

Course Outline

COURSE:	LAWS / HIST 3305C – Crime and State in History
TERM:	WINTER 2019
PREREQUISITES:	1.0 credit in LAWS at the 2000 level, or 0.5 credit in LAWS at the 2000 level and 0.5 credit in HIST at the 2000 level
CLASS:	Day & Time: Fridays, 8:35am-11:25am
	Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Joel Kropf
CONTACT:	Office: B442 Loeb Building (Contract Instructor's Office)
	Office Hrs: Fridays, 12:00pm-1:00pm
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CALENDAR COURSE DESCRIPTION

The history of the relationship between the criminal law system and society. Changing issues in the criminal law and the nature of institutional responses, covering medieval to early nineteenth-century England and nineteenth to early twentieth-century Canada.

DETAILED COURSE DESCRIPTION

This course will explore the changing nature of criminal justice over the past four centuries within the geographical area we now know as Canada. Many of the criminal laws, judicial structures, and penal practices in the settler societies established by France and Great Britain in northern North America stemmed from or reflected developments in the Old World, and occasionally we will therefore take note of important shifts that occurred in Britain or continental Europe. But most of our discussion will centre on events in Canada, which will themselves give us a sense of the major trends within the broader English-speaking world.

The most pivotal parts of our story arguably took place in the late eighteenth and the nineteenth century, with the adoption of British criminal law, the rise of the legal profession, the transition to imprisonment, the establishment of regular police forces, and so forth. However, the course will also provide a brief taste of the intriguing early-modern French form of criminal justice employed in New France prior to the British conquest. Moreover, the later lectures will consider how such factors as juvenile justice, parole, and dangerous-offender legislation partly re-flavoured the state's approach to crime during the twentieth century. We will make a special effort throughout to pay attention not only to the practical and procedural logic of criminal justice, but also to the cultural norms and symbolic meanings to which it gave expression.

COURSE OBJECTIVES:

1. To step back and think about the big picture of criminal justice, by reflecting on some of the basic ways in

which crime or punishment have either changed significantly or continued to display familiar patterns during the past few centuries

2. To practice “getting inside the head” of people from the past, discerning the logic of unfamiliar practices and assumptions
3. To gain practice in connecting concrete evidence to broader interpretive arguments, both in our own writing and in our assessment of scholars’ claims
4. To develop oral communication skills through our in-class discussion of the course readings

REQUIRED TEXTS

There is no required textbook or coursepack for this class. The required weekly readings will be accessed through links provided on the course cuLearn page. For a list of the readings assigned each week, see the provisional schedule on pages 4-8 of this course outline.

EVALUATION

(All components must be completed in order to get a passing grade)

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.

Participation: 15%

Reading responses: 20%

Research essay: 25%

Critical response assignment: 5%

Final Exam: 35%

1. Participation (15%):

On most days, roughly an hour of our class will be devoted to discussion of the assigned readings, as outlined on the provisional schedule. Half of your participation mark will be based on your attendance of these discussions, and half will be based on the quality of your participation in the discussion.

2. Reading responses (20%):

Prior to each class, you will be required to submit a 300- to 500-word written response to the readings assigned for that day. Your response must answer the question listed for that day in the provisional schedule on the following pages of this course outline. You must submit it electronically (**prior to class**) on the course cuLearn page.

There are ten discussions planned for the semester; you are required to submit a reading response for **six** of these. However, the response for week 9, due on **March 15**, will be twice as long (600-1,000 words) as a normal response, and will count as **two** of the required six responses. If you choose to complete more than six responses in all, I will use your best six marks to calculate your grade. Please note that you **must** submit at least six in order to pass this course.

3. Research essay (25%):

The major assignment for the term is an 8- to 10-page research essay. You will write on a topic of your choice, but you must clear your proposed topic with the instructor before proceeding with the essay. As a preliminary

step, on February 8, you will be required to submit a very brief proposal, consisting of 1) a statement of your general topic, and 2) the specific question that your essay will try to answer.

- **Regular due date:** The essay is due at the **beginning** of class on **March 8**.
- **Optional early due date:** If you wish, you may submit the essay and critical response assignment (see below) at the beginning of class on the early due date, **February 15**. Those who submit the essay and critical response by February 15 will have to complete only **four** of the weekly reading responses, rather than the normal six. Those planning to submit on the early due date should give me their topic proposal by Monday, January 28.

For further details on the essay, see pages 8-9 of this course outline.

