**Justice and Law Studies (Div II)**

Chair: Lecturer in Humanities Alan Hirsch


On leave Fall/Spring: Professor J. Nolan.
On leave Fall only: Associate Professor M. Barry. Professor James Nolan.

Justice and Law Studies is an interdepartmental program designed to give students a background in and framework for understanding the ways that philosophers, government officials, and others think about justice, and the related ways in which societies marshal power and implement law. This liberal arts program provides tools for thinking critically and arguing about what justice might entail, how it works in practice, and how rules, aspirations, laws, and norms evolve over time and in different parts of the world.

**The Concentration**

The concentration in Justice and Law Studies consists of six courses: an interdisciplinary introductory course, four electives taken from at least two departments, and a senior seminar. Electives are listed below. Students may declare a program concentration at any point during their academic career.

**Four Electives**

Four elective courses are required to complete the concentration. These courses must be taken from at least two departments. Other courses, not listed below, may be approved by the Chair.

**Senior Seminar**

In 2018-19, the senior seminar will be *The Unwritten Constitution* taught by Professor Hirsch.

AFR 132 Contemporary Africana Social and Political Philosophy  
AFR 164 Slavery in the United States  
AFR 167 Let Freedom Ring? African Americans and Emancipation  
AFR 257 Social Justice Traditions: 1960s to #Black Lives Matter  
AFR 322/AMST 322/INTR 322/PSCI 313 Race, Culture, Incarceration  
AFR 350 Organizing Resistance: Black Activism, Then and Now  
AFR 381/HIST 381 From Civil Rights to Black Power  
AFR 385 Civil War and Reconstruction  
AFR 476/HIST 476 Black Radicalism (D)  
AMST 311/HIST 368 Development of American Indian Law & Policy  
AMST 343T/AFR 343T/INTR 343T/WGSS 343T Representations of Racial-Sexual Violence from Enslavement to Emancipation  
AMST 352 Grassroots Organizing and Civil Resistance  
ANTH 210/ENVI 210/JLST 210 Governing Nature  
ANTH 220/ASST 318/INST 220 Law and Family in South Asia: Post-Colonial Dilemmas  
ANTH 312/WGSS 314/GBST 313 Paradoxes of Human Rights and Humanitarianism (W)  
ANTH 332/ENVI 332/JLST 332/GBST 332 Environmental Justice (D) (W)  
CHEM 113 Chemistry and Crime: From Sherlock Holmes to Modern Forensic Science  
ECON 229 Law and Economics  
ECON 374T Poverty and Public Policy (W)  
ECON 470 The Indian Economy: Development and Social Justice (D)
ENGL 132 Black Writing to, from, and About Prison
ENVI 250 Environmental Justice
ENGL 265/AMST 266 Topics in American Literature: Freedom and Captivity (W)
ENGL 407/COMP 407 Literature, Justice, and Community
ENVI 340/PSCI 343 Climate Change Law
ENVI 307/PSCI 317 Environmental Law
ENVI 328/PSCI 328 Global Environmental Politics
HIST 152/WGSS 152 The Fourteenth Amendment and the Meanings of Equality
HIST 153T Establishment & Exercise: Religion and the Constitution in the United States
HIST 164/AFR 164/AMST 165 Slavery in the United States
HIST 167/AFR 167/AMST 167 Let Freedom Ring? African Americans and Emancipation (W)
HIST 178T/WGSS 178T Marriage and the American Nation (W)
HIST 302/ARAB 243/REL 243 Islamic Law: Past and Present
HIST 304/AFR 304 South Africa and Apartheid
HIST 327 Law in the Middle Ages
HIST 376/WGSS 376/JLST 376 Sex, Gender, and the Law in U.S. History
HIST 380 Comparative American Immigration History
HIST 381/AFR 381 From Civil Rights to Black Power
HIST 433/JWST 433 The Justice of Violence? Histories of Terrorism in Europe
HIST 457/WGSS 457 Gender, Law, and Politics in U.S. History
HIST 483/AFR 483/GBST 483 Freedom in Africa
INTR 322/PSCI 313/AFR 322/AMST 322 Race, Culture, Incarceration
JLST 250 Trials
JLST 401/COMP 411/ENGL 332 Images of Law
PHIL 114 Freedom and Society (W)
PHIL 122 Philosophical Approaches to Contemporary Moral Issues
PHIL 212 Ethics and Reproductive Technologies
PHIL 228/WGSS 228 Feminist Bioethics
PHIL 291 Violence: Its Trajectory and Its Causes
PHIL 236 Contemporary Ethical Theory
PHIL 272 Free Will and Responsibility
PHIL 337T Justice in Health Care (W)
PSCI 160 Refugees in International Politics
PSCI 210/AFR 210/AMST 210/WGSS 210/INTR 210 Culture and Incarceration
PSCI 216 American Constitutionalism I: Structures of Power
PSCI 217 American Constitutionalism II: Rights and Liberties
PSCI 223 International Law
PSCI 236/WGSS 236 Sex, Gender, and Political Theory
PSCI 309/LEAD 309 Problems and Progress in American Democracy
PSCI 334 Theorizing Global Justice
PSCI 347 Law of the Sea
PSCI 359T The Body as Property (D) (W)
PSCI 420/JLST 401 Senior Seminar in Human Rights in International Politics and Law
PSYC 349 Psychology and Law
PSYC 361 Psychology of Nonviolence
REL 203/JWST 101 Judaism: Before The Law
REL 214/PSCI 271 Religion and the State
REL 358/GBST 358 Religion and Law (D)
RUSS 331T/COMP 331T/ENGL 371T The Brothers Karamazov (W)
SOC 202 Terrorism and National Security
SOC 215 Crime
SOC 218 Law and Modern Society
SOC 228 The Panopticon: Surveillance, Power, and Inequality
SOC 385 Breaking Apart
WGSS 405/HIST 458 Senior Seminar: Sexual Rights, Gender Equality, and Religious Liberty: Conflicts in Law, Culture, and Politics (W)

