

Proposed: Law and Society Minor

Sponsored by: Departments of Political Science, History, Philosophy, Sociology and Criminology, Communications, Theology and Religious Studies

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I. PROGRAM DESCRIPTION

Overview and Background: We would like to create a new interdisciplinary minor in Law and Society. This program, when paired with a related major, can provide clear pathways for students interested in pursuing careers in legal practice, corrections, enforcement, and public policy, whether in a domestic or international context. Interest in law school is surging nationally. For example, law school applications were up by 28% this past year. We have witnessed this growing interest directly ourselves at JCU with a record number of students showing interest in the 3+3 program with Case (32 of the incoming class). The Legal Studies track in Political Science, upon which this new proposed minor is based, is the most popular track in the major, representing 40% (43 of 107) declared and intended majors. In addition, the Criminology track in Sociology has been steadily growing. In 2021, 18 of 30 Sociology and Criminology majors graduated from this track, up from 13 and 16 in the two previous years. As JCU is looking to invest in program pairings that represent the “future of work,” we believe a Law and Society program represents a real growth opportunity for our school.

Traditionally, law schools have not required any particular major or curricular requirements for law school applicants. Similarly, work in corrections, enforcement, and policy are open to various majors. Nonetheless, we believe a program like this can be quite attractive to students who are seeking more clearly articulated pathways to a career. In addition, we do believe the program can provide excellent preparation: within their chosen major’s discipline, they will be challenged to develop the requisite research, critical thinking, and writing skills that will be necessary in their chosen vocational path. In addition, in the Law and Society minor, they will develop a broader understanding of how legal institutions operate within society. Introduced to the varieties of law, they can more informedly choose a pathway that dovetails with their own calling.

Currently, the Department of Political Science’s concentration in Legal Studies concentration is already interdisciplinary with courses from various other departments on the list of approved courses. The interdisciplinary Law & Society minor will entirely replace the existing PO concentration. The idea is to make two basic changes: 1) to allow students from other majors to have access to the newly branded Law and Society program; 2) to make the program more capacious in its purview, including new courses that would be helpful to students who might

wish to pursue other career pathways besides legal practice, including careers in corrections, enforcement, and policy.

How the Law and Society minor will improve the student experience:

1. As we know, students from myriad disciplinary backgrounds attend law school, not only Political Science students. We want to open the substance of the concentration to other majors by offering an interdisciplinary minor. Students will be able to have a clear, transcribed path to law school from any major in the University.
2. By adding more eligible courses, especially in the area of criminology, we are allowing students to see the law from additional vantage points. Students will see the broader intersection of social institutions, appreciating more fully how the law is linked to patterns of class, geography, and privilege.
3. A new minor in Law and Society will be a marketing advantage to the school, making JCU a destination school for those who wish to pursue careers not just as attorneys, but as professionals in corrections, enforcement, and policy.
4. A new minor in Law and Society will allow us to connect (or re-connect) with the many JCU alumni who are now in professional fields, experts whose experience transcends their particular area of study at JCU. Our experience tells us that these alumni are more than happy to provide current JCU students with guidance and support, and the minor would give them a broader and more structured way to do so.

How the Law and Society minor strengthens the academic mission of the University:

The law and society minor will be the product of collaboration between social sciences and humanities departments. As such, students completing the curriculum will be especially strong in the following JCU academic learning goals:

1. **Develop an integrative knowledge of the human world:** By focusing on the law and contextualizing it within broader societal frameworks, students gain a broader understanding of the human world than a single discipline can offer.
2. **Develop habits of critical analysis:** Through an interdisciplinary focus, multiple pedagogies including the well-known case-based, Socratic approach to learning about bodies of law, the minor provides students with critical and analytical tools as well as the practice to apply them substantively, historically, and thematically (e.g. through a deeper dive into Civil Rights and Liberties).
3. **Communicate skillfully in multiple forms of expression:** These courses require writing of various sorts (e.g. briefs, critical analyses, longer research papers) and

many assignments for oral presentations as well. Naturally, students will want to emulate attorneys, many of whom are gifted and well-practiced orators.

