

University of Florida
Rules, Authority, and Law: US and European Perspectives
EUS 3930/POS 4931
Fall 2025

COURSE INFORMATION:

Instructor: Prof. Alexander Panayotov, Ph.D.

E-mail: apanayotov@ufl.edu

Course Time: Tuesday 8:30-10:25 AM, Thursday 9:35-10:25AM

Course Location: MAT 0102

Office Location: Turlington Hall 3343

Office Hours: Thursday 12:45-2:45 PM (in person), Tuesday 11:45 AM -12:45 PM (Zoom), and by appointment

“Thoughts without content are empty, intuitions without concepts are blind.”
Immanuel Kant

COURSE DESCRIPTION:

In this course, we will explore the interplay between legal rules and social science theories in a comparative perspective. You will learn different styles of analysis and argumentation. Understanding these styles might prove challenging. Because of this, be prepared to discuss them during the class. The class discussion is a deliberative exercise: you are expected to contribute to it because everyone will benefit from a vigorous exchange of ideas. In addition, please respect your colleagues’ views because we will study problems open to multiple interpretations. Don’t forget that collegiality and tolerance are virtues not vices.

LEARNING OBJECTIVES:

This course has three main objectives: 1) to explore the nature of law and legal reasoning in a comparative perspective; 2) to outline both the classic and contemporary theories explaining socio-legal phenomena; and, 3) to demonstrate how law constraints and shapes human behavior. Main concepts will be supplemented by a systematic examination of cases decided by both European and US courts. The main unifying theme of this course is the systematic exploration of the dispute-resolution process in both the civil and common law traditions. No prior knowledge of law is assumed or required.

TEXTS:

- Frederick Schauer, *“Thinking Like a Lawyer: A New Introduction to Legal Reasoning”* (Harvard University Press, 2009) [hereinafter *TLL*]
- John Henry Merryman and Rogelio Perez-Perdomo, *“The Civil Law Tradition: An Introduction to the Legal Systems of Europe and Latin America”* (Stanford University Press, 2018, 4th edition) [hereinafter *CLT*]
- Mathieu Deflem, *“Sociology of Law: Visions of a Scholarly Tradition”* (Cambridge University Press, 2008) [hereinafter *SL*]
- Katharina Pistor, *“The Code of Capital: How the Law Creates Wealth and Inequality”* (Princeton University Press, 2019) [hereinafter *CC*]
- Materials on Canvas

EXAMINATIONS AND ACADEMIC HONESTY:

- I will not be able to change exams’ parameters and presentation dates except in the following cases: a medical emergency, which must be properly documented, and a death in the immediate family.
- Absences from class must be properly documented. An absence without proper documentation will be counted as an unexcused one. Two or more unexcused absences will result in lowering of your attendance and participation grade.
- Depending on our progress, there might be changes in the schedule. You will be notified of all changes in advance.
- No extra credit assignments will be offered.
- Please note that UF students are bound by The Honor Pledge which states, “We, the members of the University of Florida community, pledge to hold ourselves and our peers to the highest standards of honor and integrity by abiding by the Honor Code. On all work submitted for credit by students at the University of Florida, the following pledge is either required or implied: “On my honor, I have neither given nor received unauthorized aid in doing this assignment.” The Honor Code (<http://www.dso.ufl.edu/sccr/process/student-conduct-honor-code/>) specifies a number of behaviors that are in violation of this code and the possible sanctions. Furthermore, you are obligated to report any condition that facilitates academic misconduct to appropriate personnel. If you have any questions or concerns, please consult with the instructor in this class. Please note that this is a research-intensive course. Because of this, plagiarism and other forms of academic dishonesty will not be tolerated. Students are required to read, understand, and abide by the University of Florida Academic Honesty policy. The policy can be found here: <https://sccr.dso.ufl.edu/process/student-conduct-code/> . All violations of the said policy will be reported in accordance with the process outlined in it.
- The requirements in the syllabus are consistent with the UF grading policy. The policy can be found here: <https://catalog.ufl.edu/UGRD/academic-regulations/grades-grading-policies/>

GRADE CONCERNS:

If a student disagrees with her grade, she must outline her concerns in writing within 48 hours of receiving the grade. I will not accept grade concern statements after the expiration of the

48-hour period. The statement must contain a reasoned claim backed by textual evidence. After evaluating the merit of the claim, I will do one of the following: 1) increase the grade; 2) lower the grade; or, 3) leave the grade unchanged. The student will be notified about my decision within a reasonable time frame and the grade will be adjusted accordingly. Please note that this policy will not be applicable to the final paper and the overall final grade.