STUDY ABROAD
Students who study abroad should consult with the program chair to ensure that they can complete the requirements. Courses abroad may qualify as JLST electives if appropriate.

JLST 14 (W)  Mock Trial
In the Mock Trial course, students are divided into two teams in which they play the roles of attorneys and witnesses during their preparation for and participation in a simulated civil trial. They are given a series of witness statements and pleadings together with various documents and other data that they must evaluate for potential use as evidence as they plan to present their case as either the plaintiff or the defendant. Team members must prepare and deliver Opening Statements and Closing Arguments as well as handle direct and cross-examinations of the witnesses who testify for both sides. The "final exam" consists of two trials with the two teams switching sides on the second day such that they must evaluate the case from both sides. At the two trials, an experienced attorney plays the role of judge, and volunteer jurors from the community listen to the evidence and render their "verdict" based on the presentations. Adjunct Instructor Bio: David Olson '71 has practiced as a civil trial attorney for 40 years with a firm currently with over 500 attorneys handling cases in state and federal courts. He has taught Mock Trial on 6 previous occasions, receiving strong reviews for the course. Adjunct Co-Instructor Bio: After graduating from Villanova Law School where he was Editor in Chief of the Law Review, Steve Brown has been a litigator and trial lawyer for 40 years concentrating his practice in white-collar criminal defense and civil rights. He was a partner at Dechert LLP from 1991 to 2016, when he retired and became Civil Rights Counsel to the firm. He has spent much of his career doing pro bono work including representing Guantanamo Bay detainees and people and prisoners whose constitutional rights have been violated, and supervising Dechert associates in 40 trials in federal courts.

Class Format: Monday and Tuesday 10-1:30
Requirements/Evaluation: final project
Prerequisites: none
Enrollment Limit: 20
Enrollment Preferences: preference to upperclass students
Materials/Lab Fee: $16
JLST 99 (W) Independent Study: Legal Studies
Open to upperclass students. Students interested in doing an independent project (99) during Winter Study must make prior arrangements with a faculty sponsor. The student and professor then complete the independent study proposal form available online. The deadline is typically in late September. Proposals are reviewed by the pertinent department and the Winter Study Committee. Students will be notified if their proposal is approved prior to the Winter Study registration period.

Class Format: independent study
Distributions: (D2)

JLST 101 (F) Introduction to Justice and Law
This course will examine various aspects of America's legal system, including its historical and constitutional underpinnings; the processes of resolving disputes, e.g., trials, plea-bargaining, and civil settlement; and the roles of diverse participants in the system, e.g., judges, jurors, litigants, lawyers, and legislators. The course will emphasize the deeply interdisciplinary nature of law, exploring the law's intersections with politics, history, economics, anthropology, statistics, psychology, philosophy, art, sports, science, religion, and cyberspace.

