
Course Outline

Course: LAWS 1000 B & D - Introduction to Legal Studies

Term: Fall/Winter 2011-2012

Class Time: Wednesdays 835-1025

Room: Please check with Carleton Central for current room location

Instructor: Stephen Tasson
(Contract)

Contact: **Office:** Loeb D599
Office Hours: Thurs 9am-12pm or by appt.
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"Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: <http://www2.carleton.ca/pmc/students/accommodations> . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by 11 November 2011 for December exams and 7 March 2012 for April exams. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

OVERVIEW OF THE COURSE

In contemporary societies law is not only a key mechanism used to resolve disputes, but, as importantly, it 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. For example, law plays a fundamental role in defining what it means to be a citizen and the rights and responsibilities that are associated with citizenship.

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

These are critical questions. They are fundamentally questions about what law is and what its role can and ought to be in society. To begin to answer these questions we must first understand the origins of our legal system (in Canada) and also the processes through which legal decision-making takes place. How are such vital decisions made, who ultimately makes them and on what authority? What role do everyday citizens play in the system of legal decision-making and what does this say about the accessibility and accountability of Canada's legal system? Have the answers to any of these questions changed in the post-post-911 era? What are the impacts of "globalization" and rapid advances in numerous technologies? Are the ambiguities of legal regulation more or less clear today?

More big questions we discuss:

- What is law? How do we know it?
- Must law be moral? Coercive?
- What does it mean to be a citizen?
- Are legal protections accessible to everyone?
- What are the key formal sources of Canadian law?
- Who are the key 'legal players' and have they changed in recent years?
- How has globalization 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 role and impact 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 in criminal, constitutional and private law in Canada.
6. Identify and critically evaluate the legal system's key (and emerging) players, 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 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 law and contemporary theories of citizenship, multiculturalism, social inclusion, 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, etc...).

REQUIRED TEXTS

Kazmierski, Dickson-Gilmore, Kuzmarov, Moore, Tasson (eds.) (2010). *Introduction to Legal Studies* (4th ed.). North York: Captus Press.

Vago, Steven and Adie Nelson. (2009). *Law and Society* (3rd Canadian ed.). Toronto: Pearson Prentice Hall.

In addition to these two main texts there will be a few other readings for which you will be responsible. These will be available to read on WebCT.

Note: These texts are available from **Octopus Books, 116 Third Ave., Ottawa** (located in "the Glebe" - a 20 minute walk from campus or a short ride on the #7). These books are **NOT** available for this course at the Carleton Bookstore. **Be sure to purchase the correct edition as other editions are still floating about.**

****The schedule for weekly required readings is available on WebCT****

COURSE EVALUATION*Fall Term*

Fall Commentary	10%	(due October 19)
Fall Term Paper	20%	(due November 23)
Mid-year Exam	20%	(formally scheduled)

Winter Term

Winter Term Paper	20%	(due March 21)
Final Exam	20%	(formally scheduled)

Participation	10%
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COURSE COMPONENTS

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

Commentary (10%)

A commentary is shorter, less formal, and more summary-oriented than a term paper. The commentary in this course is designed to give you a chance 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 discussed in the lecture and in the tutorials.

Term Papers (40%)

There are two term papers that ask you to summarize, synthesize and critique (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 be discussed in more detail in lecture and in the tutorials. “Outside” research (other than course texts and lectures) will not be required.

Mid-year & Final Exam (40%)

There are two exams in the course. Both will be sat during the formally scheduled exam periods in December and April. The dates, times and locations are scheduled by the university (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 **breadth** 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.

Participation (10%)

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 tutorial sessions. **You are expected to contribute to your tutorial discussions and come prepared to discuss the assigned readings.** However this is not the only way to participate. Your participation mark is based on:

- 1) your basic attendance and actual participation in the tutorial discussions and planned exercises;
- 2) your participation in on-line discussions on the course's WebCT discussion page. This is an important forum to ask questions and express your ideas. It provides a means for you to contribute to the class *even if you do not feel comfortable talking in the lecture or tutorial*. It also allows you to communicate and discuss ideas with the class that we might not be able to fully address in the lectures or in the tutorials; and
- 3) submitting **Tutorial Questions** (see sidebar)

What are Tutorial Questions and how and when do I submit them?

4 weeks each term you must submit a series of **3 discussion questions** that are based primarily on the week's reading/s or the issue we are to discuss in class.

These discussion questions should demonstrate you have read the required reading/s and considered the implications of the arguments or topic.

Your questions should aim to open discussion (in the tutorial) and/or connect the material to themes or issues you see developing in the course.

The questions can also be clarification questions but not all of them in a submitted set should be this kind.

The questions are submitted electronically via WebCT (under Tutorial Resources) and must be submitted **at least 8 hours** before your tutorial group begins or they may not be accepted (sooner is better!).

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

Your TA may amend the specifics of this requirement to better fit with the specific needs of the tutorial group.

A Note on Tutorial Groups:

It is important that you attend the tutorials. As with the lecture, all material that is discussed or presented may appear on exams or be the subject of assignments (e.g. there are a number of short movies that will be shown in the groups). Also, while their 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).

SOME GENERAL GUIDELINES ON ASSIGNMENTS FOR THIS COURSE

(We will be discussing these requirements in more detail in class or the tutorial)

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 in this manner may result in them not being accepted graded.

LATE ASSIGNMENTS 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

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, you must be able to produce another copy immediately upon request.

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. Engaging in it is incredibly dumb.

The internet is your friend and also your enemy. While it may be a useful resource in the initial stages of research or even provide access to books or journals, it may also be tempting to rely on – or even “liberally borrow” – information found “there” to complete assignments. This is problematic for several reasons: most obviously because such practices may constitute plagiarism and secondly, because online information may not be entirely accurate and may in fact **unduly complicate or undermine your own (better!) arguments**. In short, these tools can sometimes be a brick rather than a life-preserver when you're struggling.