

Course Outline

COURSE:	LAWS 5001 X – Legal Method and Social Inquiry
TERM:	Winter 2023
CLASS:	Day & Time: Thursday 2:35 – 5:25pm Room: Please check Carleton Central for course schedule. <i>(In-person)</i>
INSTRUCTOR:	Dr. Michael Christensen
CONTACT:	Office Hrs: Tuesday 1:30 – 2:30pm, Thursday 1:30 – 2:30pm Telephone: 613-520-2600 x3608 Email: Michael.christensen@carleton.ca

CALENDAR COURSE DESCRIPTION

Introduces problems of research strategy and methods. Explores contrasting methodologies in legal research; evaluates methodologies employed in understanding legal reasoning, discourses, and practices. Includes seminars in which participants present outlines of their own research projects, focusing on methodologies and research questions.

COURSE DESCRIPTION

This course introduces students to some of the most common approaches Legal Studies scholars use to collect, interpret and critically analyze data. When scholars study social, cultural, political, or legal phenomena, they must make choices about how to approach their subjects. The range of available methodological options are always framed by the process of asking a research question, identifying sources of empirical data and reflecting on how to best interpret these in relation to existing theoretical and empirical research. It is also incumbent upon all scholars to examine their own social positions in relation to their research subjects. In this class, we will discuss the research process, the role of the researcher and the benefits and limitations of choosing different methods of inquiry. We will also discuss specific approaches, including qualitative interviews, ethnographies, and digital content analysis.

Learning Outcomes

The topics presented in this course will help students achieve the following learning objectives:

1. Learn how to design a research project and choose an appropriate methodological strategy for a given topic and research question.
2. Develop a critical understanding of how methodological choices can shape the findings of a study.
3. Learn how to read research articles in Legal Studies and identify the strengths and weaknesses of the findings based on an assessment of the methodology.

REQUIRED TEXTS

Hesse-Biber, Sharlene Nagy (2017) *The Practice of Qualitative Research*. 3rd edition.
Thousand Oaks, CA: Sage Publications.

- Please contact the professor for further information about accessing the textbook
- All other required reading materials will be posted to Brightspace

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.

Evaluation Components

<u>Type</u>	<u>Description</u>	<u>Date(s) Due</u>	<u>Weight</u>
Application Assignments	3 assignments @ 10 points	See below	30%
Scaffolding Exercises	3 assignments @ 10 points	See below	30%
Research Proposal	15-20 page report	April 4	40%

3 Application Assignments @ 10 points each (30%)

Students will be expected to complete three application assignments during the term, which are worth 10 points each. The instructions for each assignment will be posted in the “Assignments” module on Brightspace. The “Ethics” assignment is due on **February 8**. The “Interview” assignment is due on **February 29**. The “Coding and Textual Analysis” assignment is due on **March 28**.

3 Scaffolding Exercises @ 10 points each (30%)

Students will be expected to complete three “scaffolding” assignments that will support the completion of the research proposal and are worth 10 points each. These assignments will include: a research question exercise (due on **January 25**), the submission of a draft of the research proposal coupled with a peer feedback exercise (completed in class on **March 21**), and a written presentation script which will be submitted along with the research proposal and delivered verbally on **April 4**. Specific instructions for these assignments will be posted to Brightspace.

Research Proposal (40%)

Each student is required to write a research proposal that introduces a topic, a research question, and a discussion of which qualitative method(s) would be appropriate for the proposed study. The research proposal should be in the form of a 15-20 page report. The instructions for this assignment will be posted on Brightspace. The research proposal is due on **April 4**.

OPTIONAL ALTERNATIVE COMPONENT *Reading Quizzes (10%)*

As an optional course component, students can complete short quizzes on the weekly assigned readings. Quizzes will be posted on Brightspace and will open on Thursdays at 5:30pm and close on the following Thursday at 2:30pm the following week. There will be a quiz each week, excluding the first class for a total of 11 quizzes. Missed quizzes cannot be made up and the best possible score is a 10/10 (10 quizzes, worth 1 point each = 10%). **This 10% can then be used to replace any of the application or scaffolding assignments, OR it can be used to reduce the weight of the research proposal assignment to 30% of the grade.** Quizzes will be composed of 5 multiple choice questions, and you must get at least 3 of the questions on each quiz correct in order to get full credit. Please ensure that you have a secure and reliable internet connection when completing the quizzes as they will be timed.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late assignments will only be accepted in consultation with the instructor. As soon as you know that you will not be able to turn in an assignment on time, please contact me. All other late assignments will be assessed a standard late penalty of 5% 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).

SCHEDULE

January 11 – Introduction to the Course

- Course Outline Review
- Booth, Wayne, Gregory G. Colomb, Joseph M. Williams (2003) *The Craft of Research*, 2nd edition. Chicago; London: University of Chicago Press. Pgs. 40-55 (Chapter 3).

January 18 – Sorting Through Different Approaches to Research

- *The Practice of Qualitative Research* (Chapter 1)
- Creutzfeldt, Naomi (2019) “Traditions of studying the social and the legal: A short introduction to the institutional and intellectual development of socio-legal studies.” In Naomi Creutzfeldt, Marc Mason & Kirsten McConnachie (eds.) *Routledge Handbook of Socio-Legal Theory and Method*. Abingdon: Routledge. Pgs. 9-34.
- Law, John (2004) *After Method: Mess in Social Science Research*. London; New York: Routledge. Pgs. 1-17.