Class Format: lecture/discussion
Requirements/Evaluation: three papers, a final exam, and class participation; attendance is mandatory; Williams' honor code applies to all assignments
Prerequisites: none
Enrollment Limit: 40
Enrollment Preferences: first-years and sophomores
Expected Class Size: 40
Distributions: (D2)

JLST 397 (F) Independent Study: Legal Studies
Legal Studies independent study. Open only under the supervision of a member of the Legal Studies Advisory Committee.
Class Format: independent study
Distributions: (D2)

JLST 398 (S) Independent Study: Legal Studies
Legal Studies independent study. Open under the supervision of a member of the Legal Studies Advisory Committee.
Class Format: independent study
Distributions: (D2)
JLST 401 (S) The Unwritten Constitution

"The eight thousand words of America's written constitution only begin to map out the basic ground rules that actually govern our land." So begins Akhil Amar's book *America's Unwritten Constitution*. Amar recasts the debate over whether America has a "living Constitution," a debate usually revolving around whether change in constitutional meaning requires resort to the formal amendment process or can be achieved through judicial interpretation. Amar supports the latter view, but proposes something far-reaching: history itself effectively amends the Constitution. Thus, for example, he argues that speeches by Martin Luther King and precedents set by George Washington, as well as the daily activities and assumptions of ordinary Americans, have become constitutional subtext requiring consideration when we interpret the Constitution. Is that notion convincing? Preposterous? A healthy way of understanding the inevitable intersection of law, history, and politics? A transparent excuse to read one's own views into the Constitution? Through a careful reading of Amar, and other important constitutional theorists (including Antonin Scalia, Robert Bork, Laurence Tribe, Ronald Dworkin, and Richard Posner), we will probe different ways of thinking about the Supreme Law of the Land.

Class Format: seminar

Requirements/Evaluation: two papers, a final exam, and class participation

Prerequisites: PSCI 216 or PSCI 217 (or consent of the instructor)

Enrollment Limit: 19

Enrollment Preferences: Justice and Law Studies concentrators

Expected Class Size: 19

Distributions: (D2)

Spring 2019

SEM Section: 01  MWF 11:00 am - 12:15 pm  Alan Hirsch

JLST 402 (S) International and Transitional Justice  (WI)

Crosslistings: PSCI325 / JLST402

Secondary Crosslisting

Before the 1990s, the world saw only occasional, discrete war crimes trials after major-power cataclysms. In the last two decades, trials expanded dramatically in number, scope, and philosophy. Separate Ad Hoc Tribunals for crimes in Yugoslavia and those in Rwanda, in Sierra Leone and in Cambodia are giving way to a permanent International Criminal Court, which has begun to hand down indictments and refine its jurisdiction. The UN Security Council, alongside national governments, decides on legitimacy and punishment. At the same time, worries about residual impunity or the effect that punishment might have on societies' futures has led to the development of national and social courts, as well as national military tribunals, to complement those at the international level. Meanwhile, national activists look to international apologies and reparations for models of what to demand. Examples of internationalized transitional justice abound. This research seminar examines the intent, process, meaning and consequence of these new practices, particularly in terms of national constitutions, international law, and principles of justice.

Class Format: seminar

Requirements/Evaluation: four papers, longer final paper, class participation

Prerequisites: Political Science major or permission of instructor

Enrollment Limit: 14

Enrollment Preferences: Political Science majors concentrating in International Relations

Expected Class Size: 14

Distributions: (D2) (WI)

Attributes: PSCI International Relations Courses; PSCI Research Courses;

Not offered current academic year

JLST 403 (S) Senior Seminar in Human Rights in International Politics and Law  (WI)

Crosslistings: PSCI420 / JLST403
Secondary Crosslisting

The idea that all humans have rights simply because they are human-independent of anything they might do or achieve-has transformed local and international politics, probably permanently. This concept's place in international politics, its strengths and limitations, depend on how people use it. Beginning with the 18th-century's transatlantic movement to abolish slavery, we will examine international movements and institutions that have affected what human rights mean, to whom, and where. Readings draw on philosophy, history, sociology, and international relations, but as a political science class we emphasize politics. Who benefits from the idea of universal human rights? Who loses? How does this idea about individual value liberate and entrap? Does this idea ultimately reinforce American hegemony, or plant the seeds of a non-American order?

Class Format: seminar

Requirements/Evaluation: three lead essays, three critique essays, and one final essay

Prerequisites: PSCI 202, senior standing, permission of instructor

Enrollment Limit: 18

Enrollment Preferences: PSCI majors, senior JLST concentrators ; seniors

Expected Class Size: 18

Distributions: (D2) (WI)

Attributes: PSCI International Relations Courses;

Not offered current academic year