of the Law/Law and Society is an extremely broad topic.
2. If you want feedback on an outline, submit it to me, and then come by during office hours to talk about it. Outlines, however, are not required. If you are having difficulty finding a topic for the research paper or choosing a book, please also come to see me during office hours. Remember: I am here to help you with your papers/reviews.

3. Reviews and papers must be double-spaced, typed, and have one inch margins at the top, bottom, and sides of each page to allow space for constructive comments. There should be no extra spaces between paragraphs. The review or paper must be approximately 3000 words (if 250 words per page this means 10 pages) excluding references. You should have a MINIMUM of at least ONE authoritative reference per page. In a true academic paper you SHOULD have a citation for EACH AND EVERY ASSERTION that you make in the paper. There is no maximum page number BUT remember: Brevity is the soul of wit. I do not grade much on the length of the paper. A well written, concise, and extensively cited 2500 word paper is likely to score better than a rambling 5,000 word paper.

4. The review or paper will be graded in terms of content, logical development, insight, originality, analytical skill, organization, and clarity. Recall that a good research paper has a clear research question and that both papers and book reviews are, first and foremost, about analysis, rather than description. If you don't know the difference, come see me. Students should also examine their work carefully for typographical errors, as well as to ensure proper grammar and spelling. Toward this end the use of grammar and spell check functions available in all recent word processing software is strongly encouraged. Students who remain uncertain about their ability to write a 4th year paper need to consult with me early and often and avail yourself of the various academic assistance programs at the university.

5. The research paper must include the source of all ideas (whether quoted or paraphrased) that are not the student's own using the American Sociological Association (ASA) (or the APA) style guidelines (i.e., the Harvard in-text format). Be aware of what plagiarism is and its consequences.

6. The papers/reviews are due on the day of the Final Exam. Acceptable reasons for late final papers/reviews include only very exceptional circumstances. They do not include students' work commitments, vacation plans, and so on. If a written assignment must be submitted late, contact me ahead of time and provide me with written medical documentation (**be aware of the University policy regarding medical documentation**). Other late papers/reviews will be downgraded 5% for every day late (including weekend days). Those papers/reviews more than twenty days late need not be submitted (for obvious reasons). To be fair to all students, a review or paper that does not adhere to any requirement above will have to be penalized.

Reservation: The instructor reserves the right to modify this Syllabus at any time with a notice placed on BLACKBOARD and/or announced in class.

Severance and Compliance Clauses: Anything in this syllabus determined to be not in compliance with any applicable authoritative rule shall result in any such provisions being stricken without altering the balance or effect of this syllabus. Anything omitted from this syllabus that is required to be attached or appended shall be considered a part of this syllabus on notice of such deficiency with notice posted on BLACKBOARD and announced in class.

Extra Credit Assignments: Normally I am free about permitting students to pursue additional lines of writing, research and scholarship and am happy to receive extra credit work in order to improve a grade. A wise old lawyer once told me he was not very smart, went to a bottom tier school, and barely passed the bar, but he always knew that once he had the chance he could work

harder and be more successful than any Harvard lawyer. Smart is good! However, in a competition the smart person loses every time to the less bright professional willing to go the extra mile.

However, bear in mind that Extra Credit is:

1. a Privilege, NOT a right. I do not have to permit you to do extra credit but nor will I arbitrarily deny you the opportunity to earn additional points via extra credit.
 2. MUST BE APPROVED BY ME IN ADVANCE. Before embarking on a project SEE ME for approval. I may even be able to help you narrow down the topic and focus your efforts.
 3. Extra Credit is unlikely to make up for a missed Mid-Term or Final Examination but will probably make up for a missed quiz or a poorer than expected score. For example if you score a "D" on an exam, a good extra credit assignment is likely to bring this equivalent up to a "B" or better.
 4. Are contingent on MY time. I cannot and will not take 50 papers in the last week of the semester. Similarly, if you want to do a presentation, I am thrilled to hear you but do not wait until the last few weeks of class to offer your idea.
 5. May include PRESENTATION TO THE CLASS, an additional paper, a research project, or some other scholarly activity.
 6. I generally prefer a Presentation to the class for extra credit. Learning to give a presentation is one of the most important skills (after learning to think critically and how to learn on your own) you will acquire in college. **I especially prefer presentations on the contrary view rebutting or supplementing something I may have discussed or presented.** I won't get mad at you if you disagree with me- bring it on!
 7. Exceptional presentations may also be on a topic you may feel the text (and/or instructor) has omitted.
 8. The number of points earned is highly variable and depends on the effort expended and the quality of the work. You will usually get more points for a paper than a research project and more points for a presentation than simply sending me your slides to present on your behalf. Probably the most extra credit points you can get would be to present a paper you have written during the semester.
 9. All papers MUST BE SCHOLARLY DOCUMENTS. I do not (usually) want "I" and "Me" in the paper. I want at least 1 peer reviewed citation per page. Peer reviewed means from a professional journal, NOT wikipedia or the New York Times. You can footnote common sources and news cites but citations should be in the scholarly format used by your discipline, generally listed in alphabetical order at the end of your paper.
 10. I reserve the right to cancel or modify this policy at any time.
-
-

