

## **A. Syllabus for SELP02 Sociology of Law: Theories and Research Issues (15 credits, second cycle, A1N)**

The course was adopted by the Board of the Faculty of Social Science on the April 14 2011 and the syllabus was approved by the Sociology of Law unit on 17 march, 2011 and revised 15 of december 2011.

## **B. Course Details**

The course is offered as a single subject course in sociology of law and is a compulsory course within the programme Master of Science in Sociology of Law - European Law (SELA). The language of instruction is English.

## **C. Learning Outcomes**

### **Knowledge and Understanding**

On completion of the course the student shall

- demonstrate an extensive knowledge of the theoretical foundations and historical development of sociology of law.
- demonstrate knowledge of selected past and current research issues of the sociology of law and the changing nature and functions of law at the European and the global level.

### **Competences and Skills**

On completion of the course, the student shall

- demonstrate the capacity to independently, systematically and critically integrate knowledge produced within the academic field of sociology of law.
- demonstrate an ability to independently relate discussed theories to contemporary societal problems in different contexts.
- design, execute and reflect on all stages of the research process within a predetermined time frame.
- communicate the results of learning and research processes and discuss the conclusion and arguments on which they are based in dialogue with different kinds of audiences both in writing and orally, using proper academic references and citations.
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### **Judgement and Approach**

On completion of the course, the student shall

- demonstrate the capacity to make assessments in sociology of law informed by relevant disciplinary, social and ethical aspects of research.
  - demonstrate insight into the possibilities and limitations of research, its role in society and the responsibility of the individual for how it is used.
- demonstrate the capacity to identify his or her need of further knowledge and take responsibility for his or her ongoing learning.

## **D. Course Content**

The course surveys theoretical and empirical developments in the sociology of law. It introduces graduate students to some key theories and research traditions in the sociological study of law in order to stimulate them to actively contribute in substantive theoretical and empirical ways, at the highest level of academic rigor, to the research discipline.

The course reviews and analyzes the specific characteristics of the manner in which sociologists study law and seeks to explain some of the patterns and dynamics of law in a variety of social settings. An important focus is to deepen the student's understanding of how sociology of law is related to other social science disciplines as well as the centrality of sociological theories for understanding broader social processes.

Successive parts of the course focus on: classical theoretical contributions to the sociology of law; selected theoretical developments in contemporary sociology of law. The course also discusses a selection of theoretically framed empirical themes of law, including law and economy, law and politics, inequality and law, the globalization of law, law and globalization including discussions on sustainability, law and culture; social structure and law; legality and legitimacy.

## **E. Teaching and Assessment**

The course is taught as a web-based course. It is based on a combination of web-based filmed and written lectures. Students will mainly work through individual studies and through the consecutive handing in of independent assignments and papers.

Assessment is based on weekly written assignments or papers on specific issues and or critical reflections on the course literature.

In connection with the course students are offered three examinations: a regular examination, a re-examination and one additional re-examination. Within one year after the course, students are offered a minimum of two additional re-examinations. Thereafter, more examinations are offered but in accordance with current course content.

## **F. Grades**

The grades awarded are A, B, C, D, E or Fail. The highest grade is A and the lowest passing grade is E. The grade for a non-passing result is Fail.

The student's performance is assessed with reference to the learning outcomes of the course. For the grade of E the student must show **acceptable** results. For the grade of D the student must show **satisfactory** results. For the grade of C the student must show **good** results. For the grade of B the student must show **very good** results. For the grade of A the student must show **excellent** results. For the grade of Fail the student must have shown **unacceptable** results.

At the start of the course students are informed about the learning outcomes stated in the syllabus and about the grading scale and how it is applied in the course.

## **G. Specific Admission Requirements**

To be eligible for the course the student must have at least a Bachelor's degree including three terms (1-90 credits) of studies in sociology of law or another subject of relevance to the course, e.g. sociology, law, political science, social work, or the equivalent.

Since the course is conducted in English, an advanced language proficiency in the English language is necessary (**English B**). Language proficiency shall be demonstrated in one of the following ways:

- IELTS score of 6.5 (with no section less than 5.5)
- TOEFL paper-based score of 4.5 (scale 1-6) in written test and a total score of 575; internet based score of 20 (scale 0-30) and a total score of 90
- Cambridge/Oxford – Advanced Certificate of Proficiency
- A Bachelor's degree from a university where English is the only language of instruction, according to the International Handbook of Universities
- A pass on English course B (Swedish upper secondary school).

