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<b>COURSE:</b>	<b>LAWS 3501A – Law in the Information Society</b>
<b>TERM:</b>	<b>Summer 2021</b>
<b>PREREQUISITES:</b>	<b>1.0 Credits in LAWS at the 2000 level</b>
<b>CLASS:</b>	<b>Day &amp; Time: Please check Carleton Central for current Class Schedule.</b> <b>Room: All Courses in the Winter 2021 term are offered online.</b>  <b>This course is offered asynchronously. Course lectures will be posted according to the weekly schedule.</b>
<b>INSTRUCTOR:</b>	<b>Meg D. Lonergan</b>
<b>CONTACT:</b>	<b>Office Hours: Office hours are by appointment. Please email me to schedule a zoom call.</b>  <b>Email: <a href="mailto:Megan.lonergan@carleton.ca">Megan.lonergan@carleton.ca</a></b>

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### **CALENDAR COURSE DESCRIPTION**

Legal responses to challenges of the information society. Topics may include privacy, surveillance and monitoring, access to information, freedom of expression, control of objectionable content, Charter and human rights issues, and security.

### **COURSE DESCRIPTION**

The idea that we live in an information society correlates with the development and increasing ubiquity of communication technologies, the economic and social importance of information, and the angst-ridden debates about what to do about issues such as privacy, surveillance, and controlling Internet content, etc. The Internet has given rise to a new set of possibilities and concerns or raised old concerns to a new level because of its power to facilitate cheap, virtually instantaneous, and global communications. This course will focus on privacy, surveillance, and the regulation of Internet content. It will assess the potential of new technologies for realizing goals such as greater equality, maximizing expressive freedom and promoting democratic participation, as well as address the fear that law will be unable to control the “bad things” made possible by Internet. Some questions to be considered throughout the course include: What role can and should law play in the regulation of the Internet and Internet activity? How does law interact with other regulatory mechanisms that have a significant impact shaping the Internet and practices in Internet communications? How can privacy, surveillance, and undesirable Internet

activity be regulated in a globalized environment? How is Canada addressing Internet regulatory and governance issues? This course is online course where the instructor and students share information, ideas, and learning experiences in a virtual course space. Asynchronous courses do not have live, scheduled meetings online. However, students are expected to remain up to date with the deadlines and due dates provided by the instructor. These courses require high-speed Internet access and a computer.

### **Learning objectives**

- ❖ Identify characteristics of the information society that pose challenges for law
- ❖ Critically engage with ideas and debates about the internet, censorship, freedom, crime, governance, and policing
- ❖ Develop an understanding of the legal framework governing the information society and the interaction of law and information society
- ❖ Develop abilities to critically analyze scholarly literature
- ❖ Synthesize information and present it in an accessible way (via internet meme culture)
- ❖ Improve skills in assessing legal, regulatory and governance policy options
- ❖ Refine research and analytical writing skills

This course will include readings and discussions of content and issues which some people may find upsetting or difficult, including child pornography, violence, and sexual assault. Please contact your instructor if you have concerns or would like accommodations.

### **Required Texts**

All required readings will be made available on the course Brightspace page under the week that they should be reviewed for.

### **Supplementary texts**

While the following texts are not required for the course, they are useful resources for developing your writing craft and useful resources that students often find themselves referring to over their academic and professional careers. Any edition of these texts is a good resource (I have merely provided the reference for the editions in my own library) and used copies are widely available at libraries, second-hand book shops, and other major book retailers.

- ❖ Graff, Gerald & Birkenstein, Cathy. (2014). *They say/I say: The moves that matter in academic writing*. (3rd ed.). New York: W. W. Norton & Company.
- ❖ Strunk, William Jr. & White, E. B. (2000). *The elements of style* (4th ed.). New York: Longman

### **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.

**Assignment 1: Weekly Quizzes 30% (6 x 5%)**

Friday at 9am quizzes on the two topics for the week will become open. These short quizzes will test your knowledge of the readings and lecture materials. There will be 6 quizzes (one each week) and each are worth a total of 5% of your final grade.

