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<b>COURSE:</b>	<b>LAWS 5903 X / ENGL 5900 Y</b> <b>Contemporary Topics in Legal Studies:</b> <b>“Directions and Dead Ends in the ‘Law &amp; Literature’ Movement”</b>
<b>TERM:</b>	<b>Winter 2023</b>
<b>PREREQUISITES:</b>	<b>N/A</b>
<b>CLASS:</b>	<b>Day &amp; Time: Tuesdays 8:35–11:25</b> <b>Room: Loeb B454</b> <b>(A weekly in-person seminar)</b>
<b>INSTRUCTOR:</b>	<b>Dr. Philip Kaisary</b>
<b>CONTACT:</b>	<b>Office: D485 Loeb Building</b> <b>Office Hrs: By appointment</b> <b>Telephone: x. 4181</b> <b>Email: Philip.Kaisary@carleton.ca</b>

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### **CALENDAR COURSE DESCRIPTION**

A research seminar which explores a selected topic from current debates in legal studies. Students should check with the Department regarding the topic offered.

### **COURSE DESCRIPTION**

This course critically analyzes themes, approaches, and debates in the ‘Law and Literature’ movement and the related field of ‘Law, Culture, and the Humanities’ (‘LCH’). The first half of the course begins by tracing the formation of the ‘Law and Literature’ movement from c. 1965 to the present day, paying particular attention to its goals, situation, theoretical investments, and ideological thrust. Observing the movement’s Eurocentrism, the tendency of scholars working in the field to reference only an attenuated corpus of literary and cultural materials, and its indebtedness, on the one hand, to liberal humanism, and, on the other, to post-structuralism, we will assess the productive capacities and critical limitations of the field as it is presently constituted.

Having established a working knowledge of the field in theoretical and historical terms, as well as the tendencies of its purview, we will move to consider: (1) the critical traditions of cultural

materialism and Marxist cultural studies, the major thinkers of which are conspicuous by their absence – or extreme scarcity – within Law and Literature scholarship, and (2) recent debates within world literary studies which have sought to elaborate world literature's relation to the modern capitalist world-system. In opposition to the predominant approaches, we will consider the potential usefulness of these alternative approaches to a reconstructed and reoriented 'Law and Literature' movement.

In the second half of the course, we will undertake a series of experimental readings of primary materials (novels, films, statute law, and case law) drawn from both 'core' and 'peripheral' global locations in an effort to develop a *materialist* and *worldly* approach to 'Law and Literature' / LCH. The interpretations that we will collectively strive to generate will draw on a variety of secondary readings and will be considered in relation to other approaches that have gained currency in 'Law and Literature'.

Please note: the course is structured as a scholarly reading group. Each week we will attempt to frame a collective approach to the texts at hand, identify key arguments, issues, and concepts, and relate weekly readings to previous perspectives. The method of assessment is geared to that format and the interplay of autonomy and shared responsibility it entails. For a scholarly reading group to work, your active participation in class is required. All personal electronic devices are expected to be switched off for the duration of each class. If you take notes on a laptop in class, you should disconnect it from the internet by disabling the Wi-Fi and you should ensure that the presence of your laptop does not impede your contributions to class discussion. To encourage a deeper engagement with the materials I strongly recommend that you read physical (printed) copies of all the assigned readings rather than read from a screen.

### **REQUIRED TEXTS**

Texts will be made available online via the Library's Course Reserves (ARES). Texts for which the Library is unable to obtain online copyright permission will be placed in the Library's physical reserves collection.

To encourage a deeper engagement with the materials, I strongly recommend that you read physical (printed) copies of all the assigned readings rather than read from a screen.

Although not a requirement, I recommend purchasing the following texts (available at [Octopus Books](#)):

Joseph Conrad, *Heart of Darkness and Other Tales* [1902] (Oxford World's Classics edition, Oxford University Press, 2002).

Philip K. Dick, *Do Androids Dream of Electric Sheep?* [1968] (Del Rey, 1996).

**SUPPLEMENTARY TEXTS**

Wayne C. Booth et al., *The Craft of Research*, [any edition] (University of Chicago Press, 1995–2016).

Gerald Graff and Cathy Birkenstein, *They Say/I Say: The Moves that Matter in Academic Writing*, (3rd ed. Norton, 2014).

