

**Course Outline**

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**COURSE:** LAWS 1001C Introduction to Legal Studies 1: Foundations and Rights Protection

**TERM:** FALL 2019

**CLASS:** Day & Time: Fridays 12:35 pm – 2:25 pm  
Room: Please check with Carleton Central for current room location

**INSTRUCTOR:** Professor Barry Wright

**CONTACT:** Office: D489 Loeb Building  
Office Hrs: Fridays 2:40 - 4:00 pm  
Telephone: 613-520-2600 ext. 8201  
Email: [barry.wright@carleton.ca](mailto:barry.wright@carleton.ca)  
\*Please contact course TA by email in first instance outside of class and office hours (see CU Learn for contact information).

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**CALENDAR COURSE DESCRIPTION**

Introduction to legal studies: concepts, sources, nature and functions of law; historical, cultural and constitutional foundations of the Canadian legal system; common law and civil law traditions; statutory interpretation, precedent; legal institutions; frameworks for analyzing formal and informal conceptions of law and its role in society.

**COURSE DESCRIPTION**

This course is designed to provide an introduction to the field of legal studies. It surveys the Canadian legal system, focused on common law jurisdictions, and places law, legal processes, institutions and personnel in broader historical, social and political contexts. Students will learn about the concepts and theories of law as well as the sources of formal law in Canada, including origins and role in colonization. The Canadian constitution and the main doctrinal areas of public and private law are overviewed, as are the courts and alternative dispute resolution, the legal profession and access to justice. The course examines central issues raised by these topics, addresses the role of law in a changing society, and considers the prospects for reform, social justice and change through the law.

**Learning Objectives:**

Upon completion of this course students should be able to describe the main foundational or technical elements related to the above topics, identify and assess central issues and debates arising from these topics, and begin to think critically about the law and the legal system.

**REQUIRED TEXT**

Barry Wright, Vincent Kazmierski, Betina Appel Kuzmarov, Rebecca Bromwich, *Looking at Law: Canada's Legal System 7<sup>th</sup> edition* (Toronto: LexisNexis, 2019)

This book may be purchased at the Carleton University Bookstore. It may be available elsewhere (eg., Haven Books). It is extensively revised from previous editions so used copies of the 5<sup>th</sup> and 6<sup>th</sup> eds. not recommended.

### **Supplementary Optional Text:**

Coursepack edited by S. Tasson, R. Bromwich, J. Dickson, V. Kazmierski, B. Appel Kuzmarov, S. Malette, U. Oszu, *Introduction to Legal Studies: Foundations and Rights Protections Volume 1* (Concorde: Captus, 2018)

This text is not required but students may find reproduced extracts by other authors on the topics examined in the required text to be helpful.

### **EVALUATION**

**There are four assessed or formally evaluated components in this course: two written assignments, attendance and participation in weekly scheduled discussion groups, and a final examination which will be scheduled during the formal examination period (9-21 December).**  
**-All written components (both assignments and final exam) must be submitted to receive a passing grade in this course; assignments submitted after the due date without authorized extension (documentation required) will be assessed with a late penalty.**  
**-Completed written assignments must be submitted electronically to the appropriate Teaching Assistant via CULearn by 4:00 pm on the due date. Assignments submitted in any other fashion will not be accepted and an identical dated back up electronic copy of the submission should be retained in a separate file.**

**20% Assignment 1: Review Essay (details will be posted on CULearn) Due: 11 October**

**20% Assignment 2: Analytical Essay (details will be posted on CU Learn) Due: 8 November**

**50% Final Examination: Multiple choice questions covering all topics in course: Formal Exam Period**

**10% Discussion Group Tutorial Attendance and Participation: Weekly commencing 20 September.**

### **Further important notes on assessment and expectations in this course:**

-As noted above failure to complete written assignments or the exam will result in a failing grade for the course. Assignments submitted after the due date without authorized extension are subject to a late penalty and cannot be submitted after 6 December. In case of illness or other unexpected emergency, a deferred examination, following the same format as the final exam, may be written upon application to and approval from the Registrar's Office.

