

Course Outline

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<b>COURSE:</b>	<b>LAWS 3908D - Approaches in Legal Studies II</b>
<b>TERM:</b>	<b>WINTER 2019</b>
<b>PREREQUISITES:</b>	<b>LAWS 2908 and Third-year Honours standing</b>
<b>CLASS:</b>	<b>Day &amp; Mondays</b> <b>Time: 11:35am – 2:25pm</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Nicholas Lamb</b>
<b>CONTACT:</b>	<b>Office: B442 Loeb Building (Contract Instructor's Office)</b> <b>Office Hrs: By appointment only</b> <b>Email: Nicholas.lamb@carleton.ca</b>

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**CALENDAR COURSE DESCRIPTION**

Advanced approaches to interdisciplinary research and analysis in law and legal studies. Emphasis on the important role of theory. Approaches considered will vary by section, and may include theoretical, quantitative, qualitative, literary, or historical approaches. Honours students are strongly encouraged to take this course in the third year of their program.

**COURSE DESCRIPTION**

This course aims to provide students with an overview of prevalent philosophical, sociological, and critical theories about law, and the ability to apply these legal theories to study and explain socio-legal issues and problems in Canada. The first part of the course will focus on philosophical conceptions of law by examining Natural Law, Positivist Law, Legal Realism, and Post-Structuralism. The second part focuses on sociological theories of law by reviewing and applying the frameworks of Durkheim, Marx, Weber, and Bourdieu. Lastly, the course introduces students to critical perspectives of law including Critical Legal Studies, Critical Race Theory, and Feminist jurisprudence. Students must demonstrate their comprehension of legal theory by successfully completing an assignment, a research paper, and a final exam. By accomplishing these course objectives, students will acquire extensive knowledge and competence to engage with and utilize a variety of socio-legal theoretical frameworks in their future research and professional endeavors.

**REQUIRED TEXTS**

George Pavlich. 2011. *Law and Society Redefined*. Toronto, Ontario: Oxford University Press.  
(The course textbook is available for purchase at the Carleton Bookstore)

**SUPPLEMENTARY TEXTS**

Assigned journal articles are retrievable online by accessing the CULearn LAWS3908A website.

**EVALUATION**

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

<b>Assignments</b>	<b>Due Date</b>	<b>% of Final Grade</b>
Attendance	Ongoing	10
Participation	Ongoing	10
Midterm Assignment	Feb. 25	20
Exam (Final exam period is April 12-27)	TBD	30
Research Paper	April 8	30
<b>Total</b>	<b>-</b>	<b>100</b>

**Attendance:**

Attendance is worth 10% of the final grade and based on ongoing attendance in classes.

**Participation:**

Students are expected to come to class having read and prepared to discuss all assigned readings. There will be several class discussions during each class, and students are encouraged to answer and debate questions relating to course material. Throughout the semester students are also expected to raise and deliberate issues relating to their own respective research papers. At the end of the semester, every student will complete a self-evaluation report detailing their own in-class participation and contributions. Self-evaluation reports are due via CULearn dropbox on **April 8**. Based on this information, student averages will be calculated and given an overall value out of 10, which equates to **10%** of their final grade. However, the instructor has discretionary power to revise the participation mark if the self-evaluation report does not accurately reflect the observed participation level of the student.

**Midterm Assignment**

This assignment entails writing four long-form answers, one for each of the philosophical theories covered from weeks 3 to 6 in part I of the course (Modern Natural Law, Legal Positivism, Legal Realism, and Foucault). Each answer should be approximately 750-1000 words (3 to 4 double spaced pages). This equates to 3000-4000 words in total word count (excluding bibliography). Sources need to be properly referenced (i.e. in-text citations/footnotes and bibliography), Citing from both the textbook and lectures is absolutely required. Providing information from outside sources is NOT necessary but MAY prove useful, especially when trying to support your own opinion about a particular theory. Any citation format is acceptable as long as it is indeed a formal citation style (MLA, APA, Chicago, McGill) and you use one consistently throughout the assignment. The writing should contain little to no grammar or spelling errors. Students will submit ONE digital copy containing all four long-form answers by **11:55pm February 25 through electronic submission via the course's CULearn webpage**. The document should also include a title page with the date, your full name and student ID#, title (i.e. Part I Assignment), course code (i.e. LAWS3908D: Approaches to Legal Studies II) and instructor name (Nicholas Lamb). This assignment is **worth 20%** of the student's final grade. Further details about this assignment will be discussed during the second week of class.

**Exam:**

The exam will take place during the scheduled exam period (April 12-27) and students will have three hours to complete it. It will consist of 100 multiple-choice questions regarding material from **weeks two through eleven**. In

other words, the exam is **cumulative**, it includes all content from parts I & II of the term. The exam is worth **30%** of the student's final grade.