## **H. Literature**

### **Books**

Deflem, Mathieu (2008) *Sociology of Law: Visions of a Scholarly Tradition*. Cambridge, UK: Cambridge University Press. (348 pages) [electronic resource]

Erind, Pajo (2008) *International Migration, Social Demotion and Imagined Advancement; An Ethnography of Socioglobal Mobility*. New York: Springer Science Business Media. (206 pages) [electronic resource] (selected chapters around 50 pages)

Hyden, Håkan and Wickenberg, Per (Eds) (2008) *Contributions in Sociology of Law, Remarks form a Swedish Horison: Lund Studies in Sociology of Law No 29*, Lund: Lund University [electronic Resource] (selected chapters 50 pages)

Maasen, Sabine and Weingart, Peter (Eds) (2005) *Democratization of Expertise? Exploring Novel Forms of Scientific Advise in Political Decicion-Making*. Dordrecht: Springer. (237 pages) [electronic resource] (selected chapters around 50 pages)



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Reichel, Philip (Ed.) (2009) *Handbook of Transnational Crime and Justice*. Thousand Oaks California: Sage Publications. [electronic resource] selected chapters around 50 pages)

Sayer, Derek (1991) *Capitalism and Modernity: An Excursus on Marx and Weber*, London, New York: Routledge. (172 p) [electronic resource] (selected pages around 120 pages)

Smart, Carol (2002) *Feminism and the Power of Law*. London, New York: Routledge. (250 pages) [electronic resource] (Selected chapters around 60 pages.)

Svensson, Måns and Baier, Matthias (2011) *On Norms*. Kompendium. Sociology of Law, Lund University (120 p)

### **Articles**

Abel, Richard L. (2010) Law and Society: Project and Practice. *The Annual Review of Law and Social Science*, vol. 6, pp. 1–23 (23 pages)

Arnaud, André-Jean (1998) From Limited Realism to Plural Law. Normative Approach versus Cultural Perspective. *Ratio Juris*, vol. 11, pp. 246-258 (11 pages)

Banakar, Reza (2000) Reflections on the Methodological Issues of the Sociology of Law. *Journal of Law and Society*, vol. 27, pp. 273-295 (23 pages)

Barr, Michael S. and Avi-Yonah, Reuven S. (2005) Globalization, Law and Development: Introduction and Overview. *Michigan Journal of International Law*, vol. 26, pp. 455-475 (20 pages)

Berman, Paul Schiff (2005) From International Law to Law and Globalization. *Columbia Journal of Transnational Law*, vol. 43, pp. 485-510 (25 pages)

Black, Donald J. (1972) The Boundaries of Legal Sociology. *The Yale Law Journal*, vol. 81, pp. 1086-1100 (14 pages)

Bloemraad, Irene, Korteweg, Anna and Gökce, Yurdakul (2008) Citizenship and Immigration: Multiculturalism, Assimilation, and Challenges to the Nation-State. *Annual Review of Sociology*, vol. 34, pp.153-179 (27 pages)

Butler, Chris (2009) Critical Legal Studies and the Politics of Space. *Social and Legal Studies*, vol. 18, pp. 313–332 (20 pages)

Cartwright, B. C. and Schwartz, R. D. (1973) The Invocation of Legal Norms: An Empirical Investigation of Durkheim and Weber. *American Sociological Review*, vol. 38, pp. 340-354 (14 pages)

Chernilo, Daniel (2007) A Quest for Universalism: Re-assessing the Nature of Classical Social Theory's Cosmopolitanism. *European Journal of Social Theory*, vol. 10, pp.17-35 (29 pages)

Clarke, Michael (1976) [Durkheim's Sociology of Law](#). *British Journal of Law and Society*, vol. 3, pp. 246-255 (9 pages)



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Clifford-Vaughan, Michalina and Scotford-Norton, Margaret (1967) [Legal Norms and Social Order: Petrazycki, Pareto, Durkheim.](#) *The British Journal of Sociology*, vol. 18, pp 269-277 (8 pages)