4. **Act competently in a global and diverse world:** Starting with LS 101, various courses in the minor look at the operations of law within a comparative and international context. By considering how the law is conceived and operates within different nations, students will better appreciate how society and the law shape one another. Domestically, as the United States changes its demographic composition, its legislators struggle with the best ways to navigate a country with an increasingly diverse and international population. There are many complex and timely issues contained in the courses that students will engage with (e.g. enhanced penalties for hate crimes, tokenism vs. large-scale desegregation, protests vs insurrections). Through exposure and discussion with these issues, they will learn to appreciate multiple perspectives and thus act wisely in the face of conflicting evidence and perspectives.
5. **Understand and promote social justice:** A lawyer is “a public citizen having special responsibility for the quality of justice” (ABA Canon of Professional Ethics). Similarly, the International Association of Chiefs of Police pledges to uphold “the constitutional rights of all to liberty, equality, and justice.” (IACP Code of Ethics). Many of our JCU students embrace such notions and want to help change the world. When they confront the issues in the minor however, they come to understand that, although everyone wants to act justly, agreement on what that means breaks down across context. Arguing with their colleagues who are similarly determined to pursue social justice often opens them up to the validity of competing perspectives, itself a necessary component to pursuit of social justice in a diverse country and world.
6. **Apply a framework for examining ethical dilemmas:** Our faculty teaching in this minor have unusual breadth and depth in this area. Political theorists, philosophers and professors of Theology & Religious Studies all offer or are developing courses in the minor, offering a variety of frameworks for students to learn, adapt, and compare.

Prevalence of comparable programs at similar institutions, and in the geographic region: With a growing emphasis in higher education on connecting education to vocation, Law and Society minors seem increasingly common. A quick online search of Ohio institutions shows that interdisciplinary programs exist at Oberlin College, The Ohio State University, The Ohio University, Miami University, Otterbein, and the University of Dayton. With our own native strengths in this field, it behooves JCU to more fully elevate and advertise our proposed program.

Relationship between proposed program and existing programs: We already have a successful interdisciplinary concentration in Political Science at JCU; the goal is to open up the program to other majors and to expand its purview, so as to enrich its curriculum and career pathways. There are no competing programs at JCU with similar program goals and learning outcomes, though it will be an excellent complement to many of our majors.

Providing an opportunity for students across JCU to complete a Law and Society minor could cause the Political Science Department to lose some majors. But it may also attract some students to Political Science courses who would not major in PO but would complete this interdisciplinary minor. We also see the minor as better supporting JCU's growing pre-law initiatives, currently located loosely around the Legal Studies Concentration and the Pre-Law adviser, with support from CAS. We do not know of any existing minors or majors with similar names or for whom conflict may exist.

II. PROGRAM CURRICULUM

This will be an interdisciplinary minor called Law and Society, comprised of 18 credits, including one required gateway course and 15 credits of electives, 6 of which must be completed at the 300/400 level. Some of the courses listed do have prerequisites within particular majors, so students will have the opportunity to pursue areas of expertise under the larger Law and Society umbrella. The gateway course, Law & Society 101, will be an interdisciplinary course that can be taught by faculty from various departments. We already have volunteers to develop the class. Given the success of the current concentration, we will build upon its current offerings (see https://jcu.edu/sites/default/files/2021-12/John%20Carroll%202021-2022%20Undergraduate%20and%20Graduate%20Bulletin%2012_6_2021.pdf) (pp. 167-8), adding additional course work from Humanities and Social Science departments.

Rationale for the program requirements: The current requirements offer students courses that use a case-based pedagogical approach similar to how students will learn in most law schools. They also can select from a range of departmental course offerings so they can select based on their interest. In part, course requirements and electives have been based in part on the strengths of our faculty in the concentration. A new governing structure will be put in place around the minor (see below) which may recommend changes.

