

CARLETON UNIVERSITY, DEPARTMENT OF LAW

LAWS 5001W Legal Method and Social Inquiry Winter, 2009

Preliminary Course Outline

Instructor: Professor T. Brettel Dawson
Office: Loeb D488 (will be moving to Loeb D497)
Email: bretteldawson@sympatico.ca
Course time: Mondays 2.30 – 5.30 (adjusted for workshops)
Course Location: Loeb B454
Office Hours: Mondays 12.30 – 2.30 or by appointment

COURSE DESCRIPTION

This is a required course in the M.A. in Legal Studies. We will examine issues associated with methodology, research design, the research process (including strategies, choices of methods, research as knowledge creation). This is a seminar course. Wherever possible, we will use a discussion-based format through a combination of instructor-led discussion, small group work and reports back and interaction with guests.

READING

There is no assigned text. Readings will be assigned for various topics. I will make readings available either in hard copy, by email or as e-files posted on WebCT.

RESOURCES

A rich source of relevant material can be found in

- Reza Banakar and Max Travers, *Theory and Method in Socio-Legal Research* (Oxford: Hart Publishing, 2005)
- Austin Sarat et al, *Crossing Boundaries: Traditions and Transformations in Law and Society Research*
- Joyce McCarl Nielson, *Feminist Research Methods* (Boulder, CO: Westview Press, 1990)

To access “legal materials”, you might also find it helpful to consult standard legal research books or online guides. For more information consult the excellent online manual to Legal Research Materials maintained by Queens University Law Library at: <http://library.queensu.ca/law/lederman/> (very good resource for law research).

On themes of research design, process and procedure, you may find useful:

- David Madsen, *Successful Dissertations and Theses*, 2nd ed. (San Francisco: Jossey Bass, 1992). This book provides specific and useful guidance for each phase of your work.
- John Creswell, *Research Design: Qualitative, Quantitative and Mixed Method Approaches*, 3rd ed, (Thousand Oaks, California, Sage, 2009).
- Wayne Booth, Gregory Colomb and Joseph Williams, *The Craft of Research*, 3rd ed. (Chicago: University of Chicago Press, 2008).

As a cursory glance at the Library Catalogue will let you know, there are hundreds of highly specific methods texts, specialized to different research designs. Browse them when you are considering different methods; use one or more as a ‘bible’ when you select your method (or methods). Consult with your supervisor on methods that would fit your proposed research and ask for their recommendations on specific texts.

On thinking about ‘research’ and knowledge creation (and validation), another classic text is Thomas S. Kuhn, *The Structure of Scientific Revolutions*, 2nd ed, enlarged (Chicago, University of Chicago Press, 1970).

On writing graduate papers, see the excellent overview provided by Monash University at <http://www.monash.edu.au/lis/llonline/writing/general/lit-reviews/index.xml>. Also Howard Becker, *Writing for Social Scientists: How to Start and Finish your Thesis, Book or Article* (Chicago: University of Chicago Press, 1986). This is a classic, an easy read and extremely useful.

EVALUATION

There are 3 components of evaluation in this course. All elements of each component must be completed to obtain a passing grade.

- **Class participation**.....**15%**
- **Research Notebook****25%**
Due: As you wish during the semester, but I must have all of the entries by April 07, 2009
- **Research Vision:****60%**
Due: April 07, 2009:

The Details

1. Class participation: 15%

- Attendance, preparation, quality of contribution to class discussion and labs.

2. Research Notebook 25%

The notebook is meant to instill the value of reflective practice as a researcher and to associate a 'task or product' with various activities. You can make entries on any topic as the semester runs by and submit for me to read/review. You must make entries on at least the following:

- **Thesis and Proposal Impressions:** You will be asked to read at least one thesis and one thesis proposal early in the semester. You should write a page or two on your reactions, observations on what you read and our discussions in class.
- **"Lab Notes":** 1-2 page reflections on at least two of the Labs (both scheduled and self-directed): what did you learn about the resource; how is it useful in research; what follow up do you need to make to 'master' it or use it fully. Complete and hand in your reports soon after you have completed the relevant labs but 'on your own schedule' (don't procrastinate!!). I must have both by April 07, 2009.
- **Research Design Notes:** In our class work, we will examine 'research designs' for a number of methods used in legal studies. Write up more fully (in about 4-5 pages) at least ONE of the methods we discuss, applying it to your own area of research (or, alternatively, one of the 'class' research questions.

