

Course Outline

COURSE: LAWS 5903F

TERM: FALL 2018

CLASS: **Day & Time:** Tuesdays, 8:35am – 11:35am
 Room: Please check with Carleton Central for current room location

INSTRUCTOR: Diana Young

CONTACT: **Office:** C574 Loeb Building
 Office Hrs: Tuesdays 12:00pm – 1:00pm or by appointment
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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

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 Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source.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.

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<http://carleton.ca/studentaffairs/academic-integrity/>

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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/>

COURSE DESCRIPTION

The purpose of this course is not to look at courtroom dramas or critique popular conceptions of the criminal justice system per se. Instead we will look at examples of a few popular genres in screen art (i.e., film and television) and consider them in light of some of the theoretical perspectives students might be familiar with. My aim is for the course to work for students on three levels:

- 1) The study of screen art can provide students with an opportunity to think about how theoretical perspectives that they might have studied through text may also be conveyed through other means, such as visual representations, sound, acting and editing techniques.
- 2) Thinking about screen art and its relationship to these theoretical perspectives may generate deeper insights into these perspectives, as well as provide interesting new ways of appreciating popular art forms.
- 3) The act of unpacking the cultural reference points through which meaning is conveyed in popular culture may provide insights into the assumptions that underlie much of legal discourse, and suggest different critical perspectives on law and related concepts.

Film and television are obviously varied media and the selections I have made for this course are not intended to constitute a canon. All of the selections are drawn from popular culture but are also complex and multi-layered. Although I suggest various approaches to thinking about the selections

we will study, of course any art form can be interpreted in a variety of ways and students are welcome to suggest alternatives to those suggested in the syllabus. Time constraints require that along with their readings, students will screen the films outside of class. I have copies of the assigned films on DVD that students can borrow. Some of these films are also available from such online sources as Netflix or from public libraries.

REQUIRED TEXTS

A course pack will be available at Octopus Books at (116 Third Avenue in the Glebe). The syllabus includes several journal articles that are not in the course pack but can be accessed online through the MacOdrum Library database. Some additional material may be posted on CuLearn.

EVALUATION

Participation – 25%
Presentation – 25%
Response paper – 10% (Due on November 14 at the latest)
Final paper – 40% (Due on December 9)

The presentations will be scheduled during the last four weeks of the course. Students may present an alternate theoretical approach to a film that we have discussed in class, or provide a presentation on a film or television program that has not been included in these course materials. Although the films assigned for the course are drawn from American popular culture, students are welcome to use examples of screen art from other parts of the world. The presentations may be done individually or in groups of two, and presenters will be asked to discuss their topic with the instructor ahead of time. The final paper should be about 20 pages in length and be based on the presentation. It should include research apart from the material covered in class. Please remember that even if you do your presentation with another student, your final paper must be your own work. The response paper should be a 3 to 4 page discussion of any one of the films covered in class and/or the assigned readings. It can be submitted at any time during the semester but must be received by November 14 at the latest.

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.

SCHEDULE

September 11

Introduction to the Course

To start us off, we will talk a little bit about how film conveys meaning. We won't become experts on the filmmaker's art in this class; however, we should not just think of films as narratives with a "message" about law or legal studies. We should also think about how filmmakers use techniques that are particular to the medium – cinematography, sound, editing and acting techniques – to evoke responses in the viewer. In the first class we will consider some of these techniques. The material in this course is also drawn from many different time periods. We will talk a bit about the effect of time on the meaning of popular film. When contemporary audiences watch a film made decades ago, how is the film's meaning transformed? When modern films are made about earlier

generations, how does the identity of the contemporary audience change the tools available to the filmmaker for analysis and critique?

We will also talk in general terms about the relationship between popular culture and socio-legal studies. How can images from popular film and television be used to enhance understanding of complex ideas about how society is regulated? How can sociolegal theory enhance our understanding of popular culture?

Readings:

Walter Benjamin, "The Work of Art in the Age of Its Technological Reproducibility" in Michael W. Jennings, Brigid Doherty and Thomas Y. Levin, eds., in *The Work of Art in the Age of Its Technological Reproducibility, and Other Writings* (Cambridge, Mass.: Harvard University Press, 2008) pp. 19-55.

