

**Department of Law
Carleton University**

**FYSM 1502C: Selected Topics in Legal Studies
Law, Citizenship and the City**

Fall 2011- Winter 2012

CLASS: **Day & Time:** Tuesday & Thursday – 8:35-9:55
 Room: Please check with Carleton Central for current room location

INSTRUCTOR: **Chris Hurl**
(CONTRACT)

CONTACT: **Office:** D781 LA (Loeb)
 Office Hrs: Tuesdays 10:00-11:30 am
 Email: churl@connect.carleton.ca

"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

COURSE DESCRIPTION

The city is shaped through a complex web of rules touching on everything from zoning and industrial pollution to jaywalking and homelessness. This course examines how the city is constructed as an object of legal regulation in Canada. Highlighting the competing ways in which legal knowledge has been used to shape the city and its citizens, this course will trace the elusive history of the urban form, from the incorporation of the municipality to the emergence of a fractured suburban landscape administered by a tangled set of administrative agencies. We will focus on the role played by the law in the marginalization and exclusion of certain groups and individuals from the urban environment. For instance, how do city bylaws target homeless people in the regulation of public spaces? And to what extent is individual mobility restricted by the physical design of the city? The course will focus on Ottawa as an area of investigation, critically interrogating the law and citizenship through primary research on social issues in the city.

COURSE FORMAT

The course is organized as a seminar in which enrolment is limited, giving students a chance to work collaboratively with the instructor and other students and gain first-hand experience in conducting research on urban issues. This is not a lecture-based class; instead, an emphasis is placed on active student participation in the development of research and analytical skills. Final assignments will be based on student investigations of legal regulation in the urban environment, with an emphasis on the city of Ottawa.

READINGS

All articles are in the course pack, unless marked otherwise. The course pack can be purchased at Haven Books (43 Seneca St. x Sunnyside Ave). In addition, the texts marked **(R)** will be placed on reserve in the library.

In order to follow the lectures and contribute to informed discussion on these issues, **you are required to have completed the assigned readings before class.**

EVALUATION

Assignment 1	5%	3 pages	October 4
Assignment 2	10%	4-5 pages	October 25
Assignment 3 Research Proposal	25%	Question, Bibliography, Proposal, Presentation	December 1
Assignment 4	5%	3 pages	January 31
Assignment 5	10%	4-5 pages	February 28
Research Essay	35%	15 pages	April 5
Participation	10%	attendance, active participation	

Assignment 1 – Where is the Law?

You will prepare a short 3 page (double-spaced) paper that examines the relationship between space and the law. You will use an example – drawing from your own experience, news stories, books, movies, or television – to illustrate your point. You will not be expected to conduct extensive research for this paper; rather the aim will be to achieve conceptual clarity. What is the law? And how is it situated in space?

Assignment 2 – Critical Analysis

You will prepare a short 4-5 page (double-spaced) analysis, critically examining the viewpoints of early social scientists on a specific urban problem. How did they frame issues of deviance and illegality? What assumptions did they make in framing ‘urban problems’? And what effect did this have on the law? You will not be expected to draw on sources outside of the assigned readings.

Assignment 3 – Research Proposal

You will prepare a short 5-6 page (double-spaced) research proposal going over an urban issue that you intend to study. The research proposal will consist of four parts:

- i) Research Question (20%)
You will formulate a clear and concise research question that draws on the themes that we have been discussing in the course.
- ii) Annotated Bibliography (25%)
The annotated bibliography should consist of at least five books or articles related to your research question that are not included on the list of assigned readings. You will include a short paragraph of at least three sentences, explaining the central thesis of the book or article in question and a discussion of whether or not the argument is convincing.
- iii) Research Proposal (45%)
You will prepare a 5-6 page (double-spaced) proposal which includes a title page, introduction, literature review, methodology, and reference list. The purpose of this proposal is not to demonstrate your knowledge of a particular subject so much as it should provide a roadmap for research on a specific issue.
- iv) Presentation (10%)
You will prepare a short 5 minute presentation that explains your research project to the class.

Assignment 4 – Defining Neoliberalism

You will prepare a short 3 page (double-spaced) paper that defines neoliberalism and explains its impact on the city and citizenship. You will not be expected to conduct extensive research for this paper; rather the aim will be to achieve conceptual clarity based on the assigned readings.

