

Report of the Review Committee  
For the Law, Society, and Justice Program and  
The Graduate Certificate in Law and Society Studies  
University of Washington  
December 7, 2009

Introduction

What is currently called “Law, Society, and Justice (LSJ),” an undergraduate program, began in 1999 under the direction of Professor Michael McCann; the Graduate Certificate program, Comparative Law and Society Studies (CLASS), began in 2006. These programs emerged from a radical transformation of the Society and Justice program that was created in the 1970s. The earlier program maintained a focus on criminal justice in American society and was largely embedded in the discipline of Sociology. The Society and Justice program offered training that was relevant to students who were likely to pursue careers in criminal justice. The LSJ program offers an academic study of law using a variety of methods with an emphasis on comparative legal studies and human rights. Whereas the Society and Justice program was contained within a discipline, the LSJ and CLASS programs are intrinsically interdisciplinary drawing on political science, anthropology, law, geography, and philosophy.

LSJ remains one of the leading American interdisciplinary programs for the study of law and society at the undergraduate level. It has pioneered the study of comparative legal phenomena and enriched this methodology with a focus on globalization and law, particularly through the study of human rights. The analysis of law beyond the American legal landscape has been influential on other American programs, but it is integrated into the curriculum here at a level that remains unparalleled. In part due to this commitment to study legality in many places, the program retains a methodological coherence that gives a unique depth to its interdisciplinary character. As the field of law and society has become increasingly globalized, LSJ and CLASS are poised to maintain their prominence. CLASS has particularly contributed to the associated faculty's professional reputations through their graduates' exceptional placement within the field, as well as graduate students' prominence in the Law and Society Association annual meetings. Recent graduates have taken teaching and post-doc positions at tier I and tier II research institutions, many with sociolegal programs of their own. While a good number of current graduate students are enrolled in Political Science, Geography, Sociology, Women's Studies and Social Welfare are also represented, contributing to its interdisciplinary character. CLASS graduates rival in reputation and placement graduates from the other major centers for graduate training in sociolegal studies, the University of California at Berkeley and Irvine, and New York University.

Despite its evident successes, the LSJ and CLASS programs have reached a critical juncture. A second transformation is in the offing. The program has been successful in drawing good numbers of students, offering unique experiential learning, and creating an interdisciplinary home for some graduate students. At the same time, the University of Washington is experiencing a serious decrease in revenues, which will make resources scarce and put more pressure on faculty members to increase teaching in their home departments. Resources for teaching in the criminal justice track are uncertain, reflecting the changing intellectual interests of associated faculty. Michael McCann, who has provided exemplary leadership since 1999, is stepping down as director. In addition, the program and its faculty members put enormous amounts of effort for several years into pursuing an NSF IGERT grant that would have funded graduate program growth. While these applications were well received they did not make it into the funded group of applicants, and the associated faculty have concluded that the era of IGERT pursuit is over. A new law school dean together with several junior faculty members with interests in comparative legal studies provides an opportunity to build new partnerships between Law, LSJ and CLASS. The faculty members in LSJ and the new director of LSJ need to assess these changes and strategically think through what they mean for the future of LSJ and CLASS.

The Review Process

The Chair of the ten-year review committee met with Professor Michael McCann on September 29, 2009 and began the process of identifying those who should be interviewed in the review process. Professor McCann supplied a lengthy list of graduate students who were at other institutions and they were invited to

submit written statements about their experience in the program. Professor Jeffrey Dudas (Assistant Professor at the University of Connecticut), Professor Jennifer Fredette (Visiting Professor of Public Law in Political Science at SUNY, Albany), Ceren Belge (Post-doc at Harvard), Kenneth Lindsay (senator to GPSS who conducted the survey of graduate students) submitted letters about the program. Professor Joel Migdal who is currently a visiting member of the Institute for Advanced Study also sent a letter. These letters were passed on to the all members of the review committee.

