INSTRUCTOR: Dr. Nina Siulc (pronounced Schultz)

COURSE MEETINGS: Monday/ Thursday 12:35 – 1:55
Douglass Campus, Heldrich Sciences Building, Room 206

OFFICE HOURS: Drop in hours: Monday 2 – 4, Ruth Adams 108D (Douglass)
By appointment: Wednesday or Thursday (email nina.siulc@rutgers.edu to set up a time)

COURSE DESCRIPTION: This seminar explores how law and legalities are socially constructed and deployed and the varied meanings and practices of justice and rights as they are defined and enacted within and beyond the law. Readings will review foundational social scientific theories that provide tools for understanding how societies construct social rules and norms and maintain social order and cohesion, key texts in the anthropology of law, politics, and governance, and contemporary ethnographic studies focused on topics such as crime, health, immigration, power and inequality, national identity and personhood, social movements, policing, punishment, and security in various socio-cultural contexts. We will also consider the multiple methods people use to document, access, and express legal claims, justice, rights, and the injustices they have witnessed or endured. Course materials present ethnographic examples from communities and social groups in the United States and around the world and explore the role of various forms of evidence, witnessing, written and spoken narrative and testimony, research data and statistics, and media and expressive cultures (documentary, music, poetry) in people’s claims about law, justice, and rights in both formal legal contexts and in the public sphere. Finally, we will consider the role critical engaged anthropology can play in influencing rights claims and ameliorating injustices. This seminar is ideally suited for upper-level students who have already taken an introductory anthropology or social science course and are comfortable participating in course discussions.

FULFILLMENTS FOR THE MAJOR: This course fulfills a 300-level Cultural Anthropology requirement and the Criminal Justice “law and ethics” thematic requirement.

COURSE SPECIFIC LEARNING GOALS: By the end of the semester, students should be able to:

• Summarize anthropological/ethnographic approaches to the study of law, justice, and rights and what “anthropology of law” entails;
• Explain the concept of the social construction of law and give examples of how law and truth are socially constructed;
• Explain the challenges with universalist definitions of justice and rights;
• Describe the multiplicity of approaches people employ as they make claims about justice and rights, giving specific case examples from varied cultural contexts;
• Summarize how ethnographic data and anthropological knowledge can enhance justice and rights, and the ethical considerations that accompany critical engaged anthropology;
• Define key concepts and methodologies developed and employed by political and legal anthropologists;
• Apply anthropological approaches to law, justice, and rights to analysis of other situations and contexts.

COURSE DETAILS:
• **Course Materials:** We will read a combination of books (available for purchase in the university bookstore as well as online vendors) and journal articles (available on the course Sakai site) and consult other media and audiovisual materials posted on or hyperlinked from Sakai. Students should complete all readings and assignments corresponding to each class meeting before class and come to class prepared to participate and engage with the materials and assigned discussion questions. Students can expect to spend approximately $50 on new course materials (including books for sale in the university bookstore and paper for printing), or less if purchasing used or electronic books from other retailers. We will read two required books in their entirety:


• **Attendance and Active Participation:** Students are expected to attend all classes and actively participate in class discussions and will lose points after 1 unexcused absence. If you think you qualify for an excused absence because of a religious holiday, sports event, or medical or other emergency, please contact the professor directly at nina.siulc@rutgers.edu in advance of the missed class. With the exception of true emergency situations, there will be no make up tests or late assignments accepted if you notify the professor after the due date has passed, even if the absence might have been excusable. All students should consult the university’s absence policy at: http://sasundergrad.rutgers.edu/academics/courses/registration-and-course-policies/attendance-and-cancellation-of-class and use the absence reporting website (https://sims.rutgers.edu/ssra/) to indicate the date and reason for absences. *Please note:* Entering information about an absence into the reporting website does not constitute an excused absence or grant you an automatic waiver to make up missed assignments. It is your responsibility to find out what you missed in class, including announcements about assignments. There will be no make up quizzes or exams, or late assignments accepted unless you have an approved, excused absence for a legitimate reason. Students who miss more than 1/3 of the class meetings will automatically fail the course even if they complete all assignments.