Course descriptions, including prerequisites and sequencing of courses:

Requirements:

- **Law and Society 101:** An inquiry into the relationship between the law and social structure, both in the US and global contexts. Includes considerations of how laws are

formulated, enforced, and challenged. Will explore how legislatures, courts, enforcement, and corrections serve public interests, while also perpetuating patterns of social inequality.

- **Interdisciplinary Distribution:** In the 15 additional required credit hours, students must have three different disciplines represented, helping ensure they view the operation of law within society from various disciplinary vantage points. 6 of these credits must be completed at the 300/400 level.

Electives (15 credits): This is an initial list of elective courses, but the Law and Society committee (described below) will review petitions for new classes to be added to the minor.

- **COM 349 Communication Law.** Survey of major topics in U.S. communication law that are essential knowledge for all communication professionals, who must be aware of the risk of lawsuits as well as their constitutional and legal rights. Examines how interpretation of the First Amendment has evolved over time through landmark Supreme Court decisions. Segments on defamation (libel and slander), broadcast and internet regulation, commercial speech, copyright, privacy rights, public access to information and places, the rights of student media, and international communication law.
- **HS 114 Trials of the Century.** Examines 10 to 12 notable trials from the 15th to the 20th centuries. Analyzes individual cases, but also larger issues that attracted attention to each trial. Issues considered include not only what makes a trial “fair” but also freedom of thought, freedom of religion, slavery, “revolutionary justice,” and genocide.
- **HS 125 Introduction to Human Rights (also taught as PJHR 101).** Survey of thinking on human rights from antiquity to the present, with special attention to the Universal Declaration of Human Rights and other post-1945 developments. Case studies may vary, but will generally include such key human rights concerns as slavery, humanitarian intervention, refugees and displaced persons, post-conflict reconstruction, human trafficking, torture, and the death penalty.
- **HS 175 Latin American Dictatorships: Globalization, U.S. Foreign Policy, and Human Rights.** Introduction to military-run regimes in Latin America as a way to understand the global influences at work in the area. The impact of dictatorships on human rights, as well as of the multi-layered responses by civil societies to cope with state-run terrorism. Impact of U.S. foreign policy in Latin America.
- **HS 464 Genocide & War Crimes.** Examines the period from the First World War to the present. Close study of the evolution of international understanding of genocide, crimes

against humanity, and human rights violations through selected case studies. Focus on social, political, economic, and cultural factors in the perpetration of atrocities. Development of human-rights protections and adjudication; also, the potential for reconciliation.

- **PJHR 150 Conflict Resolution:** Introduction to positive conflict transformation tools like empathetic and active listening, non-violent communication, assertion, facilitation, negotiation, mediation, interactive conflict resolution, circle processes, and more. Explores the multiple ways in which conflict arises, the patterns it follows, how it is expressed, and the different ways in which people, communities, and groups approach conflict. Also considers barriers to effective communication that are characteristic to conflict, the ways in which productive communication can be established, and different cultural approaches to communication in conflict.
- **PJHR 300 Transitional Justice.** Covers the ways in which societies emerging from authoritarianism and intractable civil wars and transitioning to a peaceful post-conflict existence address legacies of past crimes, injustices, and human rights violations. How do we deal with past atrocities or conflicts and still build strong foundations communities to live together? Is justice or forgiveness the best option? Are these the only options possible? Does truth-telling provide a guarantee that communities will be able to live together again? Is justice required for painful memories of past acts to be put to rest? Is it possible to pursue both justice and reconciliation at the same time? Students will also examine the dilemma that many post-conflict societies face; whether to seek reconciliation with past enemies or exact revenge for their deeds. Case studies include South Africa, Rwanda, El Salvador, Cambodia, Sierra Leone, Germany, Iraq and the U.S. handling of issues such as Japanese internment.
- **PL 320 Philosophy of Law** Exploration of theories concerning the nature of law. Special emphasis on the distinction between law and coercion and the relationship between law and morality. Elements of legal reasoning in case law, statutory interpretation, and constitutional adjudication will be discussed in addition to some fundamental aspects of legal liability.
- **PO 213 Wrongful Convictions** Examines theories explaining why wrongful convictions occur, including discussions of witness identification, false confessions, perjured testimony from informants, ineffective counsel, and police and prosecutorial misconduct. Addresses consequences of wrongful conviction and proposed remedies.
- **PO 314A American Constitution Development Pre-1865** Analysis of the U.S. Constitution and the system of government which it established. Emphasis on the historical context in which it was negotiated, ratified, and implemented.

