LEGAL STUDIES MINOR

Law constitutes one of the fundamental ways in which society is ordered, and the rule of law remains essential to individual and communal flourishing. The Legal Studies Program at NYU-AD poses the philosophical, cultural, religious, historical, social, political, economic, and ethical questions that prove indispensable both to a deep understanding of law and to liberal arts education. The legal studies program does not focus on the laws of specific jurisdictions, but rather offers substantive and methodological insights about the nature of law and legal institutions. Legal education expands, deepens, and sharpens the mind, and it hones skills such as critical thinking, textual interpretation, understanding of the many facets of arguments, respect for the opposing views, dispute resolution, reconciliation, and clear oral and written expression. The integration of legal studies with liberal arts education enhances the opportunity for cross-disciplinary study. The program in legal studies is situated within both the Social Sciences and Arts and the Humanities, and it thus aims to serve as a bridge between these divisions.

REQUIREMENTS FOR THE MINOR IN LEGAL STUDIES

4 courses, distributed as follows:

2 Foundational Courses
2 Additional Foundational or Legal Studies Electives

FOUNDATIONAL COURSES

CORES-AD 38/38J
What is Law? Comparative Global Jurisprudence
Spring 1, 2017 (offered spring) Professor Coughlin
Crosslisted with Core: Structures of Thought and Society

This course poses the fundamental questions: “What is law?” “What is a legal system?” and “What is the rule of law?” Appreciating that law reflects different cultural and historical facts, the course employs a comparative methodology in order to explore the fundamental questions from the perspective of various legal traditions. This comparative methodology considers jurisprudence from African, Chinese, Hindu, Marxist, Islamic, Southeast Asian, and Western legal traditions. In relation to these diverse legal traditions, the course examines the topics of natural law, legal positivism, interpretivism, legal realism, justice, human rights, critical legal studies, feminist jurisprudence, critical race theory, and post-modernist jurisprudence.
LAW-AD 115  
**Legal System and Method**  
Fall 2016 (offered fall)  
Professor Goodrich

The history of Western law is that of the two Romes, of the Papacy and law—papatus and imperiatus. It is a narrative of codification and the books of law, of scriptural texts and the casuistry that they generate. The first moment of legal study is that of inaugural texts and collections, of sovereignty, its representation and its textual delegation. The course will introduce the hierarchy of sources of law, the process of enacting law, the concepts of norm and rule, and then the plural regime of legal interpretation of sources, the hermeneutics of practice. Beginning with the concept of the Code, the course will proceed to the topics of Statutory interpretation, systems of Precedent, and forensic rhetoric in distinct substantive legal disciplines. As the English legal sage Sir Edward Coke put it, inevitably in Latin, nemo nascitur artifex—no one is born a lawyer. To this end, the methods course will also entail and be supported by a vigorous legal writing and research program.

LAW-AD 117  
**Legal Ethics and Professional Responsibility**  
Fall 2016 (offered fall)  
Professor Mitsis

This course examines the ethical issues raised by the function of law and lawyers in protecting individual rights and advancing the common good. The course considers a variety of possible ethical theories such as natural law, positivism, idealism, utilitarianism, legal realism, interpretivism, deconstructionism, critical legal theory, and post-modernism as foundational to the rules governing the ethics and professional responsibility of lawyers. The increasing globalization and transnational practice of law warrants a comparative perspective on the similarities and differences between jurisdictions with regard to specific issues in legal ethics. Legal materials are drawn from a variety of jurisdictions, such as Australia, China, the European Union, Finland, France, Germany, Japan, New Zealand, Russia, the United Arab Emirates, the United Kingdom, and the United States, in order to elucidate the relevant issues in legal ethics. Among the issues addressed are the legal profession and professional identity, trust, truth telling, confidentiality, conflict, client autonomy, access to legal services, cause lawyering, ethical breaches, and malpractice. In addressing these issues, the course involves lectures and class discussion of the readings. Additionally, the course also employs student participation in various ethical scenarios, and this methodology not only permits exploration of the facts and rules with regard to the ethical issues, but also assists students to develop skills that are essential to good lawyering such as client interviewing, negotiation, alternate dispute resolution, mediation, and reconciliation.

