

## Course Outline

**COURSE:** LAWS 3001 A – Women and the Legal Process

**TERM:** Winter 2010

**PREREQUISITES:** Third-year standing

**LECTURES:** Day & Time: Thursdays 11:35 am – 2:35 pm  
Room: Please check Carleton Central for current room location

**INSTRUCTOR:** Jillian Boyd  
(CONTRACT)

**CONTACT:** Office: Rm C476 LA (Loeb) - Contract Instructors' Office  
Office Hrs: By Appointment

Email: Please direct all email contact through WebCT email.

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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://www.carleton.ca/pmc/students/accom\\_policy.html](http://www.carleton.ca/pmc/students/accom_policy.html). If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **March 12, 2010 for April examinations**.

For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**COURSE DESCRIPTION AND OBJECTIVES:**

This course is designed to provide an introduction to the relationship between women and the law. As such, it has two main objectives. The first objective is to provide a basic knowledge of the treatment of women in the law in Canada. Women have at one time or another been excluded from a wide range of legal rights and responsibilities including higher education, political office, voting and the professions. Women's experiences and realities have also been distorted through myths, stereotypes and omissions. Students will learn about the construction of women and women's "personhood" through the law in Canada.

The second objective of the course is to provide students with the tools to begin to think critically about the law and our legal system as tools for achieving change. In Canada, the law has played an important role in the ongoing struggle by women for full equality and citizenship. The celebrated "Persons Case" in 1929 which recognized that women were within the meaning of the term "persons", the entrenchment of the right to equality under s. 15 of the Charter of Rights and Freedoms, and sexual assault law reforms highlight the potential of law to advance equality. At the same time, law continues to constrain, resist and fail to respond to women's realities. To this end, the course materials engage with questions about the kinds of legal interventions and remedies most conducive to eliminating discrimination and achieving gender equality. Ultimately, students will consider the role that law plays in either advancing or inhibiting social change.

**REQUIRED TEXTS: Texts Available at the Carleton University Bookstore**

T. Brettel Dawson, *Women, Law and Social Change: Core Readings and Current Issues*, 5<sup>th</sup> edition (Toronto: Caputs Press, 2008).

Other required readings will be posted on the WebCT page. Students are responsible for checking the course WebCT page each week to verify assigned readings and class schedule.

**EVALUATION PROCEDURES AND DEADLINES:**

There are three evaluation components in this course – class participation, a term paper, and a final take-home exam. All components must be completed in order to pass this course.

**45% - Term Paper**

**Due Tuesday, March 2, 2010 by 3:45 pm – submitted to the Law Dept. drop slot at Loeb C473.**

This assignment will involve writing a 12 – 15 page paper (double-spaced pages) on one of the topics listed by the instructor. Topics and expectations for the paper will be presented and reviewed in class early on in the term and will be made available on WebCT. Papers written on other topics will not be accepted or receive credit. Late papers will be marked down by ONE-half letter grade on EACH day being late (A- to B+; B+ to B; etc....)

**45% - Final Take-Home Exam to be held during the formal winter exam period.**

**Distributed in the last class. Due by last day of the examination period: April 24, 2010 by 3:45pm to the Law Office Drop Slot at Loeb C473.**

Students will be required to answer, in essay format, two or three main questions drawn from the required readings and class discussions. One or two short essay questions might be included as well. Papers must be typed (using same guidelines as for the Essay). Exam covers all class material.

Late submission is not permitted. Examination regulations apply with respect to deferral.

Each student's take home exam must be exclusively his or her own work product. All work must be done independently, no group work or consultation will be permitted. Students are not permitted to discuss the exam questions and possible answers with each other.

**10% - Attendance and Participation**

This grade will be based on your attendance, contribution and participation in class. It is the student's responsibility to personally sign the student class attendance sheet each week. Class participation credit will be given for engagement in the class and participation which reflects that a student has completed the weekly readings and has thoughtfully engaged with the subject-matter. The focus will be on quality rather than quantity.

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

**TERM PAPER:**

The term paper is due **Tuesday, March 2, 2010 by 3:45 pm** and must be submitted to the Law Dept. drop slot at Loeb C473.

Penalties for late submission: late papers will be marked down by ONE-half letter grade on EACH day being late (A- to B+; B+ to B; etc....)

Extensions will only be given out in extreme circumstances, such as severe illness of the student or death of a family member. You must apply for an extension prior to the due date for the assignment. Appropriate documentation will be required to accompany requests for extensions, including for requests for extensions related to the H1N1 flu. Computer failure, conflicts with work schedule or similar problems are not a valid excuse for failure to submit an assignment on time. **Students submitting late assignments must submit a hard copy of the assignment to the Department of Law drop-box and must email the instructor notifying him that the assignment has been left in the drop box.**

Students are responsible for backing up their work – both term paper and final exam. In case of loss, theft, or dispute over ownership or any other eventuality, it is your exclusive responsibility to provide the original essay/exam.

**PLAGIARISM AND OTHER INSTRUCTIONAL OFFENCES:**

Students' work, both term paper and final exam, will be carefully reviewed for potential plagiarism. The University's policy concerning plagiarism and other instructional offences is outlined in the Undergraduate Calendar (see particularly regulation 14 – Instructional Offences).