### **Research Paper**

Throughout the entire semester students should be thinking and developing a research paper that applies a legal theory (discussed in the course) to analyze, explain, and/or better understand a particular (historical or contemporary) socio-legal issue. The paper will be approximately 3000 - 4000 words (12-15 double spaced pages), sources should be properly referenced (i.e. in-text citations/footnotes and bibliography), and the writing should contain little to no grammar or spelling errors. Students will submit a digital copy (in Microsoft Word format) of their paper by **11:55pm on April 8<sup>th</sup> through electronic submission via the course's CULearn webpage**. The document should include a separate title page with the date, your full name and student ID#, title of paper, course code (LAWS3908D: Approaches to Legal Studies II) and instructor name (Nicholas Lamb). This assignment is worth **30%** of the student's final 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.

### **COURSE POLICIES**

#### **Late Policy:**

A late assignment will be penalized at the rate of **5% per day (including weekends)**. Please consult with me (not the TA) at least **three days** before the due date if you have a current or impending serious medical or personal matter that will prevent you from submitting an assignment on time. Only in exceptional circumstances, will I grant an extension less than three days prior to the due date. Third party documentation is required for all extensions.

#### **Draft Review Policy:**

Neither the TA nor I will review or provide feedback on drafts of the research paper. However, students are encouraged to pose any questions about assignments during class time and/or my office hours. Students can also email their research questions to me (but not the TA) to get a brief explanation or clarification. If you are experiencing difficulties in writing composition please consult the Writing Tutorial Service provided by the Student Academic Success Centre (<https://carleton.ca/sasc/writing-tutorial-service/>). I strongly encourage students to familiarize themselves with on campus writing services/resources as soon as possible. In addition to excellent online resources, the Centre offers opportunities for students to develop effective writing skills and time management skills – both of which are crucial to success in university.

#### **Intellectual Property:**

Classroom teaching and learning activities and materials including lectures, PowerPoint slides, student presentations, are protected by copyright and remain the intellectual property of their respective author(s). Students registered in the course may take notes and make copies of course materials for their own educational use only. Students are not permitted to reproduce or distribute lecture notes and course materials publicly for commercial or non-commercial purposes without express written consent from the copyright holder(s).

**SCHEDULE**

<b>PART I</b>	<b>Philosophical Legal Theories</b>		
<b>Week</b>	<b>Date</b>	<b>Topics/Themes</b>	<b>Readings &amp; Assignments</b>
1	Jan. 7	Course Introduction, Expectations, and Objectives	Pavlich, <i>Introduction</i> (pg. 1- 11)
2	Jan. 14	Classical Natural Law Philosophy	Pavlich, <i>Chapter 1</i> (pg. 14-26)  *Part I Assignment Instructions (also posted on course CULearn webpage)
3	Jan. 21	Modern Natural Law Philosophy	Pavlich, <i>Chapter 2</i> (pg. 27-39)
4	Jan. 28	Legal Positivist Philosophy	Pavlich, <i>Chapter 3</i> (pg. 40 - 54)
5	Feb. 4	Legal Realism Philosophy	Pavlich, <i>Chapter 4</i> (pg. 55-69)
6	Feb. 11	Foucault's Philosophy of Law	Pavlich, <i>Chapter 9</i> (pg. 124-133)
<b>***</b>	<b>Feb. 18</b>	<b>Winter Break</b>	
<b>PART II</b>	<b>Sociological and Critical Legal Theories</b>		
7	Feb. 25	Durkheim's Sociology of Law	Pavlich, <i>Chapter 5</i> (pg. 72-86)  <b>Part I Assignment Due (20%); submit via course's CULearn webpage by 11:55pm</b>
8	Mar. 4	Marx's Sociology of Law	Pavlich, <i>Chapter 6</i> (pg. 87-102)
9	Mar. 11	Weber's Sociology of Law	Pavlich, <i>Chapter 7</i> (pg. 103-116)
10	Mar. 18	Bourdieu's Sociology of Law	Bourdieu, <i>The Force of Law: Toward a Sociology of the Juridical Field</i> (pg. 805-852) [CULearn]
<b>***</b>	<b>Mar. 25</b>	<b>No Class</b>	
11	Apr. 1	Critical Legal Studies	Pavlich, <i>Chapter 8</i> (pg. 117-133)
12	Apr. 8	Course Conclusions and Exam Review	<b>Research Paper is DUE via CULearn</b>  <b>Group Work Evaluation is DUE via CULearn</b>

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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: [carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://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](http://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](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) [www.carleton.ca/pmc](http://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](http://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](https://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/>