LAWAD 118  
**Business Law**
The law has become a central subject in the world of business, setting the rules and regulations under which economies operate. This course explores the legal environment in which businesses operate and studies the interaction between business and the legal system. The course will first introduce the students to the legal and constitutional environment of business and business dispute resolution. The students will then be introduced to intellectual property and internet law, business crime and regulatory compliance, business contracts on a comparative law basis, business negotiable instruments such as checks and banking, letter of credits, documentary credits, debtor-creditor relationships and more specifically creditor’s rights, bankruptcy, reorganization, employment relations, agency, labor and immigration. This course will then examine the business organizations such as sole proprietorships, partnerships, limited liability companies and different topics that dictate how to form, buy, manage, run, close or sell a business.

LAW-AD 119
Legal Writing and Research
(offered fall, spring, to start in 2017-18 academic year)

This course provides an introduction to sources of law, legal research, legal reasoning, and interpretative methodologies. The course discusses the sources and techniques for basic legal research. It develops and hones students’ ability to write about complex legal issues in a variety of settings and for a variety of audiences. The course focuses on the interpretation of texts, developing clear and persuasive arguments, the use of available library resources including technologically available legal materials. It also treats the drafting of legal briefs, memorandum, and other legal documents. A central feature of the course is to lay the groundwork for working with various law-related texts as a foundation for legal studies and for the eventual senior Capstone thesis.

LAW-AD 223
Legal Institutions
Spring 2017 (offered spring) Prerequisite: LAW-AD 115
Professor Goodrich

Common law has for the best part of half a century been a part of European Union law and common law has thus, through international and European links, reattached to its historical and linguistic roots in civil law. The study of substantive law begins with the division, inaugurated in classical Rome, between persons, actions and things. Law operates either in personam, or in rem, through the person or the thing. The study of law thus begins with the concept of subjective right and the law of persons, the framework of citizenship and the definition of the Constitution.

Public law, the separation of powers, the legal framework of criminal law and other regulatory domains, and particularly the administration of justice, and the professional responsibility of lawyers, fall within this classification. The domain of private law divides into the basic disciplines of Contract, Tort, and
Property. The links from these basic divisions to Commercial, Environmental, and Intellectual Property law will be tracked and framed.

LEGAL STUDIES ELECTIVES

CORES-AD 5A and 5B
The Relationship of Government and Religion
Fall 2016, Spring 2017 (offered fall, spring) Professor Sexton
Crosslisted with Core: Structures of Thought and Society

This course examines the relationship between government and religion. To this end, the course concentrates on the interpretation, meaning, application, and wisdom of 16 words from the American Constitution: “Government shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.” These 16 words serve as a starting point for the course because they broadly prohibit government entanglement with religion while simultaneously bestowing government with the responsibility to protect religious freedom. The primary texts of the course are the opinions of the United States Supreme Court, the highest Court in the United States, and final authority on interpretations of the Constitution. Prior knowledge of the subject matter or the United States is not a prerequisite for this class. This course is conducted over two semesters.

COREP-AD 13
Law and the Imagination
Spring 2, 2017 (offered spring 2) Professor Stimpson
Crosslisted with Core: Pathways of World Literature

There is no life without law. Nature has its laws. Religions have theirs, societies theirs, families theirs. Business has its rules and contracts. How do people understand the laws that are as much a part of life as the weather? Literature—the work of the imagination—guides our great journey towards understanding. Writers dramatize the relations among law, justice, and freedom. Writers also show the effect of law on the fates, fortunes, and feelings of people. The course explores the power of literature to show us what the law is, what it should not be, and what it might be.

LAW-AD 114
Punishment in Law, Politics and Society
(periodically offered) Professor Barkow
Crosslisted with Political Science, Social Research and Public Policy

This seminar investigates the state’s power to punish. We read foundational works from philosophy, sociology, political science, and law to explore why states punish, how they punish, and whom they
punish. We focus on the modern American approach to punishment, including its use of mass incarceration and the death penalty. We analyze U.S. Supreme Court cases in light of the fundamental purposes of punishment, and compare penal practices around the world. Though subject to change, activities outside the classroom may include attending arraignment court, observing a sentencing hearing, and visiting a correctional facility. LAW-AD 210 Civil Rights Interpretation of the Bill of Rights, the Civil War amendments, and other rights in the U.S. Constitution through the reading of Supreme Court opinions. Topics include freedom of speech and press; free exercise of religion and separation of church and state; the right of privacy; rights of the criminally accused; equal protection of the law against race, gender, and other discrimination; and the rights of franchise and citizenship. Cases are read and discussed closely for their legal and philosophical content.