• **Technology in the Classroom:** Students are encouraged to use technology to enhance their learning experience. However, cell phones are not permitted during class and must be silenced and put away. Students using cell phones, or using tablets or laptops for purposes other than taking class notes will be marked absent.

• **Course Communications:** Course updates will be posted on Sakai. Students must have active email accounts and check their email or Sakai for periodic communications. During inclement weather or other emergencies, please check both the class Sakai page and the Rutgers website. To communicate with the professor, send an email to nina.siulc@rutgers.edu. You will get a response within 24 hours Monday through Friday, but not within 24 hours of an assignment or test due date. If you need to speak by phone, please email to arrange a phone call.

• **Assignments:** are designed around course learning goals and draw primarily on class materials. This includes three essays, 8 of 10 short assignments or quizzes, and an in-class final exam. Students will submit all written assignments electronically to the Turnitin portal on Sakai. Late assignments will be strictly penalized.
• **Grading:** Students will be graded on a scale of 100 points, according to the following scheme:
  - Three 3- to 4-page essays: 15 points each (points are awarded for style, clarity, and content), for a total of 45 points;
  - Eight quizzes/short assignments (2 of 10 are dropped): 5 points each, for a total of 40 points;
  - Final exam (short answers and short essays): 15 points
  - Attendance: There are no points for attendance. However, students in an upper-level seminar are expected to attend all class meetings. After 1 unexcused absence you will lose points for each additional class you miss. Students who miss more than 1/3 of class sessions will automatically fail the class even if they have completed all work.
  - Points will correspond to letter grades per Rutgers policy: A = 100—90; B+ = 89—86; B = 85—80; C+ = 79—76; C = 75—70; D = 69—60; F = 59 and below.

• **Academic Integrity** is strictly governed by the university’s Academic Integrity Policy, which prohibits cheating, fabrication, plagiarism, denying others access to information or materials, and facilitating dishonesty and violations of academic integrity. Students should familiarize themselves with the university’s standards and should speak with a faculty member if they have concerns about integrity or questions about proper citation. See: [http://academicintegrity.rutgers.edu/](http://academicintegrity.rutgers.edu/). Students are encouraged to take a tutorial on plagiarism and academic integrity and to consult the library’s tip sheet on how to take notes to avoid accidental plagiarism. When in doubt, cite! Any student who plagiarizes any portion of a paper or assignment will receive a zero on that assignment and will be referred to the university’s board for assessment of additional sanctions.

• **Citations in Written Coursework:** This is an upper-level seminar in the Anthropology Department. Thus, in text and bibliographic citations should follow the style guide of the American Anthropological Association ([http://www.aaanet.org/publications/style_guide.pdf](http://www.aaanet.org/publications/style_guide.pdf)). When the AAA style guide does not provide adequate guidance, refer to the Chicago Manual of Style, 16th edition, available in the university libraries. See the last page of this syllabus for additional formatting guidelines that must be followed for papers. Students who do not follow these guidelines will lose points on essays.

• **Accommodations:** Students seeking reasonable accommodations at Rutgers should consult the Office of Disability Services ([http://disabilityservices.rutgers.edu/request.html](http://disabilityservices.rutgers.edu/request.html)) in Lucy Stone Hall on the Livingston Campus, by email at dsoffice@rci.rutgers.edu or by phone at (848) 445-6800. Requests for accommodations must be submitted in advance of tests or assignments in order for arrangements to be made. The sooner you visit Disability Services, the sooner they and I can work with you to provide appropriate accommodations. Students who suspect they may have a learning disability or other disability that has not yet been diagnosed can also visit the Office of Disability Services for further assessment and guidance. The Graduate School for Applied and Professional Psychology offers on-campus testing for autism, attention-deficit/hyperactivity disorder, learning disabilities, conditions such as anxiety or depression, post traumatic stress disorder, traumatic brain injury, and other neuropsychological concerns ([https://ods.rutgers.edu/students/gsapp-screening-eval-main](https://ods.rutgers.edu/students/gsapp-screening-eval-main)).
COURSE OUTLINE

WEEK 1: INTRODUCTION TO THE COURSE CONTENT AND CONCEPTS
THURSDAY 1/23
Objectives: discussion of class goals and expectations, introduction to key concepts.