Cohn, Ellen S., Bucclo Donald, Rebellon Cesar J., Gundy, Karen (2010) An Integrated Model of Legal and Moral Reasoning and Rule-Violating Behaviour: The Role of Legal Attitudes. *Law and Human Behaviour*, vol. 34, pp 295-309 (13 pages)

Cotterrell, Roger (2009) Spectres of Transnationalism: Changing Terrains of Sociology of Law. *Queen Mary School of Law Legal Studies Research Paper No. 32*, pp. 1-21 (20 pages)

Cotterrell, Roger (2009) Spectres of Transnationalism: Changing Terrains of Sociology of Law. *Journal of Law and Society*, Vol. 36, pp 481-500 (20 pages)

Davies, Margaret (2008) Feminism and the Flat Law Theory. *Feminist legal studies*, vol. 16 pp. 281-304 (23 pages)

Dupret, Baudouin (2007) Legal Pluralism, Plurality of Laws, and Legal Practices. *European Journal of Legal Studies*, vol. 1, 35-60 (26 pages).

Geoffrey, Samuel (2009) Interdisciplinarity and the Authority Paradigm: Should Law Be Taken Seriously by Scientists and Social Scientists? *Journal of Law and Society*, vol. 36, pp. 431-459 (29 pages)

Goodenough, Oliver T. and Tucker, Micaela (2010) Law and Cognitive Neuroscience. *Annual Review of Law and Social Science*, vol. 6, pp. 61–92 (31 pages)

Johns, Fleur (2007) Performing Power: The Deal, Corporate Rule, and the Constitution of Global Legal Order. *Journal of Law and Society*, vol. 34, pp. 116-138 (23 pages)

Kanishka, Jayasuriya (1999) The Rule of Law in the Era of Globalization: Globalization, Law and the Transformation of Sovereignty: The Emergence of Global Regulatory Governance. *Indiana Journal of Global Legal Studies*, vol. 6, pp. 425-456 (31 pages)

Karstedt, Susanne (2007) Explorations into the sociology of criminal justice and punishment: leaving the modernist project behind. *History of the Human Sciences*, vol. 20, pp. 51-70 (20 pages)

Killion, M. Ulric (2010) The Function of Law in Habermas' Modern Society. *Global Jurist*, vol. 10, pp. 266-290 (25 pages)

Lee, Robert and Stokes, Elen (2009) Environmental Governance: reconnecting the Global and Local. *Journal of Law and Society*, vol. 36, pp. 1-10 (10 pages)

Melissaris, Emmanuel (2004) The More the Merrier? A New Take on Legal Pluralism. *Social & Legal Studies*, vol. 13, pp. 57-79 (18 pages)

Merton, Robert K. (1994). Durkheim's Division of Labor. *Society Sociological Forum*, vol. 9, pp.17-25 (Reproduced from the *American Journal of Sociology*, vol. 40 (1934), pp. 319-328. (7 p)



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Michaels, Ralf (2009), Global Legal Pluralism. *Annual review of law and social science*, vol. 5, pp. 243-262 (20 pages)

Nelken, David (2006) Getting at Law's Boundaries. *Social and Legal Studies*, vol. 15, pp. 598–604 (7 pages)

Nelken, David (2006) Law and Knowledge/Law as Knowledge. *Social and Legal Studies*, vol. 15, pp. 570–573. (3 pages)

Percival, Robert V. (2009) The Globalization of Environmental Law. *Pace Environmental Law Review*, vol. 26, pp. 451-476 (25 pages)

Petersen, Hanne (1992) On Women and Legal Concepts: Informal Law and the Norm of Consideration. *Social & Legal Studies*, vol. 1, pp. 493-513 (20 pages)

Pottage, Alain (2007) The Socio-Legal Implications of the New Biotechnologies. *Annual Review of Law and Social Sciences*, nol. 3, pp 321-344 (24 pages)

Rose, N., O'Malley, P. and Valverde M. (2006) Governmentality. *The Annual Review of Law and Social Science*, vol. 2, pp 83-104 (22 pages)

Rottleuthner, Hubert (1989) A Purified Sociology of Law, Nicklas Luhman on the Autonomy of the Legal System. *Law and society review*, vol. 23, pp. 779-798 (20 pages)

Santos, Bonaventura de Sousa (1998) The Fall of the Angelus Novus: Beyond the Modern Game of Roots and options. *Current Sociology*, vol. 46, pp. 81-118 (37 pages)

