

Course Outline

| | |
|-----------------------------------|--|
| COURSE: | LAWS 2201C – Persons and Property |
| TERM: | WINTER 2021 |
| PREREQUISITES: | LAWS 1001 and LAWS 1002 (Formerly LAWS 1000) |
| CLASS: | Day & Time: Thursdays 6:05pm – 8:55pm |
| | Room: All Courses in the Winter 2021 term are offered online. |
| | Lectures in this course will be held “live”, online via the Zoom conferencing platform – By invitation on CuLearn |
| INSTRUCTOR: (CONTRACT) | David Dwoskin |
| CONTACT: | Telephone: 613-857-7990 |
| | Email: daviddwoskin@gmail.com |
| | Office Hours – Zoom - By appointment |

CALENDAR COURSE DESCRIPTION

Origins and scope of the concept of person in law and how concepts of legal personality change over time. Origins and scope of the concept of property and how concepts of property change over time.

COURSE DESCRIPTION

This course examines the distinction between public and private law, and private law relationships specifically relating to the concepts of legal entities, legal personality, legal standing, and the law of property as it relates to women, the disabled, the family, and the changing nature of property itself. How concepts of personhood and property are created and protected in law, and how legal categories and concepts embody particular visions of social life will be emphasized. The course will also emphasize the role played by the state in the ordering of private law relations. You should learn about how law works, the impact of law, why particular rules exist, and what role the Charter of Rights plays as well.

REQUIRED TEXTS

Just Between the Law and Us: Vol 1, 2nd edition – Persons and Property – Neil Sargent, Logan Atkinson, eds. Toronto Captus Press, ISBN 978-1-55322-348-1. Available from the Carleton University Book Store and the Carleton Book Store online portal:

<https://www.bkstr.com/carletonstore/home>.

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.

20% - Class participation.

The mark out of 20 assesses participation in class-on line discussion, and a record will be kept to keep track of participation. However, NO-ONE will receive less out of 20 than they did out of the remaining 80 marks, even if they don't participate, but those who attend class on line and are prepared to discuss the material may receive MORE than their average out of the remaining 80 marks.

40% - Assignment

Mid term essay – to be posted on CuLearn February 11, 2021, due back March 11, 2021. Late penalty – 5% of your mark for each day late.

40% - Final exam

3 hour open book exam – to be scheduled during the final exam period – April 11-23, 2021;

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

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/COVID-19_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).

CLASS SCHEDULE AND READINGS

| Lecture No | Date | Lecture Topic and Readings |
|-------------------|-------------|---|
| Chapter 1 | Jan. 7 | Private Law and the Social World |
| Chapter 2 | Jan. 14 | Legal Individualism |
| Chapter 3 | Jan. 21 | Legal Personality |
| Chapter 4 | Jan. 28 | Women and Personhood |
| Chapter 5 | Feb. 4 | Partial Personhood: Disability |
| Chapter 6 | Feb. 11 | Legal Construction of Family Assignment handed out |
| | Feb. 16-19 | Winter Break – No Classes |
| Chapter 8, 9 | Mar. 4 | Personhood-Environmental rights Construction of Property Assignment due |
| Chapter 10 | Mar. 11 | Rights Associated with Land |
| Chapter 11 | Mar. 18 | Rights of Property and Family |
| Chapters 7, 12 | Mar. 25 | Aboriginals – Personhood/Property |
| Chapter 13 | Apr. 1 | Changing Concepts of Property |
| | Apr. 8 | Review Class |
| | Apr. 11-23 | FINAL EXAM PERIOD |

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 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/>