Do after class:
  o Students should log onto Sakai and ensure they can access the class website and know where to find the readings. Students who do not have access to Sakai should check in with the registrar and/or find a friend in class to provide them with readings.

WEEK 2: HOW ANTHROPOLOGISTS STUDY LAW
MONDAY 1/27
Objectives: Today’s readings review how anthropologists approach the study of law and introduce key terms used by anthropologists studying the relationship between law and culture. We also review how legal systems are organized in the United States as a reference point for discussions.

Read on Sakai before class:

THURSDAY 1/30 (QUIZ #1 IN CLASS, COVERING MATERIAL FROM TODAY’S READINGS)
Objectives: Students should come to class able to summarize the differences between anthropological and legal approaches according to this week’s readings. Students should practice reading the articles with the general reading questions at the back of the syllabus and should come to class prepared to engage in discussion and to use insights from today’s readings to build on Monday’s discussion.

  o Rigby, Peter and Peter Sevareid. Lawyers, Anthropologists, and the Knowledge of Facts, p. 5-21.

WEEK 3: THE SOCIAL CONSTRUCTION OF FACTS
MONDAY 2/3
Objectives: today’s readings explore the social construction of truth and the contextual nature of “facts.” Students should come to class able to explain what we mean when we say that facts are socially constructed, to summarize the key points from each reading, and to provide examples from the readings or other contexts of the major points these two authors make. We will discuss these readings in relation to the previous week’s observations about how anthropologists approach the study of law and about how social actors view, construct, and make claims about truth.
Read on Sakai before class:

Additional reading (suggested, not required): This amusing piece explores why we should be skeptical of some scientific studies claiming universal rules and truths:

Watch together in class: two clips from the Stephen Colbert show on “truthiness”

THURSDAY 2/6 (QUIZ #2 ON TODAY’S READINGS)
Objectives: Today’s readings explore the social construction of legality and the “commonplace” of law. We begin reading about these concepts in one of our two course books, Ewick and Silbey’s The Commonplace of Law: Stories from Everyday Life. This book focuses on law in the United States, but we will use the theories Ewick and Silbey introduce and develop in our analysis of law, justice and rights throughout the semester as we study these themes cross-culturally. Students should take note of key terms introduced here, particularly “legal consciousness” and should be able to explain what we mean by the social construction of legality and the commonplace of law.

Read before class:

WEEKS 4-5: WHO HAS A RIGHT TO RIGHTS?
MONDAY 2/10
Objectives: This week we will continue reading The Commonplace of Law, focusing on the theoretical framework Ewick and Silbey offer for understanding how social actors understand and interact with formal legal systems. This will help us better understand readings throughout the semester that highlight social actors’ understanding, access to, and performance of ideas about justice and rights. Students should come to class able to explain the concepts of, normativity, impartiality, and textuality and inscription, and should be prepared to engage in a discussion of the meaning of citizenship.

Read before class:
  o  Ewick and Silbey: Chapter 4: Before the Law, pp. 57-107.
  o  TBD on “second class citizenship”

THURSDAY 2/13 (QUIZ #3: SHORT ASSIGNMENT DUE ON TODAY’S READINGS)
Objectives: Students should be able to explain the difference between Ewick and Silbey’s conceptions of “before” and “with” the law and should come to class today with examples from other contexts that illustrate the idea of “with” the law. Students should take note of the terms introduced in subheadings and should be able to explain the meaning of each.