Because a subcommittee of the ten-year review committee was charged with searching for a new director, two members of the review committee, Professor Becky Pettit and Kenneth Clatterbaugh met Oct 14, 2009 with Rachel Cichowski to discuss the program and its future direction. Because there were so many individuals to interview, Professors Pettit and Clatterbaugh met privately on November 3 with Professors Susan Whiting, Bill Talbott, Instructor Jonathan Wender, and Professor Lorna Rhodes. Later on that date Professor Clatterbaugh interviewed Professor Veronica Taylor by telephone.

The review of the program with both internal and external members of the committee present took place beginning with an evening meeting on November 4. Interviews with the entire committee were conducted throughout the day on November 5 and in the morning of November 6. Most interviewees were allotted 30 minutes except for Professor McCann (one hour), Professor Herbert (45 minutes), and Advisor Weitzenkamp (one hour). Others interviewed were: Administrator Ann Buscherfeld (staff), Gad Barzilai, Jamie Mayerfeld, Arzoo Osanloo, Naomi Murakawa, George Lovell, Katherine Beckett, Angelina Godoy, Sharon Brown, Walter Walsh, Rachel Cichowski, Steve Majeski, and former Instructor Stuart Streichler. On November 5 the review committee spent an hour with eighteen undergraduate students and another hour with graduate students Ken Lindsey (GPSS representative), and CLASS graduate students Heather Evans, Annie Menzel, Shauna Fisher, Seth Greenfest, and Heather Pool.

#### The Interdisciplinary Undergraduate Program

Law, Societies & Justice offers an undergraduate major and minor, and provides administrative and course support to a Human Rights minor and a Disability Studies minor and individualized major. We assessed undergraduate program by individually interviewing each of the regular faculty members who teach in LSJ, interviewing the undergraduate program advisor, conducting a group interview with approximately 18 undergraduate LSJ majors, and reviewing LSJ course syllabi and major/minor forms.

Overall, as noted above, the LSJ undergraduate program appears to succeed in its goal of providing a learning experience that encourages comparative analyses, critical engagement in interdisciplinary empirical and theoretical socio-legal scholarship, and the development of “engaged, global” citizenship. Several aspects of the program are central to its success. First, as was made clear in our interviews with faculty and students, faculty members are excited about teaching in LSJ, and are committed, innovative educators. Most faculty expressed a preference for the LSJ portion of their teaching assignment, and indicated that they found the LSJ students to be particularly engaged, intellectually curious, and committed to learning. The students expressed a very high level of satisfaction with the quality of the teaching in the program, especially in relation to courses in other departments, and several mentioned that it was the experience of taking one LSJ class that “hooked” them into the major.

The students also uniformly and enthusiastically credited the program advisor, Mark Weitzenkamp, with enhancing their educational experience. His enthusiasm and commitment was not lost on the students; several described in detail how he was the first person on campus to really listen to them and to ask them questions about their goals and interests. His considerable interpersonal skills in advising the undergraduate LSJ student body, his organizational skills, and his special ability to manage the details while maintaining a vision for the program’s future needs and potential make him an invaluable asset to the program, and are key ingredients in LSJ’s success.

In addition, students in LSJ participate in learning outside of the classroom in two important ways, both of which contribute to their development as “engaged, global citizens.” First, many LSJ majors opt to participate in study abroad activities, and most of these opt for the LSJ-Law School Rome program. Students reported that the Rome program is much more rigorous than most study abroad programs, and that it is highly rewarding as a learning experience. Professor Godoy is also introducing a program in

Guatemala, which is geared toward LSJ students. At the more local level, all students are required to complete a 100 hour internship in a community law-related setting, and write two papers (one is a profile of the organization and the second is an analytic assessment of their experience). Students very much valued this requirement, both in terms of the learning experience, and for the practical benefits associated with meeting people in their fields of interest.

While the program is both accessible to students and highly engaging, intellectual rigor does not appear to be in any way compromised. Across courses, readings are challenging, and generally are comprised of original scholarship (peer reviewed journal articles, books & edited volumes published by university presses) rather than textbooks. Coursework emphasizes critical analytical writing and research, and encourages deeper inquiry into the subject areas. According to the self-study, multiple choice type tests are discouraged, and assessment in individual courses is typically balanced between take home and/or in-class essay examinations, research and writing assignments and, often, in-class activities. Students spontaneously reported that their writing skills have vastly improved over the course of taking LSJ classes, and that writing has become a more satisfying endeavor.