READING AND MEETING SCHEDULE: Please note: This is subject to change- current events as they relate to the study of law and society often take over this course. For example: Given recent events in the Middle East and around the world I suspect we will be talking about the conflict between religious freedom and freedom of speech. This is NOT a course where we mindlessly plow through the course material, memorize factoids- and then forget everything before we get back to the X-Box. Law and Society is a fluid subject and we will be flexible.

August 27, 2014: Introduction to the course. What is law? What is the difference between “Law and Society” and “Sociology of the Law”; St. Thomas Aquinas, Characteristics of “good” law.

Readings: Sutton, Chapter 1; Aquinas: On Law and Morality.

Legal Issues: What is law?

Social Issues: Natural Law, natural rights

Part I: THEORIES OF LAW IN THE SOCIAL CONTEXT

September 3: Introduction to legal analysis (IRAC). Reading & Seminar Assignments; course syllabus and assignments; Introduction to United States Constitutional Law.

Readings: U.S. Constitution; EU Constitution, Canadian Constitution, Declaration of Independence, Bill of Rights,

Legal Issues: Separation of powers, legal authority for legislative review,

Social Issues: Legal realism and legal positivism

--Marbury vs. Madison.

September 10: Weber, Fuller; development and evolution of the law, norms, customs as the basis of law, how do we know what IS law; William Sumner, Morality of duty, Morality of Law: **PRESENTATIONS BEGIN**

Readings: Sutton: Chapter 2 & 4; Folkways by William G. Sumner; U.S. Constitution Commerce Clause, Presentation Readings

Legal Issues: Government Powers, Commerce Clause, Taxing Clause and Amendments, separation of powers.

--Wickard vs. Filburn (New deal case expanding government power)

--U.S. vs. Lopez (Guns are not commerce)

--Federation of Business vs. Sebelius (Health care mandate is a tax not commerce)

Social Issues: Development of early social systems of adjudication

September 17: Continue evolutionary development of law:

Readings: Continue from previous week; 5th Amendment, 14th Amendment, presentation readings.

Legal Issues: Search and Seizure

Social Issues: Scope of privacy and individual liberty; abortion.

--Roe vs. Wade/ Stafford vs. United School District (school strip search case)

September 24 : The legal system, role players; Law as a Profession: Law as a GAME; Lawyers; Judges; Litigants; Juries; Legal Procedure and court system (in Michigan); federalism (in the U.S. and Canada)

NOTE: TODAY IS THE LAST DAY TO DROP THE CLASS WITHOUT APPROVAL

Readings: TBD

Legal Issues: free speech and judicial review

--George Carlin: 7 filthy words you can't say on television

--FCC vs. Pacifica (Carlin Case)

--Snyder vs. Phelps (Offensive anti-religious speech is allowed)

--Arab Spring, Prophet Mohammed, Free Speech, Religious Freedom

Social Issues: Free Speech vs. Natural Rights and Religious Freedom U.S., Canadian, and European approaches.

October 1: Topics to be continued and/or determined.

Readings: Structure and function of the legal system in the U.S. and Canada; court procedures in the U.S. and Canada.

Legal Issues: Government surveillance and wire tap authority.

-Foreign Intelligence Surveillance Act and Secret Courts

Social Issues: What is the scope of government power, what are the limits?
Same Sex marriage.

--Goodridge vs. Department of Public Health (Massachusetts gay marriage case)

--Federation vs. Sebelius (from 9/25)

October 8: Review and Mid-Term Exam

October 15: **SPRING BREAK: STAY SAFE!!!**

October 22: Topics to be continued and/or determined.

Readings: Sutton: Chap. 8, 9; Taking Sides Textbook OR IRAC

Legal Issue: What rights must be given to Enemy Combatants and foreign nationals captured on the battlefield and held in an offshore military prisons?

--Hamdi vs. Rumsfeld (U.S. Citizens right to Habeas Corpus- Constitution)

--Boumediene vs. Bush (foreigners right to Habeas Corpus- Geneva Convention)

--Johnson vs. Eisentrager (WWII case);

--El Masri vs. Tenet (mistaken identity civil case)

---presentation readings.

Social Issues: War and Peace; Just Wars, Terrorism

October 29: Deviance, Criminology, Elite Deviance, White Collar Crime.

