

<b>COURSE:</b>	<b>LAWS 4302C – Regulation of Corporate Crime</b>
<b>TERM:</b>	<b>Winter 2021</b>
<b>PREREQUISITES:</b>	<b>LAWS 2908, CRCJ 3001 or CRCJ 3002 and fourth-year Honours standing.</b>
<b>CLASS:</b>	<b>Day &amp; Time: Friday 2:35-5:25pm</b> <b>Room: All Courses in the Winter 2021 term are offered online. All graded elements of this course are asynchronous. Students are also able to attend live, virtual discussions/office hours during our regularly scheduled class time using the Zoom conferencing platform.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Jamie Brownlee</b>
<b>CONTACT:</b>	<b>Office Hrs: Friday 4:30-5:30pm via Zoom (or by appointment)</b> <b>Telephone: 613-899-2193</b> <b>Email: jamiebrownlee@cunet.carleton.ca</b>

---

### **CALENDAR COURSE DESCRIPTION**

Legal, policy and theoretical perspectives on the regulation of corporate crime. Nature and causes of corporate crime. Selected case studies on the role of the state in regulating corporate behaviour. Failure of the criminal justice system to respond to corporate crime.

### **COURSE DESCRIPTION**

This course critically examines the nature, scope and impact of corporate crime in Canada and around the world. A key focus of the course is how the modern, for-profit corporation functions as a social institution whose existence and capacity to operate depends upon the law. We will analyze the legal and administrative frameworks that define and regulate corporate crime, and use examples and case studies to illustrate the limitations associated with existing laws and regulations against corporate criminality. We will also explore how, in some cases, the law is not only limited in its ability to constrain corporate crime, it actually facilitates it. Throughout the course, we will examine the problem of corporate crime within the context of political and economic power relations, including how corporate managers influence political and legal systems and the policy-making process. Students will be encouraged to think critically about the socio-economic conditions that underlie corporate crime and to identify opportunities for engagement with these issues beyond the boundaries of the classroom.

## **TEACHING AND LEARNING IN AN ONLINE ENVIRONMENT** **(PLEASE READ THIS SECTION CAREFULLY)**

### ***Asynchronous Course Components***

Because of the pandemic and the rules in place to ensure physical distancing, this course will be delivered online in a **largely asynchronous format**. Asynchronous course models do not have live, scheduled classes online. Rather, students will access weekly recorded lectures, course readings, assignments and other materials on cuLearn. **All graded elements of this course are asynchronous** (see the ‘Course Requirements and Evaluation’ section on page 4). If you have not already done so, please familiarize yourself with the cuLearn platform. For additional assistance, you can access these cuLearn support sites:

cuLearn Student Support Site

<https://carleton.ca/culearnsupport/students/>

cuLearn Online Learning Orientation

<https://carleton.ca/online/online-learning-orientation/>

cuLearn Assignments Student Support Page

<https://carleton.ca/culearnsupport/students/assignment/>

While there is a scheduled day and time associated with the course (Friday 2:35-5:25pm), students can move through the course materials on their own schedule and at their own pace. However, students are expected to pay close attention to assignment deadlines and exam dates.

I will send out a **group email** each week to: summarize the topics and learning objectives for the week; provide a reminder of any important deadlines; and outline instructions for assignments and exams.

### ***Lectures and Readings***

Each week, I will be posting **lecture videos** (one or two, depending on the week) on cuLearn where I present and discuss the course material. The lectures will be posted before the scheduled class time each week, and they will remain on cuLearn for the duration of the term. I will also be posting **three required readings** for each week that complement and build on the weekly lectures.

It will be your responsibility to watch these lecture videos, do the readings, and understand and engage with the content provided. While you can watch (and re-watch) lectures and complete readings on your own time, I recommend that you adhere as closely as possible to a weekly schedule to avoid falling behind in the course.

### ***Synchronous Course Component (Virtual Discussion/Office Hours)***

Each week, students will have the option of attending “virtual office hours” where they can ask course-related questions, review course requirements, and discuss lectures and readings. I am available to answer any questions you may have, to provide feedback and clarification on the course content or assignments, and to help if you experience difficulties. Please note that **attendance is not mandatory**; you can attend as few or as many sessions as you like.