Gordon S. Harvey, *Writing with Sources: A Guide for Students*, 2nd ed. rev. (Hackett, 2008).

The following lists of recommended readings are provided to give you some starting points for your final paper research:

**Recommended further readings on “Law and Literature” and “Law, Culture and the Humanities”, including examples of various critical approaches:**

Melanie Adrian, “The Principled Slope: Religious Freedom and the European Court of Human Rights.” *Religion, State and Society*, 45 (3-4) (2017), pp. 174-185.

Pierre Bourdieu, “The Force of Law: Toward a Sociology of the Juridical Field”. *Hastings Law Journal*, 38, (1987), pp. 805-853.

Marianne Constable, “How to Do Things with Law,” in: *Our Word is Our Bond: How Legal Speech Acts*, (Stanford: Stanford University Press, 2014), pp. 17-46.

Drucilla Cornell and Nyoko Muvangua (Eds.) *uBuntu and the Law: African Ideals and Postapartheid Jurisprudence*, (New York: Fordham University Press, 2011).

Jacques Derrida, “Force of Law: The Mystical Foundation of Authority,” trans. Mary Quaintance, *Cardozo Law Review*, 11, (1989) pp. 920–1045.

Stacy Douglas, *Curating Community: Museums, Constitutionalism, and the Taming of the Political*, (Ann Arbor: University of Michigan University Press, 2017).

Sheryl Hamilton, *Impersonations: Troubling the Person in Law and Culture*, (University of Toronto Press, 2009).

Paul Kahn, *The Cultural Study of Law: Reconstructing Legal Scholarship*, (Chicago: University of Chicago Press, 2000).

Philip Kaisary, “Hercules, the Hydra, and the 1801 Constitution of Toussaint Louverture.” *Atlantic Studies*, Vol. 12, No. 4, (2015), pp. 393–411.

Ummni Khan, "Having Your Porn and Condemning it Too: A Case Study of a 'Kiddie Porn' Expose." *Law, Culture and the Humanities*, Vol. 5, No. 3, (2009), pp. 391–424.

Val Napoleon and Hadley Friedland, "An Inside Job: Engaging with Indigenous Legal Traditions Through Stories". *McGill Law Journal*, Vol. 61 No. 4, (2016), pp. 725-754.

Imani Perry, "Black Arts and Good Law: Literary Arguments for Racial Justice in the Time of Plessy." *Law, Culture and the Humanities*, Vol. 4, No. 1, (2008), pp. 70–97.

Marianna Valverde, "Borrowing Bakhtin: Sociolegal Studies in a New Key," in: *Chronotopes of Law: Jurisdiction, Scale, Governance*. New York: Routledge, (2015), pp. 1-29.

Diana Young, "Law and the Foucauldian Wild West in Michael Cimino's Heaven's Gate." *Law, Culture and the Humanities*, Vol. 7, No. 2, (2011), pp. 310–326.

**Recommended further reading on, and examples of, Marxist literary and cultural criticism, cultural materialism, and Western Marxism:**

Theodor Adorno and Max Horkheimer, "The Culture Industry: Enlightenment as Mass Deception," in: *Dialectic of Enlightenment* (1944) (Stanford: Stanford University Press, 2014), pp. 94–136.

Theodor Adorno et al., *Aesthetics and Politics*, (London: Verso, 1986).

Theodor Adorno, "On Popular Music." In: *Cultural Theory and Popular Culture: A Reader*, 5<sup>th</sup> edition, edited by John Storey, London: Routledge, 2019, pp. 57–68.

Louis Althusser, "Contradiction and Overdetermination," [1965] in: Louis Althusser, *For Marx*, trans. Ben Brewster, London: Verso, 2007, pp. 87–128.

Louis Althusser, "Ideology and Ideological State Apparatuses." *Cultural Theory and Popular Culture: A Reader*, 3<sup>rd</sup> ed., edited by John Storey, Harlow, Pearson International Limited, 2006 [1970], pp. 336-346.

Perry Anderson, *Considerations on Western Marxism*, (London: Verso, 1976).

Perry Anderson, *In the Tracks of Historical Materialism*, (London: Verso, 1983).