The LSJ undergraduate program has also established itself as a top program in North America, and despite its relatively short history, it is already renowned for its comparative/global approach, intellectual rigor, and creative and innovative pedagogy. Several faculty members in the LSJ program have been involved in the development of an organizational infrastructure for undergraduate interdisciplinary law/justice programs, and have presented at meetings on curriculum development and innovation in undergraduate education. At UW, demand for the undergraduate LSJ major greatly exceeds space, and the students who do participate in the program have distinguished themselves on campus and beyond in numerous ways. Thus, the program should be viewed as highly successful within the realm of University of Washington's undergraduate curricula, as well as among peer programs in the US and Canada.

The review committee does have some concerns and suggestions specifically in regard to the curriculum in the major, especially as the faculty contemplates curricular reform. Our suggestions are designed to help LSJ build on the program's strengths without sacrificing some important aspects of the undergraduate learning experience.

The current curriculum consists of 3 tracks built around the following substantive thematic areas: Crime, Social Control and Justice; Comparative Legal Institutions and Politics; and Rights, Resistance, and Reconstructions. Students must have a primary concentration in one area and a secondary concentration in another area, although most students reportedly end up taking courses in all three areas.

The major, as designed, allows for considerable flexibility in course choices across tracks, currently requiring only one common course, the internship experience, which is primarily done for the most part independently by individual students who are required to meet twice with their faculty mentor during the process. Students are also required to take a capstone seminar as a senior (the seminars are not uniform; they vary in topical area). The program recently eliminated the methodology requirement for majors, and has added in its place an introductory 200 level course that varies in topical focus depending upon the instructor and term. The LSJ faculty is also considering eliminating the first of the 3 substantive area tracks (Crime, Social Control and Justice) due to changing faculty research and teaching interests, and limited resources to hire lecturers to teach in the area.

The curriculum, as it is evolving, faces several challenges. First, by eliminating the methodology requirement (rather than creating a major specific methods course, which was considered and rejected), students are now given no common language for understanding the empirical approaches used in socio-legal studies. This loss may be mitigated by the fact that many students double major in other social science fields, and many may be able to learn the logics and tools of research just through the exposure to original empirical scholarship in course readings. Nonetheless, the decision to eliminate a core methods "competency" course might result in an erosion of research literacy among LSJ students in the future.

We recognize the practical difficulty of adding a new required class, given the small faculty and the split assignments most hold, but there may be a way to incorporate an introduction to modes of empirical

inquiry within the existing course offerings. Because students are encouraged to engage in research as assistants on faculty projects, through the thesis honors program, and as part of some course assignments, and because students are required to complete a quasi-research project through the internship program, providing some groundwork in this regard may be very beneficial for them. Thus, faculty might consider incorporating at least a unit that overviews the logics and approaches to the generation of knowledge in socio-legal studies into the new 200 course, just so students gain some familiarity with the range of research approaches in this diverse field. Because the curriculum is so flexible and requires no specific courses other than LSJ 200 and the internship, this seems like the logical place for such a module. Indeed, the new 200 course might benefit from some minimal standardization in terms of learning objectives/competency building goals, since it is the only regular class that is currently required of all LSJ majors.

The larger curricular challenge has to do with a proposal currently being considered to eliminate the Crime, Social Control and Justice track. The proposal has arisen in large part because of shifting core faculty teaching interests, coupled with budget cutbacks that threaten to eliminate the course offerings by a very popular and well-regarded part-time instructor, Jonathan Wender. We heard different versions of how this proposed change would actually be implemented, and the different scenarios would lead to varying consequences for students.

