

## Course Outline

---

---

<b>COURSE:</b>	<b>LAWS 4302B – Regulation of Corporate Crime</b>
<b>TERM:</b>	<b>Fall 2023</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: Wednesday 2:35pm – 5:25pm</b> <b>Room: This is an online asynchronous course delivered through Brightspace.</b>
<b>INSTRUCTOR:</b>	<b>Dr. Jamie Brownlee</b>
<b>CONTACT:</b>	<b>Office Hrs: Students can attend virtual office hours via Zoom (by appointment).</b> <b>Telephone: 613-899-2193</b> <b>Email: <a href="mailto:jamielbrownlee@cunet.carleton.ca">jamielbrownlee@cunet.carleton.ca</a></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 actors 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**

### ***Asynchronous Course***

This course will be delivered online in an **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 Brightspace. **All graded elements of this course are asynchronous** (see Course Evaluation below). While there is a scheduled day and time associated with the course (Wednesday 2:35pm-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 Brightspace 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 Brightspace 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.

### ***Virtual Office Hours***

Each week, students will have the option of attending one-on-one virtual office hours with me where they can ask course-related questions, review course requirements, and discuss lectures and readings. Please note that this is not mandatory. If you would like to attend the virtual office hours, please send me an email and we can set up a Zoom appointment that works for you.

### ***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.

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

Carleton Online: supporting students in the online learning environment

<https://carleton.ca/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/>

***International Students***

Online learning 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.

**REQUIRED TEXTS**

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

**COURSE EVALUATION**

1. ***SHORT ASSIGNMENT, DUE OCTOBER 4<sup>TH</sup>*** **20%**

This short assignment paper will give students the opportunity to analyze a corporation's record as it relates to corporate crime. The paper should be approximately 6 double-spaced pages. Late papers will be penalized 5 percent per day. Additional information will be provided during the first week of the class.

2. ***MIDTERM EXAM, OCTOBER 11<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 Brightspace. 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 DECEMBER 6<sup>TH</sup>*** **35%**

Students will select their own topic, understanding that it must be relevant to the issues addressed in the course. While the paper can engage with some of the weekly readings, it must also reference additional academic sources. It should be approximately 12 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. Students are encouraged to discuss paper topics with me at any point during the term. Late papers will be penalized 5 percent per day. 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.

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**

As noted above, the late penalty for written assignments is 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 – SEPTEMBER 6<sup>TH</sup>**

#### **INTRODUCTION**

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

### **WEEK TWO – SEPTEMBER 13<sup>TH</sup>**

#### **THE INDUSTRIAL REVOLUTION, 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.
- Douglas Hay. 2019. “Working Time, Dinner Time, Serving Time: Labour and Law in Industrialization” in *The Class Politics of Law*. Halifax: Fernwood. pp. 151-170.
- Joel Bakan. 2004. “The Corporation’s Rise to Dominance” in *The Corporation: The Pathological Pursuit of Profit and Power*. Toronto: Viking. pp. 5-27.

### **WEEK THREE – SEPTEMBER 20<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 – SEPTEMBER 27<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 – OCTOBER 4<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.

**WEEK SIX – OCTOBER 11<sup>TH</sup>**

- MIDTERM EXAM

**WEEK SEVEN – OCTOBER 18<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.

**\*OCTOBER 25<sup>TH</sup> – FALL BREAK, NO CLASS\***

**WEEK EIGHT – NOVEMBER 1<sup>ST</sup>**

**UNSAFE PRODUCTS / UNSAFE PRODUCTION: EXAMINING CORPORATE VIOLENCE, SAFETY CRIMES AND HUMAN RIGHTS**

**READINGS**

- Steven Bittle, Steve Tombs and David Whyte. 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.
- Deneault, Alain and William Sacher. 2012. *Imperial Canada Inc.: Legal Haven of Choice for the World’s Mining Industries*. Vancouver: Talonbooks. pp. 1-7, 45-64.

**WEEK NINE – NOVEMBER 8<sup>TH</sup>**

**CONFRONTING THE CLIMATE CRISIS: ASSESSING THE CRIMINALITY OF CLIMATE CHANGE AND THE CLIMATE DENIAL INDUSTRY**

**READINGS**

- Charles Derber. 2010. “The Denial Regime” in *Greed to Green: Solving Climate Change and Remaking the Economy*. Boulder, CO: Paradigm. pp. 74-87.
- 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.
- Seth Klein. 2020. “What We’re Up Against: The New Climate Denialism in Canada” in *A Good War: Mobilizing Canada for the Climate Emergency*. Toronto: ECW Press. pp. 25-56.

**WEEK TEN – NOVEMBER 15<sup>TH</sup>****STATE-CORPORATE CRIME AND INTERNATIONAL LAW: A CASE STUDY OF AMERICAN FOREIGN POLICY AND MODERN WARFARE****READINGS**

- Jeremy Scahill. 2007. “Baghdad’s Bloody Sunday” in *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.

**WEEK ELEVEN – NOVEMBER 22<sup>ND</sup>****CORPORATE FRAUD, FINANCIAL REGULATION AND THE GLOBAL ECONOMIC CRISIS****READINGS**

- Lauren 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 – NOVEMBER 29<sup>TH</sup>**

- FINAL PAPER TOPIC REVIEW AND FEEDBACK

**WEEK THIRTEEN – DECEMBER 6<sup>TH</sup>**

- SUBMIT FINAL PAPERS



<b>Fall 2023 Sessional Dates and University Closures</b>	
<i>Please find a full list of important academic dates on the calendar website: <a href="https://calendar.carleton.ca/academicyear/">https://calendar.carleton.ca/academicyear/</a></i>	
<b>September 6, 2023</b>	Fall term begins.
<b>September 19, 2023</b>	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
<b>September 30, 2023</b>	Last day to withdraw from full fall and fall/winter courses with a full fee adjustment.
<b>October 9, 2023</b>	Statutory holiday. University closed.
<b>October 23-27, 2023</b>	Fall break, no classes.
<b>November 15, 2023</b>	Last day for academic withdrawal from full fall courses.
<b>November 24, 2023</b>	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in fall term or fall/winter undergraduate courses, before the official December final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
<b>December 8, 2023</b>	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	Last day for final take-home examinations to be assigned, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
	Last day that can be specified by an instructor as a due date for term work for full and late fall courses.
	Last day for receipt of applications for undergraduate degree program transfers for winter term.
<b>December 10-22, 2023</b>	Final examinations in full fall and late fall courses and mid-term examinations in fall/winter courses will be held. Examinations are normally held all seven days of the week.
<b>December 22, 2023</b>	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

## **University and Departmental Policies**

### **DEPARTMENT POLICIES AND REGULATIONS**

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

### **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. Please note that the knowing use of generative artificial intelligence tools, including ChatGPT and other AI writing and coding assistants to support the completion of an examination or assignment is considered a violation of academic integrity standards in this course. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

### **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**

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 accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form that can be found at: <https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

#### **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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>

**Academic Accommodations for Students with Disabilities**

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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 to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

**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 where 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/equity/sexual-assault-support-services>

**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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.