

Course Outline

COURSE: LAWS 1000 C/V - Introduction to Legal Studies
TERM: Fall/Winter 2007-08
CLASS: Day & Time: Tuesday 8:35 a.m. – 10:25 a.m.
Room: TH B - Southam Hall
INSTRUCTOR:
CONTACT: Office: Dr. Dawn Moore
Office Hrs: Tuesday 10:30 a.m. – 12:30 p.m.
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Email: moore@ccs.carleton.ca

Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations and March 14, 2008, for April examinations. With regard to accommodations for religious obligations and pregnancy, please see <http://www.carleton.ca/law/accommodations.htm>.

COURSE DESCRIPTION

Through adopting a socio-legal perspective, this course introduces students to the roles, functions and procedures of legal systems in Canada. We begin by studying the history and development of law in Canada as well as exploring styles and practices of legal reasoning and process. We look at different ways of making and enforcing the law as well as different kinds of law and the roles they play in the formal regulation of society. The second half of the course introduces students to critical perspectives and accounts of the law in a social context. We consider issues of power, language, politics and economics in considering law in relation to equality, gender, social class and race. The course concludes with a critical exploration of professions both in and around the law. Beyond developing a basic understanding of how law works, students will also be introduced to various tools useful in developing broader and deeper critical understandings of the nature of law as it exists in Canadian society. Tantamount here is learning how to ask questions about law from different perspectives. Such questions might include: what is the nature of the relationship between law and society? What is the purpose of law? Why do we regulate some activities and relationships through law and not others? Whose interests does the law represent? Can the law affect social change? Can the law make up for or equalize social inequality? Students will be introduced to a range of theoretical and analytic tools which will aid in the development and study of such questions.

COURSE TEXTS

Vago, Steven & Adie Nelson. (2008). *Law and Society* (2nd ed). Canadian ed. Toronto: Pearson.
Carleton of Law Case Book Group. (2001). *Introduction to Legal Studies*. North York: Captus Press
Course books are available at Octopus books. 116 Third Ave in the Glebe
www.octopusbooks.org

ASSIGNMENTS & GRADING

Fall Assignment	20%
Mid Term Exam	30%
Winter Assignment	20%
Final Exam	30%

ASSIGNMENTS**Fall Assignment - Due: October 30 in class**

The long awaited and highly controversial Supreme Court decision in *Charkaoui v. Canada (Citizenship and Immigration)* has just been handed down. You, a dedicated volunteer for your campus radio station, have just organized a wildly successful and engaging panel debate on the case and the Court's decision. Your three panelists each hail from a different theoretical tradition which coincide exactly with the theoretical lenses we've studied so far in class. Now you have to write a summary of the panel discussion for the station so that they will continue funding your current affairs show. Your summary, which is no more than 6 pages long (4 is fine) should detail each panelist's understanding of the decision (you don't need to go over the decision again) as well as their reactions (critiques) of the other panelists' understandings.

You will need to get a copy of the Supreme Court decision and to have a clear understanding of the different theoretical lenses we've studied in class in order to do this assignment well.

Winter Assignment - Due: March 4th in class

The symbol most often used to represent justice is that of a woman, blindfolded holding up a set of perfectly balanced scales. The idea conveyed by this image is that justice, through its blindness, guarantees equality to all who come before it. Is justice blind? Does the ideal of blindness guarantee equality before the law? Can the law be used to correct social inequalities and still be blind and equal? Using the materials covered in this course write a formal, 5 to 7 page paper which addresses these questions. Use the Supreme Court's decision in *British Columbia (A.G.) v. Christie* to argue your points.

General Comments on Assignments

You will be provided with ample opportunities to workshop and discuss your assignments as well as obtain further guidance on how to go about completing these assignments successfully in your tutorials. To this end, it is crucial that you commit to attending your tutorials as part of your commitment to this course. Your teaching assistants are all knowledgeable in these areas and are there to assist you in doing these assignments to the best of your abilities. They are your best resource for completing these assignments - use them!

Each assignment carries a late penalty of 2% per day. Except in emergency situations, no requests for extensions will be considered in the week prior to an assignment's due date.

- Do not hand assignments in under the professor's door. Assignments not submitted in class must be submitted to the Law Department
- Handing your assignment in to the wrong department is not an excuse for a late assignment.
- We have very effective means of checking for plagiarism and cheating so don't do it. The likelihood you will be caught is remarkably high. See University Calendar for definitions of these academic offenses. All suspected cases of cheating and plagiarism will be referred directly to the Dean.
- Assignments must be typed and double spaced in 12pt font with one inch margins and no spacing between paragraphs.
- ITV students must hand in assignments to the ITV office or to the Law Department via post. Assignments will be marked late if they are postmarked on a date later than the assignment due date.
- Course requirements indicate that you must complete ALL components of the course in order to receive credit. This means that if you don't do an assignment or exam you automatically fail the class. Late assignments are not

accepted after assignments are returned to the class (usually one - two weeks after the due date).

