

LEGAL STUDIES HONORS THESIS SEMINAR

Legal Studies 198

Fall 2010

Wednesdays, 10:00 AM to 12:00 PM

101 Wheeler

Instructor: Professor Michael Musheno
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OH: W 1-3

Legal Studies Research Fellow: Brent K. Nakamura
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OH: Th 2:30 – 3:30

Course Description

The Honors Thesis Seminar Team welcomes you to a 2-unit credit/no-credit class designed to guide you in the development and completion of an honors thesis research proposal. We will meet for two hours on Wednesdays and introduce students to the conduct of research and a wide variety of social science, humanities, and legal research methodologies. It is the first part of the Legal Studies Honors Program with Legal Studies H195A following it. In the Spring Semester, Honors students will work independently under the supervision of a Legal Studies or Berkeley Law School faculty member, write an honors thesis, and ultimately, when the thesis is judged to be of honors-quality, receive departmental honors at graduation.

Students must submit all assignments in order to receive a passing grade in the LS198 course. Students must pass LS198 in order to be eligible to enroll in LS H195A and to be eligible for departmental honors.

Generally, each class will begin with a substantive presentation and continue in the second hour with a discussion section. Beginning in Classes 13 and 14, student presentations will be given as well.

Assignments

All assignments are due on the date indicated on the syllabus in Microsoft Word (preferred) or other word processing program format. Reviewed assignments will be returned by the following class. Unless otherwise indicated, assignments must be submitted via e-mail to Brent (bnakamura@berkeley.edu) by 10:00 AM on the day they are due (typically on Wednesday).

Required Readings

All readings and supporting documents will be available on the course website on bSpace or by following the links listed on this syllabus. The required readings are not substantial but you are expected to complete them before the class period for which they are listed.

Schedule of Classes

Class 1: Course Introduction & What Do We Mean by Research in Legal Studies?

Wednesday, September 1

In- Class Presentations:

1. Introductions – Professor Musheno, Su Li, Brent Nakamura, and Legal Studies Honors Seminar Participants
2. Fundamental Ingredients of Legal Studies Research (Musheno)

Reading: Calavita, Kitty. *Invitation to Law and Society: An Introduction to the Study of Real Law*. Chicago: University of Chicago Press, 2010. Chapters 1,8.

Assignments Due: **Pre-Survey** (due to Brent via e-mail by Tuesday, August 31 at 11:59 PM)

Class 2: Legal Research and Legal Scholarship

Wednesday, September 8

In-Class Presentation: Nakamura and Rowen

Readings: Three Legal Documents & One Law Review Article:

1. *Graham v. Florida*, 130 S.Ct. 43 (Mem), 174 L.Ed.2d 627, 78 USLW 3097, U.S., September 04, 2009 (NO. 08-7412), available at <http://www.supremecourt.gov/opinions/09pdf/08-7412.pdf>
2. Brief of Plaintiff-Appellant, *Graham v. Florida*, available at http://www.abanet.org/publiced/preview/briefs/pdfs/07-08/08-7412_Petitioner.pdf
3. Brief of Defendant-Appellee, *Graham v. Florida*, available at http://www.abanet.org/publiced/preview/briefs/pdfs/07-08/08-7412_Respondent.pdf
4. Magnuson, Marina Ann, "Taking Lives: How the United States has Violated the International Covenant of Civil and Political Rights by Sentencing Juveniles to Life Without Parole," 14 U.C. Davis J. Juv. L. & Pol'y 163 (2010)

Class 3: Socio-Legal Research and Scholarship

Wednesday, September 15

In-Class Presentation: Musheno

Readings: Two Legal Studies Readings:

1. Morrill, Calvin et al. "Telling Tales in School: Youth Culture and Conflict Narratives." *Law & Society Review* 34.3 (2000): 521-565.
2. Oberweis, Trish and Michael C. Musheno. "Policing Identities: Cop Decision Making and the Constitution of Citizens." *Law & Social Inquiry* 24.4 (1999): 897-923.

Class 4: Law Library Introduction & Research Topics

Wednesday, September 22

PLEASE NOTE: CLASS MEETS IN 115 Boalt¹

In-Class Presentations:

1. Law Library Presentation: I-Wei Wang (iwang@law.berkeley.edu)
2. Introduction to Literature Reviews & Annotated Bibliographies

Readings:

1. Berg, Bruce, *Qualitative Research Methods for the Social Sciences*, Allyn & Bacon, 2006, Chapters. 1,2
2. Lipson, Charles, *How to Write a BA Thesis*. University of Chicago Press, 2005, pp. 23,24, 66-77.