**Assignment 2: Discussion Board Posts 10%**

Due to the asynchronous nature of this course discussion board posts are a useful mechanism to help facilitate engagement with the course and amongst your peers. You will be required to engage in the discussion board for this course. You can do this in the form of posting and responding to questions about the course materials and assignments and by answering the discussing questions posed in the lecture content for that topic. By doing this you can check your understanding with your T.A. and instructor, who will monitor and respond to the posted content. Think of this grade as in lieu of an active participation grade in a synchronous or in-classroom course.

**Assignment 3: What Does the Article Meme? 30% (3 x 10%)**

**Due: All 3 Must be submitted by midnight August 10<sup>th</sup>**

Choose a reading from a topic in the course and create a meme that reflects the thesis of the article. Three of these assignments are to be completed before August 10th and each are worth 10% of your total grade. They may be done on any two readings not from the same topic.

Memes will be evaluated by your instructor based on originality, effective communication of the thesis/main argument of the article, engagement with the text, and the overall quality of the meme produced. This assignment will help students think about deeply about and identify the thesis in a reading and creatively represent the main argument via a popular form of digital communication on the internet. These memes should each be accompanied by a 250-word explanation of the content's relationship to the chosen course article.

**Assignment 4: Final Research Paper 30%**

**Due: August 15<sup>th</sup> by midnight**

There is no final exam for this course; the final research paper is taking the place of a final examination. Based on the feedback you received on your paper proposal, you will write a final research paper on the topic you identified.

In this assignment you must:

- clearly identify your thesis
- have a minimum of 3 or 4 arguments that support your thesis
- incorporate a minimum of 5 articles from any weeks in the course that are related to your proposed topic
- incorporate a minimum of 5 additional academic sources

This assignment should be 12 pages, double spaced, 12 Times New Roman Font with 1-inch page margins. The preferred citation style is APA or ASA, but McGill is also acceptable. Title pages and works cited pages do not count towards page counts for any assignments and are required for all assignments. Your final research paper will be evaluated based on the relevance of your topic to the course; your demonstrated engagement and understanding of course materials and themes; incorporation of feedback given on the proposal assignment; inclusion of required components; and overall quality of arguments and stylistic components. The final research paper is an opportunity for students to deeply explore an area related to Law in the Information Society and further develop their academic writing and research skills.

**The final paper is due by midnight August 15<sup>th</sup>.**

### **APPEALING GRADES**

Grading of assignments will include an evaluation of the content as it reflects students' knowledge of, and ability to discuss, information and ideas presented in this course. Grading will also take matters of spelling, grammar, punctuation, proper citation, and clarity of expression into account. To appeal a grade please wait 48 hours after receiving feedback on the assignment to reflect on the justification given. Emails sent before the 48-hour period may not receive a response. After the 48-hour period please send your T.A. a detailed explanation of where on the assignment you believe you deserved a different mark and why based on the assignment guidelines. If after appealing to the T.A. you are still unclear about your grade you can the contact the instructor.

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

**A late penalty of 5% per day will be applied to assignments up to 1 week late.**

**Assignments handed in more than 1 week beyond the deadline will be awarded a zero.**

Please contact your instructor via email as far in advance as possible (or as soon as possible) if you will not meet an assignment deadline to make alternative arrangements. 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**

July 2nd, 2021	Classes Begin
July 9th, 2021	Last day to withdraw from summer courses with full fee adjustment
August 3 <sup>rd</sup> , 2021	Statutory Holiday
August 7th, 2021	Last day for exams or assignments worth 15% or more before the official exam period
<b>August 10<sup>th</sup></b>	<b>Last day to ensure all 3 Meme Assignments have been submitted by midnight</b>
August 14 <sup>th</sup> , 2021	Last day of classes (follows a Monday schedule)
<b>August 15<sup>th</sup></b>	<b>Final paper is due by midnight</b>
August 17 <sup>th</sup> -23 <sup>rd</sup> , 2021	Final examination period