Readings: TBD

November 5: TBD

November 12 TBD: LAST WEEK TO TURN IN ROUGH DRAFTS OF PAPERS FOR MY COMMENTS BEFORE GRADING.

November 19: TBD

November 26: **Holiday break: No class**

December 3: Review and FINAL presentations

December 10: **Final Exam**

Use this list to choose your case(s) to present- If you wish to present a case that is NOT on this list let me know WELL in advance for approval.

Important Supreme Court Decisions

Federal Power

- [*Marbury v. Madison*](#) **5 U.S. 137 (1803)** Established the Supreme Court's power to strike down acts of [United States Congress](#) that were in conflict with the Constitution ([judicial review](#)).
- [*Martin v. Hunter's Lessee*](#), **14 U.S. 304 (1816)** Federal courts may review State court decisions when they rest on federal law or the federal constitution. This decision provides for the uniform interpretation of federal law throughout the various states.
- [*McCulloch v. Maryland*](#), **17 U.S. 316 (1819)**. The court stated the doctrine of implied powers, from the [Necessary and Proper Clause](#) at Article I, section 8. To fulfill its goal, the federal government may use any means the constitution does not forbid (as opposed to only what the constitution explicitly allow). State government may not hinder the legitimate action of the federal government (Maryland cannot levy a tax on the Bank of the United States).
- [*Gibbons v. Ogden*](#), **22 U.S. 1 (1824)** The power to regulate interstate navigation is granted to [Congress](#) by the [Commerce Clause](#) of the [Constitution](#).
- [*Cherokee Nation v. Georgia*](#) (**1831**) "Indian tribes which reside within the acknowledged boundaries of the United States can be denominated... domestic dependent nations. They occupy a territory to which we assert a title independent of their will...they are in a state of pupillage. Their relation to the United States resembles that of a ward to his guardian.
- **Wickard v. Filburn** (1942), Filburn, a farmer was growing wheat to feed his chickens. Court held since his activities reduced the amount of wheat he would buy for chicken feed on the open market, and because wheat was traded nationally, Filburn's production of more wheat than he was allotted was affecting interstate commerce, and so could be regulated by the federal government. If the aggregate of an activity could affect interstate commerce then Congress can regulate it. This drastically increased the power of the federal government with the court under intense pressure by President Roosevelt.
- [*Missouri v. Holland*](#), **252 U.S. 416 (1920)** [Treaties](#) made by the [federal government](#) are supreme over any [state](#) concerns about such treaties having abrogated any [states' rights](#) arising under the [Tenth Amendment](#).
- [*United States v. Nixon*](#), **418 U.S. 683 (1974)** President of the United States is not above the law.
- [*South Dakota v. Dole*](#), **483 U.S. 203 (1987)** Can withhold Federal highway funds to encourage states to meet a federal standard setting the minimum legal age for alcohol possession.
- [*United States v. Lopez*](#), **514 U.S. 549 (1995)** The [Commerce clause](#) of the Constitution does not give Congress the power to prohibit mere possession of a gun near a school, because gun possession by itself is not an economic activity that affects interstate commerce even indirectly.
- [*Clinton v. Jones*](#), **520 U.S. 681 (1997)** A sitting President can be sued in federal court.

Power of Congress to enforce civil rights (under the Commerce Clause)

- [*Heart of Atlanta Motel, Inc. v. United States*](#), **379 U.S. 241 (1964)** Interstate commerce, and hence the Federal [Civil Rights Act of 1964](#) (prohibiting discrimination against [blacks](#)) applies to places of public accommodation patronized by interstate travelers.

- [*Katzenbach v. McClung*](#), 379 [U.S. 294](#) (1964), 379 [U.S. 802](#) (1964) The power of Congress to regulate interstate commerce (Article I, section 8) extends to a restaurant not patronized by interstate travelers, but which serves food that has moved in interstate commerce.

First Amendment Rights: “*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*” U.S. Constitution 1st Amendment.