Please also note that participation will require that you have Zoom installed on your computer. These sessions will take place during our scheduled class time, between 4:30pm and 5:30pm on Friday. Alternatively, if you are unavailable during this time, or if you would like a one-on-one Zoom meeting with me, we can schedule an appointment at another time.

### ***Other Modes of Communication***

Please feel free to **email** me at any time with questions about the course (e.g., technical or logistical issues, substantive questions about lecture/reading content, etc.). I respond to emails promptly. You can also contact me by **phone** at any time. My contact details are provided above.

### ***Requests for Accommodation***

Please note that any requests for accommodations or alternate arrangements regarding assignments or exams should be made directly to me. Please give me as much notice as possible and I will do my best to accommodate you.

### ***Technological Requirements***

This course requires access to a computer and high-speed internet. Information Technology Services (ITS) has [specific language](#) on the minimum requirements for online learning, guides on [browser requirements](#) to help your cuLearn experience run smoothly, as well as information on how to access [conferencing tools](#) such as Zoom. If you have any questions regarding technology that is supported by the university, you can contact ITS directly at: <https://carleton.ca/its/contact/>

### ***Additional Information and Supports for Students***

Below is a list of university resources to support students in online learning at Carleton.

Carleton Online: supporting students in the online learning environment

<https://carleton.ca/online/>

Webinars: Get Ready for Your Online Courses

<https://carleton.ca/online/webinars/>

Resources for Students Learning Online

<https://carleton.ca/teachinglearning/2020/resources-for-your-students-learning-online/>

Tips for Students Learning Online

<https://students.carleton.ca/2020/03/top-ten-tips-to-study-online/>

Centre for Student Academic Support

<https://carleton.ca/csas/>

Student Service Information

<https://students.carleton.ca/coronavirus/service-information/>

### ***International Students***

Learning online can present a unique set of challenges for international students who may be connecting to courses from their home countries. Please feel free to reach out to me with any concerns or problems you may be experiencing. Below is a list of university resources to support international students at Carleton.

International Student Services Office

<https://carleton.ca/isso/>

The Global PALS (Peer Advisors Lending Support) Program

<https://carleton.ca/isso/globalpals/>

International Student Services Office Newsletter

<https://carleton.ca/isso/services-for-current-students/isso-newsletter-sign-up/>

Online Events and Workshops for International Students

<https://carleton.ca/isso/events-2/>

## **READING MATERIALS**

- Students are not required to purchase books or a course pack for this course! 😊
- All assigned readings will be available through cuLearn.

## **COURSE REQUIREMENTS AND EVALUATION**

1. ***SHORT ASSIGNMENT, DUE FEBRUARY 12<sup>TH</sup>*** **20%**

In this short assignment paper, you will be asked to analyze a corporation's record as it relates to corporate crime. Your paper should be approximately 6-7 double-spaced pages. Additional information will be provided during the first week of the class.

2. ***MIDTERM EXAM, FEBRUARY 26<sup>TH</sup>*** **20%**

The midterm exam will be a combination of short answer and essay-type questions. It will cover material from both the lectures and the assigned readings from weeks 2 through 5. The exam will be a *take-home, open-book exam* and will be administered through cuLearn. Additional information will be provided during the first week of the class. Please note that all take-home exam work must be that of the individual student; submitting a take-home exam written in whole or in part by someone else is a violation of the university's plagiarism policy.

3. ***FINAL PAPER, DUE APRIL 14<sup>TH</sup>*** **35%**

For the final paper, you will be asked to select your own topic, understanding that it must be relevant to the issues addressed in the course. You are encouraged to discuss paper topics with me at any point during the term. While the paper can engage with some of the weekly readings, it should also reference additional academic sources. It should be approximately 12-15 double-spaced pages. Papers will be graded on the quality of your research and writing, strength of your analysis and arguments, and your ability to situate your arguments within existing debates. Additional information will be provided during the first week of the class.

4. ***FINAL EXAM*****25%**

The final exam will be a combination of short answer and essay-type questions. It will cover material from both the lectures and the assigned readings from weeks 7 through 11. The final exam will be an *open-book exam* and will be scheduled by the university in the exam period. Additional information will be provided during the first week of the class. Please note that all take-home exam work must be that of the individual student; submitting a take-home exam written in whole or in part by someone else is a violation of the university's plagiarism policy.