- **PO 314B AMERICAN CONSTITUTIONAL DEVELOPMENT 1865-1965** Development of the American Constitutional System from the Second Founding at the conclusion of the Civil War through the Civil Rights Movement of the 1960s. Emphasis on legal change over time between capital and labor, political regulations of the economy, and protection of the civil and political rights of minority populations.
- **PO 317 JUDICIAL POLITICS** Analysis of the role of the courts in the political process and the impact of law on society: structure of federal and state judiciaries, judicial selection, models of judicial decision-making, and the implementation of judicial decisions.
- **PO 334 INTERNATIONAL INSTITUTIONS, LAW, AND HUMAN RIGHTS** Focus on international organizations such as the International Criminal Court that help the international community cope with egregious abusers of human rights. Analysis of their structure, theory, procedure, operation, and problems, as well as their role in maintaining peace and security among member states.
- **PO 340 Law and Film.** Explores the interplay between law and popular culture as represented by film. Also considers important themes in the study of law and judicial politics, including the relationship between law and justice, the practice of law, and the role of courts and trials in a political system.
- **PO 417 THE U.S. Supreme Court** History and role of the U.S. Supreme Court in U.S. politics. Special attention as to how and why the Court renders decisions, how it determines its docket and caseload, and the impact of its decisions. Includes significant independent research.
- **SC 220 Criminal Justice System** Overview of the American system of criminal justice as an integrated process with focus on procedures and functions or system components, including law, police, prosecution, court, and corrections.
- **SC 265 Victims of Crime.** Special problems faced by victims of crime; crime prevention; post-crime trauma.
- **SC 335 Prisons and Human Rights.** Study of U.S. prisons from a human rights perspective. Covers the history, function, and impact of prisons in the U.S., including the rise of mass incarceration and the relevance of prisons to inmate rehabilitation; also, alternatives to incarceration.

- **SC 364 Race, Crime, and Criminal Justice.** A detailed examination of the interplay between ethnicity and the criminal justice system, including historical overviews of the creation of an ethnic divide and how the CJS impacts minority communities in the U.S.
- **SC 435 Law, Ethics, and Criminal Justice Policy.** Interrelationship between law and its implementation; legal processes and institutional framework; social factors affecting practice in the criminal justice system.
- **TRS 262 Religion, Freedom, and Law.** Introduction to issues framed by legal and religious context. How morality and religion contribute to ethical dilemmas for individual lawyers; history of American interface between religion and law; how religion and law address similar questions in different ways; dilemmas pertaining to morality and freedom where religion and law interface; public forum and judicial system’s approach to religious issues; religious topics debated and litigated in public life.

List of courses to be developed, including a timetable for this development: The concentration can be exported into an interdisciplinary minor without the development of new courses. By defining the Law and Society program more broadly (especially by including classes about corrections and enforcement), we also have brought in new classes that did not belong to the concentration previously.

