

## UC Berkeley Legal Studies, Global Access Program

This unique program provides access to Berkeley Law's top-notch faculty and courses in Berkeley Law's innovative Legal Studies program. Through the UC Berkeley Legal Studies, Global Access Program, top-qualifying international undergraduate law students can expand their knowledge of law to become tomorrow's legal innovators in a rapidly changing world.

Berkeley Legal Studies GAP has a semester-long format of two 4-unit core courses, an elective 4-unit course drawn from the general Legal Studies curriculum, and a 1-unit course on getting to know UC Berkeley. The core courses emphasize the fundamentals of U.S. law, the relationship between law, technology, and entrepreneurship, and legal change. Berkeley Legal Studies GAP elective courses cover doctrine in key areas of law, such as business law, constitutional law, criminal law, immigration law, intellectual property law, and international law. Elective courses also explore the broad impact of legal ideas and institutions on every facet of life via the economics, history, philosophy, politics, psychology, and sociology of law. Berkeley Law faculty teach all Legal Studies courses, which creates opportunities for intellectual and social exchange among Berkeley Legal Studies GAP and UC Berkeley students.

\*Please note that not all courses will be offered each semester and are subject to change. If you have specific questions about any of the courses, please contact us at [legalstudiesgap@berkeley.edu](mailto:legalstudiesgap@berkeley.edu).

**Hours & Format:** Spring and/or Fall Semester for 15 weeks – 3 hours of lecture per week per course.

**Grading/ Final Exam Status:** Letter Grade. A final assessment (paper or exam) is required in Legal Studies courses in addition to class participation and other midterm papers and assignments.

### **Berkeley Legal Studies GAP Core Courses**

#### **LS XB 138 Supreme Court and Public Policy (4 Units)**

This course examines how the Supreme Court makes public policy. We will do so by reading,

discussing, and debating Supreme Court opinions. The first half of the course focuses on the Supreme Court's elaboration of substantive constitutional policy in the areas of equality, due process, and federalism. The second half focuses on Supreme Court policymaking that bears on "access to courts," which concerns the actual enforcement and implementation of rights. The course will traverse many policy domains, including civil rights, education, environmental, antitrust, medical marijuana, consumer protection, policing, public assistance, health care, same-sex marriage, free speech, and campaign contributions.

### **LS XB 149 Law, Technology, and Entrepreneurship (4 Units)**

The purpose of this course is to provide students with a thorough foundation for understanding the role that law plays in the construction and growth of entrepreneurial enterprises. We begin the course with a foundational study of the theory behind entrepreneurship, paying attention to the various kinds of entrepreneurship that exist in our world and the theory and research behind the entrepreneurial venture. Second, we turn our attention to the issues that arise during the formation of a startup enterprise here, we focus on developing ideas for new businesses and the role of creativity and opportunity. In addition, we also address the development of business, marketing, organizational, and financial plans, and focus specifically on the role of law in addressing all of these areas. Third, we focus on finding sources of capital, addressing the role of venture capital and public offerings. Finally, in our last section, we discuss strategies for growth and exit, including joint ventures, acquisitions, mergers, buyouts, and liquidation.

### **LS X400 How to UC Berkeley (1 Unit)**

Offered only through UC Extension, "How to UC Berkeley" introduces students to the processes, practices, quirks, and expectations that guide student life at Berkeley. The course also serve as the organizational base for the academic enhancements (site visits, events, career advising) that accompany the Global Access Legal Studies course.

### **A Sample of Berkeley Legal Studies GAP Electives**

#### **LS 100 Foundations of Legal Studies (4 Units)**

This course provides an introduction to the major concepts and institutions of American law, both private and public (with some discussion of English and European law). The course

emphasizes philosophy and history over legal doctrine. In private law, we will take up questions of when we use private law to determine who pays for accidents, and how some but not all agreements are protected by the law of contracts. We will spend more time on criminal law, looking at the justifications for the state's exclusive right of punishment, and on the limits to what behavior the state can declare criminal (drawing on the example of the decriminalization of homosexuality). We will also examine the distinctive processes of the American criminal justice system, and some of the troubling aspects of its outcomes, especially in relation to race. The last third of the course will take up the quintessentially American institution of constitutional judicial review: the right of the judiciary to reject state and federal laws that it deems not to conform to the Constitution.

### **LS 103 Theories of Law & Society (4 Units)**

"Theories of Law and Society" surveys leading attempts to construct social theories of law and to use legal materials for systematic social theorizing, during the period from the mid-eighteenth century to the early twentieth century. The course considers major discussions of such themes as the relationships between law, politics, society and economy; the connection between historical change and legal change; the role of law in the processes of social integration and social discipline; and the distinctive elements of legal ordering in the modern west.