**GRADES**

In accordance with the Carleton University Undergraduate Calendar (p. 45), the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50			

Please note that 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.

**LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

Late assignments/papers will be penalized 5 percent per day. 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/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).

**COURSE SCHEDULE****WEEK ONE – JANUARY 15<sup>TH</sup>****INTRODUCTION**

- Introduction to the course: overview, themes, lectures, readings, assignments and exams
- Teaching and learning in an online environment

**WEEK TWO – JANUARY 22<sup>ND</sup>****CAPITALISM, PRIVATE PROPERTY AND THE RISE OF THE MODERN CORPORATION****READINGS**

- Jeremy Rifkin. 1991. “A Private Nature” in *Biosphere Politics: A New Consciousness for a New Century*. New York: Crown. pp. 38-47.
- Joel Bakan. 2004. “The Corporation’s Rise to Dominance” in *The Corporation: The Pathological Pursuit of Profit and Power*. Toronto: Viking. pp. 5-27.
- Thom Hartmann. 2004. “The Robots Take Over” in *The Last Hours of Ancient Sunlight*. New York: Three Rivers Press. pp. 215-221.

**WEEK THREE – JANUARY 29<sup>TH</sup>****CORPORATE CITIZENSHIP, CRIMINOGENIC PERSONHOOD AND THE PROMISE OF CORPORATE SOCIAL RESPONSIBILITY****READINGS**

- Joel Bakan. 2004. “Business as Usual” in *The Corporation: The Pathological Pursuit of Profit and Power*. Toronto: Viking. pp. 28-59.
- Joel Bakan. 2020. “The New Corporation” in *The New Corporation: How ‘Good’ Corporations are Bad for Democracy*. Toronto: Allen Lane. pp. 7-35.
- Harry Glasbeek. 2017. “The Shareholder as Toxin” in *Class Privilege: How Law Shelters Shareholders and Coddles Capitalism*. Toronto: Between the Lines. pp. 64-82.

**WEEK FOUR – FEBRUARY 5<sup>TH</sup>****GLOBALIZATION, DEREGULATION AND THE RISING POWER OF BIG BUSINESS****READINGS**

- Wayne Ellwood. 2015. “The Corporate Century” in *Globalization: Buying and Selling the World*. Oxford: New Internationalist. pp. 68-93.
- Joel Bakan. 2020. “The Corporate Liberation Movement” in *The New Corporation: How ‘Good’ Corporations are Bad for Democracy*. Toronto: Allen Lane. pp. 59-90.
- Harry Glasbeek. 2017. “Cooking the Books” in *Class Privilege: How Law Shelters Shareholders and Coddles Capitalism*. Toronto: Between the Lines. pp. 17-28.

**WEEK FIVE – FEBRUARY 12<sup>TH</sup>****CRIME IN THE STREETS VERSUS CRIME IN THE SUITES: POLICING, PROSECUTION AND PUBLIC PERCEPTION****READINGS**

- Paul Leighton and Jeffrey Reiman. 2014. “A Suitable Amount of Street Crime and a Suitable Amount of White-Collar Crime: Inconvenient Truths about Inequality, Crime and Criminal Justice” in *The Routledge Handbook of International Crime and Justice Studies*. New York: Routledge. pp. 302-324.
- Dawn Rothe and David Kauzlarich. 2016. “Media, Culture, and Crimes of the Powerful” in *Crimes of the Powerful: An Introduction*. London: Routledge. pp. 18-32.
- Harry Glasbeek. 2002. “Corporate Deviance and Deviants: The Fancy Footwork of Criminal Law” in *Wealth by Stealth: Corporate Crime, Corporate Law, and the Perversion of Democracy*. Toronto: Between the Lines. pp. 118-143.