Santos, Bonavetura de Sousa (2006) Globalizations. *Theory Culture Society*, vol. 23, pp. 393-399 (7 pages)

Schluchter, Wolfgang (2002).The Sociology of Law as an Empirical Theory of Validity. *Journal of Classical Sociology*, vol. 2, pp. 257–280 (23 pages)

Schneiberg, Marc and Bartley, Tim (2008) Organizations, Regulation, and Economic Behavior: Regulatory Dynamics and Forms from the Nineteenth to Twenty-First Century. *The Annual Review of Law and Social Science*, vol. 4, pp. 31–61 (30 pages)

Sciaraffa, Stefan (1999) Critical Legal Studies: A Marxist Rejoinder. *Legal Theory*, vol. 5, pp. 201-219 (18 pages)

Scott, Lash (2009) Afterword: In Praise of the A Posteriori: Sociology and the Empirical. *European Journal of Social Theory*, vol. 12, pp. 175-187 (13 pages)

Shie, Steven and Fan, Wei (1997) Immigration Law and the Promise of Critical Race Theory: Opening the Academy to the Voices of Aliens and Immigrants. *Columbian Law Review*, vol. 97, pp. 1202-1240 (38 pages)



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Smith, Carol (2000) The Sovereign State versus Foucault: Law and Disciplinary Power. *The Sociological Review*, vol. 48, pp. 283-306 (24 pages)

Swedberg, Richard. (2006) Max Weber's Contribution to the Economic Sociology of Law. *Annual Review of Law & Social Science*, vol. 2, pp. 61-81 (20 pages)

Tamanaha, Brian Z. (2007) Understanding Legal Pluralism: Past to Present, Local to Global. *Sydney Law Review*, vol. 29 pp.456-472 (17 pages)

Teubner, Gunther (1996), Global Bukowina: Legal Pluralism in the World-Society in Gunther Teubner, (Ed.) (1996) *Global Law Without A State*, Dartmouth, pp. 3-28, Available at SSRN: <http://ssrn.com/abstract=896478> (25 pages)

Teubner, Gunther and Fischer-Lescano, Andreas (2004) Regime-Collisions: The Vain Search for Legal Unity in the Fragmentation of Global Law. *Michigan Journal of International Law*, Vol. 25, pp. 999-1046 (48 pages)

Teubner, Gunther (2002) Breaking Frames Economic Globalization and the Emergence of Lex Mercatoria. *European Journal of Social Theory*, vol. 5, pp. 199-217 (19 pages)

Timasheff, Nicolas S. (1941) [Fundamental Problems of the Sociology of Law](#). *The American Catholic Sociological Review*, vol. 2 pp 22-42 (20 pages)

Töller, Anette E. (2010) Measuring and Comparing the Europeanization of National Legislation: A Research Note. *Journal of Common Market Studies*, vol. 48, pp.417-444 (27 pages)

Tomasic, Roman A. (1985) The Quest for Theory in the Sociology of Law. *Current Sociology*, vol. 33, pp. 2-29 (29 pages)

Valverde Mariana, (2006) The Sociology of Law as a 'Means against Struggle Itself. *Social and Legal Studies*, vol. 15, pp. 591–597 (6 pages)

Valverde, Mariana (2009) Jurisdiction and Scale: Legal Technicalities as resources for theory. *Social & Legal Studies*, vol. 18, pp. 139-157. (19 pages)

van Krieken, Robert (2006) Law's Autonomy in Action: Anthropology and History in Court. *Social & Legal Studies*, vol. 15, pp. 574–590 (16 pages)

Walby, Kevin (2007) Contributions to a Post-Sovereigntist understanding of law: Foucault, Law as governance and Legal Pluralism. *Social and Legal Studies*, vol. 16, pp 551-571 (20 pages)

Wickham, Gary (2010) Sociology, the Public Sphere, and Modern Government: a Challenge to the Dominance of Habermas. *The British Journal of Sociology*, vol. 61, pp. 155-175 (21 pages)

Zumbansen, Peer (2011) Neither 'Public' nor 'Private', 'National' nor 'International': Transnational Corporate Governance from a Legal Pluralist Perspective. *Journal of Law and Society*, vol. 38, pp. 50-75 (25 pages)



### ***Additional literature***

Students will during the course do individual assignments including approximately 400 pages of reading