4. Critical response assignment (5%):

Along with your research essay, you will be required to submit a 2- or 3-page response to your own paper. For this second part of the assignment, you will imagine that you are an individual involved in the historical practice, event, or phenomenon that the essay has analyzed, and you will write what you think that person might have said if he or she were to have read the essay. The response will provide that individual's assessment of your analysis. For further details on this assignment, see pages 9-11 of this course outline.

5. Final exam (35%):

The final exam for this course will be a sit-down examination which the university will schedule at some point during the regular exam period (April 12-27). The exam will include both paragraph answers and an essay, and will be based primarily upon the lectures, although you should also be ready to demonstrate what you have learned from the class discussions and the course readings.

***Optional assignment:**

There is a company named Haunted Walks Inc. (www.hauntedwalk.com) that provides several walking tours in downtown Ottawa. Two of them are relevant to the subject matter of this course: the Crime & Punishment Old Jail Tour and the Ghosts and the Gallows Tour. If you wish, you may take one of these two tours at some point in the semester and submit a 300- to 500-word reflection on the experience. Your reflection should answer the following: did the tour give you the same kind of impression about the history of crime and punishment as you have been getting through this course, or did it give you a different impression?

- If the tour's portrayal seemed similar to what the course has offered, then identify some of the similarities, and offer at least one criticism of what both the tour and the course are saying (or identify one question that you wish they would answer).
- If the tour created a different impression than the course, then describe how the two differed, and explain why you think they do so. Which one do you find more believable?

The last possible date to submit this reflection will be **April 9**. It will count as one of your six required weekly reading responses. If you have already submitted six reading responses, then this reflection will give you bonus marks (up to 2% of the final course grade, depending on the quality of the reflection).

(NB: The two eligible tours may not necessarily be offered throughout the whole semester. If you wish to do this assignment, it is your responsibility to check the tour schedule and arrange to go on a day when one of the tours is running.)

Late Policy for Essays:

Late essays and critical response assignments will be penalized 2% per day, up to a maximum of 15%.

Required Assignments:

Please note that students **must** submit **all** required assignments (the **research essay**, the **critical response**, and **six** weekly reading responses) in order to pass this course.

SCHEDULE

(Note: **the instructor reserves the right to revise the lecture topics, discussion topics, readings, or questions** as the term progresses.)

January 7 – Winter term begins**PART I: EARLY-MODERN FRENCH JUSTICE****Week 1: January 11**

Introduction

Lecture: Violence, Pain, Honour, and Law in the Early-Modern European World

Week 2: January 18

Lecture: A Place of Honour: Crime and Punishment in New France

Discussion: Attitudes toward Violence and Pain

- Readings:
 - Excerpts from the *Jesuit Relations* (**link provided on the course cuLearn page**). For each selection, the cuLearn link takes you to the first page in the excerpt; you will then have to use the arrow buttons at the top left of the image to click to the following pages. Note that these pages alternate between French text and English translation; you are of course required only to read the English text, which appears on every second page.
 - Volume 5, pp. 219-221 (Father Paul Le Jeune, 1633)
 - Volume 13, pp. 37-83 (Father François Joseph Le Mercier, 1637)
 - Volume 47, pp. 303-305 (Father Jerome Lalemant, 1663)
 - Volume 51, pp. 205-209 (Father François Le Mercier, 1667-1668)
 - Paul Friedland, “Beyond Deterrence: Cadavers, Effigies, Animals and the Logic of Executions in Premodern France,” *Historical Reflections/Réflexions Historiques* 29, no. 2 (Summer 2003): 295-317 (**link on course cuLearn page**)
- Question: How would you describe the Jesuit missionaries’ attitude toward violence and toward pain? How (if at all) might the Friedland article help us to understand their attitudes?

PART II: THE ERA OF BRITISH JUSTICE**Week 3: January 25**

Lecture: A Legitimate Government? Criminal Justice under British Rule from the Conquest to the Rebellions

Discussion: Criminal Justice in Eighteenth-Century England

- Readings (**links provided on course cuLearn page**):

- Douglas Hay, "Property, Authority and the Criminal Law," in Douglas Hay, Peter Linebaugh, John G. Rule, E.P. Thompson, and Cal Winslow, *Albion's Fatal Tree: Crime and Society in Eighteenth-Century England* (London: Allen Lane, 1975), 17-63
- John H. Langbein, "Albion's Fatal Flaws," *Past and Present*, no. 98 (February 1983): 96-120
- Question: Summarize the thesis of each essay in one or two sentences, and then explain which essay you find more convincing, and why.