**\*FEBRUARY 19<sup>TH</sup> – WINTER BREAK, NO CLASS\***

**WEEK SIX – FEBRUARY 26<sup>TH</sup>**

- MIDTERM EXAM

**WEEK SEVEN – MARCH 5<sup>TH</sup>****AIDING AND ABETTING THROUGH ADVERTISING AND PUBLIC RELATIONS: IMPLICATIONS FOR CHILDREN, CONSUMERS, AND EVERYDAY UNDERSTANDINGS OF ‘CRIME’****READINGS**

- Sheldon Rampton and John Stauber. 2001. “Packaging the Beast” in *Trust Us, We’re Experts!* New York: Penguin Putnam. pp. 99-119.
- John Stauber and Sheldon Rampton. 1995. “Smokers’ Hacks” in *Toxic Sludge is Good for You: Lies, Damn Lies and the Public Relations Industry*. Monroe, ME: Common Courage Press. pp. 25-32.
- Sharon Beder. 2009. “Turning Children into Consumers” in *This Little Kiddy Went to Market: The Corporate Capture of Childhood*. London: Pluto Press. pp. 6-22.

**WEEK EIGHT – MARCH 12<sup>TH</sup>****UNSAFE PRODUCTS / UNSAFE PRODUCTION: EXAMINING CORPORATE VIOLENCE IN THE CONTEXT OF HEALTH AND SAFETY CRIMES****READINGS**

- Lauren Snider. 2015. “Safety Crimes” in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 50-73.
- Steven Bittle, Steve Tombs and David White. 2019. “Corporate Killing Personified: Twisting the Corporate Hand to Fit Inside the Criminal Glove” in *The Class Politics of Law*. Halifax: Fernwood. pp.114-134.
- Sheldon Rampton and John Stauber. 2001. “Dying for a Living” in *Trust Us, We’re Experts!* New York: Penguin Putnam. pp. 75-98.

**WEEK NINE – MARCH 19<sup>TH</sup>****ECOLOGICAL SUSTAINABILITY, CLIMATE CHANGE AND ENVIRONMENTAL CRIME****READINGS**

- Lauren Snider. 2015. “Environmental Crimes” in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 23-49.
- Ronald Kramer. 2013. “Carbon in the Atmosphere and Power in America: Climate Change as State-Corporate Crime.” *Journal of Crime and Justice* 36 (2): 153-170.
- Charles Derber. 2010. “The Denial Regime” in *Greed to Green: Solving Climate Change and Remaking the Economy*. Boulder, CO: Paradigm. pp. 74-87.



**WEEK TEN – MARCH 26<sup>TH</sup>****STATE-CORPORATE CRIME AND INTERNATIONAL LAW: A CASE STUDY OF AMERICAN FOREIGN POLICY AND MODERN WARFARE****READINGS**

- Jeremy Scahill. 2007. *Blackwater: The Rise of the World's Most Powerful Mercenary Army*. New York: Nation Books. pp. 3-44.
- Barry Sanders. 2009. "Depleted Uranium" and "Bombs Away, All Day" in *The Green Zone: The Environmental Costs of Militarism*. Oakland, CA: AK Press. pp. 83-92; 95-106.
- Dawn Rothe. 2006. "Iraq and Halliburton." In R. Michalowski and R. Kramer (eds.), *State-Corporate Crime: Wrongdoing at the Intersection of Business & Government*. New Jersey: Rutgers University Press. pp. 215-238.

**\*APRIL 2<sup>ND</sup> – GOOD FRIDAY, NO CLASS\***

**WEEK ELEVEN – APRIL 9<sup>TH</sup>****CORPORATE FRAUD, FINANCIAL REGULATION AND THE GLOBAL ECONOMIC CRISIS****READINGS**

- Laureen Snider. 2015. "Financial Crimes" in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 74-99.
- Stephen Rosoff, Henry Pontell and Robert Tillman. 2004. "Corporate Fraud" In *Profit Without Honor: White Collar Crime and the Looting of America*. New Jersey: Prentice-Hall. pp. 278-294.
- David Freidrichs. 2013. "Wall Street: Crime Never Sleeps" in *How They Got Away With It: White Collar Criminals and the Financial Meltdown*. New York: Columbia University Press. pp. 3-25.

**WEEK TWELVE – APRIL 14<sup>TH</sup> (\*PLEASE NOTE, APRIL 14<sup>TH</sup> IS A WEDNESDAY\*)**

- SUBMIT FINAL PAPERS

## **ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

### **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 Department of Equity and Inclusive Communities (EIC):

<https://carleton.ca/equity/>

### **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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

### **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>

### **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/studentssupport/svpolicy/>

**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://students.carleton.ca/services/accommodation/>

**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: <https://carleton.ca/law/current-students/>