

Course Outline

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| COURSE: | LAWS 3503A – Equality & Discrimination |
| TERM: | FALL 2018 |
| PREREQUISITES: | LAWS 2105 <u>or</u> LAWS 2302 <u>or</u> LAWS 2502 |
| CLASS: | Day & Time: Wednesdays, 6:05pm – 8:55pm Room: Please check Carleton Central for Current room location |
| INSTRUCTOR: (CONTRACT) | Philip Steiner |
| CONTACT: | Office: B442 Loeb Building (Contract Instructor’s Office) Office Hrs: by Appointment only Telephone: NA [please use email] Email: Philip.Steiner@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: 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 Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source.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:
<http://carleton.ca/studentaffairs/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/>

CALENDAR COURSE DESCRIPTION

Human rights issues and law in Canada; history and present day experiences of discrimination; critical exploration of laws effectiveness in responding to discrimination; meaning(s) of equality and discrimination; focus on Human Rights Codes - interpretation, administration, enforcement with some reference to s.15 of the Charter.

COURSE DESCRIPTION

This course explores the themes of inequality, discrimination, and the structural reproduction of both in the context of:

- 1) foundational concepts in socio-legal, political and sociological theory;
- 2) specific historical and contemporary Canadian laws and cases; and
- 3) social contexts in which both items (1) and (2) operate.

The course introduces students to key concepts and theoretical perspectives used to consider issues of discrimination, equality and inequality, including but not limited to themes of: justice, race and racialization, colonialism, sex and sexual orientation, recognition, constructions of femininity and masculinity, poverty and class, as well as the intersection(ality) of each. Over the course of the term, students will explore various ways to understand and engage in socio-legal debates in the field of human rights, social justice, and equality – as well as consider the ways in which critical legal scholarship has, and can continue to, challenge, support, repute, and otherwise engage with both formal legal orders and the social norms such systems both reflect and encourage.

LEARNING OBJECTIVES

The course approaches the topics of Equality and Discrimination from a critical legal scholarship perspective. While the course will involve looking at specific Canadian laws, legal cases, and jurisprudence, students will spend a significant amount of time engaging with material on relevant social and legal theory, academic analysis of related topics, and academic debates on the nature of equality, law, and justice. As such, and explicitly as part of a critical legal studies approach, this course aims to both:

- I. have students become familiar with a number of core socio-legal concepts and theoretical perspectives, historical and contemporary, as they relate to the social production and reproduction of in/equality; and
- II. help students continue to develop their abilities to critically engage with and question the underlying principles, assumptions, and consequences (intended and unintended) of those concepts.

With this in mind, at the end of the course students should be able to:

- a) understand and distinguish between the different socio-legal concepts and theoretical perspectives discussed throughout the term;
- b) apply the concepts and theories explored in the context of understanding and critically engaging in dialogue about the structural production and reproduction of different forms of discrimination in Canada, as well as the ways in which principles and practices of equality function, or do not function, in Canada's current socio-legal context; and
- c) critically consider and discuss (which is not the same as critique) the ways in which contemporary 'legal culture' in Canada reflect, support, or challenge dominant social structures of equality and discrimination.

REQUIRED TEXTS

Students will be required to use the following edited collection (required reading):

Dowsett, Julie (Ed) **Gender, Race, & Canadian Law** (Fernwood Publishing, 2016)

Students are strongly advised to acquire their own copy of the required reading material (available for purchase in the *Carleton University Bookstore*).

* OTHER SECTIONS (PAST OR PRESENT) OF THIS COURSE MAY (AND DO) USE OTHER BOOKS/TEXTS - PLEASE TAKE CARE IN ENSURING YOU **ACQUIRE THE CORRECT TEXT**.*

SUPPLEMENTARY TEXTS

Additional materials may be assigned week to week. **Students are responsible for doing all required readings, whether they are included in the required text or provided separately.** Any additional reading materials will be made available via the course page on cuLearn. Documentary films may also be shown during scheduled lectures where copies cannot be made available on cuLearn. Students are responsible for all material presented during scheduled classes. Students who are unable to attend a scheduled lecture where a documentary film is shown are responsible for finding a copy and viewing such materials on their own.

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.

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| Participation (Prepared & Productive) | 10% |
| Critical Reading Reflections | 15% |
| Assignment | 30% |
| Final (Take Home) Examination | 45% |
| Total | 100% |

Participation (10%)

Students are expected to attend class each week and participate in class activities as they occur. In class learning exercises, discussion groups, and break-out sessions will make up part of several classes, and students are expected to be both present and prepared (have done the readings) to participate. Attendance will be taken during each class or gathered through in-class activities.