Description of how the requirements contribute to the program learning goals:

PROGRAM LEARNING GOAL	MET THROUGH
1. Demonstrate knowledge of law and legal institutions from multiple perspectives with a focus on the relationship between law, social structure, and political and social change	Many courses, notably LS 101, HS 125, PJHR 300, SC 220, SC 364; PO 317; PO 314A and 314B; PL 320
2. Demonstrate academic and intellectual skills: critical analysis; academic writing; and oral communication.	All courses
3. Apply critical thinking skills in a social justice context and diverse world	Many courses, notably PO 315; TRS 262; SC 435; PO 334; PO 213; HS 125; HS 464

4. Apply legal reasoning to identify key legal issues and problem solve	Many courses, notably HS 114; PO 317; PO 315; TRS 262; COM 349
5. Be prepared, by interest, for graduate programs and/or careers related to operations of the law.	The preparation provided by the minor as a whole

Mechanism for approving new courses for the program: The minor will be supported by a committee which will consider and approve new courses (see below). The committee will also consider whether to develop substantive areas of focus.

Evidence that there are sufficient faculty who are willing and able (both in terms of expertise, and in terms of teaching load) to teach the courses in the program, or indication that new faculty hires will be required: We already have faculty teaching in the program across multiple disciplines. Students in the minor can take courses that are already being offered as part of the PO concentration.

III. ORGANIZATION AND ADMINISTRATION OF THE PROGRAM

A program director will direct the day-to-day operations of the program, ensure course requirements and electives are being taught regularly, coordinate assessment efforts, advise students on the minor (directly as well as by producing documents and other forms of communication) and chair meetings of the Law and Society minor committee. The program director will also work to create an Advisory Board for the program. Margaret Farrar is willing to serve as Director of the minor initially.

Structure of governance: The Law and Society minor Committee will consist of a Director and Committee Chair appointed by the Dean, the Pre-Law Adviser, and one member from each department that currently offers courses in the concentration (Political Science, Sociology, Theology and Religious Studies, History, Communication, and Philosophy). Committee members will be appointed by the Chair of the respective departments.

Composition of Advisory Board: An Advisory Board should exist to connect our alumni attorneys to our students and recommend curriculum. However, this Board can be developed later as it is auxiliary to the functioning of the minor. The Law & Society Committee should recommend members and the Dean should approve and invite them.

Recommended line of reporting: The Director should report to the Dean of the College of Arts & Sciences or by proxy to the appropriate Associate Dean.

IV. IMPLEMENTATION TIMETABLE

The Law and Society minor can be included in the new bulletin and up and running by Fall 2022; the existing concentration will not be included in the next bulletin. Students who are currently enrolled in the Legal Studies Concentration will be able to complete it by taking the Law & Society Minor courses, which are substantively the same. New students who want to enroll in a law-related course of study will pursue the Law & Society Minor. Students will be prohibited from completing the existing Political Science concentration and the minor simultaneously. Thus, we envision a relatively seamless transition between sunsetting the concentration and beginning the minor.

V. ASSESSMENT

We will likely focus in on 3 outcomes as they are most distinct to our program:

1. Demonstrated knowledge of law and legal institutions from multiple perspectives with a focus on the relationship between law, social structure, and political and social change.
2. Application of legal reasoning to identify key legal issues and problem solve.
3. Preparation, by interest, for graduate programs and/or careers related to the operations of the law.

Anticipated method of assessing the learning outcomes: Enrollment, course evaluations, organized student feedback (e.g., surveys), and students' post-graduation activities as data are available

VI. ANTICIPATED BUDGET

Description of ongoing expenses: We anticipate no new expenses for the program save a one course reduction per year for the Director (replacement value is \$3000 for a part-time hire but it is possible that the Director could sacrifice an elective such that a part-time hire would not be necessary). After two years, the CAS Dean will assess the CLR reduction with the Director.

Description of expected revenue from the program: Anticipated revenue comes in the form of students coming to JCU, not because of the minor by itself, but because it is part of a package of pre-law resources and preparation for undergraduate students, including the pre-law adviser and the increasingly popular 3+3 program(s). This year 32 of our incoming FY class are participating in the CWRU 3+3 program (i.e., 5% of the incoming class), with a total of 53 FY students (208 undergraduates overall) indicating their interest in law. Creating this minor will allow Enrollment to "sell" our pre-law efforts even more effectively.

See attached Letters of Support