Freedom of Speech and of the Press

- [*Schenck v. United States*](#), 249 [U.S. 47](#) (1919) Established the idea that "[clear and present danger](#)" in certain speech is not protected by the First Amendment. Schenck's attempts to obstruct recruitment processes were perceived as a "clear and present danger that will bring about the substantive evils that Congress has a right to prevent".
- [*Chaplinsky v. New Hampshire*](#), 315 [U.S. 568](#) (1942) Established the "[fighting words doctrine](#)" that some words are not protected under the [First Amendment](#) because they are tantamount to violent actions.
- [*Roth v. United States*](#) (and *Alberts v. California*), 354 [U.S. 476](#) (1957) Obscene material is not protected by the [First Amendment](#).
- [*New York Times v. Sullivan*](#) (and *Abernathy v. Sullivan*), 376 [U.S. 254](#) (1964) Public officials, to prove they were libeled, must show not only that a statement is false, but also that it has been published with malicious intent.
- [*Brandenburg v. Ohio*](#), 395 [U.S. 444](#) (1969) Mere advocacy of the use of force, or of violation of law (in this case, by a [Ku Klux Klan](#) leader) is protected by the 1st Amendment free speech clause. Only inciting others to take direct and immediate unlawful action would be without constitutional protection.
- [*Tinker v. Des Moines Independent Community School District*](#), 393 [U.S. 503](#) (1969) Wearing armbands is a legitimate form of protest under the [First Amendment](#), even on public school grounds.
- [*Cohen v. California*](#), 403 [U.S. 15](#) (1971) One should not be convicted for wearing a jacket in a courtroom emblazoned with the phrase "Fuck the Draft" (in the [Vietnam War](#) context), as this is communication, protected by the free speech clause of the 1st Amendment. The word "[fuck](#)" itself, clearly not directed at the hearer, is not in this particular instance a [fighting word](#), and so not without constitutional protection.
- [*New York Times v. United States*](#), 403 [U.S. 713](#) (1971) Government's desire to keep so-called "Pentagon Papers" classified is insufficient to overcome 1st Amendment hurdle.
- [*Miller v. California*](#), 413 [U.S. 15](#) (1973) To be obscene, a work must fail several tests to determine its value to society, essentially having "no redeeming social value" to be so declared.
- [*Federal Communications Commission v. Pacifica Foundation*](#), 438 [U.S. 726](#) (1978) Defined the power of the FCC to regulate indecent broadcasts. The so called seven words you cannot say on TV or Radio.
- [*Hazelwood v. Kuhlmeier*](#), 484 [U.S. 260](#) (1988) [Public school](#) curricular student [newspapers](#) that have not been established as [forums](#) for student expression are subject to a lower level of First Amendment protection than independent student expression or newspapers established (by policy or practice) as forums for student expression.

- [*Hustler Magazine v. Falwell*](#), **485 U.S. 46** (1988) A public figure shown in a parody must show actual malice to claim he is libelled.
- [*Texas v. Johnson*](#), **491 U.S. 397** (1989) Law prohibiting burning of the American flag is unconstitutional.
- [*Barnes v. Glen Theatre, Inc.*](#), **501 U.S. 560** (1991) Nude dancing is not protected by the 1st Amendment.
- [*Reno v. ACLU*](#), **520 U.S. 1113** (1997) The [Communications Decency Act](#), regulating certain content on the Internet, is so overbroad as to be an unconstitutional restraint on the 1st Amendment.
- [*Erie v. Pap's A. M.*](#), **529 U.S. 277** (2000) Upholding the 1991 ruling that nude dancing is not protected by the 1st Amendment.

Freedom of Religion

- [*Everson v. Board of Education*](#), **330 U.S. 1** (1947) Government reimbursing transportation costs to and from Catholic schools does not violate the Establishment Clause; however, **a wall of separation must be erected between church and state.**
- [*Engel v. Vitale*](#), **370 U.S. 421** (1962) Government-directed prayer in public schools, even if it is denominationally neutral and non-mandatory, violates the [Establishment Clause](#).
- [*Abington School District v. Schempp*](#) (and *Murray v. Curlett*), **374 U.S. 203** (1963) The Establishment Clause of the First Amendment forbids state mandated reading of the [Bible](#), or recitation of the [Lord's Prayer](#) in [public schools](#).
- [*Lemon v. Kurtzman*](#), **403 U.S. 602** (1971) For a law to be considered constitutional under the Establishment Clause of the First Amendment, the law must have a legitimate secular purpose, must not have the primary effect of either advancing or inhibiting religion, and must not result in an excessive entanglement of government and religion.
- [*Wisconsin v. Yoder*](#), **406 U.S. 205** (1972) Parents may remove children from public school for religious reasons.
- [*Lee v. Weisman*](#), **505 U.S. 577** (1992) Public schools inviting clergy to read prayer at an official ceremony (here a graduation ceremony) violates First Amendment.
- [*Rosenberger v. University of Virginia*](#), **515 U.S. 819** (1995) University can not fund secular groups from student dues, then exclude religious ones that also qualify under the same funding scheme.
- [*Agostini v. Felton*](#), **521 U.S. 203** (1997) A government program sending government employees to [parochial schools](#) (and also, to other private schools) specifically to provide remedial [education](#) to disadvantaged children (and not to all children) does not violate the First Amendment non establishment clause.
- [*Kitzmiller v. Dover Area School District*](#), **400 F. Supp. 2d 707 (M.D. Pa. 2005)** Teaching intelligent design in public school biology classes violates the Establishment Clause of the First Amendment because intelligent design is not science.

