
INTRO. TO HISTORY, LAW & SOCIETY in Fall 2020 (HI2030)

Course Code	HI2030	Professor(s)	Michelle Kuo
Prerequisites	None	Office Number	
Class Schedule	M: 10:50-12:25 in C-103 R: 16:20-17:55 in C-103	Office Hours	Office Hours. (Virtual). Fridays 4:00 PM to 6:00PM. I use a simple online platform that mimics in-person office hours. It works well, and the link is here: https://whereby.com/michelle-office-hours
Credits	4	Email	mkuo@aup.edu
Semester	Fall 2020	Office Tel. Ext.	

Course Description

Course Description. What role does law play in shaping society? What strategies have people taken to resist unjust laws? The first half of course begins with a survey of social theorists including Marx, Tocqueville, Durkheim, Foucault, and DuBois. The second half of the course explores topics such as the movement against the Fugitive Slave Law in the 1850s; the Civil Rights Movement in the 1960s; contemporary movements in relation to asylum, detention, and deportation; and movements connected to Black Lives Matter, including restorative justice, police defunding, and prison abolition. By the end of this course, students will be able to apply critical approaches to the law to contemporary issues; perform a mock trial, from start to finish; and write persuasive and analytically rigorous papers that demonstrate interdisciplinary thinking. Although this course focuses on American law and society, students are encouraged to explore research topics of their choice and to bring international perspectives. The course culminates in a mock trial on issues of immigration and criminal law.

Course Learning Outcomes

Demonstrate fluency in legal reasoning, extracting key facts and applying the law to those facts. Understand connections between law and history, grounding and framing the theory of cases with historical detail and context.

Develop an interdisciplinary understanding of law and its social impact, explaining clear stakes of cases and their social impact.

Integrate law into the liberal arts curriculum, in particular demonstrating an ability to tell a

persuasive and coherent story using a combination of oral presentation and writing skills
Improve writing skills, with attention to clarity and prose style.

General Education

Course Outline

Reading Responses.

Submit weekly responses that are approximately 500-750 words (one to two pages double spaced).

Submit on Slack in addition to a hard copy. Generally, responses are due at 9 AM on Thursday.

On certain days (mock trial days), you do not need to submit a reading response and I will let you know ahead of time. One of my goals in this class is to help you gain confidence and joy in the writing process.

Strive to write elegant, concise prose. The following guide should help you as you write:

- Strong topic sentences. These announce the argument or the driving question of the paragraph.

Often, during my revision process, I find that the true topic sentence turns out to be, say, the fifth sentence of the paragraph. I then delete my first sentence, move this fifth sentence to the front. Another trick to writing good topic sentences: ask a specific question at the end of the previous paragraph, and answer that question in the beginning of the next paragraph.

- Length. A paragraph is roughly a third to two thirds a page, double-spaced. It is typically five to eight sentences, sometimes longer. Generally, a paragraph should be shorter than a page.

- Passive voice. A specific subject performs actions. (Not: "She was arrested," but "The Bosnian security forces arrested her.") Do a check on "is," "are," "was," "were," "There is," "There are," "There were," "It is." If you can eliminate the habit of resorting to these words, often your sentences will start to sing. Of course, rules are made to be broken.

- Avoid "This" and "These" if these words do not have nouns after them. Specify what "this" is.

- Avoid "you." ("I" is sometimes okay but don't overuse.)

Assignments

Reading Responses. See above.

Essay (2500 to 3000 words). This essay will draw on primary sources on a topic of your choice that relates to law and society. We will work on your paper in class, aiming for at least two revisions. We will work on creating concise, elegant sentences; making arguments with attention to primary sources; and interweaving secondary sources from at least two of three disciplines, history, law, and sociology. At the end of the class you will have completed a polished paper that you can use as a writing sample. I encourage you to publish this essay in a campus publication or elsewhere.

Mock Trial Documents (cross, direct, opening, closing, affidavits). At the end of the course you will know how to do conduct a direct examination, cross examination, deliver an opening and closing statement.

Teaching Assistants. Krystel Nozier and Alexandra Lane are invaluable resources. They can also connect you to meaningful activities outside of the classroom that help deepen questions and issues related to this course.

Week One, September 23

Thursday

Syllabus Distributed

Week Two, September 28

Monday

Tocqueville, Democracy in America

Thursday

No class—go with your (pre-assigned) group to Pompidou exhibit on global resistance today. I will be there from 1 until 6. If you're remote, we'll brainstorm in class about comparable exhibits that you might attend where you are. Please take a picture of yourself with the exhibit and post on Slack.

Week Three, Oct 5

Monday

Tocqueville, Democracy in America Students present on Pompidou exhibits.

Thursday

Karl Marx, Communist Manifesto (Plus short podcast on Amazon workers.

