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**Course Outline**

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**COURSE:** LAWS 5903W**TERM:** Winter 2014**CLASS:** **Day & Time: Tuesday 8:35-11:25**  
**Room: Please check with Carleton Central for current room location****INSTRUCTOR:** Adrian Smith**CONTACT:** **Office: C475 Loeb**  
**Office Hrs: Tuesday 1-2pm (by appointment)**  
**Telephone: x3608**

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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](mailto: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/>

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**COURSE DESCRIPTION**

The subject matter of this graduate-level, intensive seminar is the relationship between ideas about law and economic development. At the heart of the inquiry are questions about the role of law and legal institutions in social change. How does law and legal change interact with

conceptions of development? Is law part of the problem or the solution to global poverty and inequality? How do we end exploitation and oppression? Consisting of interactive lectures, presentations and discussions, seminar participants will engage in sustained examination of historical and contemporary developments in the field.

Although the parameters are certainly contested, Law and Development is a well-entrenched field that extends back to the 1950s and 1960s in its modern incarnations -- but which, without doubt, reaches back to social, political, economic and legal thought in prior centuries. The appeal of studying Law and Development is that it encapsulates many of the debates or fault-lines in law and society scholarship -- the rule of law versus the role of law in society, 'what law is' versus 'what law does', the law-economic system interaction, the law-state relationship, to mention only a few -- set within pressing concerns about how to address global poverty and inequality and bring about social change. And at its most transformative, it attends to emancipatory agendas of marginalized and oppressed peoples. We will engage in a broad study of the field with unapologetically transformative aims.

Participants will undertake in-depth, self-directed study on a topic falling within the (contested) parameters of the field, with the aim of producing a final research paper. Some will be encouraged to develop a case study related to an applied development project or agenda, historical or contemporary, which they will examine through one of the theoretical frameworks presented in the course. Others will be pushed to engage in more broad-based analysis of the theoretical currents of the field. All will be expected to develop a critical familiarity with theoretical approaches to understanding and critiquing the ideas and initiatives of law and development.

### **Office Hours & Communication**

I encourage students to discuss questions and issues related to the course during class hours or in my office by appointment. Unless a question can be answered as a 'yes' or 'no', I do not respond to email questions from students related to the content of the course. All student assignments will be submitted to me via email (see details below).

### **REQUIRED TEXTS**

None.

### **SUPPLEMENTARY TEXTS**

None.

### **EVALUATION**

**(All components must be completed in order to get a passing grade)**

**Course participation:** **40%**  
(weekly participation plus Group presentation[s])

**Research Proposal:** **10%**  
(2-4 pages due no later than February 14th)

**Course paper:** **50%**  
(15-20 pages, due April 8th)

### **Class Participation**

Weekly attendance is expected. However, participation is an active process and so merely “showing up” without getting involved is not sufficient. Anyone who attends but does not meaningfully engage will be deemed not to have participated. ‘Meaningful engagement’ is not an invitation for you to just talk aimlessly or for the sake of it. Class participation is measured in terms of quality and not quantity. Strive for thoughtful and respectful interventions. Those students who do the readings and class preparation ought not to have any difficulty.

Shyness is not an acceptable excuse for lack of participation. Effective oral communication is a skill of high importance in graduate studies and in future endeavours. I encourage shy students to speak to me immediately about devising strategies for improving in-class participation. Do not wait to speak to me about these issues at the end of the term. It will be too late.

### **Presentation(s)**

Students will work in groups of 2 or 3 to present weekly readings. Presenters will be graded on the depth and quality of treatment of the themes. Depending on the number of participants, students may find themselves presenting more than once.

Following the approach adopted by others in the Department of Law & Legal Studies, most notably Peter Swan, you will be expected to attend to the following:

1. Do not simply summarize the required readings! Instead, you should provide a critical reflection on what you have read. Critical reflection does not necessarily mean criticizing the ideas of an author. However your critical evaluation should isolate key themes and ideas in each reading to show both what the author is attempting to show and how they construct their arguments in order to accomplish what they set out to do. You should identify key assumptions by the author and consider the broader implications of the questions and arguments raised in each reading. If you agree or disagree with an author’s perspective you should explain your position to other members of the class.
2. You should organize your presentation in such a way as to stimulate discussion about issues that you think are particularly important. Ideally you should identify a limited number of issues at the beginning of your seminar and proceed to explain why they are important. Although it is not required, a printed outline presented to all members of the

class at the beginning may help to focus discussion. You should pose questions that provoke other members of the class to respond.

3. Feel free to incorporate material from other readings that you have done in this course and even material from other courses that illustrate your perspective.

A sign up sheet will be provided in the second week of class.

### **Research Proposal**

A 2-4 page (single-spaced) essay proposal is due by February 14th. Proposals will include a description of the research topic, a research question, a tentative thesis or central argument, and 3 or more supporting arguments, in preparation for your final essay. You are permitted to select a topic of your choosing that addresses the themes of the course. I strongly recommend that you discuss your topic with me, ideally by the end of January, to help facilitate the process of completing the research proposal.

All proposals will be submitted to me electronically at: [adrian.smith@carleton.ca](mailto:adrian.smith@carleton.ca) (Please include in the subject heading: 'Proposal' - 5903: [Your Name]). Please do not submit your proposal in the Law Department 'drop box'. It will not be accepted. Late proposals will not be accepted.

### **Course Paper**

Essays are due by April 8th. All essays will be submitted to me electronically at: [adrian.smith@carleton.ca](mailto:adrian.smith@carleton.ca) (Please include in the subject heading: 'Final Essay' - 5903: [Your Name]). Please do not submit your final assignment in the Law Department 'drop box'. It will not be accepted.

Late assignments will be penalized at the rate of 5% per day, including weekends. Of course medical and other emergencies will be respected provided that proper documentation is provided. After the fifth day late papers will not be read.

Essays must be at least 15-18 pages long, double-spaced, in 12 pt. font with proper margin, paragraph and page formatting and in full compliance with accepted citation rules in the Department of Law & Legal Studies. Citation rules can be quite onerous and labour-intensive so leaving them to the last minute is not recommended. I encourage you to adopt the 'McGill Guide' format. A properly formatted bibliography must also be included.

Please also note University regulations on academic integrity and academic offences as set out in the Graduate Calendar. Students with disabilities requiring academic accommodation are asked to contact the Paul Menton Centre before the term deadline for completion of the necessary forms.

### **SCHEDULE**

See Reading Schedule for details.