### **LS 106 Legal Philosophy (4 Units)**

This course explores philosophical themes bearing on the nature of the law and its relationship to morality: e.g., What is law—does its claim rest only on social processes or does law necessarily embody moral claims? Do we have an obligation to obey the law? What are the moral limits of legal punishment? The course will sharpen students' skills in practical reasoning through the analysis of logical argument. The materials consist of readings from the assigned text and additional readings available on bCourses. The format will be a combination of lecture and classroom discussion, with a substantial number of ungraded group debates and simulations.

### **LS 107 Theories of Justice (4 Units)**

Major perspectives in social and economic thought, e.g., natural law, natural right, laissez faire, "possessive individualism," contractualism, pluralism, and social equality as they affect contemporary discussion of "higher law," fairness, civic competence, and distributive justice.

### **LS 110 Human Rights: Indigenous Experience (4 Units)**

This course will explore: What are “human rights”? Can human rights be considered “inalienable” when history reveals the denial of the rights? What are the barriers to achieving universal human rights? What do human rights campaigns tell us about the solutions to achieve human rights? We explore these issues through the indigenous context. We survey the cultural, political, and legal stature of indigenous peoples both in the U.S. and internationally. As Echo Hawk does, we explore what is needed to achieve rights and reconciliation with focusing on the United Nations Declaration on the Rights of Indigenous Peoples. Finally, we look critically at the bias and cultural injustices that can underlie policies to stifle progress. And we will discover the successes of those that persevere to achieve human rights and justice.

### **LS 119 Philosophy and Law in Ancient Athens (4 Units)**

This is an introduction to important aspects of the philosophical and constitutional thought of classical Athens. We will pay particular attention to accounts of the origins of the Athenian legal system; criticisms and defenses of the democracy; arguments about the nature of justice, law, and legal obligation; and the context of the Athenian way of organizing trials, taxation, and administration. Readings from Aeschylus, Thucydides, Aristophanes, Plato, Lysias, Aristotle, and others.

### **LS 140 Property and Liberty (4 Units)**

This course will explore the relation between property law and limits of liberty in different cultures and at different times. The course will cover theories of property law, slavery, the clash between aboriginal and European ideas of property, gender roles and property rights, common property systems, zoning, regulatory takings, and property on the internet. Readings will include legal theorists, court cases, and historical case studies.

### **LS 145 Law & Economics I (4 Units)**

The course will apply microeconomic theory analysis to legal rules and procedures. Emphasis will be given to the economic consequences of various sorts of liability rules, remedies for breach of contract and the allocation of property rights. The jurisprudential significance of the analysis will be discussed.

**LS 151 Law, Self and Society (3 Units)**

Contemporary moral and political philosophy has been increasingly interested in how conceptions of the self relate to various aspects of our social and political life. These issues have an important bearing on legal theory as well. Law is shaped by certain implicit assumptions about the nature of individuals and collectivities, while it also actively participates in forming the identities of persons and in structuring collective entities such as families, corporations, and municipalities. This course will explore some theoretical approaches to this reciprocal relationship between law and the different social actors that it governs.

**LS 157 International Relations and International Law (4 Units)**

This course will evaluate and assess modern theories of international law. We will examine the work of legal scholars and look to political science and economics to see how these disciplines inform the study of international law. We will also examine a host of fundamental questions in international law, including, for example, why states enter into international agreements, why states comply with international law, and what kind of state conduct is likely to be influenced by international law.

**LS 159 Law and Sexuality (4 Units)**

This course focuses on the legal regulation of sexuality, and the social and historical norms and frameworks that affect its intersection with sex, gender, race, disability, and class. We will critically examine how the law shapes sexuality and how sexuality shapes the law. Our subject matter is mostly constitutional, covering sexuality's intersection with privacy, freedom of expression, gender identity and expression, equal protection, reproduction, kinship, and family formation, among other subjects. We will study case law, legal articles, and other texts (including visual works) that critically engage issues of sexuality, citizenship, nationhood, religion, and the public and private spheres domestically and internationally.

**LS 160 Punishment, Culture, & Society (4 Units)**

The desire to punish seems to be a universal human trait with deep psychological, moral, and practical foundations. At the same time the practices and meanings associated with punishments, what has been called the “penal field” or “penality,” vary enormously across time and place. This is especially true when we consider those examples of punishment that take place under the legal authority of a state or government. Whatever may be true of practices of punishment within the family, or specialized institutions like schools, monasteries, and militaries, punishment as a legal institution is a part of state power, which is our main concern, and like other aspects of the legal order must be understood to address multiple concerns and audiences. In particular, "mass incarceration," the profound enlargement of prison systems in the United States since the 1970s, and its concentration on economically marginal members of racial and ethnic minorities, requires attention to politics, social structures, and cultural meanings.