Assignment Due: #1 Distinguishing Legal/Socio-Legal Scholarship

Class 5: Research Question

Wednesday, September 29

In-Class Presentation: Keramet Reiter (keramet@berkeley.edu) & Alexander Rosas (arosas@berkeley.edu)

1. JSP Student Presentations I on Research Topics and Questions
 - a. Alexander S. Rosas
 - b. Keramet Reiter
2. Discussion of Research Questions/Research Thesis Statements

Readings:

1. Small, Mario Luis. "Lost In Translation: How Not to Make Qualitative Research More Scientific." Working Paper. Princeton University.
2. [Skim] Thacher, David. "The Normative Case Study." *American Journal of Sociology* 111.6 (2006): 1631-1676.
3. Reiter, Keramet Ann. Excerpt from Doctoral Dissertation Research Proposal: "The Most Restrictive Alternative: The Origins, Function, Implications and Control of the Supermax Prison, 1976-2010."
4. Rosas, Alexander S. Dissertation Overview: "Diversification of the Republic: Muslims and Multiculturalism in Contemporary France."
5. Brief Statement on Research Questions & Research Thesis Statements

Assignment Due: #2 Your Preliminary Statement of a Research Topic and Annotated bibliography of 10 sources (in correct citation form) Relevant to the Topic.

Class 6: Using the Library: Literature Review & Annotated Bibliography

Wednesday, October 6

PLEASE NOTE: CLASS MEETS AT MOFFITT 450C

In-Class Presentation:

Librarians Jesse Silva (jsilvaucb@gmail.com) & Theresa Salazar (tsalazar@library.berkeley.edu)

Readings: Sample Literature Reviews (from JSP doctoral students)

Assignment Due: #3 Statement of Preliminary Research Question

¹ 115 Boalt is a medium-sized seminar room on the Western side of Boalt, first floor (note "first" floor is, at least from the western entrance, one level up from the ground floor). Please note that 115 Boalt is a "no food" classroom.

Class 7: Quantitative Research Methods

Wednesday, October 13

In-Class Presentation: Li

Readings:

1. Morrill, Cal et al, The Paradox of Rights and Race Among Youth, *Law & Society Review*, Volume 44, Issue No. 4, 2010
2. Ragin, Charles C. *Constructing Social Research: the Unity and Diversity of Method*. Pine Forge Press, 1994, pp.131-153.

Class 8: Survey and Interview Methods

Wednesday, October 20

In-Class Presentation: Nakamura & Christina Stevens (stevenscl@gmail.com) on Surveys; Musheno & Rowen on Interview Protocols

Readings:

1. Rowen, Jamie R. "Interview Questions"
2. Musheno, Michael C. and Susan Ross. "Deployed Description Honors Seminar"
3. Musheno, Michael C. and Susan Ross, *Deployed: How Reservists Bear the Burden of Iraq*. Ann Arbor: University of Michigan Press, 2009 (Paperback Edition), Appendices A & B
4. Musheno, Michael C. and Susan Ross. "Deployed Interview Protocol"
5. Stevens, Christina L. "Classified Information: Weighting and Attitudes."
6. Hans, Valerie P., *Business on Trial: The Civil Jury and Corporate Responsibility*, Yale University Press, 2000, pp. 17-21, 36-39, 50-78.
7. Soss, Jo, "Talking Our Way to Meaningful Explanations: A Practice-Centered View of Interviewing for Interpretative Research," in Dvora Yanow and Peregrine Schwartz-Shea (eds.), *Interpretation and Method*. London: M.E. Sharpe, 2007, pp. 127-49.