Right to Assemble and Petition the Government

- [*Hurley v. Irish American Gay Group of Boston*](#), **515 U.S. 557** (1995) Private parade organizers can exclude groups with whose message they disagree from participating.

- [*Boy Scouts of America v. Dale*](#), **530 U.S. 640 (2000)** Private organizations' First Amendment right of expressive association allows them to choose their own membership and expel members based on their sexual orientation.

Second Amendment Rights: “A well regulated militia being necessary to the security of a free State, the right of the People to keep and bear arms shall not be infringed.”

- [*District of Columbia v. Heller*](#) (2008) "The Second Amendment protects an **individual right** to possess a firearm unconnected with service in a militia, and to use that arm for traditionally lawful purposes including home self-defense.

Landmark Decisions in Other Areas of U.S. Law: *See esp. Due Process Clause of 5th and 14th Amendment*

- [*Fletcher v. Peck*](#), **10 U.S. 87 (1810)** For the first time the Court struck down a State law as unconstitutional. A State legislature (in this case, [Georgia](#)) can repeal a previous, corruptly made law (in this case, a land grant), but not void valid contracts made under this law.
- [*Dartmouth College v. Woodward*](#), 17 U.S. 518, 4 L. Ed. 629 (1819), extended contract rights to corporations and established the differences between public and private corporations .
- [*Brown v. Mississippi*](#), **297 U.S. 278 (1936)** A defendant's confession that is extracted by police violence cannot be entered as evidence and violates the [Due Process Clause](#).
- [*The Paquete Habana*](#), **175 U.S. 677 (1900)** Ruled that federal courts could look to [customary international law](#) because it is an integrated part of American law.
- [*Lochner v. New York*](#), **198 U.S. 45 (1905)**, asserted that the "right to free contract" or "liberty of contract" is implicit in the due process clause of the [Fourteenth Amendment](#).
- [*Baker v. Carr*](#), **369 U.S. 186 (1962)** The [reapportionment](#) of state legislative districts is not a political question, and is justiciable by the federal courts.
- [*Goldberg v. Kelly*](#), **397 U.S. 254 (1970)** Entitlement programs such as [welfare](#) conferred [property](#) rights on recipients, and their termination required procedural [due process](#).
- [*Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*](#), **467 U.S. 837 (1984)**, a [government agency's](#) interpretation of its own mandate from [Congress](#) is entitled to judicial deference if the authority is ambiguous and the agency's interpretation is reasonable.
- [*Sony Corp. of America v. Universal City Studios, Inc.*](#), **464 U.S. 417 (1984)**, making of individual copies of complete television shows for personal use is not [copyright infringement](#), but is [fair use](#).
- [*Feist Publications v. Rural Telephone Service*](#), **499 U.S. 340 (1991)**, originality, not sweat of the brow, is the touchstone of [copyright](#) protection.
- [*Daubert v. Merrell Dow Pharmaceuticals*](#), **509 U.S. 579 (1993)** expert evidence must be generally accepted in the scientific community ([Daubert standard](#)).
- [*Breard v. Greene*](#), **523 U.S. 371 (1998)**, rejected jurisdiction of [International Court of Justice](#) in a [capital punishment](#) case dealing with a citizen of [Paraguay](#).
- [*Bush v. Gore*](#), **531 U.S. 98 (2000)**, US Supreme court ended the recount of [ballots](#) in [Florida](#) and awarded the US presidency to [George W. Bush](#).
- [*Kelo v. City of New London*](#), **545 U.S. 469 (2005)**, upheld power of a local government to seize property for economic development purposes.
- [*Boumediene v. Bush*](#), **553 U.S. ____ (2008)**, foreign terrorism suspects have constitutional rights to challenge their detention at the [Guantánamo Bay naval base](#) in United States courts.

- [*Citizens United v. Federal Election Commission*](#), [U.S. ____](#) (2010), limits on corporate and union political expenditures during an election cycle violate the First Amendment; establishes [corporate personhood](#).