<p><b>July 5<sup>th</sup>, 2021</b></p> <p><b><i>Freedom of Expression and the Reasonable Limits Clause</i></b></p> <p>Lowe, D. (2020). Far-right extremism: Is it legitimate freedom of expression, hate crime, or terrorism? <i>Terrorism and Political Violence</i>, 32(3), 1-21.</p> <p>Cossmann, B. (2018). Gender identity, gender pronouns, and freedom of expression: Bill C-16 and the taction of specious legal claims. <i>The University of Toronto Law Journal</i>, 68(1), 37-79.</p> <p>Mathen, C. (2016). Rational connections: Oaks, section 1 and the Charter’s legal rights. <i>Ottawa Law Review</i>, 43(3), 491-509.</p>	<p><b>July 7<sup>th</sup>, 2021</b></p> <p><b><i>Censorship</i></b></p> <p>Griffin, J. G. H. (2021). The enforcement of laws regulating digital cultural content: A proposal. <i>International Review of Law, Computers &amp; Technology</i>, 35(1), 70-83.</p> <p>Newman, S. L. (2017). Finding the harm in hate speech: An argument against censorship. <i>Canadian Journal of Political Science</i>, 50(3), 679-697.</p> <p>Watson, T. (2015). Research access barriers as reputational risk management: A case study of censorship in corrections. <i>Canadian Journal of Criminology</i>, 57, 330-362.</p>
<p><b>July 12<sup>th</sup>, 2021</b></p> <p><b><i>Copyright and Intellectual Property</i></b></p> <p>Documentary: <i>Feels Good Man</i> (2020) [92 minutes]</p> <p>Harding, I. (2013). Five decisions in one day:</p>	<p><b>July 14<sup>th</sup>, 2021</b></p> <p><b><i>Data and Privacy</i></b></p> <p>Jardine, E. (2018). Privacy, censorship, data breaches and internet freedom: The drivers of. Support and opposition to dark web technologies. <i>New Media &amp; Society</i>, 20(8), 2824-2843.</p>

<p>the Supreme Court of Canada takes on copyright law. <i>Journal of Intellectual Property Law &amp; Practice</i>, 8(1), 59-68.</p>	<p>Osucha, E. (2009). The whiteness of privacy: Race, media, law. <i>Camera Obscura</i>, 24(1), 67-107.</p> <p>Bailey, J. (2008). Framed by section 8: Constitutional protection of privacy in Canada. <i>Canadian Journal of Criminology and Criminal Justice</i>, 50(3), 279-306.</p>
<p><b>July 19<sup>th</sup>, 2021</b></p> <p><b><i>Obscenity and Pornography</i></b></p> <p>Mowatt, R. A. (2018). Black lives as snuff: The silent complicity in viewing black death. <i>Biography</i>, 41(4), 777-806.</p> <p>Gillespie, A. A. (2018). Child pornography. <i>Information &amp; Communications Technology Law</i>, 27(1), 30-54.</p> <p>Nair, A. (2010). Real porn and pseudo porn: The regulatory road. <i>International Review of Law, Computers &amp; Technology</i>, 24(3), 223-232.</p> <p><b><i>Optional:</i></b></p> <p>Lonergan, M. D. (2020). Hard-on of darkness: Shock and gore websites as the dark tourism of digital space. <i>Porn Studies</i>, 7(4), 454-458.</p>	<p><b>July 21<sup>st</sup>, 2021</b></p> <p><b><i>Accessing Information in the Information Society</i></b></p> <p>Kazmierski, V. (2011). Accessing democracy: The critical relationship between academics and the Access to Information Act. <i>Canadian Journal of Law and Society</i>, 26(3), 613-622.</p> <p>Clarke, A., Lindquist, E. A., &amp; Roy, J. (2017). Understanding governance in the digital era: An agenda for public administration research in Canada. <i>Canadian Public Administration</i>, 60(4), 457-475.</p> <p>Trevisan, F. (2020). “Do you want to be a well-informed citizen, or do you want to be sane?” Social media, disability, mental health, and political marginality. <i>Social Media + Society</i>, 1-11.</p>
<p><b>July 26<sup>th</sup>, 2021</b></p> <p><b><i>Cybercrimes</i></b></p> <p>Levin, A. &amp; Goodrick, P. (2013). From cybercrime to cyberwar? The international policy shift and its implications for Canada? <i>Canadian Foreign Policy Journal</i>, 19(2), 127-143.</p>	<p><b>July 28<sup>th</sup>, 2021</b></p> <p><b><i>Policing in the Information Society</i></b></p> <p>Sanders, C. B. and Hannem, S. (2012). Policing ‘the risky’: Technology and surveillance in everyday patrol work. <i>Canadian Review of Sociology</i>, 49(4), 389-410.</p>