- No late assignments will be accepted two weeks after the due date of the assignment.
- Make-up assignments and reweighting of grades are not available except in the most extreme and well documented of circumstances.

Tips for LAWS 1000

This is not an easy class but it is also well within your capabilities to do well in the course. Following these tips will help you do so as well as help everyone feel more comfortable in the classroom.

1. I follow an informal lecture style meaning there is a lot of class participation. Most students like the fact that I don't lecture straight for 2 hours but this doesn't work for everyone. If my style doesn't work for you, you may want to check out some of the other great profs teaching LAWS 1000.
2. Please make sure you register for Web CT. This is the main form of contact for this class outside of the lectures. Through Web CT we record your grades, contact you, post important messages about the class as well as course materials and run the message board. You not registering for Web CT is going to make all of our lives more difficult and confusing. There are 400 students in this class - it is one of the biggest on campus - it makes everyone's life easier to be able to manage everyone through the same system. If you don't register for Web CT you'll have a hard time finding out what your grades are and it will be really frustrating come the spring to make your final grade available to you.
3. I do not lecture from the text book. That means if you kick off every class and just read the book three nights before the exam you will have no hope of passing. You need to come to lectures and tutorials to do well in this class.
4. We are lucky enough to also have the PASS program in this class. PASS will make you life better - guaranteed (at least as far as this class goes). The PASS facilitator will keep you updated on the program and meeting times.
5. Coming to lectures and sleeping, chatting with your pals, watching DVDs, text messaging etc. is a **bad, bad, bad** idea. It annoys me and other students. If you're too tired or distracted to come to class then don't come.
6. I don't expect everyone to participate in the discussions we have in class but I do think that it's a great chance for you to engage with the course material in a different way. Try and participate - it will enrich your experience. Agree, disagree, ask questions, add your two cents.
7. You don't have to write down everything I say in lecture. Before lecture every week I will post an outline on Web CT. That same outline will be up on the overhead at the start of every class. This is a good 'road map' for each lecture and you may want to use it as a way to organize your note taking. If you feel like I'm going too fast let me know.
8. If you're having trouble with the material or assignments please come and talk to me or your TA as soon as possible - we will help you and I promise we won't think you're asking dumb questions.
9. Use the message boards on Web CT to connect with your classmates. This is a great way to track down notes of you have to miss lecture, form study groups and ask questions. It is not a great way to offer people money for notes (although offers of dinner, coffee etc. are fine), try to pick up a date for Friday night or engage in inappropriate, hurtful exchanges with other students. I do monitor the message board closely. I will answer any questions posted there directed to me. Also remember that you are not anonymous on the message board. We can all see who you are!
10. Which leads me to email and a bit more on message board etiquette. Please take the time to give all messages you post electronically a second read. My expectation is that all communications in this class be respectful. It's that simple. Be respectful of your classmates, TAs, administrators and me. Swearing, threatening, tattling on your friends, asking for personal

information about anyone in the class are all examples of disrespectful behaviour.

11. Keep informed! Law does not happen in text books. It is happening around us all the time. I refer to current events often in class. You will find class a whole lot more interesting and relevant if you listen to the news once a day, pick up a newspaper or at least glance at the headlines.
12. Please keep all of your assignments until you have received your final grade for this course. Mistakes do happen and it is important to be able to double check.
13. I prefer to be called Dawn. I usually call people by their first names as well. If you are a more formal person and want to be addressed formally let me know. If you want to address me formally, or you forget my name, I also try to remember to respond to Professor or Dr. Moore.
14. VERY IMPORTANT - the exam schedule does not come out until about half way through term in each semester. I have NO control over scheduling the exam. **Do not make any plans for winter or spring travel until you have seen the exam schedule.** Beyond extenuating circumstances (illness, death in the family) there is no alternate exam date available.
15. I am sure you are a very nice person but **I don't want to be your friendster /myspace friend**, hear about your Friday night escapades or be invited to your next keg party. As a university student you need to remember that you are in a professional setting. This means that you are well advised to maintain good boundaries between your professional / student life and your personal life. So keep the TAs and me out of your personal spaces - especially on line! Trust me, you don't really want us to know what you did this weekend or be able to read what your friends think of you. When sending out group emails please ensure that you do not include us on the list. If we receive more than one such email from you we will have to start blocking email addresses.