Individual Rights

Discrimination based on race

- [*Dred Scott v. Sandford*](#), [60 U.S. 393](#) (1857) Blacks, whether free or slaves, cannot be U.S. citizens. Consequently, they cannot sue in federal courts. Also, slavery cannot be outlawed in the western territories before they access statehood. After the [Civil War](#), this decision was voided by the subsequent [Thirteenth](#) and [Fourteenth Amendments](#).
- [*Plessy v. Ferguson*](#), [163 U.S. 537](#) (1896) Segregated facilities for blacks and whites are constitutional under the doctrine of [separate but equal](#), which held for close to 60 years.
- [*Korematsu v. United States*](#), [323 U.S. 214](#) (1944) American citizens of Japanese descent can be interned and deprived of basic constitutional rights; first application of the [strict scrutiny](#) test.
- [*Brown v. Board of Education*](#), [344 U.S. 1](#) (1952), [344 U.S. 141](#) (1952), [347 U.S. 483](#) (1954), [349 U.S. 294](#) (1955), segregated schools in the several states are unconstitutional in violation of the 14th Amendment, overturning *Plessy*.
- [*Bolling v. Sharpe*](#), [347 U.S. 497](#) (1954) The companion case to *Brown*, which held that segregated schools in the [District of Columbia](#) violated the [5th Amendment](#).
- [*Loving v. Virginia*](#), [388 U.S. 1](#) (1967) Laws that prohibit marriage between races ([anti-miscegenation statutes](#)) are unconstitutional.
- [*Jones v. Alfred H. Mayer Co.*](#), [392 U.S. 409](#) (1968) The federal government may prohibit discrimination in housing by private parties
- [*Gates v. Collier*](#), [501 F.2d 1291](#) (5th Cir. 1972) Brought an end to the trustee system and flagrant inmate abuse at [Mississippi State Penitentiary](#) at [Parchman, Mississippi](#). [Corporal punishment](#) against prisoners was considered [cruel and unusual punishment](#) and abolished [racial segregation](#) in prison.
- [*Regents of the Univ. of Cal. v. Bakke*](#), [438 U.S. 265](#) (1978) Race based set-asides in educational opportunities violate the [Equal Protection Clause](#) of the [Constitution](#). The decision leaves the door open to some race usage in admission decisions. See [Grutter v. Bollinger](#).
- [*Adarand Constructors, Inc. v. Peña*](#), [515 U.S. 200](#) (1995) Race based discrimination, including discrimination in favor of minorities (affirmative action), is subject to strict judicial scrutiny.
- [*Grutter v. Bollinger*](#), [539 U.S. 306](#) (2003) A narrowly tailored use of race in student admission decisions may be permissible under the Fourteenth Amendment's Equal Protection Clause, as a diverse student body is beneficial for all students (as hinted in *Regents v. Bakke*).
- [*Ricci v. DeStefano*](#), [07 U.S. 1428](#) (2009) Municipalities may not decline to certify the results of an otherwise fair exam merely because it would have made disproportionately more white applicants eligible for promotion.

Discrimination based on sex

- [*Frontiero v. Richardson*](#), [411 U.S. 677](#) (1973) Sex-based discriminations are inherently suspect. A statute giving benefits to the spouses of male, but not female members of the uniformed services (on the assumption that only the former were dependent) is unconstitutional.

- [*Craig v. Boren*](#), **429 U.S. 190 (1976)** Setting different minimum ages according to sex (female 18, male 21) to be allowed to buy beer is unconstitutional sex-based discrimination, contrary to the equal protection clause.
- [*United States v. Virginia*](#), **518 U.S. 515 (1996)** Sex-based "[separate but equal](#)" military training facilities violate the [Fourteenth Amendment's Equal Protection Clause](#).

Discrimination based on sexual orientation

- [*Bowers v. Hardwick*](#), **478 U.S. 186 (1986)** A state may declare the private practice in one's bedroom of certain sex acts to be a crime; this statute was later struck down by the Georgia State Supreme Court as a violation of the Georgia State Constitution in the case of [*Powell v. Georgia*](#) (actually *Powell v. State*). Overruled by [*Lawrence v. Texas*](#).
- [*Romer v. Evans*](#), **517 U.S. 620 (1996)** A law cannot prohibit anti-discrimination laws for homosexuals (decision founded on the Equal Protection Clause).
- [*Lawrence v. Texas*](#), **539 U.S. 558 (2003)** [Texas law](#) that prohibits [homosexuals](#) from engaging in [consensual sodomy](#) in private is prohibited by Fourteenth Amendment [due process](#) clause as lacking a rational basis.

Birth control and abortion

- [*Griswold v. Connecticut*](#), **381 U.S. 479 (1965)** Married people are entitled to use contraception and making it a crime to sell to them same is unconstitutional. (A later case, [*Eisenstadt v. Baird*](#), extended this to unmarried adults.)
- [*Roe v. Wade*](#), **410 U.S. 113 (1973)** Struck down [abortion](#) laws restricting abortion prior to [viability](#) as [unconstitutional](#), prohibiting most restrictions in the first trimester and permitting only health-related restrictions in the second.
- [*Planned Parenthood of Se. Pa. v. Casey*](#), **505 U.S. 833 (1992)** Placed tighter restrictions on abortion by upholding parts of Pennsylvania's abortion laws. Also reaffirmed the decisions of [Roe v. Wade](#) but permitted additional restrictions in the first trimester.
- [*Gonzales v. Carhart*](#), **550 U.S. 124 (2007)** Congress can prohibit a specific abortion procedure ([Intact dilation and extraction](#)—also known as [partial-birth abortion](#)) on grounds that it "implicates additional ethical and moral concerns that justify a special prohibition."