Week 4: February 1

Lecture: Simon Says Build a Prison: The Transition to Incarceration

Discussion: The Creation of Kingston Penitentiary

- Readings (**links provided on course cuLearn page**):
 - "Sundry Documents: Report of Select Committee on Expediency of Erecting a Penitentiary," *Appendix to Journal of the House of Assembly of Upper Canada* (1831) ([Toronto: J. Carey, 1831]), 211-212 (the link on the cuLearn page takes you to the first page in the document; you will then have to use the arrow buttons at the top left of the image to click to the following pages)
 - "The Penitentiary," *Kingston Chronicle & Gazette*, December 14, 1833
 - A Tradesman, letter to the editor, *Kingston Chronicle & Gazette*, December 21, 1833
 - "For the Chronicle and Gazette" (proceedings of a public meeting), *Kingston Chronicle & Gazette*, February 14, 1835
 - A Plain Man, letter to the editor, *Kingston Chronicle & Gazette*, June 18, 1836
 - Scrapper, letter to the editor, *Kingston Chronicle & Gazette*, June 29, 1836
 - Charles Duncombe, "Report of Commissioners on the Subject of Prisons, Penitentiaries, Etc." *Appendix to the Journal of the House of Assembly of Upper Canada of the Second Session of the Twelfth Provincial Parliament, Session 1836, Vol. 1, No. 71*, pp. 1-5 (the link on the cuLearn page takes you to the first page in the excerpt; you will then have to use the arrow buttons at the top left of the image to click to the following pages)
- Question: Which one of the following options best describes why Kingston Penitentiary was created?
 - 1) because Canada needed prisons to make its justice system work better
 - 2) because the authorities wanted to reform criminals
 - 3) because Canadian leaders wanted to make money.

Week 5: February 8

Research essay topic proposal due

Lecture: From Local to Legal: Trials, Lawyers, Juries, and the Insanity Defence

Discussion: Public Executions in the Mid-Nineteenth Century

- Readings (**links provided on course cuLearn page**):
 - "The Wellington-Street and Georgina Murders," *The Globe*, March 5, 1859
 - "Execution of Dr. King at Cobourg," *The Globe*, June 10, 1859
 - "The Cant of Executions," *Montreal Witness, Commercial Review and Family Newspaper*, July 2, 1859
- Question: Based on these documents, how would you A) describe and B) explain the behaviour of 1) the spectators and 2) the convicts at public executions?

Week 6: February 15

Lecture: The Rule of Law? Establishing Dominion over Aboriginal Nations in the West

Discussion: The Dispute over Louis Riel's Sanity

- Readings (**links provided on course cuLearn page**):
 - Louis Riel, "Address to the Jury," in *The Collected Writings of Louis Riel, Volume 3: 5 June-16 November 1885*, ed. Thomas Flanagan, 523-539 (Edmonton: University of Alberta Press, 1985)
 - C.K. Clarke, "A Critical Study of the Case of Louis Riel" (part 1), *Queen's Quarterly* 12, no. 4 (April, 1905): 379-388
 - C.K. Clarke, "A Critical Study of the Case of Louis Riel" (part 2), *Queen's Quarterly* 13, no. 1 (July, 1905): 14-26
- Question: In these documents we encounter several different opinions about whether or not Louis Riel was insane—in effect, different people used different definitions of insanity. Articulate two or three of the definitions that people appear to have had in mind; explain which one of those definitions you find most believable, and why.

February 18-22: Winter break – No classes

Week 7: March 1

Lecture: An Orderly Dominion? Policing Public Disorder from the Rebellions to the Red Scare