Walter Benjamin, "The Work of Art in the Age of Mechanical Reproduction," (1936) in: *Illuminations*, (New York, Schocken Books, 1968), pp. 217–52.

Terry Eagleton, *Marxism and Literary Criticism*, Routledge, 2002.

Antonio Gramsci, “Hegemony, Intellectuals, and the State” in: *Cultural Theory and Popular Culture: A Reader*, 5<sup>th</sup> edition, edited by John Storey (London: Routledge, 2019), pp.69–74.

Fredric Jameson, *The Political Unconscious: Narrative as a Socially Symbolic Act*, Cornell University Press, 1981.

Fredric Jameson, *Marxism and Form*, (Princeton University Press, 1971).

Herbert Marcuse, *The Aesthetic Dimension: Toward a Critique of Marxist Aesthetics*, (Boston, Beacon, 1978).

Jean-Paul Sartre, “*What is Literature?*” and other essays, (Harvard University Press, 1988).

Raymond Williams, *Raymond Williams on Culture & Society: Essential writings*, edited by J. McGuigan, (London: Sage, 2014).

Raymond Williams, *Marxism and Literature*, (Oxford University Press, 1977).

**I also recommend browsing the following journals:**

[Critical Inquiry](#)

[Law and Critique](#)

[Law and Humanities](#)

[Law and Literature](#)

[Law, Culture, and the Humanities](#)

[Law Text Culture](#)

[Pólemos: Journal of Law, Literature and Culture](#)

[Social Text](#)

[Yale Journal of Law and the Humanities](#)

**EVALUATION**

Standing in a course is determined by the course instructor, subject to the approval of the Department and 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 Department and the Dean.

**Attendance and participation: ungraded but required**

You cannot pass the class if you have missed three or more classes.

**Notebook / lever arch folder of notes: not required, not graded**

I ***strongly suggest*** you keep a ***physical*** notebook or lever arch folder of notes throughout the seminar. This will become an essential piece of documentation to map out the material covered and to refer to as you build towards the final research paper. Typically, this notebook or folder should include your annotated copies of all reading materials, your independently prepared notes on weekly readings, weekly seminar notes, assignments, and other relevant miscellaneous materials such as bibliographies for further readings, drafts of assignments, and thematic, comparative, and intertextual notes, etc.

**Reading response papers x3 (15% each, 3-4 pp. each):**

These assignments (3-to-4-page submissions, double-spaced) are intended as initial modes of engagement with the readings and as preparatory steps towards your final paper. They will also serve to provide early feedback around grading and expectations. Each reading response will summarize the text's main argument and provide an analytical commentary on specific aspects (e.g., a line of reasoning, a key question to be raised and discussed, a point that requires clarification) as well as a brief account of how the reading relates to the other assigned material for the week and/or to previous seminar readings.

**Reading response 1:** On a required reading of your choice listed in the schedule below from week 2, 3 or 4. **Due Friday February 3, 23:55 (end of week 4)**

**Reading response 2:** On a required reading of your choice listed in the schedule below from week 5 or 6. **Due Friday February 17, 23:55 (end of week 6)**

**Reading response 3:** On a required reading of your choice listed in the schedule below from week 8, 9, or 10. **Due Friday March 17, 23:55 (end of week 10)**

**Presentation (15%):**

You will deliver one 15-minute presentation in class. You will summarize the main argument and analyze the structure and key features of one of the assigned texts. Your presentation will also include a comparative element: a commentary tied to a second reading chosen from the material assigned for that week. You should also identify issues to be addressed through further discussion. By midday on the Monday before the class in which you will deliver your presentation you will provide me with a 2-page document comprised of an outline of your presentation, the list of questions for discussion, and a bibliography of any secondary sources consulted. Presentations will be allocated in the introductory class in week 1.

**Research paper (40%, 20 pp.):**

You will research and write a final essay of a maximum length of 20 pages (double-spaced, excluding footnotes and bibliography). You will choose from a list of essay questions to be provided. You must confirm via email your choice of essay question in advance of week 13's final paper workshop. In the final paper workshop, we will collectively 'brainstorm' possible approaches, arguments, and texts (primary and secondary). Your essay must have a clear thesis

and provide sustained analysis. I recommend consulting *The Craft of Research* (listed under Supplementary Texts, above) for guidance and advice; Part 3: “Making An Argument” and Part 4: “Writing Your Argument” are especially useful. Use Chicago Style for all citations: <https://library.carleton.ca/sites/default/files/help/Using%20Chicago%20style%20August%2020216.pdf>. **Due Wednesday April 12, 23:55 (week 14, the last day of the winter term)**

**All components must be successfully completed to receive a passing grade**

### **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

Late assignments will be treated as follows:

A deduction of 5% if the assignment is submitted after the deadline but before midnight the following day.