<p>Holt, T. J., Brewer, R., and Goldsmith, A. (2019). Digital drift and the ‘sense of injustice’: Counter-productive policing of youth cybercrimes. <i>Deviant Behavior</i>, 40(9), 1144-1156.</p> <p>Henry, N. &amp; Powell, A. (2016). Sexual violence in the digital age: The scope and limits of criminal law. <i>Social &amp; Legal Studies</i>, 25(4), 397-418.</p>	<p>Brown, G. (2015) “The Blue Line on Thin Ice: Police Use of Force Modifications in the Era of Cameraphones and YouTube.” <i>British Journal of Criminology</i>, 56, 293-312.</p> <p>Dodge, A. &amp; Spencer, D., Ricciardelli, R., &amp; Balluci, D. (2019). ‘This isn’t your father’s police force’: Digital evidence in sexual assault investigations. <i>Australian &amp; New Zealand Journal of Criminology</i>, 52(4), 499-515.</p>
<p><b>August 2<sup>nd</sup>, 2021</b></p> <p><b><i>Social Media and Digital Activism</i></b></p> <p>Nakamura, L. (2007). “Introduction: Digital racial formations and networked images of the body,” in <i>Digitizing race: Visual cultures of the internet</i>. Minneapolis: University of Minesota Press, pp. 1-35.</p> <p>Fileborn, B. (2019). Justice 2.0: Street harassment victim’s use of social media and online activism as sites of informal justice. <i>The British Journal of Criminology</i>, 57(6), 1482-1501.</p> <p>Massanari, A. (2017). “#Gamergate and The Fapping: How Reddit’s Algorithm, Governance, and Culture Support Toxic Technocultures.” <i>New Media &amp; Society</i> 19(3): 329–346.</p>	<p><b>August 4<sup>th</sup>, 2021</b></p> <p><b><i>Cryptocurrencies and Digital Economies</i></b></p> <p>Alcantara, C. &amp; Dick, C. (2017). Decolonization in a digital age: Cryptocurrencies and indigenous self-determination in Canada. <i>Canadian Journal of Law and Society</i>, 32(1), 19-35.</p> <p>Gregg, M., and Adrijasevic, R. (2019). Virtually absent: The gendered histories ad economies of digital labour. <i>Feminist Review</i>, 123, 1-7.</p> <p>Reuckert, C. (2019). Cryptocurrencies and fundamental rights. <i>Journal of Cybersecurity</i>, 1-12.</p>
<p><b>August 9<sup>th</sup>, 2021</b></p> <p><b><i>Law, Simulation and Cyborgs</i></b></p> <p>LaMonaca, J. P. (2020). A break from reality:</p>	<p><b>August 11<sup>th</sup>, 2021</b></p> <p><b><i>Course Review/Paper Workshop</i></b></p>

<p>Modernizing authentication standards for digital video evidence in the era of deepfakes. <i>The American University Law Review</i>, 69(6), 1945-1988.</p> <p>Hadzi, A. (2019). Social justice and artificial intelligence. <i>Body, Space &amp; Technology</i>, 18(1), 145- 174.</p> <p>van der Wagen, W. (2015) From cybercrime to cyborg crime: Botnets as hybrid criminal actornetworks. <i>British Journal of Criminology</i>, 55, 578-595</p>	
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## **ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

### **Pregnancy obligation**

Please contact 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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

### **Academic Accommodations for Students with Disabilities**

If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to



request accommodations for the formally-scheduled exam (if applicable) <https://carleton.ca/pmc>

### **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/>

### **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 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/studentssupport/svpolicy/>

### **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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: <https://students.carleton.ca/services/accommodation/>

### **Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations: <https://carleton.ca/law/current-students/>