Read before class:
  o  Ewick and Silbey: Chapter 5: With the Law, pp. 108-164.
**Mondays: 2/17**

Objectives: today’s readings build on the theoretical insights in Ewick and Silbey to explore the definitional debates over actions that are both “good” and against the law in some way, drawing on case studies from other regions of the world.

**Read on Sakai before class:**
- Additional reading TBD from Carolyn Nordstrom

**Thursdays: 2/20**

Read before class:
- Ewick and Silbey: Chapter 6: Against the Law, pp. 165-220.

**Essay 1 is due on the course Sakai site on Friday 2/21 at 5pm**

**Week 6: The Anthropology of Crime**

**Mondays: 2/24 (Quiz #4 on today’s readings)**

Objectives: This week’s readings introduce anthropological approaches to studying crime/criminalization and social control. Students should come to class able to describe the historical evolution of criminal anthropology and the ways in which anthropologists approach study of crime as a category.

**Read on Sakai before class:**

**Thursdays: 2/27**

Objectives: Readings for today present contemporary examples of ethnographic research on incarceration and punishment. Students should come to class able to explain what Wacquant means by a “curious eclipse of prison ethnography” and should be able to describe the main arguments in the Rhodes reading.

**Read on Sakai before class:**
- TBD

**Weeks 7 and 8: Transnational Justice and Technologies of Witnessing**

**Mondays: 3/3 (Quiz 5 on today’s readings)**

Objectives: students should be able to explain what role technologies such as video cameras play in witnessing and documenting injustices and in anthropological research on law, justice, and rights; how these technologies have impacted human rights activism; and how human rights activists and anthropologists use technology and media to effectively communicate to their audiences.

**Read on Sakai before class:**
- Gregory, Sam. 2006. Transnational Storytelling: Human Rights, WITNESS, and Video

• Look at before class: Witness website: http://www.witness.org/

THURSDAY 3/6 (ESSAY 1 REVISIONS DUE IN CLASS)
Objectives: students should be able to describe the purposes and limitations of truth commissions and “organized truth telling” as well as the meaning and challenges of reconciliation. Students should be able to summarize the features of truth commissions and how decisions are made about whose stories to include, and to explain the role of the state and state actors versus other social actors.

Read on Sakai before class:

MONDAY 3/11
Objectives: Students should begin reading Island of Shame. We will discuss the introduction through the end of chapter 2 in class today, and students should come to class able to make links between the themes in the book’s introduction and the topics discussed so far in class. Students will read Chapter 3 on their own this week, and will ideally read it for today, though it is not required.

Read before class from Island of Shame:

THURSDAY 3/13: MID-SEMESTER REVIEW  (QUIZ # 6: SHORT ASSIGNMENT DUE IN CLASS)
Readings: TBD

WEEK 9: SPRING BREAK, NO CLASS
Don’t forget to read over break for class on 3/25!

WEEKS 10 AND 11: SOCIAL SUFFERING, EXCLUSION, AND EXILE

MONDAY 3/24
Read over break for discussion on 3/25:
  o Vine: Chapter 4: Exclusive Control and Chapter 5: Maintaining the Fiction

THURSDAY 3/27 (QUIZ # 7 ON TODAY’S READINGS)
Objectives: This week’s readings discuss the various ways social actors experience and respond to suffering. Students should be able to explain the concept of structural violence, multiple definitions of social suffering, and differences between personal and public responses to suffering. These readings should help students link themes from several other readings from throughout the semester.

Read on Sakai before class:
    o Morris, David B. “About Suffering: Voice, Genre, and Moral Community.”
    o Schwarcz, Vera “The Pane of Sorrow: Public Uses of Personal Grief in Modern
China.”