A further 10% is deducted at the beginning of each following day (at 12:01am) including weekend days.

The granting of extensions is determined by the instructor, who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

**Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

### **SCHEDULE**

Note: for a full list of important academic dates please see: <https://calendar.carleton.ca/academicyear/>

#### **Week 1 (Tuesday January 10): Introduction**

No assigned reading

#### **Part I: Directions and Dead Ends in the ‘Law and Literature’ Movement**

#### **Week 2 (Tuesday January 17): The History, Theory, and Praxis of ‘Law & Literature’,**

**1965–c.1995**

**Pedagogical objective:** To introduce the field and its origins; to consider the field’s formation in its first c.30 years; to consider its goals, situation, theoretical investments, and ideological thrust.

Required reading:

Charles A. Reich, “Toward the Humanistic Study of Law,” *Yale Law Journal* 74 (8) (1965), pp. 1402–1408.

James Boyd White, “The Cultural Background of *The Legal Imagination*,” in *Teaching Law and Literature*, edited by Austin Sarat, Catherine O. Frank, and Matthew Anderson, (New York: Modern Language Association of America, 2011), pp. 29–39.

Robin West, “Communities, Texts, and Law: Reflections on the Law and Literature Movement,” *Yale Journal of Law and the Humanities*, Vol. 1 (1988), pp. 129–156.

Ian Ward, “Law and literature: a continuing debate,” *Law and Literature: Possibilities and Perspectives* (Cambridge University Press, 1995), pp. 3–27.

Further reading:

Richard Weisberg, *The Failure of the Word*, (Yale University Press, 1984).

Richard Weisberg, *Poethics and Other Strategies of Law and Literature*, (Columbia University Press, 1992).

James Boyd White, *The Legal Imagination: Abridged Edition*, (University of Chicago Press, 1973, 1985).

**Week 3 (Tuesday January 24): The History, Theory, and Praxis of ‘Law & Literature’, c.1995 to the present**

**Pedagogical objective:** To consider the formation of the field from c.1995 to the present to answer the question: Of what is ‘Law and Literature’, in its present formation, an instance? To consider tensions in the politics and ideological thrust of the field, in particular its indebtedness to post-structuralism which provoked an anti-theoretical backlash from Richard Posner that has been both influential in the field and fiercely contested. To consider the productive capacities and critical limitations of the field as it is presently constituted.

Required reading:

Julie Stone Peters, “Law, Literature, and the Vanishing Real: On the Future of an Interdisciplinary Illusion,” *PMLA*, Vol. 120, No. 2 (2005), pp. 442–453.



Richard Posner, “Critical Introduction” and “Law and Literature: A Manifesto,” *Law and Literature*, 3<sup>rd</sup> edition, (Harvard University Press, 2009), pp. 1–17, 545–550.

Austin Sarat, Matthew Anderson, Catherine O. Frank, “Introduction: On the Origins and Prospects of the Humanistic Study of Law,” *Law and the Humanities: An Introduction*. (Cambridge: Cambridge University Press, 2009), pp. 1–46

Richard Weisberg, “What Remains “Real” About the Law and Literature Movement?: A Global Appraisal,” *Journal of Legal Education* Vol. 66, No. 1, (2016), pp. 37–43

Further reading:

Guyora Binder and Robert Weisberg, *Literary Criticisms of Law*, (Princeton University Press, 2000).

Kieran Dolin, *A Critical Introduction to Law and Literature*, (Cambridge University Press, 2007).

Robin West, “Law, Literature, and the Celebration of Authority,” [Review of the first edition of Posner’s *Law and Literature*], *Northwestern University Law Review*, Vol. 83, (1989), pp. 977–1011.