Discussion: The Function of Police Forces

- Readings (**links provided on course cuLearn page**):
 - "Trouble among the Laborers," *Daily Morning News* [Saint John, New Brunswick], June 14, 1870, p. 2
 - "The Police Department," *The Globe*, May 18, 1886, p. 2
 - John Wilson Murray [with Victor Speer], *Memoirs of a Great Detective: Incidents in the Life of John Wilson Murray* (London: William Heinemann, 1904), 60-69
 - "City's Wife Deserters Paid Police \$13,000 in Alimony," *Toronto Star Weekly*, May 30, 1914, p. 9
 - S.B. Steele, *Forty Years in Canada: Reminiscences of the Great North-West with Some Account of His Service in South Africa by Colonel S.B. Steele, C.B., M.V.O., Late of the N.W.M. Police and the S. African Constabulary*, ed. Mollie Glen Niblett (Toronto: McClelland, Goodchild & Stewart Limited, 1915), 238-261
 - RCMP Intelligence Bulletin No. 5, "Notes on the Work of the C.I.B. Division for the Two Weeks Ending 31st December, 1919," in *R.C.M.P. Security Bulletins: The Early Years, 1919-1929*, ed. by Gregory S. Kealey and Reg Whitaker (St. John's: Canadian Committee on Labour History, 1994), 23-24
- Question: In light of these readings and what you know from other sources, which of the following is the best description of the main reason why the Canadian state has created and maintained police forces?
 - 1) to prevent underprivileged people or difficult individuals from bothering affluent citizens
 - 2) to protect vulnerable people from harm
 - 3) to make the rabble behave themselves
 - 4) to ensure that no one would rebel against the government.

Week 8: March 8***Research essay and critical response assignment due***

Lecture: Drunk with Money: Vice, Organized Crime, and the International Border

Discussion: TBD

- Readings: TBD
- Question: TBD

Week 9: March 15

Lecture: Home Remedies: Jails, Prisons, and Juvenile Institutions in Victorian and Edwardian Canada

Discussion: The Experiences of Offenders and Prison Staffers

- Readings (**links provided on course cuLearn page**):
 - Jack Black, *You Can't Win*, 2nd ed., intro. William S. Burroughs (Edinburgh and San Francisco: AK Press/Nabat, 2000; originally published 1926), 177-190
 - Lucille Deane, "I Was a Gambling Girl," in *Sensational Crime Confessions* 2, no. 1 (January [1946]), 4-9, 38-39, <http://www.collectionscanada.gc.ca/pulp/027019-1906-e.html> (online—a link is provided on the course cuLearn page; navigate through the magazine by using the "Next" button at the bottom right corner of the image)
 - Velma Demerson, *Incorrigible* (Waterloo, ON: Wilfrid Laurier University Press, 2004), 51-61
 - Harvey Blackstock, *Bitter Humour: About Dope, Safe Cracking and Prisons* (Toronto: Burns & MacEachern Limited, 1967), 233-256
 - J. Michael Yates, *Line Screw: My Twelve Riotous Years Working Behind Bars in Some of Canada's Toughest Jails* (Toronto: McClelland & Stewart, 1993), 25-45
- Question: In your estimation, which one of the above readings sheds the most light on the history of crime or criminal justice? In explaining why you consider that reading most revealing, you should compare or contrast it with the other readings. (**Note:** today's written response should be **twice as long** [600-1,000 words] as usual. It will count as **two** of your required six responses for the course.)

PART III: TWENTIETH-CENTURY DEPARTURES**Week 10: March 22**

Lecture: A Long, Loose Leash? Juvenile Justice, Probation, and Parole

Discussion: Parole and Mandatory Supervision

- Readings (**links provided on course cuLearn page**):
 - T. George Street, "Parole as a Social Control," *Canadian Journal of Corrections* 7, no. 1 (January 1965): 5-7
 - W.R. Outerbridge, "The Tyranny of Treatment ...?" *Canadian Journal of Corrections* 10, no. 2 (April 1968): 378-387
 - Mac Haig, "Crippling the Long Arm of the Law," *Maclean's* 94, no. 49 (December 7, 1981): 10
 - John Hay, with Malcolm Gray, "A Mandate for Supervision," *Maclean's* 95, no. 46 (November 15, 1982): 30
 - Graham Stewart, "Mandatory Supervision: Politics and People," *Canadian Journal of Criminology* 25, no. 1 (January 1983): 97-103
 - Ruth Morris, "What to Do with Dangerous Offenders," *Canadian Dimension* 23, no. 2 (March

1989): 6-7

- Question: Which of the following is the best way to describe Canadians' attitudes toward prison and parole in the second half of the twentieth century? Provide evidence to support your answer.
 - 1) They thought prison did not allow the state to control criminals thoroughly enough, and they wanted to find a new means of more thorough control.
 - 2) They thought prison was pernicious, and wanted to find a more humane form of punishment.
 - 3) They thought parole was too lenient, and wanted to use imprisonment more often.