Assignment 5 – Public Space in Ottawa

You will prepare a short 4-5 page (double-spaced) paper that provides an example of a specific public space in Ottawa and how it is policed. What is the aim of such policing? What specific kinds of 'problems' are targeted? And how does this affect the way in which this space is inhabited?

Assignment 6 – Research Essay

The final assignment is a research essay which should be no longer than 15 pages (double spaced). Drawing from course readings and classroom discussion, the essay should examine a specific urban issue in Ottawa. You are expected to engage in primary research, which can include observing a particular urban space, attending civic meetings, examining administrative documents or digging in the city archives.

The research paper will be evaluated based on: 1) the overall quality of your research; 2) the clarity of your thesis; 3) the organization and logical development of your arguments; 4) your use of data and sources; 5) your critical thinking and analytical skills; 6) your analysis of the topic in the context of the key concepts discussed in class and in the readings; 7) your writing style; and 8) your proper use of references (citations, bibliography).

You will also prepare a short 10-15 minute presentation based on your research paper. You will be expected to explain your research question and go over some of your conclusions, drawing on examples that are taken from in and around the city.

Participation

Your participation grade is based on a combination of attendance and active participation, demonstrating that you have critically engaged with the issues discussed in the readings and lectures.

At the beginning of each class, you are expected to submit one discussion question in writing that demonstrates a close reading of and critical engagement with the assigned texts.

You are also expected to meet with the instructor in his office hours at least once during the first term. Please contact the instructor to schedule an appointment.

SUBMISSION PROTOCOL

Assignments are due at the beginning of class. You are responsible for keeping draft copies of your work as well as your research notes until your paper is marked and returned to you.

No electronic copies of your assignments will be accepted.

GRADES

In accordance with the Carleton University Undergraduate Calendar (p. 45), the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50			

WDN = Withdrawn from the course

Final grades are subject to the Dean's approval.

LATE PAPERS

Late assignments will be penalized 10% for each day (or fraction thereof) past the due date that they are received (including weekends). Note that while assignments submitted more than 6 days past the due date will be corrected, a mark of 0 will be assigned.

If you cannot complete an assignment on time because you are ill, you need to submit a doctor's note accounting for the time lost due to illness. Extensions will only be granted upon the submission of a written application which sets out the basis for the request.

ACADEMIC REGULATIONS, ACCOMMODATIONS, PLAGIARISM, ETC.

University rules regarding registration, withdrawal, appealing marks, and anything else you might need to know can be found on the university's website, here:

<http://www.carleton.ca/cu0708uc/regulations/acadregsuniv.html>

Requests for Academic Accommodations*For Students with Disabilities:*

Students with disabilities needing academic accommodations 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 arrangements.

For Religious Obligations:

Students requesting academic accommodation on the basis of religious obligation should make a formal, written request to the instructor for alternate dates and/or means of satisfying academic requirements. Such requests should be made during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist, but no later than two weeks before the compulsory event.

Accommodation will be worked out directly and on an individual basis between the student and the instructor(s) involved. Instructors will make accommodations in a way that avoids academic disadvantage to the student.

Students or instructors who have questions or want to confirm accommodation eligibility of a religious event or practice may refer to the Equity Services website for a list of holy days and Carleton's Academic Accommodation policies, or may contact an Equity Services Advisor in the Equity Services Department for assistance.

For Pregnancy:

Pregnant students requiring academic accommodations are encouraged to contact an Equity Advisor in Equity Services to complete a letter of accommodation. The student must then make an appointment to discuss her needs with the instructor at least two weeks prior to the first academic event in which it is anticipated the accommodation will be required.

Plagiarism

Plagiarism is the passing off of someone else's work as your own and is a serious academic offence. For the details of what constitutes plagiarism, the potential penalties and the procedures refer to the section on Instructional Offences in the Undergraduate Calendar.

What are the Penalties for Plagiarism?

A student found to have plagiarized an assignment may be subject to one of several penalties including: expulsion; suspension from all studies at Carleton; suspension from full-time studies; and/or a reprimand; a refusal of permission to continue or to register in a specific degree program; academic probation; award of an FNS, Fail, or an ABS.

What are the Procedures?

All allegations of plagiarism are reported to the faculty of Dean of FASS and Management. Documentation is prepared by instructors and/or departmental chairs.