ATTENDANCE:

- Please be advised that class attendance is mandatory. I reserve the right to revise your grade one grade step down (e.g. B+ to B) for systemic unexcused absences from class (two or more absences).
- Arrive on time. I reserve the right to lower your attention and participation grade in cases of systematic tardiness. I define systematic tardiness as “three or more late arrivals to class.”
- Do not leave early. If you leave early three or more times, I reserve the right to lower your attention and participation grade.
- Requirements for class attendance and make-up exams, assignments, and other work in this course are consistent with university policies that can be found at: <https://catalog.ufl.edu/ugrad/current/regulations/info/attendance.aspx>

INCOMPLETES:

Incompletes will be granted under exceptional circumstances. A student who wants to receive an incomplete must: (1) inform the professor 10 (ten) days prior to the last day of class and (2) provide a written explanation about the reasons necessitating the incomplete. These reasons must be properly documented. In addition, the student must provide a written plan for finishing the missing work. The student must complete the work during the following semester. Failure to complete the work will result in an E.

COURSE EVALUATIONS:

Students are expected to provide professional and respectful feedback on the quality of instruction in this course by completing course evaluations online via GatorEvals. Guidance on how to give feedback in a professional and respectful manner is available at <https://gatorevals.ua.ufl.edu/students/> . Students will be notified when the evaluation period opens, and can complete evaluations through the email they receive from GatorEvals, in their Canvas course menu under GatorEvals, or via <https://ufl.bluer.com/ufl/> . Summaries of course evaluation results are available to students at <https://gatorevals.ua.ufl.edu/public-results/>.

ACCOMMODATIONS:

Students with disabilities who experience learning barriers and would like to request academic accommodations should connect with the disability Resource Center by visiting disability.ufl.edu/students/get-started. It is important for students to share their accommodation letter with their instructor and discuss their access needs, as early as possible in the semester.

Faculty can expect to receive a student’s accommodation letter within the first 3 weeks of classes; however, if a student registers with the DRC later in the semester faculty are still obligated to facilitate accommodations. Neither faculty nor administrators may independently deny a request for accommodation that is approved by the Disability Resource Center.

Students are also advised to explore the opportunities offered by the UF Disability Resource Center. The Center is located at 001 Reid Hall, web page: <https://disability.ufl.edu/#> .
COUNSELING AND WELLNESS CENTER:

Contact information for the Counseling and Wellness Center:
<http://www.counseling.ufl.edu/cwc/Default.aspx>, 392-1575; and the University Police Department: 392-1111 or 9-1-1 for emergencies.

RECORDINGS:

Students are allowed to record video or audio of class lectures. However, the purposes for which these recordings may be used are strictly controlled. The only allowable purposes are (1) for personal educational use, (2) in connection with a complaint to the university, or (3) as evidence in, or in preparation for, a criminal or civil proceeding. All other purposes are prohibited. Specifically, students may not publish recorded lectures without the written consent of the instructor.

A “class lecture” is an educational presentation intended to inform or teach enrolled students about a particular subject, including any instructor-led discussions that form part of the presentation, and delivered by any instructor hired or appointed by the University, or by a guest instructor, as part of a University of Florida course. A class lecture does not include lab sessions, student presentations, clinical presentations such as patient history, academic exercises involving solely student participation, assessments (quizzes, tests, exams), field trips, private conversations between students in the class or between a student and the faculty or lecturer during a class session.