Critical Reading Reflections (15%)

Each week students will be required to complete a **2-3 page reading reflection** critically engaging with the key concepts and ideas from the assigned readings for that lecture. Students will be expected to demonstrate they have read and understood the assigned materials by engaging with **the key ideas/concepts** (not simply summarize the articles) from the assigned reading materials for the given week. Critical Reading Reflections must be submitted **via cuLearn, double-spaced, in 12pt Times New Roman font with standard 1" margins**, before the start of each lecture.

Reading reviews will be accepted on a pass/fail basis. Grades will be posted on cuLearn, however **papers will not be commented on week to week**. Students are, however, encouraged to bring reading reflections to meetings with the Teaching Assistant or the Instructor if they wish to discuss their writing or their understanding of a given week's assigned materials.

* Students are strongly encouraged to keep copies of their reading reviews as study aides for their final examination. Students are also encouraged to update their own copies of such reviews, even after submitting them, to reflect any additional information/perspectives they may wish to flag for future review purposes.*

Assignment (30%)

Students will be asked to prepare responses to provided scenarios. Each response will take the form of a short essay style paper (**5 - 7.5 pages**) which will outline an overview of the selected issue, how a critical legal approach could contribute to understanding the issue, as well as how materials already covered in class relate to the selected issue. The total assignment length (answers to both questions) will not exceed **15 pages** (excluding title page and bibliography).

Students will receive assignment questions during lecture on **Wednesday October 3rd 2018**. Students will have 4 weeks to complete the assignment, which is due **Wednesday October 31st 2018**.

Assignments are to be submitted – hard copy – at the beginning of the lecture on the day they are due. Late submissions will be penalized **5% per day**, beginning with submissions received after the lecture in which they are due. Late assignments are to be submitted to the Law Department's drop-

box (outside C473 Loeb Building) and will be counted as submitted based on the date stamped on them by the department. Students are responsible for ensuring that assignments are submitted before the deadline and to the right location. All papers handed in via the drop-box will receive that day's date if handed in by 4:00pm and the next day's date if handed in after 4 pm.

Extensions on assignments can only be granted by the course director and will only be considered when they are **a)** requested in advance of the due date, and **b)** warranted on the basis of an acceptable circumstance supported by appropriate documentation. Generally speaking, extensions will not be granted for technology issues (printing, computer failure), transportation challenges, vacations, work schedule conflicts, or academic workload.

Final [Take Home] Examination (45%)

The final examination will take the form of a **take-home exam**. Students will prepare answers to provided questions, with answers organized in essay form - including the use of appropriate citation and bibliographic references.

Students will be provided with assigned questions during the last scheduled lecture and will have **the entire examination period** to prepare responses. The examination questions will focus on information delivered in lectures, assigned readings, and any supplementary articles or materials provided – *additional (outside) research will only be permitted with the explicit agreement of the course instructor.*

All exams must be submitted **hard copy, typewritten, double-spaced**, in **12pt Times New Roman font** with **standard 1" margins**. The total length of the examination answers will not exceed **20 pages** (excluding bibliography and title page). Final Take Home Exams are due on the last day of the examination period – December 21st, 2018.

Late submissions will be penalized **5% per day**. Late examinations are to be submitted to the Law Department's drop box (outside C473 Loeb Building) and will be counted as submitted based on the date stamped on them by the department. Students are responsible for ensuring that exams are submitted before the deadline and to the right location. All Take-home exam handed in via the drop-box will receive that day's date if handed in by 4:00pm and the next day's date if handed in after 4 pm.

Extensions on formal examinations (including take home examinations) must be negotiated with Registrar's Office.

SCHEDULED LECTURES

Students are responsible for attending all scheduled lectures, and taking the relevant notes during class. Lectures will discuss, in varying levels of detail, articles, cases and concepts from assigned readings, but will also introduce material not otherwise covered in assigned readings. Copies of

lecture slides will be posted (via cuLearn) prior to each lecture, however, these such materials are meant only as an overview and do not represent all the material being discussed in class.

A copy of the class schedule will be posted and maintained on the cuLearn course page. The **class schedule is subject to change**, and students are responsible for checking the cuLearn course page on an ongoing basis to ensure they have the most up to date instructions with regards to required readings and class instructions.