James Boyd White, “What Can a Lawyer Learn From Literature?” [Review of the first edition of Posner’s *Law and Literature*], *Harvard Law Review* No. 102 (1989), pp. 2014–47.

**Week 4 (Tuesday January 31): No class this week as I am attending a conference.**

**Week 5 (Tuesday February 7): For a Materialist Reconstruction and Reorientation of the Law and Literature Movement**

**Pedagogical objective:** To provide an overview of the materialist critical traditions of cultural materialism and cultural Marxism, the major thinkers of which are conspicuous by their absence – or extreme scarcity – within law and literature scholarship; to consider the potential usefulness of cultural materialism and cultural Marxism to a reconstructed and reoriented ‘Law and Literature’.

Required reading (read in the order listed below):

Karl Marx, “Preface to *A Critique of Political Economy*,” [1859] *Karl Marx: Selected Writings*, ed. David McLellan, (Oxford University Press, 2000), pp. 424–428.

Raymond Williams, “Base and Superstructure in Marxist Cultural Theory,” *New Left Review*, Vol. 1, No. 82, (Nov/Dec, 1973), pp. 3–16.

Jameson, Fredric. "Reification and Utopia in Mass Culture." *Social Text*, Vol. 1, No. 1, 1979, pp. 130-148.

Further reading:

Adorno, Theodor and Max Horkheimer. "The Culture Industry: Enlightenment as Mass Deception." *The Cultural Studies Reader*, edited by Simon During, New York, Routledge, 1999 [1944], pp. 31-41.

Louis Althusser, "Contradiction and Overdetermination," (1965) in: Louis Althusser, *For Marx*, trans. Ben Brewster, (London: Verso, 2007), pp. 87–128.

Peter Barry, *Beginning Theory: An Introduction to Literary and Cultural Theory* (Manchester University Press, 4<sup>th</sup> ed. 2017), pp. 159–174, 184–193 [Chapter on Marxism and section on Cultural Materialism.]

Pierre Bourdieu, "Distinction and the Aristocracy of Culture," *Cultural Theory and Popular Culture: A Reader*, 3<sup>rd</sup> ed., edited by John Storey, Harlow, Pearson International Limited, 2006 [1984], pp. 466–476

William C. Dowling, *Jameson, Althusser, Marx: An Introduction to The Political Unconscious*, (Ithaca, New York: Cornell University Press, 1984).

Terry Eagleton, *Marxism and Literary Criticism*, (Routledge, 2002).

Gramsci, Antonio. "Hegemony, Intellectuals, and the State." *Cultural Theory and Popular Culture: A Reader*, 3<sup>rd</sup> ed., edited by John Storley, Harlow, Pearson International Limited, 2006 [1970]. pp. 85-91.

Fredric Jameson, *The Political Unconscious: Narrative as a Socially Symbolic Act*, (Ithaca, New York: Cornell University Press, 1981). [Chapter 1 is the key chapter; it is however undoubtedly challenging reading; I recommend approaching it via Dowling's introduction, listed above.]

## **Week 6 (Tuesday February 14): 'Worlding' Law and Literature / LCH: After the Disciplinary Critiques of Eurocentrism**

**Pedagogical objective:** To introduce briefly recent models of comparativism in the materialist tradition that we can harness to the task of imagining and theorizing a reconstructed and reoriented Law and Literature that is "at home in the world."

Required reading:

Edward W. Said, "The Politics of Knowledge," *Raritan: A Quarterly Review*, Vol. 11, No. 1

(1991), rpt. in Edward W. Said, *Reflections on Exile and other literary and cultural essays*, (London: Granta, 2000), pp. 372–385.

WReC: Warwick Research Collective, *Combined and Uneven Development: Towards a New Theory of World-Literature*, (Liverpool, Liverpool University Press, 2015), pp. 1–80.

Further reading:

Timothy Brennan, *At Home in the World: Cosmopolitanism Now*, (Harvard University Press, 1997).

Barbara Harlow, et al. "First Responses." *Comparative Literature Studies*, vol. 53 no. 3, 2016, pp. 505–534.

WReC: Warwick Research Collective. "WReC's Reply." *Comparative Literature Studies*, vol. 53 no. 3, 2016, pp. 535–550.