Publication without permission of the instructor is prohibited. To “publish” means to share, transmit, circulate, distribute, or provide access to a recording, regardless of format or medium, to another person (or persons), including but not limited to another student within the same class section. Additionally, a recording, or transcript of a recording, is considered published if it is posted on or uploaded to, in whole or in part, any media platform, including but not limited to social media, book, magazine, newspaper, leaflet, or third party note/tutoring services. A student who publishes a recording without written consent may be subject to a civil cause of action instituted by a person injured by the publication and/or discipline under UF Regulation 4.040 Student Honor Code and Student Conduct Code.

ATTENDANCE:

Please note that according to the Office of the University Registrar: “Acceptable reasons for absence from or failure to engage in class include illness; Title IX-related situations; serious accidents or emergencies affecting the student, their roommates, or their family; special curricular requirements (e.g., judging trips, field trips, professional conferences); military obligation; severe weather conditions that prevent class participation; religious holidays; participation in official university activities (e.g., music performances, athletic competition, debate); and court-imposed legal obligations (e.g., jury duty or subpoena). Other reasons (e.g., a job interview or club activity) may be deemed acceptable if approved by the instructor.

For all planned absences, a student in a situation that allows an excused absence from a class, or any required class activity must inform the instructor as early as possible prior to the

class. For all unplanned absences because of accidents or emergency situations, students should contact their instructor as soon as conditions permit.

The university recognizes the right of the instructor to make attendance mandatory and require documentation for absences (except for religious holidays), missed work, or inability to fully engage in class. After due warning, an instructor can prohibit further attendance and subsequently assign a failing grade for excessive absences.”

Please familiarize yourself with the university policy regarding excused and unexcused absences. The full text is available here: [link](#)

COMPLIANCE WITH UF ACADEMIC POLICIES:

This course complies with all UF academic policies. For information on those policies and for resources for students, please see this [link](#)

RESPONSIBILITIES:

- Ensure that you have a reliable access to Canvas because it will be used extensively throughout the semester. Note that you will be responsible for printing or viewing the assigned material.
- Read the materials in advance and in the order indicated in the syllabus.
- Turn off your cell phones **before** coming to class.
- Restrict the use of electronic devices to class-related activities, e.g., note-taking or article reading.
- Please do not eat in class. Drinks in closed containers are permitted.
- Please note that I will call people in class. This means that it’s your responsibility to be prepared at all times. I reserve the right to lower your participation grade if you are unprepared.

GRADE SCALE:

A	94-100
A-	90-93
B+	87-89
B	84-86
B-	80-83
C+	77-79
C	74-76
C-	70-73
D+	67-69
D	64-66
D-	60-63
E	0-59

ASSIGNMENTS AND DEADLINES:

DUE DATE	ASSIGNMENT	DESCRIPTION	WEIGHT
	Attendance and participation	Please note that attendance is mandatory. Participation is an essential ingredient for your success in the course. I will consider revising your grade one grade step up (e.g. A- to A) to reward your meaningful class participation. I will revise your grade one grade step down (e.g., A- to B+) for inadequate class preparation. I will revise your grade one grade step down (e.g. B+ to B) for systemic unexcused absences from class (two or more absences). I reserve the right to revise your grade one grade step down (e.g. B+ to B) for systemic tardiness (two or more late arrivals). I will not revise grades upwards to reward regular attendance. Do not leave early. If you leave early two or more times, I reserve the right to lower your attention and participation grade by one grade step down. All absences must be properly documented. For more details about excused and unexcused absences please see the attendance section in the syllabus.	10%
11-Sep-2025	Précis	The précis is a one-page summary of an important socio-legal concept. I will post four legal concepts on Canvas. You will have to select one of them. The précis will have to be 1'' margin all around, Times New Roman font, size 12, double spacing. You may cite course materials or external sources — books, articles, judicial decisions or primary documents — related to the concept. All sources must be properly cited in a bibliography, which will not be counted toward the page requirement. I will deduct 15 points for assignments submitted after the deadline and before 11:59 PM on September 13 th . I will not accept submissions after that and no points will be awarded for this assignment.	20%
28-Sep-2025 — 05-Oct-2025	Midterm (take home exam)	The midterm will consist of one question and one short answer. The short answer should not exceed five sentences. Your answers should reflect the assigned readings and the class discussions. I will deduct 15 points for assignments submitted after the deadline and before 11:59 PM on October 7 th . I will not accept submissions after that and no points will be awarded for this assignment.	30%