In particular, students should note that a student commits an instructional offence if he or she “submits substantially the same piece of work to two or more courses without the prior written permission of the instructors from all courses involved. Minor modifications and amendments, such as changes of phraseology in an essay or paper, do not constitute a significant and acceptable reworking of an assignment.”

Students should also note that it is an instructional offence to commit plagiarism, which is defined as “to use and pass off as one's own idea or product work of another without expressly giving credit to another”. This means **all sources** must be properly cited – **including all paraphrased work** and accredited internet sources. A student caught plagiarizing will be referred to the Dean of Students for disciplinary action.

**WEB-CT:**

Web-CT will be the only method of electronic communication with students outside of class. It will be used to post marks, to post announcements, to host email communications and electronic discussion boards. Students are required to check the Web-CT page for this course on a weekly basis as the schedule and readings will be updated during the semester and additional readings assigned.

As I am not a full time professor at Carleton, I may not be able to respond immediately to your emails. You should expect up to a two-day delay in my response to your emails. That said, I will make every endeavour to respond to your emails sooner when possible.

**POLICY AND PROCEDURE STATEMENT:**

The Department of Law's Policy and Procedure Statement is distributed with, and forms part of, this course outline. The statement contains important information on topics such as the submission of assignments, due dates in course outlines, offenses, writing skills and use of language, prerequisites, course selection, responsibility for ensuring enrolment in a class, and review of grades, among other information. **Please read the Policy and Procedure Statement carefully.**

**A FEW ADDITIONAL GUIDELINES AND SUGGESTIONS:**

- Lectures in this course are designed to complement the texts, not just repeat the same material. As such, it is important to both attend lectures and complete the readings. Students who only complete the readings, but do not attend lectures will find it very difficult to do well in this course. Material covered in lectures will be tested in the exam.
- There will be a major focus on discussion in this class. You are expected to have read the materials and to come to class prepared to discuss them in interactive settings.
- Lectures will be designed to accommodate questions and discussion in class. Feel free to ask questions during the course of lectures. Please remember, however, that questions, comments and discussion in class must remain respectful of the other members of the class.

**TENTATIVE CLASS SCHEDULE AND READING**

This schedule and the assigned readings **will be updated** during the semester. You are required to check the course WebCT page before beginning your readings for each class.

Even where readings are listed below, expect changes to be made as I will be assigning additional and/or changing assigned readings to reflect developments in the news/law. The schedule below is provided to give you a sense of the course and an overview of materials but does *not* reflect a final schedule/reading assignment. As such, when reviewing materials for the final exam and when preparing for each class, be sure to work off of the Reading Schedule provided on WebCT. Where readings for a class have been finalized I will indicate so by including the following [FINAL] – as per Class 2, below.

<u>Lecture No.</u>	<u>Date</u>	<u>Lecture Topic and Readings</u>
1	Jan. 7	<b>Introduction</b> Overview of course and syllabus No Readings
2	Jan. 14	<b>Challenging Exclusion: Women and the Fight for Personhood [FINAL]</b> Dawson: p. 123-154 (Chap 4 (a) to (i))
3	Jan. 21	<b>Challenging Exclusion: Myths and Stereotypes</b> Dawson: p. 213-222 (R. v. Ewanchuk) p. 230-251 (Case Study Two: "What Any Wife Would Do") p. 269-282 (Chap 7 (a) to (d))
4	Jan 28	<b>Challenging Exclusion: Reproduction and the Workplace</b> Dawson: p. 426-444 (Chap 12 (a) to (d)) p. 323-327 (Chap 9 (a))
5	Feb 4	<b>Challenging Exclusion: Essentialism in Law and in Feminism</b> Readings to be assigned
6	Feb 11	<b>Strategies for Change: Women on the Bench</b> Dawson: p. 370-409 (Chap 11 (e) to (L))
N/A	Feb 18	<b>SPRING BREAK – NO CLASS</b>
7	Feb 25	<b>Protection and Oppression: Credibility and Consent in Sexual Assault Law</b> Dawson: p. 298-315 (Chap 8 (b)) p. 512-519 (Chap 15 (c) and (d)) p. 455-459 (Chap 13 (a)) p. 506-508 (Chap 15 (a)) p. 286-292 (Chap 7(g))
N/A	Mar 2	<b>TERM PAPER DUE</b>
8	Mar 4	<b>Protection and Oppression: Use of Private Records in Sexual Assault Law</b> Dawson: p. 519-547 (Chap 15 (e) to (i))
9	Mar 11	<b>Strategies for Change: Equality Law and Feminist Activism</b> Readings to be assigned
10	Mar 18	<b>Strategies for Change: Equality Law and Ameliorating Disadvantage</b> Readings to be assigned
11	Mar 25	<b>Inequalities and Intersectionality: Aboriginal Women and the Law</b> Readings to be assigned
12	Apr 1	<b>Inequalities and Intersectionality: Gender, Culture, Religion and Rights</b> Readings to be assigned