The Dean writes to the student and the University Ombudsperson about the alleged plagiarism. The Dean reviews the allegation. If it is not resolved at this level then it is referred to a tribunal appointed by the Senate.

Students are expected to familiarize themselves with and follow the Carleton University Student Academic Integrity Policy (See <http://www2.carleton.ca/graduate-studies/policies-and-guidelines>).

Assistance for Students

Student Academic Success Centre (SASC): www.carleton.ca/sasc

Writing Tutorial Services: www.carleton.ca/wts

Peer Assisted Study Sessions (PASS): www.carleton.ca/sasc/pass_home/index.html

SCHEDULE AND READINGS

Fall Term.

Week 1

Sept 8

Introduction to the Course and Participants

Part I.

Legal Spaces: Concepts and Explanations

Week 2

Introduction to Law

Sept 12-14

- Blomley, Nicholas. (2005). "Law," from *The Dictionary of Human Geography* (R), Fifth Edition. Oxford: Wiley Blackwell, pp. 414-415.
- Raymond Wacks (2008). *Law: A very short introduction*, pp 1-66.
- Ted Tjaden. (2008). The Canadian Legal System (http://www.llrx.com/features/ca_intro.htm).

Week 3

Law and Society

Sept 19-21

- Silbey, Susan. (2002). "Law and society movement," In Herbert Kritzer (ed), *Legal Systems of the World*, Vol. 2. Santa Barbara: ABC CLIO, pp. 860-863. (<http://web.mit.edu/ssilbey/www/pub.html>).
- Vago, Steven (2011). Chapter 1. From *Law and Society* (R). Toronto: Pearson, pp. 1-24.
- Banfield, Jane and Dorathy L Moore eds (1999). *Readings in law and society*, Captus Press (see 'The Marxist Approach' and 'The Feminist Frameworks', Elizabeth Comack, pp. 67-77).

Week 4 Where is the Law?**Sept 26-28**

- Delaney, David, Richard Ford and Nicholas Blomley. (2001). "Where is law," from Blomley, Delaney and Ford (eds). *The Legal Geographies Reader* (R). Oxford: Blackwell, pp. xiii – xxii.
- Pue, W. Wesley. (1990). "Wrestling with Law: (Geographical) Specificity vs. (Legal) Abstraction," *Urban Geography*, 11(6): 566-585.

First Assignment is due – October 4**Part II. The City as a Problem: Early Intersections of Law and Society****Week 5 The Chicago School and Zones of Social Disorganization****Oct 4-6**

- Deutschmann, Linda B. (2007). "The Social Disorganization Perspective," From *Deviance and Social Control*. Toronto: Nelson, pp. 227-260.
- Gregory, Derek. (2005). "The Chicago School," from *The Dictionary of Human Geography* (R), Fifth Edition. Oxford: Wiley Blackwell, pp. 78-80.

Week 6 The Rise of the 'Urban Problem' in Canada**Oct 11-13**

- Valverde, Mariana. (1991). "The City as Moral Problem," from *The Age of Light, Soap, and Water*, Toronto: McClelland and Stewart, pp. 129-154.

Week 7 The Social Construction of Pathological Spaces: Chinatowns**Oct 18-20**

- Anderson, Kay. (1987). "The Idea of Chinatown: The Power of Place and Institutional Practice in the Making of a Racial Category," *Annals of the Association of American Geographers*, 77(4): 580-598.

Second Assignment is due – October 25**Part III. Geographies of Rights****Week 8 Geographies of Rights****Oct. 25 - 27**

- Blomley, Nicholas and Geraldine Pratt. (2001). "Geographies of Human Rights," *Canadian Geographer*, 45(1): 151-166.

Week 9 Broken Windows: What constitutes urban disorder?**Nov 1-3**

- Wilson, James Q. And George L. Kelling. (1982). "Broken Windows," *Atlantic Monthly*, pp. 1 - 9.
- Ferrell, Jeff. (1995). "Urban Graffiti: Crime, Control and Resistance," *Youth and Society*, 27: 73-92.

Week 10 The Uses of Sidewalks: Rethinking the public/private distinction**Nov 8-10**

- Jacobs, Jane. (1961). "The uses of sidewalks: safety", From *The Death and Life of Great American Cities*, pp. 106-111.
- "Introduction" and "Chapter 1", In Joe Hermer and Janet Mosher (eds), *Disorderly People: Law and the Politics of Exclusion in Ontario*. Halifax: Fernwood, pp. 11-39.