### **Week 7 (February 20–24, 2023): WINTER BREAK: NO CLASSES**

#### **Part II: Experimental Readings in ‘Law & Literature’**

**Pedagogical objective:** In Part II of the course, the goal throughout is to actuate a materialist Law & Literature. The method takes the form of a series of experiments in the study of cultural dynamics arranged via the assigned readings. This pedagogical goal requires as a contingent, prior step the development of a self-critical awareness that makes visible, as objects or obstacles, the interpretative schemes that we ordinarily and unconsciously bring to our reading of cultural and scholarly materials. The materialist interpretations that we will strive to collectively generate will draw on a variety of secondary readings and will be considered in relation to other approaches that have gained currency in the field of Law & Literature.

#### **Week 8 (Tuesday February 28): The Haitian Constitution of 1805: reading law as literature [Statute Law]**

Required reading:

The 1805 Imperial Constitution of Haiti in: Laurent Dubois & John D. Garrigus, *Slave Revolution in the Caribbean, 1789–1804: A Brief History with Documents*, (Boston & New York: Bedford-St. Martin's, 2006), pp. 191–96.

[The 1805 Imperial Constitution of Haiti is available in the original French in *Documents constitutionnels d’Haïti, 1790–1860* edited by Laurent Dubois, Julia Gaffield, and Michel Acacia, (Berlin / Boston: De Gruyter, 2013), pp. 63–69. It is also available online:

[https://haitidoi.com/constitutions/1805-2/#\\_ednref1](https://haitidoi.com/constitutions/1805-2/#_ednref1)

Philip Kaisary, “‘To break our chains and form a free people’: Race, Nation, and Haiti’s Imperial Constitution of 1805,” *Race and Nation in the Age of Emancipations*, eds. Whitney Stewart and John Garrison Marks, (University of Georgia Press, 2018), pp. 71–88.

Required viewing:

Sujewa Ekanayake (dir.) *Egalité for All: Toussaint Louverture and the Haitian Revolution* (PBS, 2009).

Further reading:

Sibylle Fischer, “Foundational Fictions: Postrevolutionary Constitutions I” and “Liberty and Reason of State: Postrevolutionary Constitutions II” in: *Modernity Disavowed: Haiti and the Cultures of Slavery*, (Duke University Press, 2004), pp. 227–244, 260–271.

C.L.R. James, *The Black Jacobins* (1938, 2<sup>nd</sup> ed. rev. 1963) (New York: Vintage, 1989).

### **Week 9 (Tuesday March 7): Revolutionary Justice: Joseph Conrad’s *Heart of Darkness* (1902) [Novel]**

Required reading:

Joseph Conrad, *Heart of Darkness* [1902] in: Joseph Conrad, *Heart of Darkness and Other Tales* [1902] (Oxford World’s Classics edition, Oxford University Press, 2002).

Benita Parry, “Narrating Imperialism: Beyond Conrad’s Dystopias,” *Postcolonial Studies: A Materialist Critique*, (Routledge, 2004), pp. 132–147.

Edward Said, “Two Visions in *Heart of Darkness*,” *Culture and Imperialism*, (London: Vintage, 1994), pp. 20–35.

Christopher Tomlins, “Revolutionary Justice in Brecht, Conrad, and Blake,” *Law and Literature*, Vol. 21, No. 2, (2009), pp. 185–213. [Skim the sections on Brecht and Blake and focus on the section on Conrad, if you wish.]

Further reading:

Joseph Conrad, “The Tale” (1917) in Joseph Conrad, *Tales of Hearsay* [Available via CU Library / Project Gutenberg, no pagination].

Ravit Reichman, “Neutrality in Law and Literature: Reading the Supreme Court with Joseph Conrad,” *Teaching Law and Literature*, edited by Austin Sarat, Catherine O. Frank, and Matthew Anderson, (New York: Modern Language Association of America, 2011), pp. 366–374.

**Week 10 (Tuesday March 14): Martin Luther King: Unjust Law and Narrative Difference [Case Law]**

Required reading:

Martin Luther King Jr., “Letter from a Birmingham Jail,” April 16, 1963. Republished in: Martin Luther King Jr., “Why We Can’t Wait,” (New York: Harper & Row, 1964), pp. 77–100.

