

Course Outline

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| COURSE: | Introduction to Legal Studies (LAWS 1000D) |
| TERM: | Fall/Winter 2015-2016 |
| CLASS: | Day & Time: Tuesday 11:35-1:25pm (Lecture) + Discussion Group (See Carleton Central for time & location) |
| | Room: Southam Hall, Theatre 'B' (Tunnel Level) (Confirm with Carleton Central for room location) |
| INSTRUCTOR: | Stephen J. Tasson |
| CONTACT: | Office: D498 Loeb Building Office Hrs: Tuesday 2:30-4:30pm (or by appointment) Email: steve.tasson@carleton.ca |

Academic Accommodations:

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance

compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:
<http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION

In contemporary societies law is not only a key mechanism used to resolve disputes, but importantly also defines a significant part of our collective and individual identities. It is therefore an important means through which groups define themselves and the roles and responsibilities they expect from individual members. Thus, even understood narrowly, law plays a fundamental role in defining what it means to be a citizen and the rights and responsibilities that are associated with national citizenship.

While such guidelines can **enable** individuals and provide a strong sense of security and belonging, the impact and consequences of law and legal processes are not always so benevolent or benign. We must ask how the legal system, legal practice and legal actors may also foster and maintain – rather than alleviate – **social inequalities** and **exclusions** based on class, race, gender, religion, sexuality, etc.

These are critical questions. They are fundamentally questions about what law is, and what it can and ought to be. To begin to answer these important questions we must first think about how we understand and define law or “the legal”; we must understand the origins of our legal institutions (in Canada) and also the more mundane processes through which legal decision-making takes place and is realized. How are such decisions made, who ultimately makes them, and on what authority? What role do everyday citizens play in systems of legal decision-making and what might our answer reveal about the accessibility and accountability of Canada's legal system? Have the answers to any of these questions changed significantly in recent years? What are the impacts of more state surveillance, more porous national borders, or rapid advances in multiple technologies? Are the ambiguities of legal regulation as a form of social control more or less clear today?

Some “big” questions we discuss:

- How do we know “the law”?
- Must law be moral? Must it be coercive?
- What does it mean to be a citizen?
- What is the relationship between ‘formal’ and ‘substantive’ justice?
- What are the key formal sources of Canadian law?
- Who are the key ‘legal players’ and have they changed in recent years?
- How has a more connected globe affected our laws, our rights and our courts?
- What are rights and who has them?
- Who should ultimately make decisions about our rights and their limits?
- Are there more effective alternatives to the current adversarial court system?
- Why does law (esp. criminal law) regulate some things and not others?
- Can law promote broad social change or does it merely legitimize inequalities and maintain the status quo?

Course Objectives (or, ‘what I want you to get out of the course’)

1. Explore the implications of competing “perspectives of law” and law’s ambiguous roles and impacts in contemporary societies.
2. Develop an understanding of the sources of Canadian law and the historical links to, and treatment of, other systems of law and social ordering.
3. Explore the relationship between Charter rights, human rights, and the principle of Parliamentary supremacy.
4. Improve your ability to critically evaluate the strengths and weaknesses of competing written arguments.
5. Investigate the basic components and recent transformations of criminal, constitutional and private law in Canada.
6. Identify and critically evaluate the legal system’s key (and emerging) players or “actors”, their motivations, and how their attitudes and actions affect our understanding of, and outcomes in, the present-day legal system.
7. Explore the relationship between law, politics, economics and morality (as sometimes complimentary, and sometimes conflicting, systems of social ordering). Be capable of reading existing debates and social issues such as obscenity and the limits of freedom of expression through these intersections.
8. Examine the relationship between rights and contemporary theories of citizenship, multiculturalism, social inclusion and belonging, exclusion and state violence.
9. Improve your ability to structure and communicate ideas and arguments both orally and in writing.
10. Critically assess the potential of employing law in contemporary social and political struggles and movements as well as regulatory projects (e.g. euthanasia, poverty-reduction, marriage reform, gun-control, privacy, etc...).

REQUIRED TEXTS

Tasson, Dickson, Kazmierski, Kuzmarov, Mallette (eds.) (2015). *Introduction to Legal Studies* (5th ed.). North York: Captus Press.

Vago, Steven and Adie Nelson. (2014). *Law and Society* (4th Canadian ed.). Toronto: Pearson Prentice Hall.

In addition to these two main texts there will be additional readings/materials for which you will be responsible. These will be discussed in advance and available to you on cuLearn.

Please note that you must to buy the **correct edition** of these texts. In the case of *Introduction to Legal Studies* specifically, the latest edition is significantly different than the 4th edition (of which there are many circulating). You *may* be able to use an earlier edition of the Vago and Nelson text, but this will require significant effort to assure you are reading the correct assigned readings.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor are be subject to revision by the Department and the Dean. No grades are “official” or final until they have been approved by the Department and the Dean.

