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**Course Outline**

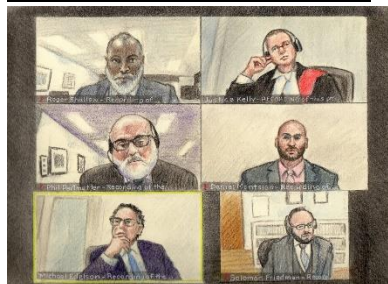

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<b>COURSE:</b>	LAWS 5903-W – Everyday Experiences of Law: An Ethnographic Lens
<b>TERM:</b>	Winter 2022
<b>PREREQUISITES:</b>	N/A
<b>CLASS:</b>	<p><b>Day &amp; Time:</b> Tuesdays 8:35am to 11:25am</p> <p><b>Room:</b> LA B454</p> <p>*Note: The university has required that all courses are delivered remotely for the first three weeks. From Jan. 11 to Jan. 25 our meetings will be run “live,” during our regularly scheduled class time, using Zoom: <a href="https://carleton-ca.zoom.us/j/97546698955">https://carleton-ca.zoom.us/j/97546698955</a></p>
<b>INSTRUCTOR:</b>	Hollis Moore (she/her)
<b>CONTACT:</b>	<p><b>Office Hrs.:</b> Wednesdays 8:30-9:30 am or by appointment (via Zoom): <a href="https://zoom.us/j/99057068612">https://zoom.us/j/99057068612</a>. Please send an email to let me know that you will be attending office hours.</p> <p>*Note: Additional, in-person office hours will be added when the pandemic permits.</p> <p><b>Email:</b> <a href="mailto:hollis.moore@carleton.ca">hollis.moore@carleton.ca</a></p>

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**CALENDAR COURSE DESCRIPTION**

A research seminar which explores a selected topic from current debates in legal studies. Students should check with the Department regarding the topic offered.

**COURSE DESCRIPTION**

*A courtroom sketch in the age of Zoom by Lauren Foster-MacLeod. ([CBC](#))*

Adopting an ethnographic lens, this course will offer students tools to both investigate and think critically about everyday experiences of law. Through methods training and applied learning, students will study key concepts (e.g. legal pluralism, semi-autonomous social field, vernacularization, fetishism of the law, etc.) and deepen their understanding of how law is lived. This course is suitable for any student pursuing the MA in Legal Studies; it cultivates an ethnographic sensibility that enriches all types of legal inquiry.

In this class, we will ask critical and challenging questions about how law works and how different people encounter, mobilize, and practically understand it. This course has been designed as a hands-on, experiential inquiry course. Experiential learning opportunities have been integrated as pillars of the course and its assessment structure. The interconnected series of field experiences (i.e., unobtrusive observations, auto-ethnography, and interviews) aligns with the course's learning outcomes.



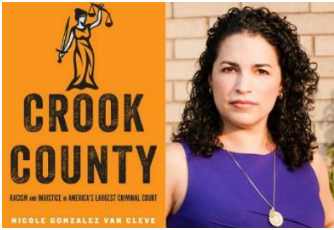
Joanna Neborsky ([NYT](#))

Students will read ethnographic exemplars that highlight particular concepts and methods as well as participate in skills workshops in which they will learn practical research techniques (e.g., how to write fieldnotes). Following each workshop, students will have the opportunity to immediately *practice* the skills they have been developing, engage in focused *reflection* on the experience, *debrief*, *discuss* challenges as a class, and then *try again*. This cyclical skills application model combines direct experience with focused reflection and encourages collaboration and exchanges of ideas/perspectives.

## **LEARNING OUTCOMES**

Upon successful completion of this course, students will be able to:

- ⊙ Formulate ethnographic research questions AND select research methods appropriate to answering a particular question.
- ⊙ Collect and analyze data based on interviews and observation in various settings (this includes producing fieldnotes).
- ⊙ Reflect on and discuss how different ethnographic research techniques inform our understanding of law, legality, and legal institutions in a variety of contexts.
- ⊙ Assess strengths and limitations of research projects, particularly in terms of the extent to which they exhibit an “ethnographic sensibility” or take quotidian experiences of the law into consideration.
- ⊙ Apply some of the most central concepts in legal anthropology (e.g. legal pluralism) to yield original insights.

**REQUIRED TEXTS**

Gonzalez Van Cleve, Nicole. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford, California: Stanford Law Books, an imprint of Stanford University Press.

- Available for purchase from [OCTOPUS Books](#) for \$22.50.
- Although I ***strongly recommend*** that you acquire your own hard copy of this text (we will be reading the full book), an electronic copy is available through the Carleton library.



Gehl, Lynn. 2014. *The Truth That Wampum Tells: My Debwewin on the Algonquin Land Claims Process*. Halifax: Fernwood Publishing.

- Available for purchase from [OCTOPUS Books](#) for \$24.00.
- Again, we will be reading the full book and I strongly recommend that you acquire your own hard copy. However, I have requested that an electronic copy be put on reserve through ARES.