In any case, its diminution or elimination may have several adverse consequences. The Crime, Social Control and Justice track in particular attracts students who are considering careers in criminal justice administration, so as currently instituted, it prepares such students to approach those careers with developed set of analytical skills, an appreciation for diversity of life experience, and a good understanding of varied approaches to social problems. Several interviewees mentioned the rather unique and important place that the program has in preparing thoughtful, caring and open-minded criminal justice practitioners. They also raised concerns that by eliminating this track, such students would likely turn to other majors. Tied into this concern was one about the diversity of those students who come to the program with an interest in criminal justice, and the potential loss of student diversity that would likely accompany the elimination of the track. Indeed, several people pointed out that this track has been especially likely of the three to attract minority students, working class students, and first generation college students. The review committee felt that this is a serious issue that should be addressed while weighing the options for curricular reform.

From a pedagogical perspective, several interviewees also had concerns, as did the review committee, that eliminating curriculum in criminal justice would both excise an important subfield within socio-legal studies (which offers a theoretically richer and more contextualized perspective than traditional criminal justice) and would potentially lose fascinating areas of comparative scholarship that are beginning to flourish from the curriculum (for example, on the International Criminal Court; and linkages between regulation of crime and human rights in different jurisdictions). Indeed, some of the most preeminent socio-legal scholars on criminal justice issues are in the LSJ program (Beckett, Herbert, Godoy). Thus, we recommend that to the extent possible, curricular change affecting the Crime, Social Control and Justice track (indeed all curricular reform) be driven by pedagogical and student development considerations, and that when contemplating changes to this track, faculty consider the possibility of unintended consequences as briefly touched upon here.

Finally, a concern was raised in several interviews, and echoed by review committee members, about the lack of an explicit place for race and the law, particularly critical race theory, in the curriculum. It does appear that many courses incorporate discussions of race, sometimes substantially so, but the place of race in the overall curriculum, and specifically across and within the tracks, as currently conceptualized, is not well articulated.

### Graduate Training

Comparative Law and Society Studies has a two-pronged approach to graduate training and mentorship. The program enables students to earn a **certificate** in socio-legal studies as they pursue their doctorate in a

related discipline and the **graduate fellows** program provides resources and opportunities for students to develop their intellectual agendas in a supportive interdisciplinary environment.

The certificate program, formalized in 2006, is selective and involves a combination of coursework, a 'capstone' paper, CLASS faculty involvement in the dissertation, and a final review.

Designation as a CLASS graduate fellow is typically -- though need not be -- coincident with engagement in the certificate program. Class fellows gain access to a broad array of resources for the purpose of scholarly and professional development. CLASS fellows are invited to all CLASS-sponsored events, participate in work-share series, participate in reading groups, receive special consideration for T.A. and R.A. assignments, and are invited to apply for funding for travel to participate in Law & Society Association conferences and related events.

CLASS fellows have achieved outstanding academic and professional success and recent PhDs have been placed in wide range of departments in both teaching colleges and major research universities. Past and present certificate recipients and CLASS fellows attribute their successes -- in large measure -- to the opportunities and experiences afforded to them through their participation in CLASS. They expressed great appreciation for the intellectual and financial resources available to them through CLASS claiming they enriched their educational and professional success in sometimes unforeseen -- though uniformly positive -- ways.

Over the past few years LSJ, CLASS, and affiliated faculty spent a great deal of time and energy competing for an NSF-IGERT to develop a new PhD program. While the IGERT proposal was ultimately unsuccessful, it outlined a vision for an innovative, integrated, multidisciplinary PhD program and coordinated recruitment, training, and placement of PhDs. One of the primary challenges facing the LSJ/CLASS faculty is how to reconcile its current resources, future resource potential, and bold vision that was offered in the IGERT proposal with the diversity of perceptions about the graduate program articulated by current faculty and graduate students. Faculty and students expressed concern that interest in and enthusiasm about the development of a PhD program -- and the graduate program more generally -- has languished since the IGERT proposal failed to receive funding. Ultimately, the faculty will have to determine whether and how to develop a PhD program in LSJ/CLASS. Faculty alternatively expressed enthusiasm and reluctance about pursuing the development of a PhD.