*Walker v. City of Birmingham*, 388 U.S. 307 (1967)

Further reading:

David Luban, “Difference Made Legal: The Court and Dr. King,” *Legal Modernism*, (Ann Arbor: University of Michigan Press, [1994] 1997), 209–282.

**Week 11: (Tuesday March 21): Gillo Pontecorvo: Law and Revolutionary Violence [Film]**

Required reading / viewing:

Gillo Pontecorvo (dir.), *The Battle of Algiers* (Casbah Film, 1966).

Gillo Pontecorvo (dir.), *Burn! / Queimada* (Alberto Grimaldi / United Artists, 1969).

For the North American and British markets, United Artists, against Pontecorvo’s wishes, cut the film’s running time by twenty minutes. This results in a diminution of narrative coherence. There is no official, English-language ‘director’s cut’ version currently available. However, the following version uploaded to YouTube restores the cut material:

<https://youtu.be/cF5mhZDX0Kc>.

Frantz Fanon, *The Wretched of the Earth* [1963] (New York: Grove Press, 2004), pp. 97–144.

Gary Boire, “Legalizing Violence: Fanon, Romance, Colonial Law,” in *Law and Literature: Current Legal Issues, Volume 2*, edited by Michael Freeman and Andrew D. E. Lewis, (Oxford: Oxford University Press, 1999): pp. TBC

Further reading:

John Denvir, “What Movies Can Teach Law Students,” in *Law and Popular Culture: Current Legal Issues: Volume 7*, edited by Michael Freeman, (Oxford: Oxford University Press, 2004), pp. TBC

Philip Kaisary, “‘Our first cry of freedom’: From Revolution to Liberation in Gillo Pontecorvo’s *Burn!*” [forthcoming publication, PDF to be provided]

**Week 12 (Tuesday March 28): Dystopia / Sci-Fi Jurisprudence: *Do Androids Dream of Electric Sheep?* and *Bladerunner* [Novel + Film]**

Required reading / viewing:

Philip K. Dick, *Do Androids Dream of Electric Sheep?* [1968] (Del Rey, 1996).

Ridley Scott (dir.), *Blade Runner: The Final Cut* (2007).

Wae Chee Dimock, "Science Fiction As A World Tribunal," in *Law and Popular Culture: Current Legal Issues: Volume 7*, edited by Michael Freeman, (Oxford: Oxford University Press, 2004), pp. TBC.

Peter J. Hutchings, "From Offworld Colonies to Migration Zones: *Blade Runner* and the Fractured Subject of Jurisprudence," *Law, Culture and the Humanities* (Vol. 3, No. 3, 2007), pp. 381–397.

Further reading:

Herbert Marcuse, "Some Social Implications of Modern Technology" [1941] in *The Frankfurt School Reader* edited by Andrew Arato & Erike Gebhardt, (New York: Continuum, 1982), pp.138–62.

Judith B. Kerman, "Technology and Politics in the *Blade Runner* dystopia," in *Retrofitting Blade Runner: Issues in Ridley Scott's Blade Runner and Philip K. Dick's Do Androids Dream of Electric Sheep*, edited by Judith B. Kerman, (Bowling Green University Press, 1997), pp. 16–24.

**Week 13 (Tuesday April 4): Final Paper Workshop****Week 14: (Tuesday April 11): Conclusion****University and Departmental Policies****DEPARTMENT POLICIES AND REGULATIONS**

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

## **PLAGIARISM**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

### **Statement on Student Mental Health**

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. Here is a list that may be helpful:

**Emergency Resources (on and off campus):** <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

#### **Carleton Resources:**

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

#### **Off Campus Resources:**

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

### **Statement on Pandemic Measures**

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

**Feeling sick?** Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you should follow Carleton's [symptom reporting protocols](#).

**Masks:** Masks are no longer mandatory in university buildings and facilities. However, we continue to recommend masking when indoors, particularly if physical distancing cannot be maintained. We are aware that personal preferences regarding optional mask use will vary greatly, and we ask that we all show consideration and care for each other during this transition.

**Vaccines:** While proof of vaccination is no longer required to access campus or participate in in-person Carleton activities, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca).

### **ACADEMIC ACCOMMODATIONS**

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).



**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 [click here](#).

**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).

**Survivors of Sexual Violence**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

**Accommodation for Student Activities**

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.