02-Dec-2025 – 09-Dec-2025	Final Exam (take home exam)	The final exam will consist of two questions and one short answer. The short answer should not exceed five sentences. The additional requirements for the essay questions and the short answers are: 1” margin all around, Times New Roman font, size 12. Your answers should reflect the assigned readings and the class discussions. The final exam will cover all materials studied throughout the semester. I will deduct 15 points for assignments submitted after the deadline and before 11:59 PM on December 11 th . I will not accept submissions after that and no points will be awarded for this assignment.	40%
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SUBMISSIONS:

All assignments should be submitted by using the class Canvas web site unless otherwise noted in the syllabus.

IMPORTANT DATES:

- **September 11th:** Precis due
- **October 5th:** Midterm due
- **December 9th:** Final Exam due

TOPICS AND READINGS:

"Words strain, Crack and sometimes break, under the burden, Under the tension, slip, slide, perish, Decay with imprecision, will not stay in place, Will not stay still."
T.S. Eliot

I. Rules and People: Behind the Mystery of Law and Legal Reasoning	
21-Aug-2025	INTRODUCTION
26-Aug-2025	<ol style="list-style-type: none"> 1. SL 1-8 2. Julie Novkov, <i>"How to Read a Case"</i> [Canvas] (Short and useful, read it carefully) 3. Lawrence M. Friedman, <i>"The Law and Society Movement"</i> [Canvas] 4. Karen Alter, <i>"Law, Political Science and EU Legal Studies: An Interdisciplinary Project?"</i> [Canvas] (Please read Alter's contribution and skip the rest).
28-Aug-2025	<ol style="list-style-type: none"> 1. TLL 1-35 2. <i>The Structure of a Legal System</i> [handout, Canvas] 3. <i>The Operation of Legal Rules</i> [handout, Canvas]
02-Sep-2025	<ol style="list-style-type: none"> 1. TLL 36-84 2. <i>MacPherson v. Buick</i> [Canvas] (read pp.1-11, skim pp.11-17)
04-Sep-2025	<ol style="list-style-type: none"> 1. TLL 85-102
09-Sep-2025	<ol style="list-style-type: none"> 1. TLL 103-123 2. Oliver Wendell Holmes, <i>"The Path of the Law"</i> [Canvas]
11-Sep-2025	<ol style="list-style-type: none"> 1. TLL 124-147 2. SL 97-116
16-Sep-2025	<ol style="list-style-type: none"> 1. TLL 148-202
18-Sep-2025	<ol style="list-style-type: none"> 1. TLL 203-223
23-Sep-2025	<ol style="list-style-type: none"> 1. CLT 1-56
25-Sep-2025	<ol style="list-style-type: none"> 1. CLT 57-87
30-Sep-2025	<ol style="list-style-type: none"> 1. CLT 88-126
02-Oct-2025	<ol style="list-style-type: none"> 1. CLT 127-163

"I would rather have questions that can't be answered than answers that can't be questioned."
Richard Feynman

II. Theories, Rules, and People: What Do We Know about Law and Society?	
07-Oct-2025	<ol style="list-style-type: none"> 1. SL 17-36
09-Oct-2025	<ol style="list-style-type: none"> 1. SL 56-74

	2. Roger Cotterrell, <i>“The Durkheimian Tradition in the Sociology of Law”</i> [Canvas]
14-Oct-2025	1. SL 37-56
16-Oct-2025	1. SL 181-197
21-Oct-2025	1. SL 145-180

“We feel as if we had to repair a torn spider’s web with our fingers”
Ludwig Wittgenstein, “Philosophical Investigations”, §106