Assignment Due: **#4 Final Submission of Revised Thesis Topic and Research Questions.**

9: Historical & Archival Research

Wednesday, October 27

In-Class Presentation: Professor Charles McClain (cmclain@law.berkeley.edu) & Ashley Rubin (11:15 AM) (poenny@gmail.com)

Reading:

1. Rubin, Ashley T. "Statement of Research"
2. Howell, Martha and Walter Prevenier, *From Reliable Sources: an Introduction to Historical Methods*, Ithaca: Cornell University Press, 2003, pp. 69-100

Assignment Due: **#5 Literature Review**

Class 10: Qualitative Field Research Methods

Wednesday, November 3

In-Class Presentation: Musheno & Team

Readings:

1. Musheno, Michael C. and Susan Ross, *Deployed: How Reservists Bear the Burden of Iraq*. Ann Arbor: University of Michigan Press, 2009 (Paperback Edition), pp. 1-14; 149-159; 183-191
2. Emerson, Robert, Rachel Fretz, and Linda Shaw, *Writing Ethnographic Fieldnotes*. Chicago: University of Chicago Press, 1995, pp. 1-16

Class 11: Historical, Comparative, Theoretical Methods

Wednesday, November 10

In-Class Presentation: Katie Heard (kathryn.heard@berkeley.edu) & Rowen

Readings:

1. Rowen, Jamie R. "Research Outline"
2. Heard, Kathryn. "Unframing the Death Penalty"
3. Constable, Marianne. "On Not Leaving Law to the Lawyers." In Sarat, Austin, ed., *Law in the Liberal Arts*. Ithaca: Cornell University Press, 2005, pp. 69-83.
4. Ragin, Charles, *The Comparative Method*. Berkeley: University of California Press, 1987, pp. 34-56

Assignment Due: #6 Statement of Anticipated Research Method(s)

Class 12: Dealing with Research Challenges

Wednesday, November 17

In-Class Presentations: David Kwok (davidkwok@berkeley.edu), Larisa Mann (larisa@berkeley.edu), Alexa Koenig (kalexakm@berkeley.edu)

Readings:

1. Kwok, David. "Insights on the Coordination of Private & Public Law Enforcement from the False Claims Act"
2. Koenig, K. Alexa. Doctoral Dissertation Overview. "'The Worst': Institutional Cruelty, Resistance and the Law."
3. Koenig, K. Alexa. Doctoral Dissertation Excerpt. "'The Worst': Institutional Cruelty, Resistance and the Law."
4. Mann, Larisa. Doctoral Dissertation Overview.
5. [Please read only 447-457 & 462-470] Manuel, Peter and Wayne Marshall. "The riddim method: aesthetics, practice, and ownership in Jamaican dancehall." *Popular Music* 25.3 (2006): 447-470.

Class 13: Student Research Proposal Presentations I

Tuesday, November 23

PLEASE NOTE: CLASS MEETS IN 2240 PIEDMONT SEMINAR ROOM FROM 5:00 PM to 7:00 PM

In-Class Presentation: Honors Seminar Students

1. Anne Wang (Discussants Laci Cyrus & Amy Belsher);
2. Andrea Waters (Discussants Cheryl Jamison & Phil Giammona);
3. Aurelia Olivas (Discussants Carlos Molina III & Anne Wang);
4. Katie Gonzalez (Discussants Jessica Burns & Heather Nivera);
5. Carlos Molina III (Discussants Aurelia Olivas & Queeny Chow);
6. Laci Cyrus (Discussants Anne Wang & Heather Nivera); and
7. Amy Belsher (Discussants Chase Burton & Queeny Chow).

Readings: Legal Studies Honors Student Abstracts and Research Documents

Assignment Due: **# 7 Preliminary Research Proposals & Abstracts**

Class 14: Student Research Proposal Presentations II

Tuesday, November 30

PLEASE NOTE: CLASS MEETS IN 2240 PIEDMONT SEMINAR ROOM FROM 5:00 PM to 7:00 PM

In-Class Presentation: Honors Seminar Students

1. Cheryl Jamison (Discussants Chase Burton & Aurelia Olivas);
2. Shelbi Keehn (Discussants Cheryl Jamison & Jessica Burns);
3. Phil Giammona (Discussants Joon Shin & Katie Gonzalez);
4. Joon Shin (Discussants Phil Giammona & Shelbi Keehn);
5. Chase Burton (Discussants Andrea Waters & Katie Gonzalez);
6. Queeny Chow (Discussants Amy Belsher & Andrea Waters);
7. Jessica Burns (Discussants Shelbi Keehn & Joon Shin); and
8. Heather Nievera (Discussants Laci Cyrus & Carlos Molina III).

Readings: Legal Studies Honors Student Abstracts and Research Documents

Assignment Due: **#8 Final Research Proposals are due on the last day of instruction, Friday, December 10, by 11:59 PM via e-mail to Brent.**