LAW-AD 210
Civil Rights
(periodically offered)

Interpretation of the Bill of Rights, the Civil War Amendments, and other rights in the U.S. Constitution through the reading of Supreme Court opinions. Topics include freedom of speech and press, free exercise of religion and separation of church and state, the right of privacy, the rights of the criminally accused, equal protection of the law against race, gender and other discrimination, and the rights of franchise and citizenship. Cases are read and discussed closely for their legal and philosophical content.

LAW-AD 211
Gender in Law
(periodically offered)

Examines the relationship between gender politics, legal theory, and social policy. Studies the role that the legal arena and certain historical conditions have played in creating, revising, and protecting particular gender identities and not others and examines the political effects of those legal constructions.

LAW-AD 212J
International Law
(offered J-Term, either in New York or Buenos Aires) Professor Alvarez
Crosslisted with Peace Studies, Political Science, Social Research and Public Policy

“Inter-national” law, which the English philosopher Jeremy Bentham defined as the rules governing sovereign nations, is today more like a curriculum than a single course. Its subject matter is no longer limited to the “foreign relations” of nations. International law continues to deal with how states deal with one another. It includes, as it has for centuries, rules on when it is legal for states to go to war against each other as well as how war is conducted, for example. But international law today includes some rules about how a government is expected to behave toward its own citizens as well as towards foreign investors who establish businesses within its territory. It also includes rules that govern non-state actors, such as
international organizations like the United Nations, and others that are used by non-governmental organizations (NGOs) that are devoted to particular causes, such as Amnesty International. Contemporary international law is found not only in the rules that states make with respect to one another (as under treaties). It is also found in some pronouncements made or some actions taken by international organizations and international courts, like the International Court of Justice or the International Criminal Court (both located in The Hague, the Netherlands). The course addresses the norms that govern states in their legal relations with each other, including those that affect how states treat persons within their territories. The focus is on understanding the basic sources of international law (treaties and customary law) as well as the actors that influence their development, interpretation, and enforcement (especially governments, international organizations, non-governmental organizations, and international courts). Topics include: the role and function of the United Nations, international responsibility and the protection of aliens and their property, the regulation of the use of force, and recent developments in international criminal law (including the establishment and function of the International Court of Justice), and the impact of the “human rights revolution.” Select class outings and visitors to the class (depending on whether the course is based in New York or Buenos Aires) introduce students to the regional implications and applications of international law.

LAW-AD 213
Climate Change Law and Policy
Spring 2017 (offered spring)
Professor Kazmi

Climate change will be a foremost theme that will influence financial activities, and policy and legal framework for years to come. In a noticeably short time span, climate change has become a global challenge calling for collective action. Climate change law is emerging as a new legal discipline. Students in this course will explore how climate change law relates to other areas of law and how climate change has elicited rulemaking process at the international, regional, national and local levels. The course will encourage students to identify the climate change policy issues in state and international laws. Students will also study how international law and international relations influence current national laws and policies. The class will be invited to study the negotiation process, implementation and current status of the United Nations Framework Convention on Climate Change (UNFCCC), the Kyoto Protocol, the Copenhagen Accord, the Cancun and Durban Agreements. The class will then proceed to evaluate the various legal tools that are available at national and international level to address climate change, including cap-and-trade, carbon taxation, command-and-control regulation, litigation, securities disclosures, and voluntary actions. The class will also examine energy and climate change nexus and the roles of energy efficiency, renewable energy sources and carbon capture and sequestration. The course will pay special attention to the role of developing countries in the emerging international climate change regime and negotiation strategies of G77+China in Copenhagen, Cancun, Durban, Doha, Warsaw, and the UNFCCC conference in Peru, December 2014.