Fall Term

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| Fall Commentary | 10% | (due mid-October) |
| Fall Term Paper | 15% | (due late November) |
| Mid-year Exam | 20% | (formally scheduled, Dec. 9 - 21) |

Winter Term

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|-------------------|-----|-------------------------------------|
| Winter Term Paper | 20% | (due later March) |
| Final Exam | 20% | (formally scheduled, April 11 - 23) |

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| Participation | 15% | (This includes your “Portfolio” mark) |
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COURSE COMPONENTS

****You must complete ALL components of the course to receive a passing grade****

There are NO “bonus” or “grade boosting” assignments available in this course

Commentary

A commentary is slightly shorter, less formal, and more summary-oriented than a term paper. The commentary assigned in this course is designed to give you an opportunity to both submit a piece of writing for “early feedback” prior to your term paper and also to explore and discuss a single article from the course in more detail. The commentary will be approx. 5 pages in length and will be evaluated slightly differently than your term papers. As with all course requirements, more specifics will be clarified in an assignment sheet (posted to cuLearn) and discussed in the lecture and in the tutorials.

Term Papers

There are two term papers that ask you to summarize, synthesize and critique (i.e. take a position on) some of the material we investigate in the course. These term papers provide you an opportunity to discuss a selection of the readings that we investigate in the course and draw connections to some of the broader questions and themes highlighted in the lectures. Each paper will be a **minimum of 8 pages** in length. The specific questions, due dates and rubrics for evaluation will outlined in the assignment sheets and will also be discussed in more detail in lecture and in the tutorials.

NOTE: “Outside” research (other than course texts and lectures) will not be required and is usually not encouraged.

Mid-year & Final Exam

There are two exams in the course. Both occur during the formally scheduled exam periods in December and April. The dates, times and locations are centrally scheduled by the university (so don't blame me!). The exams will likely consist of 80-100 multiple-choice questions each; though there may be some short

and long answer questions as well. For the most part multiple-choice exams aim to test the range of knowledge you have gained in the course rather than the depth (this is what your commentary and term-papers are for!). The specifics of the exams and tips for studying will be discussed closer to the end of each term.

What is my “Portfolio” and how do I submit entries?

Each term you must complete **FOUR** “entries” in your portfolio. An entry is a short summary, discussion, reflection, and/or series of questions based primarily on a week’s reading(s), or on issues raised by the week’s topic (it should be **approx. 200 words**).

Minimally these entries should demonstrate that you have read the required readings (summary) and thought about the arguments in some depth (analysis). You can also discuss or link “current events”, cases, or issues that are related to the week’s topic (application). Other options may be discussed in class or your discussion group.

Entries are submitted electronically via cuLearn and must be sent **by midnight Friday** of the relevant topic/lecture or they will not be accepted by your TA.

Your TA may choose to discuss your entries or questions in the tutorial or may respond to them via cuLearn.

Each entry is marked “pass/fail”.

Participation

Despite the fact that this is a lecture course, individual participation is still an important component of the course and your mark. Your main opportunity to participate is in the weekly discussion groups (AKA “tutorials”). **You are expected to contribute to your discussion group and come prepared to participate (this means having done the readings)**. Your participation mark is based on several things:

- 1) your basic attendance and *actual* participation in the group discussions and planned exercises;
- 2) completing your **Portfolio** (see sidebar)

An Important Note on Tutorials/ Discussion Groups:

It is very important that you attend the discussion groups. As with the lecture, **all material that is discussed or presented there may appear on exams or be the subject of assignments** (e.g. there are a few short documentaries that will be shown in the groups). Also, while there most important function is to provide a place for you to discuss material with your peers, my intention is that they should also help develop some of the skills necessary for success in the course (and beyond).

SCHEDULE

The schedule of weekly lecture topics and weekly reading for which you are responsible are **available on cuLearn**. It is important to complete required readings in advance of the relevant lecture. Failure to do so may prevent you from being fully able to participate in either the lecture or the weekly discussion groups.

ADDITION COURSE GUIDELINES AND POLICIES

(We will be discussing these requirements in more detail in the lecture or discussion groups)

ASSIGNMENT FORMAT

Any written work submitted in this course **must** be typewritten, double-spaced, 12pt Times New Roman font with standard 1" margins. All assignments **must** include a title page that has, at minimum, your name and student number, the course code, my name and your tutorial leader's name on it. Assignments are to be stapled in the top left corner and **not put in plastic covers or other bindings**. Title pages, bibliographies and extensive footnotes are not counted in determining an assignment's page length.

****Failure to format your assignments as indicated may result in them not being accepted****

LATE ASSIGNMENTS and EXTENTIONS POLICY

Late assignments will be penalized **5% per day** that they are late (unless otherwise specified on the assignment instructions). Late assignments are to be submitted to the **Law Department's drop box** (outside C462 Loeb Building) unless otherwise noted. It is **your** responsibility to ensure that assignments are submitted before the deadline and to the right location.

Email is NOT considered an acceptable means of submission for assignments

Extensions on assignments are normally only granted when supported by medical or other documentation. Having multiple assignments due on the same day is normally NOT a valid reason for an extension. Plan your time accordingly!

BACKUP COPIES

Student must retain a **paper hard copy** of anything submitted for a grade in the class. This hard copy should be kept for at least 3 months following the end of the course in case there is any discrepancy in final grades. In the very unlikely event that a submitted assignment is misplaced or destroyed, you must be able to produce another copy immediately upon request.

MORE ON REFERENCING & PLAGARISM

The assignments in the course must be properly referenced and include a bibliography of all sources used in the preparation of the assignment. You will discuss the citation style in some detail in your tutorial group. **Failure to reference properly or attempting to pass someone else's ideas or work off as your own is considered plagiarism**. I take it very seriously and so should you! Plagiarism can lead to penalties that range from failure of the course to expulsion from the university. Engaging in it is incredibly misguided. If you are not sure about whether you are citing enough or properly, please ask.