Week 11: March 29

Lecture: Perilous Punishments: The Abolition of the Death Penalty and the Creation of Dangerous-Offender Legislation

Discussion: Televised Portrayals of Convicts and the Wrongfully Convicted

- Broadcasts to watch (**links provided on course cuLearn page**):
 - "Steven Truscott: His Word against History," *The Fifth Estate*, CBC Television, aired March 29, 2000, <http://www.cbc.ca/fifth/episodes/40-years-of-the-fifth-estate/steven-truscott-his-word-against-history>
 - Bob McKeown, "My Friend the Bank Robber," *The Fifth Estate*, CBC Television, directed by Oleh J. Rumak, aired March 25, 2011, <http://www.cbc.ca/fifth/episodes/2010-2011/my-friend-the-bank-robber/>
- Question: For each of these *Fifth Estate* episodes, write a one-sentence summary of the main point that you think the documentary is trying to make. Explain which of these two documentaries is most likely, in your opinion, to be convincing to Canadian viewers, and why.

Week 12: April 5

Lecture: Rehabilitative Corrections and Its Aftermath

April 9 - Winter term ends

Formally scheduled exam period - April 12-27, 2019

Research Essay

The major assignment for the term is an 8- to 10-page research essay, written on a topic of your choice. Any topic related to the history of criminal law or justice is potentially fair game: you could write about the penalty of banishment, the life of a particular criminal, the history of gun control, the history of fingerprinting, the unfolding of a specific trial, or any number of other subjects. Think broadly and choose something in which you are genuinely interested. However, you must clear your proposed topic with the instructor before proceeding with the essay. Your subject does not necessarily have to relate to Canada; you may, for example, want to write about something from British history instead. Again, though, you must clear your topic with the instructor ahead of time. As a preliminary step, on **February 8** you will be required to submit a two- or three-sentence proposal, consisting of 1) a statement of your general topic, and 2) the specific question that your essay will try to answer. (Exception: if you are planning to submit your essay by the early due date [see below], then you should give me your topic proposal by **January 28**.)

Your essay should draw on eight or more scholarly sources. If the topic on which you wish to write seems obscure and you doubt that there will be eight relevant sources available, speak with me about it—do not automatically rule out the topic if it interests you.

As in other university essays, it is essential that you make a clear argument, stating your thesis crisply near the beginning of the essay and developing your argument in a logical manner throughout the body of the paper. Avoid making a trite argument: your thesis should be debatable in some respect, or should at least tell readers something that they do not already know.

Your essay should be 8-10 pages long, double-spaced, with 12-point font and 1-inch margins (i.e. it should be 2,250-3,000 words in length). You must follow the usual scholarly requirements for citing your sources. I would prefer that you use footnotes or endnotes, formatted in accordance with the Canadian Guide to Uniform Legal Citation or the Chicago Manual of Style; however, if most courses in your major use a different citation system (e.g. APA), then you may use that instead. Whether you use footnotes or in-text citations, you must provide a bibliography. Make sure to include your name, your student number, the course number/section letter, and the date of submission on the title page.

There are two possible due dates for the essay:

- **Regular due date:** The essay is due at the **beginning** of class on **March 8**.
- **Optional early due date:** If you wish, you may submit the essay and critical response assignment (see below) at the beginning of class on the early due date, **February 15**. Those who submit the essay and critical response by February 15 will have to complete only **four** of the weekly reading responses, rather than the normal six. Those planning to submit on the early due date should give me their topic proposal by Monday, January 28.

The essay is worth **25 percent** of your final grade. The following descriptions provide a general sense of the criteria that will be used to grade the paper:

- **A** — An “A” essay has a clear, interesting, and debatable thesis, smoothly stated at some point near the beginning of the paper. The discussion throughout the essay remains focused on proving the thesis, offering a large amount of relevant, specific evidence drawn from an ample number of scholarly sources. The student provides insightful analysis, the argument unfolds logically, and all the writing flows smoothly, with no (or very few) errors in spelling, grammar, or expression. Readers can understand the argument and each supporting point easily on their first pass through the essay.
- **B** — A “B” essay has a clear thesis statement that sums up the argument actually provided in the body of the essay. The essay is generally well organized but might require a small amount of restructuring. The paper provides a satisfactory amount of specific evidence and cites an adequate number of sources, but there may be some room for improvement in either the research or the analysis. Although the writing is competent, it may contain some awkward wording or a limited number of misspellings and grammatical errors.
- **C** — A “C” essay attempts to make an argument, but the thesis statement provided near the beginning might be unclear, or might not fully match what the body of the essay actually argues. There may be significant problems in the organization of the paper. Although the essay provides some specific evidence to support the thesis, the research may be too limited, and the connection between the evidence and the thesis may not always be apparent. There might be a significant amount of awkward wording or a large number of grammatical and spelling errors.
- **D** — A “D” essay does not satisfactorily fulfill the aims of the assignment. There are severe shortcomings in the argument, the evidence, the research, or the writing, or the essay in some other way fails to measure up to normal expectations.