January 25 – The Role of Theory in Research

*****SCAFFOLDING EXERCISE DUE: Research Question Exercise*****

- *The Practice of Qualitative Research* (Chapter 2)
- Martin, John Levi (2015) *Thinking Through Theory*. New York; London: W.W. Norton & Company. Pgs. 1-15.
- Hunt, Alan (1987) “The Critique of Law: What is ‘Critical’ about Critical Legal Theory.” In *Critical Legal Studies*. Oxford; New York: Blackwell. Pgs. 5-19.

February 1 – Research Design and the Politics of Methodology

- *The Practice of Qualitative Research* (Chapter 3)
- hooks, bell (2004) “Culture to Culture: Ethnography and Cultural Studies as Critical Intervention.” in Sharlene Nagy Hesse-Biber & Patricia Leavy (eds.) *Approaches to Qualitative Research*. Oxford; New York: Oxford University Press. Pgs. 149-158.
- Burgis-Kasthala, Michelle (2016) Scholarship as Dialogue? TWAIL and the Politics of Methodology. *Journal of International Criminal Justice* 14: 921-937.

February 8 – Research Ethics*****APPLICATION ASSIGNMENT DUE: Ethics Assignment*****

- *The Practice of Qualitative Research* (Chapter 4)
- Benson, Michaela (2015) "On Goffman: Ethnography and the Ethics of Care." In *The Sociological Review* (blogpost). <https://www.thesociologicalreview.com/on-goffman-ethnography-and-the-ethics-of-care/>
- Campos, Paul (2015) "Alice Goffman's Implausible Ethnography." In *The Chronicle of Higher Education*. September, section B: 6-16.
- Pittaway, Eileen et al. (2010). "'Stop Stealing Our Stories': The Ethics of Research with Vulnerable Groups" in *Journal of Human Rights Practice*. 2(1): 229-251.

February 15 – Interview Research

- *The Practice of Qualitative Research* (Chapter 5)
- Pugh, Allison (2013) "What Good are Interviews for Thinking About Culture? Demystifying Interpretive Analysis" in *American Journal of Cultural Sociology*. 1(1): 42-68.
- Jerolmack, Colin & Shamus Khan (2014) "Talk is Cheap: Ethnography and the Attitudinal Fallacy" in *Sociological Methods & Research*. 43(2): 178-209

February 22 – Winter Break**February 29** – Ethnographic Research*****APPLICATION ASSIGNMENT DUE: Interviewing Assignment*****

- *The Practice of Qualitative Research* (Chapter 7)
- Geertz, Clifford (1973) "Deep Play: Notes on the Balinese Cockfight" in *The Interpretation of Cultures*. New York: Basic Books/Harper Collins. Pgs. 412-453.
- Ewick, Patricia & Susan S. Silbey (1998) *The Common Place of Law*. Chicago; London: University of Chicago Press. Pgs. 3-15; 33-56

March 7 – Case Studies

- *The Practice of Qualitative Research* (Chapter 8)
- Burawoy, Michael (1998) "The Extended Case Method." *Sociological Theory*. 16(1): 4-33.
- Flyvbjerg, Bent (2006) "Five Misunderstandings About Case-Study Research." In *Qualitative Inquiry*. 12(2): 219-245.

March 14 – Media Research and the Challenge of Digital Data

- *The Practice of Qualitative Research* (Chapter 9)

- Langlois, Ganeale, Joanna Redden & Greg Elmer (eds.) (2015) *Compromised Data: From Social Media to Big Data*. New York; London: Bloomsbury. Pgs. 1-14.
- Marres, Noortje (2017) *Digital Sociology: The Reinvention of Social Research*. Cambridge; Malden, MA: Polity Press. Chapter 3 (“Do We Need New Methods?”)

March 21 – Data Analysis and Interpretation

*****SCAFFOLDING EXERCISE: Draft Proposals Due*****

- *The Practice of Qualitative Research* (Chapter 11)
- *The Practice of Qualitative Research* (Chapter 12)

March 28 – Mixed Methods and the Logic of Quantitative Approaches

*****APPLICATION ASSIGNMENT DUE: Coding and Textual Analysis*****

- *The Practice of Qualitative Research* (Chapter 10)
- Khan, Shamus & Dana R. Fisher (2014) *The Practice of Research: How Social Scientists Answer Their Questions*. Oxford; New York: Oxford University Press. Pgs. 50-70.

April 4 – Futures of Inquiry

*****SCAFFOLDING EXERCISE: Presentation Scripts Due*****

*****RESEARCH PROPOSALS DUE*****

- Smith, Linda Tuhiwai (2012) *Decolonizing Methodologies: Research and Indigenous Peoples, 2nd edition*. New York: Zed Books. Pgs. 44-60.
- Denzin, Norman K. (2019) “The Death of Data in Neoliberal Times.” In *Qualitative Inquiry*. 25(8): 721-724.
- Gerrard, Jessica, Sophie Rudolph, Arathi Sriprakash (2017) “The Politics of Post-Qualitative Inquiry: History and Power.” In *Qualitative Inquiry*. 23(5): 384-394.

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

The University Academic Integrity Policy defines plagiarism as “*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one's own.*” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings without appropriate acknowledgement;
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of “F” for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you.

Emergency Resources (on and off campus):

- <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

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 more details about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

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 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/>.