

SPRING 2020 SEMINAR COURSE DESCRIPTIONS

SEMINAR: Animal Law

Class Number: XXXX; **Catalog Number-** Law 837

Credit: 3 hours

Instructor(s): Prof. Satz, Ani

Prerequisite: None

Grading Criteria: Paper (Satisfies Upper-level Writing Requirement)

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: Animal law is a burgeoning field. Over 135 law schools in North America offer courses in animal law, six specialty journals are devoted to the topic, and at least one poll indicates a career in the area is in the top seven of all desired careers. Whether it is our clothing, food, household products, companions, or back yards, our daily lives are touched by animals. Nonhuman animals are considered property under law, and a sprawling body of federal and state civil and criminal law regulates human use of them.

This seminar will explore our legal and ethical obligations to nonhuman animals, focusing on domestic animals. Selected topics may include: conceptions of animals, standing to sue on behalf of animals, preemption of animal protection statutes, companion animal abuse, breed discrimination, exotic pets and public health, veterinary malpractice, farm animals, hunted and poached animals, exhibited animals, service and emotional support animals, police and military dogs, exhibited and entertainment animals, laboratory animals, animals used for fiber and medicine, animals and religious freedom, and animal trusts and custody.

The seminar is divided into eleven topics from which we will choose eight or nine. Longer topics may be discussed over two weeks or covered in part. I estimate we will spend ten to eleven weeks on the topics and a few weeks on our class conference.

**Last Updated Spring 2020*

SEMINAR: Children's Rights

Class Number: XXXX; **Catalog Number-** LAW 840

Credit: 3 Hours

Instructor(s): Prof. Woodhouse, Barbara

Prerequisite: None

Grading Criteria: Informed Participation, Attendance, & Quality Final Research Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students! (No Open Enrollment, must be selected by prof.)

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: The year 2020 marks the thirtieth anniversary of the entry into force of the UN Convention on the Rights of the Child (UNCRC). During that same period we have witnessed changes in the the ecology of childhood. Global forces, far from being distant and abstract, are wreaking havoc in children's environments, even in economically advanced countries. Globalization's discontents—unrestrained capitalism and technological change, rising inequality, mass migration, and the juggernaut of climate change—have been rapidly destabilizing the social and physical environments necessary to our collective survival and well-being. This seminar will explore the implications of contemporary global challenges through the lens of children's human rights. Attendance is required, with no more than two unexcused absences from class.

**Last Updated Spring 2020*

SEMINAR: Comparative Constitutionalism

Class Number: XXXX; **Catalog Number-** LAW 809

Credit: 2 Hours

Instructor(s): Prof. An-na'im, Abduh

Prerequisite: None

Grading Criteria: Paper

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: This seminar examines the relationship between constitutionalism, legal systems, and religion in a range of Western and post-colonial African and Asian countries. Emphasis will be on the evolving nature of these institutions and possibilities of transformation.

Final grade will be based on:

10% for class participation

30% for one paper on a topic to be specified in the Seminar Outline,

60% for a final paper on a topic agreed with the instructor

Students who wish to use this Seminar for satisfying their writing requirement will submit a *single final paper on a topic agreed with the instructor.*

Students taking this option must submit:

-Substantial (app. 20 page) draft

-Final version

The final papers must satisfy the length and format specifications of writing requirement papers, as set by the Registrar of Emory Law School.

Consultation with the class about the following format for evaluation of this 3 CREDIT seminar:

Each student will

1. write an initial short paper on the nature and scope of the subject of this seminar,
2. select a project in consultation with Instructor,
3. make a class presentation on her/his project, coupled with a short paper, and
4. write a final paper on the same project.

**Last Updated Spring 2019*

SEMINAR: Constitutional Rights/Controversies

Class Number: XXXX; **Catalog Number-** LAW 863

Credit: 3 Hours

Instructor(s): Prof. Perry, Michael

Prerequisite: None

Grading Criteria: Research Paper (Satisfies Upper-level Writing Requirement)

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: In the last half century, the Supreme Court of the United States has resolved, on the basis of the Constitution of the United States, many greatly contested "rights" controversies—controversies concerning, e.g., abortion, capital punishment, race-based affirmative action, physician-assisted suicide, the Second Amendment "right to bear arms", and, most recently, same-sex marriage. In this seminar, we will study several such controversies and evaluate the Supreme Court's decisions.

Each student will write a research paper on a rights-based constitutional controversy—and the grade for the seminar will be based mainly on the final draft of the paper. A student who wants to do so may write the paper in satisfaction of the writing requirement.

**Last Updated Spring 2020*

SEMINAR: Corporate Governance

Class Number: XXXX; **Catalog Number-** LAW 821

Credit: 3 Hours

Instructor(s): Prof. Georgiev, George

Prerequisite: BA or an equivalent introductory course in corporate law

Grading Criteria: 30-page research paper, several short papers, & class participation (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students! (No Open Enrollment, must be selected by prof.)