LAW-AD 214X
Comparative Legal Systems: United States and United Arab Emirates
Fall 2016 (offered fall)
Professor Kazmi  
*Crosslisted with Arab Crossroads Studies*

The growing trend of globalization in nearly every field of human endeavor demands legal experts to acquire an awareness of legal traditions and systems that operate beyond their borders. This course will invite students to explore various legal systems from a comparative perspective. Primarily, this course will focus on the essential characteristics of the three major legal systems: Civil, Common, and Islamic (Sharia). The class will also examine diverse legal systems, inspired by various political, social, and religious doctrines, successfully used by billions of people in various parts of the world. This course will pay special attention to legal traditions explicitly functioning in the United States of America and the United Arab Emirates. This class will offer historical and cultural backgrounds related to the development of legal structures and substantive rules in both territories. Students will study existing judicial systems and essential rules dealing with legal education and practice in the U.S. and the Emirates.

**LAW-AD 216**  
**Contracts (periodically offered)**  
*Professor Goodrich*

The course in Contracts will provide an international and comparative introduction to the law of volitional obligations. The course will familiarize the student with the basic concepts of promise, consideration, offer and acceptance, vitiating factors, terms and conditions, interpretation, performance, breach, and remedies. Comparing the international regulation of sale of goods and the Roman principles underpinning European contract law, the course will then develop the key features of the common law of contract and trace its roots and future in European law.

**LAW-AD 219**  
**International Business Law Spring 2017 (offered spring)**  
*Professor Chekroun*

Companies of all sizes, and across all sectors, are doing business in various forms beyond their domestic borders. This course is designed to provide the students with theories and comprehensive information on the legal and ethical implications and ramifications of doing business internationally, along with the related cultural, political and economic issues. The course will first introduce the students to the world’s major legal systems; i.e., the Civil, Common, law systems. The students will be introduced to the methods pertaining to international business such as international commercial transactions, corporate governance, foreign direct investment issues, transfer of technology, intellectual property with the construction of hypothetical examples. The students will then analyze the scope of liability for the conduct of international business under various theories and approaches within these legal systems (foreign corrupt practices, extraterritorial regulation, tortuous liability, corporate social responsibility). The students will also be introduced to the various methods of resolving international business disputes.
Globalization has affected the way business is conducted. It has also modified and intensified the interaction between government policies and business. In order to evaluate the risk of international business projects and protect the companies against international business uncertainties, knowledge of globalization, cultural and societal environment, trade theory, government in international business, entry modes, economic integration, emerging markets, financial institutions, management strategy and the legal regimes that shape the trade and investment in Europe, Asia, Middle East and in North America in areas such as trade of goods, trade in services, intellectual property transfer arrangements, transfer of technology, and foreign direct investment is crucial. This course is designed for students who are interested in understanding the objectives and strategies of international business. The aim of this course is to enable students to better analyze and understand the opportunities and challenges that companies face when expanding their activities internationally. The course is also designed to provide the students with a framework to formulate the successful modes of market entry, including trade, import and export through intermediaries, contracting with agents and distributors, strategic alliances and foreign direct investment.
Students attend weekly debate sessions (Mondays 7-8:30 pm), according to the schedule stipulated by the instructor, which focus on the analysis of current public policy and legal issues. The intellectually rigorous sessions are intended to foster clear analysis, the development of persuasive arguments, and effective oral presentation. Regular debates are a central feature of the weekly sessions. Students who fulfill the course requirements (as stipulated in the course syllabus) receive 1 credit hour per semester up to a maximum of 4 credit hours over the course of four academic semesters. First year students during their Fall semester are not eligible to enroll in this course. Students must complete four (4) credits of this course in order for it to count as one (1) legal studies elective.

LAW-AD___
Directed Study

This affords the law major the opportunity to engage in supervised individual research on a law-related topic, undertaken by arrangement with an individual faculty member, resulting in a substantial paper.