Warren Buckland, "Introduction" in Warren Buckland, ed., *Film Theory and Contemporary Hollywood Movies* (New York: Routledge, 2009) pp. 1-16. (available on-line through the MacOdrum Library database)

Part I: Gender and Authenticity

September 18

In this class, we will begin thinking more specifically about theory and representation in popular culture – specifically, gender identity in light of Billy Wilder's 1959 classic, *Some Like It Hot*, Sydney Pollack's 1982 comedy *Tootsie*, and Judith Butler's concept of gender performativity. The older film blurs the "naturalist" distinction between genders, as men who cross-dress seem to adopt the characteristics and survival strategies of women. On another level the casting of Marilyn Monroe – an icon of 1950s femininity whose public image was also carefully constructed – as the female lead seems to unsettle assumptions about what might constitute an "authentically" feminine figure.

Readings: Judith Butler, "Introduction" in *Bodies That Matter* (New York: Routledge, 1993) pp. 1 – 23.

Judith Butler, "The Question of Social Transformation" in *Undoing Gender* (New York: Routledge, 2004) pp. 204 – 231.

Daniel Lieberfeld and Judith Sanders, *Comedy and Identity in Some like it Hot*, (1998) 26 *Journal of Popular Film & Television* 3, pp. 128-136.

Films: *Some Like It Hot* (1959) Billy Wilder
Tootsie (1982) Sydney Pollack

Recommended Viewing: *Boys Don't Cry* (1999) Kimberly Peirce

Part II: Resistance and the Reproduction of Meaning

September 25

How is the meaning of a representation transformed depending on the cultural and temporal context in which it is viewed, by the identity of the viewer, and the character with whom the viewer

chooses to identify? What is the transformative potential of popular art, given that it must reproduce norms in order to be intelligible?

Readings:

Michel Foucault, "Truth and Power" in Colin Gordon, ed., *Power/Knowledge* (New York: Pantheon Books, 1972) pp. 109 – 133.

Robert Samuels, "Marnie: Abjection, Marking, and Feminine Subjectivity" in *Hitchcock's Bi-Textuality: Lacan, Feminists, and Queer Theory* (Albany: State University of New York Press, 1998) pp. 93 – 108.

Tommy L. Lott, "Aesthetics and Politics in Contemporary Black Film theory" in Richard Allen and Murray Smith, eds., *Film Theory and Philosophy* (New York: Oxford University Press) pp. 282-302 (available on line through the library website).

Films: The Birds (1963) Alfred Hitchcock
Marnie (1964) Alfred Hitchcock
Bamboozled (2000) Spike Lee

Recommended Viewing: Vertigo (1958) Alfred Hitchcock
Notorious (1946) Alfred Hitchcock
Outrage (1950) Ida Lupino
Get Out (2017) Jordan Peele

Part III: Subjectivity, Science Fiction, and Sport: Identity and the Manufactured Being

October 2

In this section we will consider the relationship between subjectivity and the body through science fiction and sports films. Many science fiction films deal with manufactured beings, which taps into popular anxieties about identity and the paradoxes of subjectivity. We will also look at notions of citizenship and power through the manipulation of identity.

Readings:

Donna J. Haraway, "A Cyborg Manifesto: Science, Technology, and Socialist-Feminism in the Late Twentieth Century" in *Simians, Cyborgs, and Women: The Reinvention of Nature* (New York: Routledge, 1991) pp. 149 – 181.

Varun Begley, *Bladerunner and the Post Modern: A Reconsideration* (2004) 32 Literature Film Quarterly 3, pp. 186 – 192.

Brian R. Jacobson, *Ex Machina in the Garden* (2016) 69 Film Quarterly 4, pp. 23 – 34.

Films: Bladerunner (1982/1993) Ridley Scott
Moon (2009) Duncan Jones
Ex Machina (2014) Alex Garland

October 9

Films about sport often deal with the transcendence of one's own history and social location through the discipline of the body. In today's class, we will consider conceptions of agency through mastery of the body and care of the body, in particular how these conceptions may reinforce or challenge existing power structures.

