SEMESTER AT SEA COURSE SYLLABUS

Voyage: Summer 2013
Discipline: Legal Studies
SEMS 2500-102: Law & Society
Lower Division
Faculty Name: Nancy Burkoff

Pre-requisites: None

COURSE DESCRIPTION
Law reflects what a society values and seeks to protect, and what it fears and attempts to prevent. This course will explore the roles of judges, lawyers, and other actors. We will study how societies resolve disputes, both in the courts and with negotiation, community justice, and reconciliation; how societies decide what to prohibit, require, or punish; and how the impact of a legal system may be affected by race, class, or gender. Our focus will be on the United States as well as the diverse legal cultures that are part of our Voyage.

COURSE OBJECTIVES
Through reading, critical analysis, oral reports of selected readings, and reflective written field reports, the objectives of this course are: (1) to help students understand that a legal system reflects a wide range of political, social, and cultural choices that are made differently in different countries; (3) to learn to identify the competing interests underlying a legal institution; (3) to better understand the U.S. legal system and the interaction of law and society in the U.S.; and (4) to better understand the legal systems in the countries we are voyaging to experience, and how they have been shaped by culture and society.

The class period preceding a port will include contemporary issues in Law and Society in that particular nation so that students will disembark with knowledge of significant legal, social and political issues.

REQUIRED TEXTBOOKS
AUTHOR: Steven E. Barkan
TITLE: Law and Society: An Introduction
PUBLISHER: Pearson Prentice Hall
ISBN #: 978-0-13-194660-9
DATE/EDITION: 2009

Additional assignments are to supplementary electronic course materials.
TOPICAL OUTLINE OF COURSE

Readings may be updated before we disembark. Where several articles are assigned, students may be divided into groups and assigned readings to present for class discussion.

C1- June 19:  Introduction to the Course

C2- June 20:  Comparative Legal Systems:  the U.S. common law and civil law legal systems
Sources of law, structure and function of the courts, separation of powers, adversary system, roles of judges and lawyers
Assignment:  Barkan chapter 1.

C3- June 21:  Law and Social Control
Theories of punishment. Why do we punish? How do we punish? Does it work? What should we criminalize? What about hate crimes? Should culture ever be a defense?
Assignment:  Barkan chapter 5.
Claes, “Cultural Defense and Societal Dynamics”
Amirthalingam, “Culture, Crime and Culpability”

C4- June 22:  Comparative Legal Systems:  Islamic law and customary law
Assignment:  Barkan chapter 3.
Guessous, “Women’s rights in Muslim societies:  Lessons from the Moroccan experience”
Zoglin:  “Morocco’s Family Code:  Improving Equality for Women”
Enriquez, “Temporary Migration between Morocco and Spain”

Writing assignment due today:  write a 2-3 page essay on the areas of interest you plan to pursue in your Field Reports.  Tell me what you’re interested in and why, and include a paragraph or so on your personal motivation for taking this course.  Your paper is due at the beginning of class.

June 23-June 26:  Casablanca

C5- June 27:  Law and Social Change  Education, the workplace, the family, the environment.
How may law be used as a vehicle for social change, and how might social and technological change result in legal change?  What are the competing interests?
Assignment:  Barkan chapter 6.

C6- June 28:  Law and Social Change continued.
McCann, “Law and Social Movements”

C7- June 29:  Cultural Property/ Cultural Heritage
Consider the art and artifacts which are part of every nation’s patrimony and which may be found in private collections and museums all over the world. Who owns what? Why? Should it be this way? What arguments can be made on both sides of this issue? What interests are at stake?

Shuart, “The British Museum’s Title to the Rosetta Stone and the Sphinx’s Beard”

**June 30 no classes**

**C8- July 1 Cultural Property/ Cultural Heritage continued.**
DiFonzo, “Think you can steal our Caravaggio and get away with it? Think Again.”
Weiss, “The Role of Museums in Sustaining the Illicit Trade in Cultural Property”

**C9- July 2: Contemporary Issues in Law and Society: Focus on Turkey.**
This predominately Muslim country straddles Europe and Asia, and grapples with issues present in both Europe and the Islamic world. It has a new constitution, aspirations to join the European Union, and a growing tension in government between the religious and secular. What interests are at stake in this strategically important nation? How are they reflected in the current social and legal climate?

Esin Orucu, “Turkey: Change Under Pressure”

**Antalya, Turkey July 3-5**

**C10- July 6: Cultures of Honor and Shame: Honor killings.**
Maier, “Honor Killings and the Cultural Defense in Germany”
Ince, “Customary Killings in Turkey and Turkish Modernization”

**C11- July 7: Comparative Legal Systems: Introduction to the law and courts of the European Union**

**Istanbul, Turkey July 8-11**
The Field Lab for this course will take place on July 8

**C12- July 12: Comparative Legal Systems: EU continued.**
What areas of personal life and society are governed by EU law: Free movement of goods, people, capital, and services

**C13- July 13: Contemporary Issues in Law and Society: Focus on Greece**
Writing Assignment due today: First Field Report due at the beginning of class
July 14-17  Piraeus, Greece

C14- July 18:  Law and Inequality:  Class, race, and gender
Assignment: Barkan chapter 7

C15- July 19: Midterm quiz

C16-July 20: Contemporary Issues in Law and Society:  Focus on Italy

July 21-23  Livorno
July 24-26  Civitavecchia

C17- July 27 Law and Memory:  Post-conflict societies. As countries work to set out new legal rules and promulgate new constitutions, how do they determine who will have a voice in establishing new social and legal institutions?  How do societies that may have suffered under abusive regimes and experienced painful civil wars come to terms with the past? How effective are truth and reconciliation commissions, international tribunals, and other forms of transitional justice? What role can other nations, including the U.S., play in these post-conflict states?