Dates: Complete and hand in your Notebook entries during the term, ideally soon after we cover the items or activities in question -- but 'on your own schedule' (note: research lesson? Don't procrastinate!!). I must have all of the entries by April 07, 2009

3. Research Vision: 60%. Due: April 07, 2009: 10 PAGES

- A researched, critical-reflective discussion of your proposed area of research in the MA program (thesis or essay), guiding concepts and theories (defined and relevance discussed), research question, proposed approach to be taken including the method or methods you are considering using (and basis for your choice), anticipated challenges and strategies to meet them proposed. This paper is meant to be open-textured and exploratory; it functions as precursor to development of your formal research proposal in discussion with your thesis or essay supervisor.
- A researched, critical-reflective discussion of your proposed area of research in the MA program (thesis or essay), guiding concepts and theories (defined and relevance discussed), research question, proposed approach to be taken including the method or methods you are considering using (and basis for your choice), anticipated challenges and strategies to meet them proposed. This paper is meant to be open-textured and exploratory; it functions as precursor to development of your formal research proposal in discussion with your thesis or essay supervisor.

FORMAT AND SUBMISSION OF WRITTEN ASSIGNMENTS

- Typed, using Arial (11-12 point) or Times New Roman (12 point); double-spaced; with citation of references and bibliography; simply stapled (no plastic cover sheets); cover sheet with name, student number, course number, title of assignment. Submit in class or via the Law Dept Essay Chute at Loeb C473.
- Correct, complete, consistent, following a major style guide for law or social sciences); fully original; no joint submission in other courses; full attribution of sources and no plagiarism.

SCHEDULE (Subject to Change)

As of January 5th, I am still completing the schedule pending additional information and confirmations. We will adjust during the semester as needed (and responsive to our own pace). I will also add/specify particular readings from time to time – letting you know through WebCT.

Note: W : streamed Workshop Class; attend <u>one</u> session. Times for sessions to be confirmed.		
1	Jan 5	Introduction to the Course
2	W Jan 12	Research: Questions and Answers Read a Thesis (from list provided) We will continue to review the 'clippings handout' from the first class.
3	W Jan 19	Research and Research Proposals Read a Proposal (read matching proposal to thesis you have read; scanned set to be posted on WebCT) Guest: Shannon Evans M.A. Other Topics include - Guidelines/rationale for proposals - Generating questions - What do we know about these areas (concepts, theories, findings?); why do we need to find out? - Function of the literature review. <u>Read</u> : handouts on research questions and literature review. - Research Ethics (review policy <u>Read</u> : www.carleton.ca/secretariat/policies/Ethical_Conduct_of_Research.html
4	LAB Jan 26	Lab: Law Data – Library Lab with Michelle DeVidi: Library Room 102
5	Feb 2	Guest : Susan McDonald, Principal Researcher Department of Justice Canada. Readings on legal studies research questions (Sarat, Banakar; Munger: posted on WebCT.
6	W Feb 9	Legal Method Readings to be assigned. Critical thinking/reading: materials to be assigned. Guest: Professor Vince Kazmierski
	Feb 16	Reading Week
7	Feb 23	Lab: Gvt Materials: Library Lab with Frances Montgomery: Library Room 102
8	W Mar 2	Research Design 1 Topics and readings to follow

9	LAB Mar 9	Self-Directed Lab Class is cancelled on March 09 to give you time to do some 'self-directed exploring' (or to 'catch up' time you have spent earlier in the term on self-directed labs (you are required to write up at least ONE of these in short (1-2) page reflective summaries). The 'self-directed labs' you can select from are: <ul style="list-style-type: none"> - Bibliographic Management: Ref Works (Carleton library workshop -- see schedule on www.library.carleton.ca/tours.html) and other bibliographic and note-taking programs (eg citation, endnote): Which one will you use? Refer to: Madsen 82-100; Booth at 68-101. - Quick Law: primary and secondary law material: what's on there? Search strategies. You can sign up for an in-person seminar or a web-seminar. For times, see www.lexisnexis.ca/en/support/training/trainingschedule.aspx. In person seminars are scheduled in Ottawa in January. - Internet Legal Research: (introduced in library lab on Jan 26); self-directed tour asks you to 'keep exploring' (and evaluating) what material is available on the web; search strategies; rich sites for legal studies research.
10	W Mar 16	Research Design 2 Topics and readings to follow
11	W Mar 23	Research Design 3 Topics and readings to follow
12	Mar 30	Getting it Out the Door Topics and readings to follow <ul style="list-style-type: none"> • Guests: Professor Dawn Moore on supervisory r'ships; Professor Christiane Wilke.