**MONDAY 3/31**

*Read before class:*


**THURSDAY 4/3**

*Read before class:*

- TBD on deportation, refugees, and exile

**ESSAY 2 IS DUE ON THE COURSE SAKAI SITE ON FRIDAY 4/5 AT 5PM**

**WEEKS 12 AND 13: PUBLIC CLAIMS OF INJUSTICES AND “VISUAL VOICES”**

**MONDAY 4/7 (QUIZ 8: ASSIGNMENT DUE IN CLASS TODAY)**

*Read before class:*

- Vine: Chapter 9: Death and Double Discrimination, Chapter 10: Dying of Sagren, Chapter 11: Daring to Challenge, and Chapter 12: The Right to Return and a Humanpolitik

**THURSDAY 4/10**

**Special session: Film screening in class of Justifiable Homicide**

*Objectives:* In today’s special session we will watch a documentary film, Justifiable Homicide, that examines the police killing, the concept of “justifiable homicide,” and the ways in which family members fight back when they believe the state has wrongfully murdered their loved ones. Students should come to class having read Chevigny’s explanation of police violence and thinking about the concept of vigilante justice in relation to the move we will watch.

*Read on Sakai before class:*

- TBD on “vigilante justice”
- Selected newspaper articles on Justifiable Homicide.

**MONDAY 4/14 (QUIZ #9 ON TODAY’S READINGS)**

*Objectives:* Today’s readings explore social actor’s use of visual images in public spaces to give “voice” to their claims of injustices and their attempts at accessing citizenship rights.

*Read on Sakai before class:*


*Look at online before class:*
WEEK 14: REGULATING AND COMMODIFYING BODIES AND WHAT IT MEANS TO BE FREE

Thursday 4/17

Objectives: today’s readings explore different ways in which body parts and bodies are commodified and valued. Students should come to class with other examples that illustrate the theoretical concepts introduced in the readings.

Read on Sakai before class:

Monday 4/21 (QUIZ #10 ON TODAY’S READINGS)

Objectives: today’s readings introduce Paul Farmer’s concept of “pathologies of power.” Students should come to class able to describe Farmer’s arguments and why he believes healthy bodies are the most important right people need to be granted.

Read on Sakai before class:

Thursday 4/24

Objectives: This week’s readings build on and tie together several readings from throughout the semester, introducing ways of theorizing state practices of violence and the outcomes they achieve.

Read on Sakai before class:

Essay 3 is due on the course Sakai site on Friday 4/25 at 5pm

WEEK 15: ANTHROPOLOGY IN/OF PUBLIC POLICY

Monday 4/28

Objectives: Today’s readings introduce anthropological approaches to studying public policy. Students should come to class able to describe the methodologies anthropologist use for studying public policy.

Read on Sakai:
Objectives: Today’s readings explore the role anthropologists can play in shaping public policy and legal cases. Students should come to class ready to discuss and debate the role these readings map for anthropologists helping to shape public policy and law.

Read on Sakai before class:
- TBD on “human terrain systems” and anthropologists’ work with the U.S. Army

WEEK 16: END OF THE SEMESTER

MONDAY 5/5 (last day of classes)
Objectives: Review of course concepts in preparation for final exam; course assessments

FINAL EXAM: Date TBD, exam period will last 3 hours. Please note: Rutgers often schedules exams outside of regular class times. Students should be prepared to make necessary arrangements.

Final course grades will be submitted one day after the final exam.
GUIDELINES FOR PAPERS (MUST BE FOLLOWED FOR FULL CREDIT)

• Use 11- or 12-point font, black ink;
• Double space sentences but do not insert additional spaces between paragraphs; indent each paragraph;
• Use 1-inch margins on all four sides (note—the default in Microsoft Word is 1.25);
• Number all pages;
• Use American Anthropological Association style for all in-text and bibliographic citations (http://www.aaanet.org/publications/style_guide.pdf);
• When AAA style does not provide adequate guidance consult the Chicago Manual of Style, 16th edition (available in the reference section of most university libraries);
• When in doubt about citing, it is better to cite more than less. Remember that paraphrased text often requires a citation, as do any ideas that are not common knowledge or your own (see link to the university’s resources on plagiarism at the front of the syllabus);
• Avoid long quotes, but do use block quotes for quoted text that exceeds three lines;
• Check spelling and grammar and edit papers for clarity;

Note: Students who submit papers that are incomplete, illegible, or containing numerous errors will be asked to re-write the papers before receiving a grade.