Corkalo, “Neighbors again? Intercommunity relations after ethnic cleansing”
Galanter, “Righting Old Wrongs”
Minow, “Breaking the Cycle of Hatred”
Schurtman, “Legislating the Right to Memory in Spain and Basque Country”


Donlan, “‘A Happy Union?’ Malta’s Legal Hybridity”

July 29-31 Malta

C19- August 1: Legislatingle against Islamic Dress in Europe


C20- August 2: Contemporary Issues in Law and Society:  Focus on France, Spain and Portugal
August 3-5 Marseille  
August 6-8 Barcelona

C21- August 9: Police, the Courts, and Criminal Justice

Bell, “Police and Policing”

C22- August 10: Resolving disputes: special courts and alternate dispute resolution

Assignment: Barkan chapter 4

Zion & Yazzie, “Navajo peacemaking: original dispute resolution and a life way”  
Merry, “Going to Court: Strategies of Dispute Management in an American Urban Neighborhood”  
Berman & Fox, “Justice in Red Hook”

August 11-13 Cadiz  
August 14-16 Lisbon

C23-August 17 Wrap-up and Review  
Writing Assignment due today: Second Field Report due at the beginning of class

August 18 Study Day

C24-August 19: Final Exams

August 22: Arrive Southampton

FIELD WORK

The Field Lab for this course will be held on the first day in Istanbul, Monday, July 8. We will leave the ship by bus about 10:00 a.m. The program will start with a briefing with U.S. diplomatic officials about current issues in law and society in Turkey, who will give us the U.S. perspective on them and answer our questions. Such issues could include political and economic cooperation between the two countries, immigration, refugees, return of artifacts from U.S. museums, issues affecting families, especially women and children, etc. This is an opportunity to develop a deeper understanding of some of the themes of this course, and to explore the relationship between these two countries.

We will then travel to the Law Faculty at Bahcesehir University, which is located on the Bosphorus with spectacular views up to the Old City and down to Ortakoy. There, we will meet
with law students and legal professionals and learn about current Turkish legal and social issues. If possible, we will also visit one of the many courts in Istanbul later in the afternoon, and observe the proceedings there. We will return to the ship by bus by 6:00 p.m.

We will have lunch, either arranged at a local restaurant or as an out-of-pocket expense at one of the inexpensive restaurants near the University.

The academic objectives of the Field Lab are:

1. To better understand the current legal issues in Turkey, including the new constitution, the EU accession process, and Turkey’s role in the international community

2. To give students an opportunity to gain further information about some of the major themes we have covered in the course

3. To engage in conversation with students (if available) and faculty about legal education (law is an undergraduate major in Turkey), and how students are preparing to work in a globalized world

V. Associated Assignments:

Before the first port, students will submit a 2-3 page paper identifying an area of personal interest they expect to follow throughout the Voyage. As indicated on the syllabus, two reflective essays, Field Reports, will be submitted during the Voyage. Each reflective essay should compare observations made in two or more port countries on course-related topics of particular interest to the individual student. Where possible, essays should include comparisons to course readings and class discussions.

When we return from each port, some portion of the first class meeting will be devoted to a discussion of the students’ course-related experiences, and they should be prepared to present their own relevant field observations in class.

METHODS OF EVALUATION / GRADING RUBRIC

Grades will be based on:

1. A mid-term quiz: 25%
2. A final examination: 25%
3. Successful completion of all Field Work for this course: 30%

Students will submit two written 2-3 page Field Reports during the Voyage. Each essay should compare observations made in two or more port countries on course-related topics of particular interest to the individual student. Each Field Report will be worth 10% of your grade and will be marked Honors (10 points), Pass (5 points), or Fail (0 points). 10% of your grade will be determined by your participation in the Field Lab for this
course.

4. Class participation: 20%
   This includes attendance (required), being prepared for class, and being willing to engage in class discussions with your peers and your professor.

HONOR CODE
Semester at Sea students enroll in an academic program administered by the University of Virginia, and thus bind themselves to the University’s honor code. The code prohibits all acts of lying, cheating, and stealing. Please consult the Voyager’s Handbook for further explanation of what constitutes an honor offense.

Each written assignment for this course must be pledged by the student as follows: “On my honor as a student, I pledge that I have neither given nor received aid on this assignment.” The pledge must be signed, or, in the case of an electronic file, signed “[signed].”