Other recommendations include making efforts to make the program more cross-disciplinary, the regularization or routinization of activities and events, and better promotion of activities and events. Currently the faculty -- and graduate students -- involved in CLASS are drawn heavily from Political Science. There was interest in building bridges to other departments within the Social Sciences as well as to the Law School. Faculty and students noted opportunities for coordinated recruitment, raised the possibility of joint course offerings, and mentioned some challenges working with both LSJ and non-LSJ faculty. While the self-initiation of many activities and events was lauded (e.g., around work-shares in particular), there was interest in developing a more central coordination mechanism for activities that would promote intergenerational intellectual engagement (e.g., colloquia, work-shares, etc). Finally, there were some concerns raised that many of the activities already in existence weren't publicized in ways to foster the engagement of faculty and students currently 'outside' of the purview of LSJ.

#### Faculty

The LSJ/CLASS programs began through cooperative arrangements among faculty from various disciplinary departments. There are presently six faculty members with at least 50% appointments in LSJ; one holds a 100% appointment. In addition, five faculty, including the director, maintain adjunct status, one holds an international affiliate position, and five other faculty collaborate with LSJ in one capacity or another. These faculty span a broad set of disciplinary fields and locations, including Political Science, Sociology, Geography, Anthropology, the Jackson School of International Studies, and the School of Law. Ties to the LSJ and CLASS programs appear to have been significantly regularized since the last review.

The faculty have been remarkably productive, advancing quickly through the professorial ranks. Only one adjunct is untenured, a vast difference from the last review. There is about an equal balance between

Professors and Associate Professors. By any reckoning, each faculty member has an impressive research agenda, one often strengthened by cooperative (and in many cases, externally funded) projects among LSJ colleagues. There is strong evidence that the cooperation among faculty has successfully led to rapid advancement by LSJ members. The increasing number of permanent faculty and the security of appointments partially or fully located within LSJ have made an important contribution to long-term planning and course development during the review period.

At the same time, alternative professional and collegial obligations in home programs have taken their toll on faculty energies. Faculty have instituted an advisory committee system for the governance of LSJ and CLASS, and have regularized the decision-making structure since the last review. The efforts invested in securing an IGERT grant monopolized much of the energies of the faculty, and these efforts have now ceased. During the past year or so, informal and scholarly interactions (“work-share” meetings) that have been highly significant for group cohesion and some programmatic development seem to have become increasingly rare.

Faculty members report frequently being energized by the intellectual freedom encouraged by their colleagues within the program, an energy that has contributed to many forms of interdisciplinary scholarship. This intellectual freedom contributes to some quite innovative courses and opportunities for students. It also has encouraged members to explore new directions for their own research agendas and teach in these areas. As a consequence, however, there is diminishing commitment to core curricular areas that have been popular among students, such as criminal justice, that decreasingly hold the interests of appointed and adjunct faculty members.

Additionally, there is evidence from our interviews that the lack of regular meetings has obscured potential tensions among faculty that might be better brought to the open. There are conflicting notions of whether the group holds a common set of directions, and whether there is a workable and legitimate process for selecting the next director of the program. There are strong feelings of support for the current director, but these sentiments have not carried over to--and have sometimes confused--allegiances and rationales for supporting leading candidates for the next director.

Despite the recognition that faculty have divided obligations within multiple departments and programs, we recommend that faculty meetings be more frequently held (even if for shorter periods of time) and that faculty increase their scheduling of work-share meetings. One focus of the faculty meetings should now be on the process for selecting a new director. We believe that for this new director to achieve the success of Director McCann, faculty, individually and collectively, will first have to explore and reaffirm a set of compatible visions for the LSJ/CLASS programs.

#### Administrative Support and Administrative Structure

This small program lists several committees. There is an Undergraduate LSJ Program Committee, a LSJ Graduate Program Committee, a Faculty Personnel Committee, and LSJ/CLASS Outreach and Development Committee, a Graduate Certificate Committee, a voting faculty group, and an Executive Committee. Meetings of the voting faculty group are infrequent and it is hard to know from the self-study about the frequency of the meetings of the other committees. It was also hard to determine the level of communication among the different committees. However, those who were interviewed suggested that these meetings are infrequent and on a need to act basis. Several members of the LSJ program thought that more frequent faculty meetings might help everyone to know what is going on in the different parts of the larger program.