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: Corporate governance is in a state of tremendous flux as a result of the global financial crisis of 2008-09, the corporate accounting scandals of the early 2000s, heightened public scrutiny of corporate conduct, and the rise of shareholder activism. This seminar will provide an overview of the main academic theories of corporate governance and examine some of the ongoing debates about the efficacy and adequacy of recent reforms, such as the Sarbanes-Oxley Act of 2002, the Dodd-Frank Act of 2010, and related SEC rulemaking. Possible topics include: the structure and composition of the board of directors, executive compensation, shareholder activism, the role of proxy advisory firms, the financial crisis, corporate social responsibility, and the nexus between SEC disclosure obligations and corporate governance practices.

Attendance policy: Regular attendance is required. Excessive absences will result in a grade reduction.

Please Note: We will meet for a double session (4:15pm - 8:30pm, with a break), either on Tuesday, April 7, or on Tuesday, April 14. Please make sure that you are available on those days before applying for the class. This double class session will be in lieu of one of our regularly scheduled sessions.

**Last Updated Spring 2020*

SEMINAR: Equality at Emory

Class Number: XXXX; **Catalog Number-** LAW 825

Credit: 3 hours

Instructor(s): Prof. Dudziak, Mary

Prerequisite: None

Grading Criteria: Participation & Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: This seminar will explore the civil rights history of Emory Law School and Emory University. Readings will cover the history of inclusion and exclusion in higher education on the basis of race, gender, religion, disability, immigration status, and LGBTQ identity. Students will do historical research, using local archives and interviews, and will write research papers that illuminate an aspect of law school or university civil rights history. Although students will have different topics, the class

will work together as a research team, sharing insights and research strategies.

Professor Dudziak is an expert in the history of civil rights, foreign relations and constitutional law. Her books include *Cold War Civil Rights: Race and the Image of American Democracy*. Before moving to Emory in 2012, she regularly taught course in civil rights history and individual constitutional rights.

**Last Updated Spring 2016*

SEMINAR: Family Law- From Partners to Parents

Class Number: XXXX; **Catalog Number-** LAW 823

Credit: 3 Hours

Instructor(s): Prof. Fineman, Martha

Prerequisite: None

Grading Criteria: Paper

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: This seminar will explore the trends in family law governing marriage and parenthood over the past several decades. During the latter part of the 20th century, substantial changes in behavior have occurred, reflecting attitudinal shifts about women's equality, sex and sexuality, and the importance and permanence of the marriage bond. Often identified as battlegrounds in the "cultural wars," these are areas where the law has scrambled to adjust to evolving expectations and emerging notions of equity and equality. We will look at "traditional" marriage, challenges from those excluded from marriage, the "breakdown" of marriage, and alternatives to formal marriage, such as contract and non-marital cohabitation. Laws governing the parent-child relationship have also changed in response to or as part of the disruption of the traditional family model. The very idea of absolute parental rights has been questioned as the child has partially emerged from the cloak of family privacy and is seen as an independent rights holder in some circumstances. The seminar will also consider how new technologies and altered attitudes about assisted reproduction have presented unique challenges for the law in regard to who is or how one becomes a parent.

**Last Updated Spring 2015*

SEMINAR: Hate Speech Free Speech

Class Number: XXXX; **Catalog Number-** LAW 810

Credit: 3 hours

Instructor(s): Prof. Seaman, Julie

Prerequisite: Constitutional Law

Grading Criteria: Participation & Paper (Satisfies UpperLevel Writing Requirement)

Enrollment: Limited to 16 Students! (No Open Enrollment, must be selected by prof.)

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: Regulation of hate speech and other expressions that implicates equality values often comes into conflict with the First Amendment. Recent events on university campuses, including at Emory, demonstrate the complexities that arise when listeners claim that others' expression impacts their feelings of safety and inclusion. This seminar broadly considers the intersection between these two fundamental constitutional values of freedom of expression and anti-discrimination. Students will examine these issues from a variety of perspectives, including legal, comparative and interdisciplinary materials. The basic constitutional law course is a prerequisite; prior coursework on freedom of speech is helpful but not strictly required.

**Last Updated Spring 2018*

SEMINAR: Judicial Behavior

Class Number: XXXX; **Catalog Number-** LAW 844

Credit: 3 hours

Instructor(s): Prof. Shepherd, Joanna

Prerequisite: None

Grading Criteria: Participation & Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students! (No Open Enrollment, must be selected by prof.)

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: The Judicial Behavior seminar provides students with a unique opportunity to read and analyze cutting-edge scholarship that focuses on how judges reach their decisions. In a case law system such as that of the United States, a realistic understanding of judicial behavior, which conventional legal instruction does not convey, is essential to the understanding and practice of law. Topics include: theories of judicial decision-making; demographic factors influencing judicial behavior, judicial selection and retention; constraints under which judges operate; intra- and inter-court relations; the separation of powers; the role of public opinion; lawyer influences on judicial decisions; and judicial behavior across countries. By the end of the course, students should understand different theories of judicial behavior and be able to apply them to predict how different institutions, case issues, and political factors may influence judicial decision-making.

