

<b>Course title:</b>	<b>Law, Society and Politics in Comparative Perspective</b>
<b>Instructor:</b>	Ellie Frazier
<b>Email address:</b>	kafrazie@ucsc.edu
<b>Track:</b>	A-Track
<b>Language of instruction:</b>	English
<b>Contact hours:</b>	48 (6 per day)
<b>ECTS credits:</b>	5
<b>Prerequisites:</b>	Students should be able to speak and read English at the upper intermediate level (B2) or higher. No prior knowledge of law or social science is required; the only prerequisite is an open mind.

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### Course Description

This course explores the intersection of law, society and politics, and aims to foster discussion of contemporary issues among students from different cultures and disciplines. After an introduction to law and legal culture, we will engage with classical social theorists as well social scientists who examine the impact of law on issues such as morality, crime and punishment, free speech, inequality, and private property. Throughout the course students will be invited to consider 1 - how law simultaneously plays complex constitutive, regulative and coercive roles in society; 2 - that there are both state and non-state legal systems; and 3 - how an individual's place in society affects experiences, values or choices. Students will also develop written and oral communication skills to express informed opinions about issues in law and society, as well as intercultural competence through discussion with other students.

### Student Profile

This course is open to all students with an interest in law and/or the social sciences – in particular, history, sociology or politics. It is designed as an undergraduate class, but the variety of students taking this course typically ranges from first-year students to post-graduate students. This experiential diversity provides unique opportunities for students to learn from one another.

### Course Requirements

Students are expected to **attend** each class; **read** the literature assigned for each class; and **participate** in class discussions and excursions. In addition to active participation, each student will complete (at least) one written protocol that analyzes assigned readings; make a short in-class presentation on a topic related to one of the daily themes; and take a written final examination.

### Required language skills

The language of instruction is English. Language proficiency on an advanced Intermediate level (Mittelstufe II) is a prerequisite for participation. For orientation purposes, you can assess your language skills here (Common European Framework of Reference for Languages (CEFR):

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168045bb52>

**Grading**

The grade for this course will be based on:

class participation and attendance                    35%  
 an oral in-class presentation (10 minutes)    25%  
 and a written final exam                                    40%

**Reading**

A digital reader will be provided.

Date	Program*
Monday, July 22, 2024	<p><b>LAW, CULTURE, AND PLURALISM</b></p> <p>What is law, and how does it differ from norms or rules? What is meant by legal culture? What tensions exist between culture and law, and how can conflicts be resolved?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b>            Norms, customs, rules, laws            What is a norm in Berlin?</p> <p><b><u>Session 2 (11:00 - 12:30)</u></b>            Pluralism, Norms, &amp; Formal Law</p> <p><b><u>Session 3 (14:00 - 15:30)</u></b>            Law as Tool of Exclusion in a Pluralistic Society            Excursion: Schöneberg - Orte des Erinnerns im Bayerischen Viertel (Places of Remembrance in the Bavarian Quarter) (weather permitting)</p>
Thursday, July 25, 2024	<p><b>LEGAL INSTITUTIONS AND ACTORS</b></p> <p>What is the role of law in society? What are the functions of courts? What are the roles of lawyers? What are the functions of law according to Durkheim and other theorists?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b>            Theories of Law and Society</p> <p><b><u>Session 2 (11:00 - 12:30)</u></b>            Lawyers and Litigation's Functions</p> <p><b><u>Session 3 (14:00 - 15:30)</u></b>            Durkheim and the relationship between economy, social cohesion, and punishment</p>

<p>Monday, July 29, 2024</p>	<p><b>LAW &amp; EUGENCIS IN NAZI GERMANY AND THE US</b></p> <p>What was the role of law in Nazi Germany? Did law restrict or embolden the Nazis? How were criminality and punishment related to racist eugenic ideas in both the US and Nazi Germany? Why is remembering this history important to a political community?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b> Punishment as a means of social control-Eugenics and criminality in the US and Germany</p> <p><b><u>Session 2 (11:00 - 12:30)</u></b> Law in and after Nazi Germany &amp; the Politics of Memory</p> <p><b><u>Session 3 (14:00 - 15:30)</u></b> Excursion: Criminalization, Punishment, and State-Execution based on Race, Religion, Sexual Orientation, and (Dis)Ability by the Nazis: Memorials to the Jewish, Roma and Sinti, Disabled, and Homosexual victims of the Holocaust</p>
<p>Thursday, August 1, 2024</p>	<p><b>TRADITIONAL AND CONTEMPORARY PERSPECTIVES: CRIME AND PUNISHMENT-S/D</b></p> <p>Why punish? Why do people obey (or disobey) the law? Why are some countries/cultures more punitive than others?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b> Foucault, Delinquency, and Surveillance</p> <p><b><u>Session 2 (11:00 - 12:30)</u></b> Deterrence Legitimacy/Authority and Identity</p> <p><b><u>Session 3 (14:00 - 15:30)</u></b> Punishment as Social Control. Excursion: Gedenkstätte Berlin-Hohenschönhausen (Prison for the former East German Ministry of State Security/'Stasi')</p>
<p>Monday, August 5, 2024</p>	<p><b>TRADITIONAL AND CONTEMPORARY PERSPECTIVES: MORALITY, PENAL LAW AND (DIS)OBEDIENCE-S</b></p> <p>What was the role of law, courts and prisons in the German Democratic Republic (GDR)? How does this relate to the theories we have learned so far?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b> Comparative Crime and Punishment</p> <p><b><u>Session 2 (11:00 - 12:30)</u></b> Spying and Political Authority in the GDR</p>

	<p><b><u>Session 3 (14:00 – 15:30)</u></b>          Memorializing the Russian liberation and communist East Germany          Excursion: Soviet War Memorial Treptower Park</p>
Thursday, August 8, 2024	<p><b>LAW, PROPERTY AND POWER</b></p> <p>How does law operate in society according to Marx? How does law entrench power relations? How can law be used to challenge power relations? How does law relate to the economic system in society?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b>          Marxist Theory of Law, Ideology, and Property</p> <p><b><u>Session 2 (11:00 - 12:30)</u></b>          Alternatives to private property &amp; Contemporary Debates about Property</p> <p><b><u>Session 3 (14:00 - 15:30)</u></b>          Alternatives to Private Property          Excursion: Street Art, Squatting, and Alternative Berlin</p>
Monday, August 12, 2024	<p><b>STUDENT PRESENTATIONS</b></p> <p><b><u>Session 1 (9:00 - 10:30)</u></b>  <b><u>Session 2 (11:00 - 12:30)</u></b>  <b><u>Session 3 (14:00 – 15:30)</u></b>          Student Presentations</p>
Thursday, August 15, 2024	<p><b>RIGHTS AND THEIR LIMITS; FINAL EXAMINATION</b></p> <p>What are the proper limits on freedom of speech and freedom of association?</p> <p><b><u>Session 1 (9:00 - 10:30)</u></b>  <b><u>Session 2 (11:00 - 12:30)</u></b>          Regulating the Freedom of Speech</p> <p><b><u>Session 3 (14:00 – 15:30)</u></b>          Final (Written) Examination</p>

\*Excursions may be subject to change depending on the availability of appointments, speakers or weather conditions. On excursion days, it may be necessary to adjust the class meeting times.