End of life

- [*Cruzan v. Dir., Mo. Dep't of Health*](#), **497 U.S. 261 (1990)** Family having requested the termination of life-sustaining treatments of their [vegetative](#) relative, the state may constitutionally oppose this request, for lack of evidence of a clear earlier wish by said relative.
- [*Washington v. Glucksberg*](#), **521 U.S. 702 (1997)** Washington's prohibition on assisting suicide is constitutional.
- [*Vacco v. Quill*](#), **521 U.S. 793 (1997)** New York's prohibition on assisting suicide does not violate the Equal Protection Clause.
- [*Gonzales v. Oregon*](#), **546 U.S. 243 (2006)** The [Controlled Substances Act](#) does not prevent physicians prescribing drugs for the assisted suicide of the terminally ill under state ([Oregon](#)) law.

Landmark decisions in U.S. criminal law: Freedom from unreasonable search and seizure: “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” (4th Amendment)

- [Mapp v. Ohio](#), 367 [U.S. 643](#) (1961) Evidence obtained by searches and seizures in violation of the [United States Constitution](#) is inadmissible in a criminal trial in a state court.
- [Katz v. United States](#), 389 [U.S. 347](#) (1967) Evidence obtained by wiretapping a public phone booth without a warrant is not admissible in court, just as if a private phone line had been eavesdropped.
- [Vernonia School District 47J v. Acton](#), 515 [U.S. 646](#) (1995) Schools may implement random drug testing.

Right to an attorney: “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation” (5th Amendment to the U.S. Constitution).

- [Gideon v. Wainwright](#), 372 [U.S. 335](#) (1963) Anyone charged with a serious criminal offense has the right to an attorney and the state must provide one if they are unable to afford legal counsel.
- [Escobedo v. Illinois](#), 378 [U.S. 478](#) (1964) A person in police custody has the right to speak to an attorney.
- [Miranda v. Arizona](#) (and *Westover v. United States*, *Vignera v. New York*, and *California v. Stewart*) 384 [U.S. 436](#) (1966) Police must advise criminal suspects of their rights under the Constitution to remain silent, to consult with a lawyer and to have one appointed if he is an indigent. The interrogation must stop if the suspect states he or she wishes to remain silent.

Capital punishment “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.” (8th Amendment).

- [Furman v. Georgia](#), 408 [U.S. 238](#) (1972) The method then in effect for imposing the death penalty is unconstitutional.
- [Jurek v. Texas](#) 428 [U.S. 262](#) (1976) A "three-pronged" test for determining if the death penalty should be imposed is constitutional.
- [Gregg v. Georgia](#), 428 [U.S. 153](#) (1976) Carefully drafted death penalty statutes may be constitutional.
- [Proffitt v. Florida](#), 428 [U.S. 242](#) (1976) Requirement of comparison of [mitigating](#) to aggravating factors to be used to impose death sentence is constitutional.
- [Roberts v. Louisiana](#), 428 [U.S. 325](#) (1976), 431 [U.S. 633](#) (1977) Mandatory death sentences are unconstitutional.
- [Ford v. Wainwright](#) , 477 [U.S. 399](#) (1986) The insane cannot be [executed](#).
- [Roper v. Simmons](#), 543 [U.S. 551](#) (2005) Juveniles cannot be executed.
- [Kennedy v. Louisiana](#), 554 [U.S. _](#) (2008) A sentence of death may not be imposed for the crime of rape, when the victim did not die and death was not intended.

Sociology of Law Journal Article Readings W2014

USE THIS LIST TO HELP SELECT A JOURNAL ARTICLE TO PRESENT. You MUST get an electronic copy of this article to me 1-week before the Presentation so I can post on Blackboard. You MAY choose another article relevant to Law and Society or Sociology of the Law BUT be sure this is approved by me in advance.