Critical Response Assignment

On the same day that you submit your research essay (**March 8**, or, for those submitting by the early due date,

February 15), you will also be required to hand in a 2- or 3-page response to your own paper. For this second part of the assignment, you will imagine that you are an individual involved in the historical practice, event, or phenomenon that the essay has analyzed, and you will write what you think that person might have said if he or she were to have read the essay. The response will provide that individual's assessment of your analysis. Would she agree with the essay? Would he feel that it left out the most important part of the story? Would she try to clear up something that she perceived as a misunderstanding? Would he find part of the essay incomprehensible? Would she be annoyed? Amused? Indifferent? Would he be grateful that finally, after all these years, someone has taken his side? Would she cite another event in her life to explain why she acted as she did? These are some of the questions you could potentially consider, although you have wide leeway to take this in whatever direction you think best.

For instance, suppose your essay was about a murder case in which the accused was found guilty and sentenced to death, but in which Prime Minister Wilfrid Laurier used the royal prerogative of mercy to cancel the death sentence and send the offender to prison instead. You might choose to write your response from the perspective of Laurier, explaining what he thinks about the essay. Or you might instead assume the vantage point of one of the other people involved in the story—the offender, the judge, the newspaper reporter, the offender's daughter, or some other relevant individual.

If you discuss one or more specific people in the course of your essay, then you should probably write your response from the perspective of one of these historical individuals. However, depending on your topic, it is possible that the essay may not discuss any specific person from the most relevant group. For example, if you write about the prosecution of vagrants in the nineteenth century, you might not know any of these vagrants' names. In that case, you may invent a name/persona and write as if you were one of these homeless people. At the top of the response, you should include a title that identifies the person in whose name it is written (e.g. "Response by Wilfrid Laurier, Prime Minister," or "Response by Isaac Galway, Canal Labourer," or "Response by Mary Haggerty, of the Kingston Ladies' Benevolent Society"). If that individual is not mentioned in your essay, use a footnote in the response to indicate whether he or she is a real or fictitious person.

The purpose of this exercise is to:

1. practice thinking critically about your own perspective
2. imagine, with the aid of the historical knowledge that you are gaining, how the world might have looked to someone living at a different point in time
3. exercise creativity.

Point number 2 above is the most challenging bit. In writing the response, you will need to be mindful of the customs and assumptions that were prevalent in that particular historical period (the late nineteenth or early twentieth century, in the case of the Laurier example). You will have learned about some of those customs and ideas through the secondary sources that you use for your essay, as well as through the class lectures and discussions. Your job is to write a response which conveys what that kind of person living in that period of history might have thought.

Use normal citation practices to indicate the source of your ideas and to demonstrate that you know what you are talking about. If you have a reference from a primary or secondary source that would support (or help to explain) a statement you make in your response, then you should cite that source in a footnote. For instance, suppose your response was written from the perspective of Wilfrid Laurier and included the following statement: "There was nothing out of the ordinary about my decision to commute MacTavish's sentence. After all, we have been recommending clemency to His Excellency the Governor General in nearly every third case." If you made this statement because one of the articles you read said that the royal prerogative of mercy was exercised in 37 percent

of capital cases in the first decade of the twentieth century, then you should provide a footnote citing this article. Also, if you do not think that the instructor will understand how a particular statement in the response reflects the mind-set typical of the historical period in question, then you may explain your reasoning in a footnote, if you wish.

Depending on your topic, however, the research for the essay may not have provided much specific evidence about how people of that time would have thought or felt about the issue under discussion. In that case, you will simply need to make your own best guess as you write the response, and you may not have any supporting references to cite. That is alright; the response is necessarily an imaginative and at least partially speculative exercise, and it is meant to give you a chance to think and write creatively.

Your response will be graded on the basis of the following criteria:

1. Have you demonstrated that you understand (or have you made a clear attempt to understand) how someone living during the historical period in question would likely have thought about the topic discussed in the essay?
2. Have you shown creativity?

The response is worth **5 percent** of your final grade.

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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) www.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: 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: students.carleton.ca/course-outline

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/>