As required by law school policy, attendance is mandatory. If you miss 3 or more classes, you will receive an "F" with the option to petition for a "W-withdrawal" unless all absences have been approved by Dean Brokaw.

**Last Updated Spring 2020*

SEMINAR: Law & Development

Class Number: XXXX; **Catalog Number-** LAW 860

Credit: 3 hours

Instructor(s): Prof. Sybllis, Martin

Prerequisite: First-year required courses

Grading Criteria: Attendance, Participation, & Research Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: This seminar will study a range of theories that seek to explain the relationship between law and development. We will first examine various meanings of "law" and "development," and proceed to focus on the role of law and legal institutions in the economic, social and political advancement of societies. We will explore development through the lens of legal institutions in developing countries and consider the influence of international organizations, including the International Monetary Fund (IMF), United Nations (UN) and World Bank (WB), on the transformation of domestic legal institutions. We will also seek to place domestic legal reforms aimed at economic growth in their appropriate context (cultural, historical and political).

**Last Updated Spring 2020*

SEMINAR: Law & Vulnerability

Class Number: XXXX; **Catalog Number-** LAW 833

Credit: 3 Hours

Instructor(s): Prof. Fineman, Martha

Prerequisite: None

Grading Criteria: Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: This seminar explores the relationship between law and vulnerability from both a theoretical and a practical perspective. The course is anchored in the understanding that fundamental to our shared humanity is our shared vulnerability, which is universal and constant and inherent in the human condition. It will offer students an opportunity to engage with multiple perspectives on vulnerability, with an emphasis on law, justice, state policy, and legislative ethics. While vulnerability can never be eliminated, society through its institutions confers certain "assets" or resources, such as wealth, health, education, family relationships, and marketable skills on individuals and groups. These assets give individuals "resilience" in the face of their vulnerability. This seminar will explore how a society now is structured, however, certain individuals and groups operate from positions of entrenched advantage or privilege, while others are disadvantaged in ways that seem to be invisible as we engage in law and policy discussions.

**Last Updated Spring 2016*

SEMINAR: The Right to Go to War- The Legality of Armed Interventions

Class Number: XXXX; **Catalog Number-** LAW 806A

Credit: 2 Hours

Instructor(s): Prof. Van der Vyver, Johan

Prerequisite: None

Grading Criteria: Paper (Satisfies Upper-Level Writing Requirement)

Enrollment: Limited to 16 Students!

Preselection Form: <https://emorylaw.wufoo.com/forms/lsr-spring-2020-seminar-preselection/>

Description: For many years now, the international community of states have attempted to place an embargo on the use of force as a means of settling international disputes. Article 2(3) of the Charter of the United Nations thus provides: "All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered." The UN Charter authorized military action in two instances only, namely (a) if the Security Council authorizes an armed intervention as a means of counteracting a situation that constitutes a threat to the peace, a breach of the peace, or an act of aggression (art. 42), and (b) as a matter of individual or collective self-defense if an armed attack occurs against a Member of the United Nations (art. 51). This raises the question of whether or not the UN Charter deals comprehensively with instances of armed conflicts that would be lawful under contemporary rules of international humanitarian law.

The United Nations itself recognized armed interventions not mentioned in the UN Charter, for example in the Uniting for Peace Resolution of 1950 affording to the General Assembly the competence to authorize military action to counteract a breach of the peace or an act of aggression, by supporting wars of liberation against colonial rule, foreign occupation, or a racist regime, and by extending the provisions of Article 51 to legalize pre-emptive self-defense action. There is furthermore overwhelming support for upholding the legality of humanitarian intervention to protect a population from acts of supreme repression by their own government. Currently, the ISIS crisis has prompted the development of an emerging norm of *jus ad bellum* which contemplates the legality of an armed intervention against perpetrators of terrorism if the Government of the State from which those acts of terror violence are being launched is either unwilling or unable to counteract the atrocities.

In laboring the above principles of law, reference will be made to (a) armed interventions authorized by the Security Council (the Korean War, Operation Desert Storm and airstrikes in Libya,); instances of humanitarian interventions (NATO airstrikes in Serbia, and military interventions in Syria contemplated by France, the

United Kingdom, and the United States following the use of chemical weapons by the Syrian Government against rebel groups in that country); and acts of aggression committed by the United States (in Nicaragua in the 1980's pursuant to the Reagan Doctrine, and the Gulf War of 2003), and by the Russian Federation (in Georgia and in Ukraine).

A special emphasis of the seminar is the current state of affairs relating to the prosecution of the crime of aggression in the International Criminal Court.

Students are required to submit a 30-page essay on an approved topic within the confines of the seminar focus. The final draft must be handed in on before April 11.

Textbook: Johan D. van der Vyver, Acts of Aggression and Prosecuting the Crime of Aggression (2015).

**Last Updated Spring 2018*