GRAMMAR AND WRITING STYLE GUIDES
Students are strongly encouraged to consult or purchase style guides. Some suggestions include:
• A Manual for Writers of Term Papers, Theses, and Dissertations, by Kate Turabian (at the library reference desk, LB2369.T8 2007)
• The Elements of Style, by Strunk and White (at the library reference desk, PE1408.S772 2000)
• Woe is I: The Grammarphobe’s Guide to Better English in Plain English, by Patricia O’Connor (a good basic grammar book, available at B+N, Amazon, and many other bookstores)

WRITING AND RESEARCH ASSISTANCE
• Writing assistance is available free of charge at the Rutgers Learning Centers: http://lrc.rutgers.edu/index.shtml
• Rutgers librarians offer research assistance in person or by phone, email or IM: http://www.libraries.rutgers.edu/rul/ask_a_lib/ask_a_lib.shtml
• Students seeking evaluation of a possible disability should contact the Office of Disability Services: http://disabilityservices.rutgers.edu/request.html

ADDITIONAL NOTE ON PLAGIARISM
Students should be aware that they will submit all course assignments online to be scanned in the Turnitin database, which assesses papers for originality and possible plagiarism. Submitted assignments will be included in the Rutgers dedicated database of assignments at Turnitin and will be used solely for the purpose of checking for possible plagiarism during the grading process during this term and in the future. When students are assigned work that is not submitted online to Turnitin, some students may be required to provide an electronic copy of their assignment to the instructor for submission to Turnitin before receiving grades on assignments that show significant departures in style or possible plagiarism.
Reading Guide

In addition to any specific reading questions assigned each week, students should be able to answer the following general questions about each week’s readings and should come to class prepared to engage with the ideas raised by these general questions.

1. Who is the author?
We will refer to readings by the author’s last name in class discussion and written work. Having your syllabus with you at all times will help you keep this information handy. When you take notes, always include the author’s name for your reference. What do you know about the author from the reading? How does this seem to relate to the style and arguments in the reading?

2. What is the title of the reading and what does it mean?
You should always come to class able to explain what the title means and what concepts it references. This may require looking up the definition of some words. After having read the piece, why do you think the author chose this title? Does the title adequately reflect the main arguments or key concepts in the piece?

3. What are the main arguments or key points of the reading?
You should be able to describe in a few sentences what each reading is about and what the author intended to communicate. Most authors state this explicitly. As you are reading, be on the lookout for statements of the main argument or focus. Use these as a guide to the rest of the reading.

4. What key terms/ concepts or words emerged in the reading?
Take notes on any key terms. Are these terms new? Does the definition here differ from other definitions you’ve encountered? What is confusing about these key terms and concepts?

5. What questions or points does the reading raise about the week’s topic?
How are the various readings from the week related? What links them?

6. How does the reading connect to themes from other readings and class discussion from other weeks?

7. What examples of the concepts and arguments from the reading can you apply to other contexts?
Try to apply the concepts, theories, and arguments to other situations and contexts outside the classroom or from your own experiences, and come to class with examples.

8. What methods or sources support the author’s argument?
In other words, how does the author know what she or he knows? Does the reading summarize findings from a research study? Is the study using a particular method the author describes? Or, do the findings come from a legal case or argument? An opinion? What kinds of sources are being referenced?

9. What was unclear to you about the reading?
As you are reading keep a list of questions for class discussion. Be sure to read with a dictionary in case you encounter unfamiliar terms.

10. What is your assessment of the reading?
Are the arguments convincing? Why or why not? What would you change about the argument? Does it seem current or outdated? Are the arguments particular to the context or specific case described? How or why? Did the reading inspire you? Irritate you? Teach you something new? Come to class ready to engage!