LECTURE AND READING SCHEDULE

SECTION 1: LAW'S PROCESSES AND PROMISES

September 11: Introduction

What is law? Why and how can we study law?

Vago & Nelson pp. 1 - 9 & 16 - 24

September 18: Ways of seeing law

Vago & Nelson pp 25 - 44

R. v. Latimer

<http://scc.lexum.umontreal.ca/en/2001/2001scc1/2001scc1.html>

Tutorials A Unit 1 - How to Find and Cite a Legal Decision

September 25: Ways of Seeing Law Part II

Vago & Nelson pp. 44 - 58

Same Sex Marriage Reference

<http://scc.lexum.umontreal.ca/en/2004/2004scc79/2004scc79.html>

Tutorials B Unit 1

October 2: Sources of Canadian Law

Vago & Nelson pp. 9 - 16

Introduction to Legal Studies pp 9 - 11

97 - 115

Tutorials A Unit 2 - How to find and cite a legal decision

October 9: The Structure of Law: Legislatures & Administrative Bodies

Vago & Nelson pp 59 - 122

Tutorials B Unit 2

October 16: Lawmaking from the Inside & The Charter

Vago & Nelson pp. 125 - 135

Intro to LS pp 109 - 115 & 42 - 46

Tutorials A Unit 3 - Using Legal Theory to Understand a Decision

October 23: Legal Reasoning & Precedent

Intro to LS: pp 55 - 63

Tutorials B Unit 3

October 30: Lawmaking from the outside: Public Interests Groups and Voices of Resistance

Vago & Nelson pp. 135 - 151, 191 - 195

Course Reader: Hein 379 - 384

Video: Who Owns My Life: The Sue Rodriguez Story

Assignment Due - No Tutorials

November 6: Law's Subjects: Citizenship

Intro to LS: pp 95 - 108

Tutorials A Unit 4 -Exam Prep

SECTION 2: LAW'S LIMITS, FAILURES AND CRITIQUES

November 13: Law and Social Control

Vago & Nelson pp. 152 - 190

Tutorials B Unit 5 - Return Assignments

November 20: Law and Dispute Resolution

Vago & Nelson pp. 201 - 245

Tutorials A Unit 4 - Return Assignments

November 27: Exam Review - Don't Miss This Class!!!

Tutorials B Unit 5 - Exam Prep

January 8: Law and Social Change

Vago & Nelson pp. 246 - 281

Course Reader: Brickey & Comack pp. 387 - 395 & Henrietta Muir Edwards et al. v. Canada

(A.G.) pp. 85- 89.

Video: Stoned: Hemp Nation on Trial

Tutorial B Unit 6 - How to Write a Formal Academic Paper in Legal Studies Part 1

January 15: The Limits of Law and Social Change & Assignment Prep

<http://scc.lexum.umontreal.ca/en/2007/2007scc21/2007scc21.html>

Tutorials A Unit 6

January 22: Law and Power

Intro to LS: Hunt pp 138 - 147

Video: The Burning Times

Tutorials B Unit 7 Part 2

January 29: Law & Power Part II

Intro to LS: pp 64 - 71, 259 - 277 & 290 - 297

Tutorials A Unit 7

February 5: The Culture of Law

Course Reader: Held et al pp. 28 - 31 & Mandell pp 72 - 75

Tutorials B Unit 8 Debating the Blindness and Fairness of Law

February 12: Assignment Help Class - no readings or formal lecture

February 26: Access to the Law

Course Reader: Brodsky & Day pp 279 - 285 & Gathercole pp 290 - 297
Guest Lecture: Sunny Marriner
Tutorials A Unit 8

March 4: Fighting the Law

Course Reader: Royal Commission on the Donald Marshall Jr. Prosecution pp 151 - 153
&
The Rule of Law - Its nature and applications pp 11 - 13.

Assignments Due - no tutorials

March 11: Law's Politics

Course Reader: Glasbeek & Mandel pp 109 - 115 & Laskin 355
Video: Hunting Bobby Oatway
Tutorials B Unit 9 -Exam Prep

SECTION 3: PROFESSIONS WITHIN AND OUTSIDE THE LAW.

March 18: Lawyers

Vago & Nelson pp 295 - 318
Course Reader: Essau pp 324 - 332
Tutorials A Unit 10 Assignments Returned

March 25: Law is not just for lawyers

Vago & Nelson pp 318 - 341
Course Reader: Kennedy pp 307 - 311
Tutorials B Unit 10 - Assignments Returned

April 1: Review

Vago & Nelson pp. 350 - 372
Tutorials A Unit 9 - Exam Prep