Introductory Comments

Many of us came to law school interested in how the law can advance justice, only to find ourselves disoriented by a first-year curriculum seemingly uninterested in and often hostile to these questions. This syllabus is a suggestion of readings organized around the 1L Curriculum aimed to challenge various assumptions underlying the law. Instead of the typical structure and content of core courses, which tend to obscure their significant implications for social justice, inequality, and democracy, this syllabus aims to clarify the stakes. We recommend forming reading groups with other students to discuss these texts or reading them on your own. We hope these materials may be the first steps in framing a longer, richer conversation.

Introduction to Approach / Subject Matter

Critical Legal Studies:

Critical Race Theory:

Law and Political Economy:

Torts


To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at [www.alternativelegaleducation.com](http://www.alternativelegaleducation.com)

**The Reasonable Person:**


**Intentional Torts:**


**Nuisance:**


**Negligence:**


**Abnormally Dangerous Activity:**


*For more suggestions, see “Torts: A Law and Political Economy Counter Syllabus” by Conor Dwyer Reynolds at LPEBlog*

---

**Contracts**

Robert Lee Hale, “Bargaining, Duress and Economic Liberty”, 43 Colum. L. Rev. 603 (1943)

To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at www.alternativelegaleducation.com


Property

Morris R. Cohen, Property and Sovereignty, 13 Cornell L. Rev. 8 (1927), https://scholarship.law.cornell.edu/cgi/viewcontent.cgi?article=1260&context=clr


Cheryl Harris, “Whiteness as Property”, 106 Harv. L. Rev 1707 (1993) – read Parts I, II, and IV(a) and IV(c) (pp. 1707 – 1745, 1757-61, 1766-77)

Keeanga-Yamahtta Taylor, “How Real Estate Segregated America”, Dissent Magazine (Fall 2018)

Katharina Pistor, Chapter two “Coding Land” in Code of Capital (2019); Recommended: Code of Capital in its entirety

David Kennedy, Some Caution about Property Rights as a Recipe for Economic Development, Available online at Digital Access to Scholarship at Harvard (DASH).

Yochai Benkler, Peer Production, the Commons, and the Future of the Firm, 15 Strategic
To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at www.alternativelegaleducation.com


**Responses to Law and Economics**

Zachary Liscow, “Is Efficiency Biased?” 85 U. Chi. L. Rev. 7, 1649 (Nov. 2018) [read section I – IV (pp. 1–25) and section VI (pp. 42–56)]


**Criminal Law**


Michel Foucault, Discipline and Punish: The Birth of the Prison. Chapter 1 “The body of the condemned”


Angela Davis, Are Prisons Obsolete? (7 Stories Press, 2003)


Carol E. Tracy et al., “Rape and Sexual Assault in the Legal System,” Women’s Law Project (2012).
To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at [www.alternativelegaleducation.com](http://www.alternativelegaleducation.com)


---

**Constitutional Law**


---

**Legislation and Regulation / Administrative Law**

To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at www.alternativelegaleducation.com


Environmental:

Health Care:

Antitrust:

International Law

International Trade Law:

Intellectual Property and Access to Medicines:

Human Rights
To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at www.alternativelegaleducation.com


Reparations

Optional Background:

Corporations

Robert E. Wright, Capitalism and the Rise of the Corporate Nation in Capitalism Takes Command: The Social Transformation of Nineteenth Century American (Michael Zakim & Gary Kornblith eds.).


William G. Roy, Socializing Capital: The Rise of the Large Industrial Corporation in America, especially Chapters 1, 2, 3 and 9.


Labor


Silvia Federici, “*Wages Against Housework*” (1974), Pamphlet


Immigration


Chantal Thomas, “Transnational Migration, Globalization, and Governance: Theorizing a Crisis” (The Oxford Handbook of the Theory of International Law, 2014)
To stay in touch and receive more materials and invitations to events throughout the year, sign up for our mailing list at www.alternativelegaleducation.com