-You will be assigned a TA who will conduct a scheduled weekly discussion commencing in the third week of the course. Regular attendance in the weekly tutorial is expected. It provides an opportunity to review and discuss central themes, raise questions in an informal small group setting, and review

expectations for the successful completion of written assignments which will be graded by your TA. If you disagree with a TA's assessment of your work you must contact your TA within one week after the disputed grade is posted on CULearn. The professor will not review an appeal of the grade unless it has been first discussed with the TA.

-You are expected to complete the readings for the lecture as set out in the Class Schedule on the next page. Advanced reading will facilitate your understanding of matters covered in the lecture. The lecture will elaborate on important issues raised in the readings and new material will be introduced in the lecture which may appear in the final exam. The lecture has approximately 300 students and so it is important that students not engage in disruptive behavior so that all benefit from a positive learning experience. Comments and questions raised in the lecture and tutorials must be respectful of others and tolerant of different points of view. Please refrain from engaging in distracting social media, clips and games during class.

-CULearn will be the primary method of electronic communication with students outside of class. Included are periodic notices and supplementary readings, assignment topics and guidelines, submission procedures and results. Students should sign on to CULearn the first week of classes and check course matters on CU Learn on a regular basis (at least weekly).

- Please note regulations concerning academic integrity and related instructional offences as noted below and in the Undergraduate Calendar. Prior approval of the instructor must be obtained if it is intended to submit work that has previously or concurrently been submitted for credit in this or another course.

-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

### **CLASS SCHEDULE: LECTURE TOPICS AND READINGS**

All readings in the 7<sup>th</sup> edition (2019) of *Looking at Law*, supplemented by additional readings posted on CULearn.

Lecture 1	(6 September) Introductions and Course Overview
Lecture 2	Concepts of Law 1: What is Law? <i>Looking at Law</i> ch.1 p.1-12
Lecture 3	Concepts of Law 2: What Does Law Do? <i>Looking at Law</i> ch.1 p.12-21; Supplementary Reading on CU Learn: Twining, <i>The Great Juristic Bazaar</i> Note: Discussion group tutorials start this week (20 September)
Lecture 4	Sources of Law 1: Reception of European Laws and Colonization <i>Looking at Law</i> ch.2 p.23-34; Supplementary Reading on CULearn: Borrows, <i>Wampum at Niagara: The Royal Proclamation, Canadian Legal History and Self-Government</i>

- Lecture 5 Sources of Law 2: Common Law and Precedent, Legislation  
*Looking at Law* ch.2 p.34-45
- Lecture 6 Law, State and Constitution 1: British Constitutional Foundation and Canadian Federalism  
*Looking at Law* ch.3 p.47-61  
Note: Assignment 1 to be completed and submitted on CULearn (11 October)
- Lecture 7 Law, State and Constitution 2: The Charter of Rights  
*Looking at Law* ch.3 p.62-70; Supplementary Reading on CULearn, Berger, *Judicial Review*
- Lecture 8 Areas of Substantive Law: Overview of Public and Private Law Doctrines  
*Looking at Law* ch.4 (read whole chapter)  
Note: 1 November (no classes 25 October - Fall Reading Week break)
- Lecture 9 The Legal Process  
*Looking at Law* ch.5, p.99-100, 109, 113-119; ch.6 p.121-23, 131-33  
Note: Assignment 2 to be completed and submitted on CULearn (8 November)
- Lecture 10 Access to Justice and Legal Personnel  
*Looking at Law* ch.6 p.133-37; ch.7 p.139-50
- Lecture 11 Law and the Future: Law Reform, Rights and Social Justice  
*Looking at Law* ch.9 (read whole chapter)
- Lecture 12 Exam review (last class 29 November)
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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:

**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 Equity Services website:

<https://carleton.ca/equity/accommodation/academic/students/>

**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: <https://carleton.ca/equity/accommodation/academic/students/>

**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/students/accommodations/>

### **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/sexual-violence-support/>

### **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://carleton.ca/equity/accommodation/academic/>

### **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.

<http://carleton.ca/law/current-students/>