PEACE-AD 121
International Organizations and Global Governance
(-offered occasionally)
Professor Harsch

The creation of international organizations (IOs) is a crucial moment in historical efforts at structuring and civilizing international affairs. Organizations such as the League of Nations and the UN have been at the heart of attempts to create a peaceful international order. In today’s international system, international organizations perform a huge variety of challenging tasks: they provide safeguards against the military use of nuclear technology, destroy chemical weapons, convict war criminals, assist developing countries with loans, and deliver food to populations in need. This course will examine international organizations’ origin, logic and impact within both global and local contexts. It will provide students with a better understanding of both the theory and the practice of international cooperation and global governance.

Specifically, it will study why states cooperate in IOs, how member states and international bureaucracies interact, and how IOs contribute to peaceful conflict management and human development in today’s international system.

POLSC-AD 132
Courts
(offered every other year)

This course examines several important questions about judicial institutions. Looking at both theory and evidence, we ask how judges in different institutional settings decide cases. In what ways, if any, are judges different from legislators? How do judges interact on multimember courts? How do judges weigh legal, policy, and political actors? We also ask about the consequences of different judicial institutions for
policy outcomes. For example, we examine the consequences of varying degrees of judicial independence, including elected vs. appointed judges, fixed terms vs. life terms, and constitutional vs. statutory grants of jurisdiction.

POLSC-AD 140
Introduction to Machiavelli
Professor Holmes
J-Term (offered every other year)

Often described as the founder of the modern science of politics, Niccolò Machiavelli (1469–1527) was also a Florentine diplomat and civil servant who drew upon his deep understanding of Roman history to interpret the colorful, tumultuous, duplicitous, and often violent politics of Renaissance Italy. This class involves a careful reading and analysis of his masterpiece, The Prince, in its historical context, with a focus on its principal theme, namely how and why political leaders gain and lose power. Students also study selected portions of The Discourses, in order to understand the nature of Machiavelli’s “republicanism” and how it relates to the advice and warnings he gave to princes. Our readings and discussions are supplemented by visits to Machiavelli’s tomb in Santa Croce; the David of Verrocchio in the Bargello (a statue that Machiavelli saw every day on his way to his office); and the estate at Sant’Andrea in Percussina, near San Casciano in Val di Pesa, where Machiavelli retired to write The Prince.

POLSC-AD 163X
Iraq War and its Consequence
Professor Holmes
Spring 2016 (offered spring)

This course will examine the political consequences for Middle Eastern and global affairs of the 2003 invasion of Iraq, focusing on the causes and effects of sectarian strife, state breakdown, conflicting economic interests, the role of outside powers pursuing their own agendas, the territorial disintegration of the country, and the rise of ISIS. Readings will include historical, journalistic and social scientific writings covering all dimensions of the conflict and its convulsive consequences.

POLSC-AD 184
UN: Negotiation towards A New Binding & Universal Agreement on Climate Change in Paris in Dec 2015
(offered occasionally)
Professor Kazmi

The United Nations (UN) provides the forum where states come together to discuss mutual problems. In our rapidly globalized world, the enormous and complex challenges to humankind are making UN indispensable. This course will provide an overview of the various UN departments and programs
encompassed within it and treaty negotiation process. The main concentration of this course will remain climate change negotiations. We will take climate change as a case study and consider many aspects of international policy response to this environmental and social crisis. The purpose of this course is to provide students with a general understanding of how climate change issues have been addressed at the UN. The class will be invited to study ongoing process of the new climate change agreement, which will be adopted in Paris in December 2015, at the 21st Conference of the Parties (COP21). The meeting will mark a decisive stage in negotiations on the future international agreement on a post-2020 regime. The course will closely investigate the pertinent challenges currently facing diplomats and international decision makers in making progress with what is currently on the negotiating table. We will try to seek the answer of the following questions: Will all the nations of the world, including the biggest emitters of greenhouse gases, be bound by a universal agreement on climate change for the first time in over 20 years of UN negotiations? Will it take the form of a protocol, another legal instrument or ‘an agreed outcome with legal force’, and will it be applicable to all Parties including US and China? In a treaty negotiation simulation, the students will play the roles of major greenhouse gas emitting nations and will negotiate proposals to reduce emissions. The in-class negotiation exercise will be modeled on the real negotiations under the UNFCCC.