### **LS 164 Juvenile Justice Historical Perspective (4 Units)**

We will investigate the profound role of law and legal institutions in shaping and defining racial minority and majority communities. Students will interrogate the definition and meaning of race in U.S. society (e.g., whether race is biological, cultural, environmental, based on White supremacy, or a social construct that is constantly being transformed) and will critically examine the connection between law, race and racism, both in the historical and modern context. The course is a collaborative effort to learn the truths of our collective history; to share the truths of our individual experiences and lives; and, to determine if we desire a more just society, and if so, how to create our own paths and contributions to this endeavor.

### **LS 170 Crime and Criminal Justice (4 Units)**

Introduction to the etiology of crime and criminal justice administration. What is crime? What are the main features and problems of the process by which suspected criminals are apprehended, tried, sentenced, punished? Past and current trends and policy issues will be discussed.

### **LS 181 Psychology and the Law (4 Units)**

This course will examine the implications of cognitive, social, and clinical psychology for legal theory, policies, and practices. The course will analyze the psychological aspects of intent, responsibility, deterrence, retribution, and morality. We will examine applications of psychology

to evidence law (e.g. witness testimony, psychiatric diagnosis, and prediction), procedure (e.g. trial conduct, jury selection), and topics in criminal tort and family law.

### **LS 190.1 Law, Politics, Literature (4 Units)**

This course will examine some key issues of politics through the close reading of a number of literary works.

### **LS 190.2 The Supreme Court and the Conflict between Individual Liberty and Governmental Mandated Equal Treatment (4 Units)**

This course will examine the evolution of the Supreme Court's treatment of the conflicts between individual liberty and governmental mandates of equal treatment. We will begin by examining the historical legal, social and cultural acceptance of unequal treatment of people based on certain inherent characteristics including race, gender, sexual orientation, and gender identity, towards the Court's support of governmental mandates of equal treatment and equal access to private and governmental opportunities at the expense of certain individual liberties and freedoms. We will continue by exploring the current trend permitting individuals and governmental institutions to "opt out" of existing non-discrimination and equal treatment laws based on newly developed constitutional theories expanding the definition and protection of "expressive" conduct, Court supported limitations on governmental "compelled speech," and expanded First Amendment protection of "sincerely held religious beliefs and moral convictions." These developments are causing the erosion of previously embedded constitutional requirements of equal treatment, equal access and non-discrimination; and protections afforded to politically vulnerable groups.

### **LS 190.3 Legal Theory (3 Units)**

In this seminar we'll discuss a number of texts that cover a wide range of issues in legal theory. They fall into two main categories. Some of the readings look at law from the outside, posing the question, What is law and what is the source of its authority? The answers proposed concern the distinction between natural law and positivism, and the relationship between law and morality. The other set of readings adopt an internal perspective, focusing primarily on theoretical underpinnings of substantive legal areas, such as criminal law, constitutional law, and contracts. The main normative orientation that will be brought to bear on these areas is provided by two contrasting strands in liberal moral theory, utilitarianism and Kantianism. The aim is to identify salient ideas and values that shape legal discourse and inform legal policy.

### **LS 190.4 Human Rights Research (4 Units)**

This course provides an overview of international human rights, including the field's historical and theoretical foundations; the jurisprudence of international human rights; empirical insights from disciplines such as sociology, psychology, history, and anthropology; and emerging trends in human rights practice.

### **LS 190.5 Intimate Partner Violence & the Law (4 Units)**

### **LS 190.6 Minority Rights: the Israeli Balance (4 Units)**

In its declaration of independence, Israel declared itself as the fulfillment of the national aspirations of the Jewish people, and at the same time committed to maintaining full equality among all its citizens; regardless of nationality. These potentially contradicting commitments have been at the center of Israeli political and legal discourse ever since. The course will present some of the choices made in Israeli policy, politics, and law as to the balance between the various competing right and interests. The discussion will cover issues such as how its choices reflect on Israel as a democracy and comparison to different paths taken by other countries in similar circumstances.

Please see <http://legalstudies.berkeley.edu/course-offerings/> for a complete, archived list of Legal Studies courses, and <http://legalstudies.berkeley.edu/new-courses-list/> for catalog course descriptions.



**Program Dates** Fall 2019: August 28

December 20 Final Application

Deadline: July 1, 2019

**Program Cost\*** \$19,900 \*Excludes living expenses **Participants** Top-qualifying undergraduate students or recent graduates **English Proficiency Requirements** UC Berkeley requires minimum scores of: 570 TOEFL (PBT) / 230 (CBT) / 90 (iBT) or IELTS Academic Format of 7 or TOEIC score of 900. Students who do not meet these requirements can request further English language evaluation **BGALS Academic Enhancements** ✓ Graduate school admission workshops ✓ Cohort lunches ✓ Immersive California trips ✓ Visits from Bay Area and national private law firms and public interest law organizations ✓ Networking events hosted by Berkeley Pre-Law Society ✓ Career-advising programs ✓ Opportunities to hear from legal professionals in class and in the courtroom