Week 11 The Right to Mobility: The sociospatial constitution of disability**Nov 15-17**

- Chouinard, Vera. (2001). "Legal Peripheries: Struggles over disabled Canadians' places in law, society and space," *Canadian Geographer*, 45(1): 187-192.

Week 12 Research Proposal - Presentations**Nov 22-24**

Week 13
Nov 29-Dec 1

Research Proposal - Presentations

Research Proposal is due – December 1

Winter Term.

Part I. The Neoliberal City: The Problem of Governance

Week 1. Changing Patterns of Urban Governance in Canada

Jan 5-7

- Magnussion, Warren. (1983). "Introduction," In Eds. Warren Magnusson and Andrew Sancton, *City Politics in Canada*. Toronto: University of Toronto Press, pp. 1-57.

Week 2. Neoliberalism in Canada

Jan 10-12

- Allahwala, Ahmed, Julie-Anne Boudreau, and Roger Keil. (2011). "Neoliberal Governance: Entrepreneurial Municipal Regimes in Canada," In Eds. Trudi Bunting, Pierre Filion, and Ryan Walker. *Canadian Cities in Transition* (R). Oxford: Oxford University Press, pp. 210-224.
- Glassman, Jim. (2005). "Neoliberalism," from *The Dictionary of Human Geography* (R), Fifth Edition. Oxford: Wiley Blackwell, pp. 497-498.

Week 3. Property and Gentrification

Jan 17-19

- Blomley, Nicholas. (2003). "Property and the Landscapes of Gentrification," from *Unsettling the City: Urban Land and the Politics of Property*. London: Routledge, pp. 29-74.

Week 4. Riots, 'Race', and the Inner City

Jan 24-26

- Wacquant, Loic. (2008). "The Return of the Repressed: Riots, 'Race' and Dualization in Three Advanced Societies," From *Urban Outcasts*. Cambridge, UK: Polity Press, pp. 15-40.

Fourth Assignment is due – January 31

Part II. Security, Surveillance, and Public Space

Week 5. The Militarization of Urban Space

Jan 31-Feb 2

- Davis, Mike. (1990). "Fortress L.A." From *City of Quartz*. London: Verso, pp. 221-264.

Week 6. Surveillance and the War on Terror

Feb 7-Feb 9

- Lyon, David. (2004). "Technology vs. 'terrorism': circuits of city surveillance since September 11, 2001," In Stephen Graham (ed). *Cities, War, and Terrorism*. Oxford: Blackwell, pp. 297-311.
- Cowen, Deborah, Amy Siciliano and Neil Smith. (2011). "Fear, Insecurity, and the Canadian City". In Eds. Trudi Bunting, Pierre Filion, and Ryan Walker. *Canadian Cities in Transition*. Oxford: Oxford University Press, pp. 294-304.

Week 7. Race, Space and the Law

Feb 14-16

- Razack, Sherene H. (2002). "Gendered Racial Violence and Spatialized Justice: The Murder of Pamela George," In Sherene H. Razack (ed). *Race, Space, and the Law*. Toronto: Between the Lines, pp. 121-156.

Reading Break – February 20-24 Fifth Assignment is due – February 28

Week 8. Automobilities and the Law**Feb 28-Mar 1.**

- Bradford Snell. (1995). "The Street Car Conspiracy: How General Motors Deliberately Destroyed Public Transit" *New Electric Railway Journal* (<http://www.lovearth.net/gmdeliberatelydestroyed.htm>).
- Sanger, Carol. (2001). "Girls and the Getaway: Cars, Culture, and the Predicament of Gendered Space," from Blomley, Delaney and Ford (eds). *The Legal Geographies Reader* (R). Oxford: Blackwell, pp. 31-41.

Week 9. Environment, Waste and Scrounging**Mar 6-8**

- Ferrell, Jeff. (2006). "Sordid Signs," from *Empire of Scrounge*. New York: New York University Press, pp. 1 - 29.

Week 10. The Right to the City**Mar 13-15**

- Harvey, David. (2008). "The Right to the City," *New Left Review*, 53: 23-40.

Part III. Final Projects**Week 11. Presentations****Mar 20-22****Week 12. Presentations****Mar 27-29****Week 13. Presentations****Apr 3-5**

Research essay is due – April 5
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