POLSC-AD 158
Comparative Legislatures
(offered every other year)
Crosslisted with Social Research and Public Policy
Prerequisite: Introduction to Political Thinking (POLSC-AD 130)

This course introduces students to many aspects of legislative politics across the democratic world, addressing the questions of what legislatures do during a given legislative period and why they do this. The course provides students with a set of tools for understanding how legislatures are organized and how legislators behave. Topics examined include: congressional and parliamentary elections; the role of political parties and interest groups in lawmaking and elections; the impact of internal organization of legislatures on lawmaking; and “policy space” within which legislative decision making takes place.

POLSC-AD 172
International Organization
(offered occasionally)
Crosslisted with Peace Studies
Prerequisites: Introduction to International Politics (POLSC-AD 170)

This course covers the formal theory of international cooperation, including the reasons why countries choose to cooperate, bargaining over and enforcement of international agreements, and multilateralism. The remainder of the course discusses empirical examples including peacekeeping, collective security, economic and environmental cooperation, human rights treaties, and arms control.
SRPP-AD 130
**Law, Society, and Public Policy**  
*(offered occasionally)*  
*Crosslisted with Social Research and Public Policy*

The course offers sociological perspectives on law and legal institutions: the meaning and complexity of legal issues; the relation between law and social change; the effects of law; uses of law to overcome social disadvantage. Topics include: limits of law; legal disputes and the courts; regulation; comparative legal systems; legal education; organization.

SRPP-AD 134J
**21st-Century International Human Rights**  
*(offered occasionally)*  
*Professor Koh*
*Crosslisted with Leadership and Social Entrepreneurship and Social Research and Public Policy*

This course asks: How can human rights advocates better operationalize 20th century tools to achieve better 21st century human rights outcomes? It examines case studies at the intersection of law, politics, policy and institutions to determine how to achieve better human rights policy outcomes. Too often, human rights advocates—both inside and outside governments—fail to achieve their desired outcomes because they cannot manage politics, harness incentives and institutions, or deploy law in a way that operationalizes the principles they value. This course begins with an overview of the institutions, strategy, law, and process of human rights. We then explore a number of case studies that illustrate cutting-edge human rights problems, and the various tools that may be employed for their resolution. The course will close with a series of student presentations identifying current issue areas ripe for new and better human rights strategies that might help attack these critical questions.

SRPP-AD 142
**Renewable Energy Law and Policy**  
*(offered spring)*  
*Professor Kazmi*

Energy’s role in global climate change is increasing its importance. This course focuses on two major and interrelated themes: climate change and energy. The class will look at implications of new climate change and renewable energy mandates for the electric power sector. Energy is considered a prerequisite for economic growth and poverty alleviation. Electricity demand almost doubled from 1990 to 2011, and is projected to grow 81% from 2011 to 2035 in the existing policies scenario. Over 70% of the increased energy demand is from developing countries. At this time some two billion people (one third of world’s population) have no access to electricity. Population growth (United Nations predicts world population growth from 6.7 billion in 2011 to 8.7 billion by 2035) and increasing standards of living (the UN Population Division projects 70% people will be living in urban areas by 2050) for many people in developing countries will cause enormous growth in energy demand. Many poorer countries lack this essential capacity. Meeting the energy needs of developing countries without compromising the
environment is a challenge. Advancement of innovative energy solutions and implementation of smart policies to make the transition to clean energy in ways that fulfill growing needs and improve economy without hurting environment is very much needed. This introductory level course on renewable energy examines the historical and legal origins of energy regulations and emerging policies. The course provides an introduction to the renewable sources and basic terms and concepts, regulatory trends and other emerging issues. The primary focus of the course will be on renewable energy policies and laws of the developing countries. We will spend considerable time with Africa, Small Island States, United Arab Emirates (UAE), and examples from other countries. The centerpiece of this course is to focus on a specific renewable energy project (in a developing country) completed with international cooperation and assistance. The course will also focus on global institutions and policymaking, the divide between industrialized countries and developing countries, the nexus between global climate change and renewable energy, sustainable energy sources, and challenges that global policymakers will face in future. The course will look at the wide variety of local and regional laws, regulatory techniques, and policy objects. The class will embark on a week-long trip to a developing country to study renewable energy project and to get hands-on experience of power generation from a renewable energy facility.