The number of committees seems a bit excessive for such a small program, for example, there is a Graduate Program Committee and a Graduate Certificate Committee listed along with a CLASS Colloquium Director. These would seem to be missions that might well be merged.

The LSJ/CLASS program involves a number of individuals in different units and with different interests. For example, some members work closely with the law school and graduate students over there, others are

primarily focused on the undergraduate program. It was not clear from the interviews that these groups worked together. Perhaps establishing a graduate studies committee that oversaw the graduate program and at the same time served as a liaison with the law school might be worth considering. There are many young faculty in the law school who are interested in comparative law and who welcome participation by the interested LSJ faculty members.

Another comment from some of the faculty members interviewed was that there was a lack of connection with the greater Seattle community who share interests with this program. There was a sense that the outreach committee should be re-established with this outreach as part of its mission. There was also strong interest expressed in creating a development committee that would help both with outreach to the greater community and with fund raising for the program.

It might be a good idea for this program to plan a retreat in order to examine the governance structure. Hopefully, a consensus could be reached that would improve communication among the different interests and help the program move toward more community connections.

#### Future Review

Given the changes and challenges that this program will face in the near future, we recommend another review in five years.

#### Summary Recommendations

1. Given the changes that the program faces in the next few years we recommend that the faculty members, appointed and adjunct, hold a series of meeting to discuss and plan the direction of the program. Questions remain as to the relationship with the law school and how to implement it, what is the fate of the criminal justice track, can the graduate program be expanded, what kinds of community outreach should be implemented if any, and whether a more efficient administrative structure is needed.
2. The transformation from Society and Justice to the current programs was not accomplished without some tension between Sociology faculty members and those of the new LSJ program, as is noted in the review of 2004. However these tensions seem to have dissipated somewhat and one appointed faculty member, Katherine Beckett, is 50% time in Sociology. Additionally, instructor Jonathan Wender was 50% time in Sociology until recent budget cuts. He remains 50% time LSJ. Perhaps an effort to build more collaborations with Sociology might be to the benefit of both units.
3. A serious effort should be undertaken to retain Jonathan Wender to teach in the LSJ program.
4. A subcommittee of interested faculty members should make contact with the new administration in the Law School. This seems like an opportune time to explore common interests with the Law School.
5. There seems to be a general hope that work-share meetings and general faculty meetings will be regularized as a way of bringing the community together more often.
6. An advisory board that consists of program faculty members and community stake holders should be established to help with outreach to the community, perhaps a subcommittee of this group could also take on a fund raising role to raise money to help international students, the program's lecture series, especially public lectures, and to provide discretionary funds.
7. We recommend that some priority be given to maintaining the diversity of the students in the program. This issue is especially important if the program is going to reduce the criminal justice courses.
8. If the undergraduate program is to be revised we recommend that the principles that guide such a revision are focused on pedagogical and student development goals.

8. The graduate students very much like the graduate certificate program and the chance to interact with students from other departments. They did recommend, and we agree, that the graduate program could reach out to more units so that the graduate students would be drawn from a wider range of departments.

9. Some way needs to be found to reduce the administrative/budget burdens that fall on the administrator and the advisor. The uncertainty of the budget for Disability Studies is particularly troubling and the advisor absolutely needs help from a graduate assistant to keep up with the large number of students and the diversity of programs in which they are involved.

Respectfully submitted,

LSJ/CLASS Review Committee:

Kenneth Clatterbaugh, (Chair) Professor and Chair, Department of Philosophy

Elizabeth M. (Becky) Pettit, Associate Professor, Department of Sociology

Jonathan (Goldberg-Hiller, Associate Professor, Department of Political Science, University of Hawaii

Mona P. Lynch, Associate Professor, Department of Criminology, University of California, Irvine