Week Four, Oct 12

Monday

Karl Marx & alienation Wacquant, Punishing the Poor Students present on examples of legal punishment of the poor from their home countries and states, connecting instances to Marx and Wacquant. Read Matt Taibbi on Three Strikes laws.

Thursday

David Garland on Emile Durkheim, "Punishment as Social Solidarity" Rachel Aviv, "The Science of Sex Abuse" Students draw upon examples of punishment from home countries and states, connecting these instances to Durkheim.

Week 5, Oct 19

Monday

Foucault, Discipline and Punish, Ch. 1 (until page 32) Rachel Aviv, "Where Is Your Mother?" In-class: practicing cross examination and direct examination.

Thursday

Foucault, Discipline and Punish, Ch. 2 and pages on the panopticon Larissa Macfarquhar, "When Should a Child Be Taken from His Parents?" Students present cross examination and direct examinations. (No reading response due.)

Week Six, Oct 26 Asylum and Migration

Monday

Asylum Law cases on particular social group Sarah Stillman, "When Deportation Is a Death Sentence" Asylum scenarios distributed.

Thursday

No class—attend Monday's conversation with Zakee at 3 PM (Paris time), formerly incarcerated person and activist/writer. Begin reading Lauren Markham, The Far Away Brothers.

Week Six, Nov 2

Monday

Lauren Markham, The Far Away Brothers

Thursday

Hannah Arendt, Origins of Totalitarianism In-class: Group Presentations on selected Pompidou and remote exhibits. (No reading response due.

Week Seven, Nov 9

Monday

Hannah Arendt, Origins of Totalitarianism Nicholas Schmidle, "Ten Borders"

Thursday

Mock Trial Prep—prepare direct & cross examinations; prepare opening and closing statements on asylum law cases

Week 8, Nov 16

Monday

Mock Trial Day –asylum law.

Thursday

Fall Break –please be safe.

Week Nine, Nov 23 Social Movements and Resistance.

Monday

Limits of Positive Law: Robert Cover on 1850s Fugitive Slave Law In-class writing workshop: Writing introductions.

Thursday

Martin Luther King, "Letter from Birmingham Jail" Malcolm X, "The Ballot or the Bullet" Black Panther Party platform In-class: debate on forms of resistance.

Week Ten, Nov 30

Monday

Charles Payne, I've Got the Light of Freedom.

Thursday

Charles Payne, I've Got the Light of Freedom

Week Eleven, Dec 7

Monday

Angela Davis, Are Prisons Obsolete? Michelle Kuo, "What Replaces Prisons?" Restorative justice materials. Three-person group presentations on prison abolition, restorative justice, anti-police-violence movements around the world.

Thursday

Student presentations on research papers.

Textbooks

This course doesn't have any textbook.

Attendance Policy

Students studying at The American University of Paris are expected to attend ALL scheduled classes, and in case of absence, should contact their professors to explain the situation. It is the student's responsibility to be aware of any specific attendance policy that a faculty member might have set in the course syllabus. The French Department, for example, has its own attendance policy, and students are responsible for compliance. Academic Affairs will excuse an

absence for students' participation in study trips related to their courses.

Attendance at all exams is mandatory.

IN ALL CASES OF MISSED COURSE MEETINGS, THE RESPONSIBILITY FOR COMMUNICATION WITH THE PROFESSOR, AND FOR ARRANGING TO MAKE UP MISSED WORK, RESTS SOLELY WITH THE STUDENT.

Whether an absence is excused or not is ALWAYS up to the discretion of the professor or the department. Unexcused absences can result in a low or failing participation grade. In the case of excessive absences, it is up to the professor or the department to decide if the student will receive an "F" for the course. An instructor may recommend that a student withdraw, if absences have made it impossible to continue in the course at a satisfactory level.

Students must be mindful of this policy when making their travel arrangements, and especially during the Drop/Add and Exam Periods.

Grading Policy

Course Requirements

Essay on artistic exhibit related to resistance(3 polished pages) 10%

Research paper on a social movement or trial (8-10 pages) 20%

Quizzes(every two weeks—two can be dropped) 10%

Reading Responses (weekly) 15%

Mock Trials (ongoing and final) 15%

Final Take-home Exam 10%

Active class participation 20%

(Attendance, in-class exercises/mock trials/debates, and peer editing)

Course Policies

General Policies. Come to class, on time. Turn off your cellphone. Before the pandemic, I did

not permit laptops. With the pandemic, it's possible you may collaborate with remote students. You are allowed two unexcused absences without penalty.

I view our class a close-knit community with potentially lifelong friendships. For that reason, I hope we all listen closely to one another with an open heart and spirit.

Academic Misconduct includes:

- attempts to claim credit for the work or efforts of another without authorization or citation;
- use of unauthorized materials or fabricated data in any academic exercise;
- forgery or falsification of academic documents or records;
- providing assistance to other students in any of these acts.

Other