Electronic Course Pack: Available through Brightspace (contains links to films and additional required readings).

**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.

Unobtrusive Observation Assignment	20%	February 28 <sup>th</sup>
Auto-Ethnographic Essay	20%	March 28 <sup>th</sup>
Attendance & Contributions to the Course	15%	Ongoing
Regular Reading Responses	20%	Ongoing
Take-Home Exam	25%	April 28 <sup>th</sup>

***Unobtrusive Observation Assignment (20%)***

Students will conduct a series of “apprenticeship” observations during and outside of class time. Once students have successfully completed the apprenticeship phase, they will choose a public setting where they will conduct and report on their own observations. This will entail making at least two visits to the same setting. The choice of setting will be shaped by the limits of Covid

closures and safety requirements. Students *may* choose to conduct online observations. In all cases, students should consider how the law and other systems of regulation shape observed behavior. They should also discuss the process of investigation, which includes gaining access, engaging in systematic observation, writing ‘down’ fieldnotes, writing ‘out’ data, and writing ‘up’ a partial and provisional ethnographic account. Students are not expected to produce a complete ethnographic account or make extensive use of secondary data. Assignments will primarily be assessed with reference to the quality of both ethnographic observations and the discussion of the research process.

The completed paper should be no more than 6 pages (double spaced, in size 12 Times New Roman font, with default margins).

\*Detailed instructions will be provided in class.

### ***Auto-Ethnographic Essay (20%)***

This assignment is inspired by the activist-scholarship of Julia Sudbury (Oparah), Stormy Ogden, Lisa Cacho, and Lena Palacios: in particular, their auto-ethnographic essays “grounded” in race-radical/critical race feminist activist-scholarship.

You will produce an essay that creatively and critically analyzes a memory, artifact, or lived experience that speaks to how you have been socialized within a legal field and touched/targeted/marginalized by, resistant to, and/or benefited by a legal phenomenon.

I encourage you to think through what it means – for yourself, your family, and your community – to be simultaneously privileged by, oppressed by, and complicit with a legal system that perpetuates and upholds social injustice, control, and violence.

The initial step of this assignment is to free write. In auto-ethnographic work, that means writing the “story” of a memory, artifact, or lived experience in simple terms, with no analysis. In essence, your "story" or narrative becomes the data from which your analysis can grow or be grounded.

The second step is for you to produce the more polished, worked-through, edited, and analytical paper: the one that has worked with the data, reflected upon it, and pulled in and grounded relevant secondary sources, including theoretical materials.

The completed paper should be no more than 8 pages (double spaced, in size 12 Times New Roman font, with default margins).

\*Detailed instructions will be provided in class.

### ***Attendance & Contributions to the Course (15%)***

Class time will be dedicated to discussion of readings, “labs” or practical exercises and activities, and methods training.

I expect our meetings to feel like a community of intellectuals critically discussing materials, ideas, and our experiences of ethnographic inquiry. This is a discussion-based, rather than a lecture-based, course.

This means that we are mutually accountable for course discussion – you just as much as me – and that we all assume responsibilities for being prepared and present for our meetings.

Students' contributions to the course are expected to take the following main forms:

- 1) Students are expected to contribute to class discussion every week.
- 2) Students are expected to actively engage in labs, collaborate with other members of class, and periodically report on the progress of their projects and their experiences of research.
- 3) Students are expected to sign up to introduce individual readings, for about 3-5 minutes (approximately three students per week). Each student will likely end up introducing three readings at different points in the term.

While meetings are occurring over Zoom, students are asked to have their cameras on for discussions, unless they are unable to do so. If you are unable to be on camera, please let the professor know.

I will keep a record of your weekly attendance and contributions. To provide flexibility and accommodate unexpected life events, students may miss up to two meetings (in which they were not scheduled to introduce a reading), for whatever reason, without penalty. If illness or other issues arise that cause you to miss more than two meetings, or a meeting in which you were scheduled to introduce a reading, please contact the professor to discuss the situation.



### ***Reading Responses (20%)***

Reading responses will be prepared for select classes, of which there are five. These five eligible classes will be clearly identified at the beginning of the course. Students are expected to submit at least four reading responses. Should you complete all possible reading responses, your best four marks will be counted.

Reading responses will be submitted at the beginning of the class in question. An analytical format pertaining to the summaries will be provided at the first class. As part of the reading responses, you should prepare a discussion question on each of the readings.

### ***Take-Home Exam (25%)***

Students will conduct a series of “apprenticeship” interviews, and complete other preparatory tasks, during and outside of class time. Once students have successfully completed the apprenticeship phase, they will complete the take-home exam, which will assess their ability to perform the procedures used by ethnographers to conduct and analyze interview-based research. The examination will require students to:

- Write a set of interview questions for a semi-structured, open-ended interview format
- Conduct at least three interviews with participants, taking thorough fieldnotes in the process
  - o Note: Students have the option of interviewing participants of their choice or ones that have been pre-recruited by the professor

- Type 'out' interview findings and fieldnotes, using coding techniques learned in class
- Write 'up' an ethnographic account that describes and analyzes the process and results of the interviews. The completed account should be no more than 8 pages (double spaced, in size 12 Times New Roman font, with default margins).

