
INTRO. TO HISTORY, LAW & SOCIETY in Fall 2018 (HI2030B)

Course Code	HI2030B	Professor(s)	Michelle Kuo
Prerequisites	None	Office Number	PV-204
Class Schedule	TF: 16:55-18:15 in C-103	Office Hours	By appointment
Credits	4	Email	mkuo@aup.edu
Semester	Fall 2018	Office Tel. Ext.	705

Course Description

How does law shape social change, and what forces shape the law? This course examines this question through readings of social theorists, including Tocqueville, Marx, Durkheim, and Foucault. We examine gripping historical and contemporary cases, including the death penalty and asylum. Readings come from history, literature, sociology, and legal opinions.

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; write persuasive and analytically rigorous papers that demonstrate interdisciplinary thinking.

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

General Education

[PLEASE EDIT OR REMOVE THE FOLLOWING TEXT AS APPLICABLE]

The general education program at AUP consists of four requirements: Speaking the World, Modeling the World, Mapping the World, and Comparing Worlds Past and Present.

This course can be used to fulfill the [INDICATE THE REQUIREMENT(S) FULFILLED BY THE COURSE] requirement and as such has the following learning outcomes:

[INDICATE THE GENERAL EDUCATION LEARNING OUTCOMES]

Course Outline

Punishment

Week One, 10 September

Tuesday 11th

Syllabus Distributed

Friday 14th

Rachel Aviv, "The Science of Sex Abuse" (on Blackboard)

Larissa Macfarquhar, "When Should a Child Be Taken from His Parents?" (on Blackboard)

Week Two, 17 September

Tuesday 18th

Foucault, *Discipline and Punish*, Ch. 1

Friday 21st

Foucault, *Discipline and Punish*, Ch. 2

Rachel Aviv, "Where Is Your Mother?"

Week Three, 24 September

Tuesday 25th

Mitigating Circumstances, Death Penalty 1

Friday 28th

Mitigating Circumstances, Death Penalty 2

Basic *Trial Advocacy* on direct and cross examination (on Blackboard).

No class. Meet with your groups for your practice scenarios.

You will do a practice cross and direct examination in front of the class on Tuesday. Bring your hard copy to class.

Week Four, 1 October

Tuesday 2nd

Basic Trial Advocacy (opening and closing statements)

Friday 5th

Prep for Mock Trial

Week Five, 8 October

Tuesday 9th

Mock Trial 1, Punishment, Presentations Today

Friday 12th

Mock Trial 1, Punishment, Presentations Today

Paper Topics Distributed on October 12th

International Justice

Week Six, 15 October

Tuesday 16th

Asylum Law Cases

Rough Draft of Paper Due

Friday 19th

Asylum Law Cases

Week Seven, 22 October**Tuesday 23rd**

Asylum Law Cases

No class. Meet with your groups to prepare for asylum mock trial.

Final Draft of Paper Due By Email.

Friday 26th

Christopher Browning, *Ordinary Men*

Guest Lecture, Albert Wu

Week 8, 29 October**Tuesday 30th**

Philippe Sands, *East West Street*, excerpt

No class – post response to Philippe Sands on Blackboard

Friday 2nd

Fall Break

Week Nine, 5 November

Tuesday 6th

Nuremberg Trial Transcripts

PART 3, SOCIAL THEORY**Friday 9th**

Edmund Burke, excerpts

Week Ten, 12 November**Tuesday 13th**

Tocqueville, *Democracy in America*

Friday 16th

Tocqueville, *Democracy in America*

Week Eleven, 19 November**Tuesday 20th**

Marx, Communist Manifesto

Friday 23rd

Marx, Communist Manifesto

Week Twelve, 26 November**Tuesday 27th**

Foucault, continued

Friday 30th

David Garland on Durkheim

No class: Nuremberg and Rothenburg study

trip. Meet with your groups for your presentations next week.

Week Thirteen, 3 December

Tuesday 4th

Hannah Arendt, *Origins of Totalitarianism*

Friday 7th

Mock Trial 2, Refugees and Asylum

Week 14, 10 December

Tuesday 11th

Mock Trial 2, Refugees and Asylum

Make-up Classes:

Tuesday, November 13th, 6:30 – 8:30 PM, C-103 – Film

Monday, December 10, 6:30 – 8:00 PM, C-103 (depending on how your preparation is going, we will either do mock trials or a writing workshop to help you with your papers)

Thursday, December 13, 2-4:40 PM. Make-up Class, PV-1. We shall review for the take-home final exam.

To prepare for this session, please read David Garland on Foucault (on Blackboard).

Textbooks

Title	Author	Publisher	ISBN	Required
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Discipline and Punish	Foucault	Vintage	9780679752552	Yes
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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

Active class participation (includes journals)	20%
Paper, including revision (7-9 pages)	20%
Mock Trials (ongoing)	25%

Final exam	20%
Quizzes	15%

Course Policies

General Policies. Come to class, on time. Turn off your cellphone. Plan to take notes by hand, as I do not permit use of computers. Listen when others speak and consider changing your mind. You are allowed two unexcused absences without penalty.

Requirements for Written Work. All written work should be properly formatted, proofread, and submitted in hard copy.

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.

Office Hours. By appointment.

Requirements for Written Work. All written work should be properly formatted, proofread, and submitted in both hard copy and email (mkuo@aup.edu).

Reading Journal. At the beginning of each class, you will read aloud your paragraph with another person in class. This is to help you (1) hear your words aloud and how they sound, (2) remember that you are not writing for me but for a broader audience. Please keep your reading journal together in a notebook or folder. If you choose to handwrite, make sure the writing is legible. For each class, choose one quote from the reading and respond with a full paragraph. These sentences should reflect your own thoughts and attention to elegant, concise prose. Some suggestions: Choose a quote that is surprising, thought-provoking, or that inspires comparisons with other countries or contemporary situations. Can you connect an idea to your own home country, to a different time period, or to another work that we have read? What

words, images, or examples does the writer use to convey his argument?

You will turn in the reading journal at the end of the semester. Approximately three times this semester, I will teach a technique of writing, and ask you to revise. This revision will be graded.

Writing Checklist.

- A paragraph is roughly a third to two thirds a page, double-spaced. It is typically five to eight sentences, sometimes longer. But a **paragraph should be shorter than a page**.
- Avoid **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.
- Use **strong topic sentences** that 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 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.
- 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 Journal (every class)

Paper. Rough Draft due October 30. We'll work through your drafts. Final Draft due on Dec 22nd at 11:59 PM.

Mock Trial Documents (cross, direct, opening, closing, affidavits)

Be prepared to discuss the readings assigned for the given day.

Other