III. Law, Society, and Legal Change: How Law Creates Wealth and Inequality	
23-Oct-2025	1. CC 1-22
28-Oct-2025	1. CC 23-46
30-Oct-2025	1. CC 47-76
04-Nov-2025	1. CC 77-107 2. CC 108-131
06-Nov-2025	1. CC 132-157
13-Nov-2025	1. SL 250-270
18-Nov-2025	1. CC 158-204
20-Nov-2025	1. CC 205-234

Philosophers make imaginary laws for imaginary commonwealths, and their discourses are as the stars, which give little light because they are so high.”
Francis Bacon

IV. Conclusion: What’s the Meaning of All That?	
02-Dec-2025	1. REVIEW SESSION 2. SL 271-277

USEFUL LINKS FOR CLASS DISCUSSIONS:

1. The Law and Society Association: <http://www.lawandsociety.org/>
2. The Legal Information Institute at Cornell Law School: <http://www.law.cornell.edu/>
3. The Avalon Project at Yale Law School: <http://avalon.law.yale.edu/>
4. The Oyez Project (the U.S. Supreme Court): <http://www.oyez.org/>

USEFUL LINKS FOR INTELLECTUAL ENRICHMENT:

1. Arts and Letters Daily: <http://www.aldaily.com/>
2. BBC “In Our Time” (podcasts): <http://www.bbc.co.uk/programmes/b006qykl>

FOREIGN LEGAL PHRASES:

A contrario: “from a contrary position”
A fortiori: “for a still stronger reason”
Ad hoc: “for this; for the specific purpose”
Contra legem: “against the law” (often used in the context of legal interpretation)
De jure: “according to law”
De facto: “in reality; in fact”
Erga omnes: “toward all” (often used in relation to obligations)
De lege ferenda: “law as it should be”
De lege lata: “law as it is”
Opinio juris: “opinion of the law”

BOOK LIST (OPTIONAL):

WRITING	Bryan A. Garner, “ <i>Legal Writing in Plain English</i> ” 2 nd edn. (The University of Chicago Press, 2013)
EDITING	Claire Cook, “ <i>Line by Line: How to Edit Your Own Writing</i> ”, Houghton Mifflin Harcourt, 1985
PRESENTATION	Jerry Weissman, “ <i>Presenting to Win</i> ” <i>The Art of Telling Your Story</i> ” (Pearson FT Press, 2008)
LEGAL REASONING (ADVANCED)	Antonin Scalia and Bryan A. Garner, “ <i>Reading Law: The Interpretation of Legal Texts</i> ” (West Publishing, 2012) Edward H. Levi, “ <i>An Introduction to Legal Reasoning</i> ”, (The University of Chicago Press, 2013)

BIBLIOGRAPHY:

Alter, Karen J., Renaud Dehousse, and Georg Vanberg. "Law, Political Science and EU Legal Studies: An Interdisciplinary Project?" *European Union Politics* 3 no. 1 (March 2002): 113-136.

Cotterrell, Roger. "Review: The Durkheimian Tradition in the Sociology of Law," *Law & Society Review* 25, no. 4 (July 1991): 923-946.

Deflem, Mathieu. *Sociology of Law: Visions of a Scholarly Tradition*. Cambridge: Cambridge University Press, 2008.

Friedman, Lawrence. "The Law and Society Movement," *Stanford Law Review* 36 no.3 (February 1986): 763-780.

Oliver Wendell Holmes, "The Path of the Law." *Harvard Law Review* 110, no. 5 (March 1897), pp. 991-1009.

MacPherson v. Buick 111 N.E. 1050, 217 N.Y. 382.

Merryman, John Henry and Rogelio Perez-Perdomo, *The Civil Law Tradition: An Introduction to the Legal Systems of Europe and Latin America*. Stanford: Stanford University Press, 2018, 4th edition.

Novkov, Julie "How to Read a Case," accessed May 19th,
<https://edwardwimberley.com/courses/EnviroPol/novkov.pdf>

Pistor, Katharina. *The Code of Capital: How the Law Creates Wealth and Inequality* (Princeton, NJ: Princeton University Press, 2019).

Schauer, Frederick. *Thinking Like a Lawyer: A New Introduction to Legal Reasoning*. Cambridge MA: Harvard University Press, 2009.