\*Detailed instructions will be provided in class.

### **LATE POLICIES AND REQUESTS FOR EXTENSIONS**

Late *Unobtrusive Observation Assignments* and *Auto-Ethnographic Essays* will be penalized at a rate of **2% per day** (including weekends and holidays).

Late *Reading Responses* and *Take-Home Exams* will not be accepted.

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).

### **SCHEDULE**

\*Note: This is a provisional schedule and may be altered in response to the developing circumstances of the COVID-19 pandemic.

Week	Date	Topic	Required Material (Complete before lecture)
1	Jan. 11	Introduction	Review: - The Course Outline
2	Jan. 18	Key Components of Ethnographic Inquiry - What is ethnography? - Why ethnography?  *Receive Observation Assignment Instructions	Gonzalez Van Cleve, Nicole. 2016. <i>Crook County</i> . - Introduction + Chapters 1 & 2: 1-92.
3	Jan. 25	Ethnography of Judicial Process	Gonzalez Van Cleve, Nicole. 2016. <i>Crook County</i> . - Chapters 3-5 + Conclusion: 93-190.

4	Feb. 1	Core Skill: Observation & Concept: Semi-Autonomous Social Field	Moore, Sally Falk. 1973. "Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study." <i>Law &amp; Society Review</i> 7 (4): 719-746.
5	Feb. 8	Core Skill: Fieldnotes & Concept: Juridification	TBD
6	Feb. 15	Core Skill: Auto-Ethnography & Concept: Legal Consciousness  *Receive Auto-Ethnographic Essay Instructions	TBD
7	<b><i>February 21 – 25, Winter Break, No Classes</i></b>		
8	Mar. 1	Challenging Convictions  Film: <a href="#"><i>Shadow Boxing: A Chicana's Journey from Vigilante Violence to Transformative Justice</i></a> (2013, 15 mins).	Palacios, Lena. "'Something Else to Be': A Chicana Survivor's Journey from Vigilante Justice to Transformative Justice." <i>Philosophia</i> 6, no. 1 (2016): 93-108.  Cacho, Lisa Marie. 2007. "'You Just Don't Know How Much He Meant': Deviancy, Death, and Devaluation." <i>Latino Studies</i> 5 (2): 182–208.  Ogden, Stormy. 2006. "Pomo Woman, Ex-Prisoner, Speaks Out." <i>Color of Violence: The Incite! Anthology</i> : 164-70. - 2005. "The prison-industrial complex in Indigenous California." <i>Global lockdown: Race, gender, and the prison-industrial complex</i> : 57-65.  Winkler, Cathy with Penelope J. Hanke. 1995. "Ethnography of the ethnographer."
9	Mar. 8	Gehl's Debwewin Journey	Gehl, Lynn. 2014. <i>The Truth That Wampum Tells: My Debwewin on the Algonquin Land Claims Process</i> . Halifax: Fernwood Publishing.

10	Mar. 15	Indigenous Methodologies & Learning Bundle	Materials TBD
11	Mar. 22	Indigenous Law & Legal Pluralism	
12	Mar. 29	Core Skill: Interviewing & Concepts: Human Rights and Vernacularization	
13	Apr. 5	Core Skill: Coding & Concept: Mobilization	
14	Apr. 12	Ethnography in/of the archives	
<b>Take-Home Exam – Range During Exam Period (April 14-28)</b>			

### COMMUNICATION POLICY

- ☞ I am happy to discuss any aspect of the course materials and requirements with you in a conversation (over Zoom or the telephone). Please feel welcome to drop in during my virtual office hours (even if you don't have a pressing question). Talking to students is an important way for me to get feedback on the class and learn about events in the community. It is something I truly enjoy doing.
- ☞ I cannot maintain a frequent email correspondence with each of you. **Email should be used to request/make appointments, not to discuss course content or complex scenarios.**
  - All emails must contain the course code (LAWS 4306-D) in the subject line and be sent from your official Carleton email account.
  - I strive to respond to your emails within 48 hours, *excluding weekends*; if you have not received a reply within 48 working hours, **PLEASE RESEND IT.**
- ☞ **Virtual Office** (on Brightspace): This is the spot for your impersonal and quick questions, for example: "I'm having difficulty finding the article assigned for week 4..." "Where can I find my grade for the Knowledge Translation?" I'll monitor this discussion and provide timely replies. Students are also encouraged to respond to their peers' questions. You should get in the habit of consulting Virtual Office whenever you encounter an uncertainty. If your issue has not already been addressed, please post your question.

### 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/>