- 1) "Role of Law in Social Transformation: Is a Jurisprudence of Insurgency Possible?" Brickley, S. and E. Comack (1987) Canadian Journal of Law and Society (2) pp. 97-119. ISSN-0829-3201
- 2) "Speeding Violation Dispositions in Relation to Police Officers' Perception of the Offenders" Liu, P. and T. Cook (2005) Policing & Society 15(1) pp.83-88. ISSN-1043-9463
- 3) "The 'Discovery' of Child Abuse" S. Pfohl (1977) Social Problems 24(3) pp. 310-323. ISSN-0037-7791
- 4) "Policing Space, Policing Race: Social Control Imperatives and Police Discretionary Decisions" S. Bass (2001) Social Justice 28(1) pp. 156-176. ISSN-1043-1578
- 5) "Changing Legal Consciousness in America: The view from the Joke Corpus" M. Galanter (2002) Cardozo Law Review pp. 2223-40. ISSN-0270-5192.
- 6) "The Portrayal of Crime and Justice in the Comic Book Superhero Mythos" Vollum, S. and C. Adkinson (2003) Journal of Criminal Justice and Popular Culture 10(2) pp. 96-108. ISSN-1070-8286
- 7) "Powers and Accountability of Private Police" Stenning, P. (2000) European Journal on Criminal Policy and Research (8) pp. 325-352. ISSN-0928-1371
- 8) "Can't Live with Em; Can't Live without Em; Gendered Segmentation in the Legal Profession" Bolton, S. And D. Muzio (2007) Sociology 41(1) pp. 47-64. ISSN-0038-0385
- 9) "Welfare Law, Welfare Fraud, and the Moral Regulation of the 'Never Deserving' Poor" Chunn, D. And S. Gavigan (2004) Social and Legal Studies 13(2) pp. 219-243. ISSN-0964-6639
- 10) "Inflammatory Rhetoric? Baseless Accusations? A Response to Gabor's Critique of Racial Profiling Research in Canada" Tanner, J. and S. Wortley (2005) Canadian Journal of Criminology and Criminal Justice 47(3) pp. 581-603. ISSN-1707-7753
- 11) "Civil Rights Meet Civil Engineering: Urban Public Space and Traffic Logic" Blomley, N. Canadian Journal of Law and Society 22(2), (2007) pp. 55-71. ISSN-0892-3201

- 12) "Policing's New Visibility" Goldsmith, A. (2010) British Journal of Criminology 50 pp. 914-934. ISSN-0007-0955
- 13) "Identity Theft and the Care of the Virtual Self" Whitson, J. and K. Haggerty (2008) Economy and Society 37(4) pp. 572-94. ISSN-0308-5147
- 14) "Even Lawyers Get the Blues: Gender, Depression, and Job Satisfaction in Legal Practice." Hagan, J. and F. Kay (2007) Law and Society Review 41(1) pp. 51-78. ISSN-0023-9216
- 15) "Legal Consciousness and Dispute Resolution: Different Disputing Behavior at Two Similar Taxicab Companies" Hoffmann, E. (2003) Law and Social Inquiry 28(3) pp. 691-716. ISSN-0897-6547
- 16) "Communities and Culture: Enriching Legal Consciousness and Legal Culture" Marshall, A. (2006) Law and Social Inquiry 31(1) pp. 229-249. ISSN-0897-6547
- 17) "The Movement to Criminalize Sex Work in the United States" Weitzer, R. (2010) Journal of Law and Society 37(1) pp. 61-84. ISSN-0263-323X
- 18) "Legal Education and Reproduction of Hierarchy" Kennedy, D. (1982) Journal of Legal Education (32). pp. 591-615. ISSN-0022-2208
- 19) "Chivalry, 'Race' and Discretion at the Canadian Border" Pratt, A. And S. Thompson (2008) The British Journal of Criminology 48(5) pp.620-40. ISSN-0007-0955
- 20) "Java Jive: Genealogy of a Juridical Icon" McCann, M. et al. (2001) University of Miami Law Review 56(1) pp. 113-178. ISSN-0041-9818
- 21) "Lawyers in the People's Republic of China: A Study of Commitment and Professionalization" Lo, C. And E. Snape (2005) The American Journal of Comparative Law 53(2) pp. 433-455. ISSN-0002-919X
- 22) "CSI Effect: Popular Fiction about Forensic Science Affects the Public's Expectations about Real Forensic Science" Schweitzer, N. and M. Saks (2006) Jurimetrics(47) pp.357-364. ISSN-0897-1277
- 23) "Mass Torts, Mass Culture: Canadian Mass Tort Law and Hollywood Narrative Film" Penny S. (2004) Queen's Law Journal (30) pp.205-259. ISSN-0316-778X
- 24) "Downtown Ambassadors, Police Relations and 'clean and safe' Security" Sleiman, M. and R. Lippert (2010) Policing and Society 20(3) pp. 316-335. ISSN-1043-9463
- 25) "Official Graffiti of the Everyday" Hermer, J. and A. Hunt (1996) Law and Society Review 30(3) pp.455-80. ISSN-00239126