Readings:

Chris Shilling, "Sporting Bodies" in *The Body in Culture, Technology & Society* (London: Sage Publications, 2005) pp. 101 – 126.

Michel Foucault, "Body/Power" in *Power/Knowledge: Selected Interviews & Other Writings, 1972-1977* (New York: Pantheon Books, 1980) pp. 55 – 62.

Diana Young, *Fighting Oneself: The Embodied Subject and Films About Sports, Sport In Society* (available on CuLearn)

Films: Million Dollar Baby (2004) Clint Eastwood
 Sugar (2008) Anna Boden, Ryan Fleck
 Gattaca (1997) Andrew Niccol

Recommended viewing: Body and Soul (1947) Robert Rossen

Part IV: The Western – Grand Theories and Competing Discourses**October 16**

Classical Westerns often present the civilization of the West as a Hegelian evolution of the subject through legalization. The stark esthetic of these films presents the west as a legal void, awaiting colonization by the universal norms of ethics and political organization emanating from the East.

Readings: Charles Taylor, "Kant's Theory of Freedom" in *Philosophy and the Human Sciences* (Cambridge: Cambridge University Press, 1985) pp. 318 – 337.

Scott Simmon "Time, Space, and the Western" in *The Invention of the Western Film* (Cambridge: Cambridge University Press, 2003) pp. 178 – 191.

Films: My Darling Clementine (1946) John Ford
 High Noon (1952) Fred Zinnemann

Recommended Viewing: The Man Who Shot Liberty Valance (1962) John Ford
 3:10 to Yuma (1957) Delmer Daves
 (2007) James Mangold

October 30

In today's class we continue with our discussion of the Western film by examining some post-modern re-imagining of the myth of the West's "civilization". These envisage the history of the west as a more chaotic and unpredictable coalescence of social forces. We will also consider images of the collapse of civilization in post-apocalyptic science fiction film.

Readings: Diana Young, *Law and the Foucauldian Wild West in Michael Cimino's "Heaven's Gate"* (2011) 7 *Law Culture and the Humanities* 2, pp. 310 – 326.

Jim Kitses, "An Exemplary Post-Modern Western: The Ballad of Little Jo" in Gregg Rickman, Jim Kitses, eds., *The Western Reader* (New York: Limelight Editions, 1999) pp. 367 – 380.

Films: The Ballad of Little Jo (1993) Maggie Greenwald
Heaven's Gate (1979) Michael Cimino
Battle Star Galactica: Razor (2007) Felix Alcal

Recommended viewing: Mad Max: Thunder Road (2015) George Miller

Part VI: Violence, Surveillance, and the Construction of the Criminal**November 6**

This week's films deal with themes of the creation of criminal identities from the perspectives of the individual who detects crime by engaging in surveillance and the individual who, himself traumatized by violence, becomes a criminal. We will also return to some of the themes of subjectivity discussed earlier in the course. In *The Conversation* and *Lust, Caution*, the protagonists' identities are shaped by their relationships to the objects of surveillance. *Taxi Driver* examines an individual who has become alienated from the society he inhabits and the ambiguities of his struggle to find meaning and identity.

Readings: Eamonn Carabine, *Seeing Things: Violence, Voyeurism, and the Camera* (2014) 18 *Theoretical Criminology*, 134-158.

Susan J. Brison, "Outliving Oneself: Trauma, Memory, and Personal Identity" in Diana Tietjens Meyers, ed., *Feminists Rethink the Self* (Boulder: Westview Press, 1997) pp. 12-39.

Alison Young, "No End to Violence?" in *The Scene of Violence: Cinema, Crime, Affect* (New York: Routledge, 2010) pp. 147-172.

Films: The Conversation (1974) Francis Ford Coppola
Taxi Driver (1976) Martin Scorsese
Lust, Caution (2007) Ang Lee

Recommended viewing: Into the Forest (2015) Patricia Rozema

Part VII: Student Presentations

November 13

November 20

November 27

December 4