State, Law and Politics in Society
L06.3565, G62.1102 and G53.2356
Furman Hall, Rm 316
Wednesday: 4:05-5:55

Professor Christine B. Harrington
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Office Hours: Tues. 11:00-12:30 & by appointment

Description

This seminar is concerned with relationships between law and state power. One central theme is how law can usefully be viewed as autonomous from state political powers, even when it is enforced through state institutions and is an expression of state policies, as well as other interests in society. We examine a number of theoretical perspectives and methodological approaches to thinking about this large question. We also turn to literatures on American Political Development and Comparative and Global Perspectives to ground, and analyze, state theory and law questions. Specifically, we work through: historical and comparative studies of law and state formation and development; scholarship on the institutional autonomy of the legal profession, administrative agencies, and the judiciary; and research on the mobilization of law by social movement. In all these areas we examine the political economy of law, its jurisprudential tendencies, trends and regimes.

Requirements:

1. Paper Requirements (70%)

JD or LLM students registered for 2 credits in the Law School are required to write 2 critical essays (8-12 pages each) focused on a set of problems about legal autonomy you develop and discuss with Professor Harrington in advance. The time-table for when papers are due will be posted on Blackboard. Each essay will count for 35% of your course grade.

JD students register for 2 credits plus 1 writing credit in the Law School and who are writing an “A Credit Paper” must follow the Law School rules on “A Credit Papers”. The production time-table that will be posted on Blackboard.

Graduate students registered for 4 credits in the Graduate School of Arts and Science may choose between:
1. Writing 2 critical essays (12-15 pages each) focused on either a set of questions about legal autonomy you develop and discuss with Professor Harrington in advance, OR an area of work we are studying in the seminar. Each essay will count for 35% of your course grade; or

2. Writing a research paper examining a problem concerning law’s relationship to state power (30-35 pages). The time-table for when papers are due will be posted on Blackboard.

2. Seminar Participation (30%)

Your verbal and written contributions are very important for each seminar and will be a factor in evaluating your performance (30% of your course grade). Each week you are required to submit 1-3 questions or themes, drawn from the readings, to Professor Harrington via email, no later than 6:00pm the Monday before Wednesday’s seminar.

Assigned Readings


[BB] material is located on Blackboard

[C] material handed out in class
Course Outline

**Introductions: Week 1, January 11th**

**I. The Modern State in Law and Society**

**Week 2, January 18th**


**Week 3, January 25th**


**Week 4, February 1st**


**II. Political Economy and the Capitalist State**

**Week 5, February 8th**


**Week 6, February 15th**


**Week 7, February 22nd**


**III. Legal Ideology, Discourse and Narrative**

**Week 8, March 1st**


**Week 9, March 8th**


**SPRING BREAK WEEK**

**IV. Legal Practices of Political Development**

**Week 10, March 22nd**

Week 11, March 29th


V. Plural Legalities and Circulating Legal Orders

Week 12, April 5th


Week 13, April 12th


VI. Governing ‘Predicaments’ Week 14, April 19th
