

Course Outline

COURSE:	FYSM 1502 – Selected Topics in Legal Studies: Exploring the Sociological Imagination & Cultural Approaches to Law
TERM:	FALL/WINTER 2021-2022
PREREQUISITES:	None
CLASS:	Day & Time: Please check Carleton Central for current Class Schedule. Room: Note this is an “in person” course so you must attend the class to have access to the class materials (i.e. the “lecture” material is not normally recorded or posted online) and to complete the core course components. NOTE: The delivery of the course material MAY be adjusted depending on changes in public health circumstances.
INSTRUCTOR:	Stephen J. Tasson
CONTACT:	Office: Room D582 Loeb Building Office Hrs: Monday 1:30-2:30pm or by appointment (online through Zoom (Brightspace link)) Telephone: None Email: steve.tasson@carleton.ca

CALENDAR COURSE DESCRIPTION

Selected topics in legal studies.

COURSE DESCRIPTION

What does it mean to talk about the socio-legal imagination? When we think of what law “is” and how it operates in our society what images come to mind? What institutions (e.g. the courtroom, the prison, etc.) and what language (e.g. justice, order, etc.) do we think of when we think of law? *Who* do we think about? How does our *experience* of law compare to these images?

This course aims to introduce and explore these questions. We do this by looking at some of the most influential and persistent constructions of law and legal action, and the enduring debates that these idealizations provoked. As students interested in law and legal studies, this course will challenge you to examine your own views of where and how we “locate” law in our societies. Students who take this course should be prepared to explore these questions through open and structured discussion, short written work, and structured essays.

Early in the year we examine some classical debates about how best to conceptualize “law” and its social role. We explore and unpack some of the core assumptions regarding the necessity of a “legal order” for “social order” and the virtues (and limits) of legal problem solving. We explore what methodological approaches provide us with the clearest picture of “the law” and tackle questions like: Is violence an intrinsic part of law? What do we mean when we talk about the “rule of law”? What assumptions must legal actors and legal processes make about us – our capacities, our relationships, our desires – to render us *regulatable* by law?

In the second half of the course we devote considerable time to thinking about how most people today understand

and “experience” law. We explore the merits of more recent “cultural approaches” to studying law in society. What is our daily “experience” of the law and how might who we are change this experience? How do depictions of law in cultural forms and artifacts (movies, TV, novels, short stories etc.) impact the ways many people in our society understand the operation and legitimacy of legal actors and institutions?

One of the key benefits of the FYSM format is the ability **to investigate these questions through an interdisciplinary approach**. This means drawing from the research and conceptual resources of many academic disciplines. A central aspect of the first part of the course will be to discuss some of the debates about the value and pitfalls of this type of “inclusive” approach to the study of law.

While this course is offered through the department of **Law and Legal Studies**, students should expect to discuss questions and explore content and approaches coming through and intersecting with other disciplinary traditions. As will become evident early on, what constitutes a strictly “legal studies question” and how we go about answering it is far from settled.

COURSE GOALS & OBJECTIVES

1. Develop a degree of comfort understanding and discussing conceptual constructions of law, justice, and “legality”.
2. Recognize the value of theoretical approaches to academic debates and the practical consequences that arise from these debates (i.e. the ideological power of certain “ways of knowing”).
3. Read some key texts in the fields of jurisprudence, “law and literature” and “legal cultural studies”. Be capable of reading and connecting current social issues through these approaches.
4. Develop and hone your ability to critically evaluate the strengths and weaknesses of written arguments. Use these skills to reflect on and improve your own written work.
5. Learn how to read, analyze, and employ popular fiction “texts” in academic arguments.
6. Evaluate the potential of employing cultural forms to challenge contemporary understandings about the role and potential of law in social and political struggles.
7. Explore and evaluate a selection of classical texts in jurisprudence and socio-legal studies. Connect these to current social and political reform movements.
8. Improve your ability to structure and communicate your own ideas and arguments both orally and in writing.
9. Use collaborative approaches in the writing process and academic problem-solving (i.e., get the most out of instructor and peer feedback)

REQUIRED TEXTS

Calavita, K. (2016). *Invitation to Law and Society* (2nd ed.). Chicago: University of Chicago Press.

This book is available for purchase at ****Octopus Books**** ([reserve a copy through this link](#)) – located a short ride from campus on the #7 bus.

The text may also be available “used” (if you want to save a few \$\$\$) from select booksellers in Ottawa. Be sure to purchase the correct edition as earlier editions will not include all the required readings. **This text is not available through the campus bookstore for this course!**

NOTE: The majority of the required texts/readings for the **Fall Term** are actually available through the Brightspace platform. Students may be required to purchase additional texts in the **Winter Term** but this will be confirmed before the end of the Fall term.

EVALUATION**(All components must be completed in order to receive a passing grade)**

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 Chair and the Dean.

Fall Term

Fall Portfolio/Notebook (4)	15%	(Continuous)
Position Paper #1	10%	(due 11:55pm October 8 th)
Position Paper #2	10%	(due 11:55pm December 3 rd)
Class Engagement/Participation	15%	(Continuous)

Winter Term

Winter Portfolio/Notebook (4)	15%	(Continuous)
Position Paper #3	10%	(due 11:55pm February 4 ^h)
Position Paper #4	10%	(due 11:55pm April 8 th)
Class Engagement/Participation	15%	(Continuous)

COURSE COMPONENTS**Fall and Winter Portfolios/Notebooks (15+15%)**

Select weeks on Brightspace there is a short set of questions that asks you to reflect on the course materials for that week. The aim of this course component is that you complete a short reflective piece of writing engaging/answering this to reflect on the material for the week. In some weeks, this will be comprised primarily of summarizing work but most weeks you will be asked to engage/reflect on the texts more creatively, to draw connections to current events, or even connect the sources (or issues) to your own experience.

The aim of these short entries/reflections is, in part, to encourage you to develop the habit of taking “good notes” when you read and during class. There are several notetaking methods that we will discuss in the first few weeks of class. This course component also measures your overall engagement with the course. The entries are less about providing “perfect” summaries or getting the “right” answer. Rather, the main aim is to demonstrate to me your “engagement” with the sources and, if possible, to connect the week’s material to other course themes (some readings may raise more questions for you than they answer and this is an important step in the learning process).

Some of the readings or questions may be challenging and so your reflection can take note of this. You are free to talk about aspects that seem unclear and confusing to you as well. Again, the aim is to show you **are working through the material in a thoughtful and engaged way.**

More formatting and rubric details appear on Brightspace but generally you should expect each “entry” to be

approx. **2 pages in length**. Like other written components of the course, these entries are submitted via Brightspace and must be submitted before the deadlines indicated there.

Position Papers (10%+10%+10%+10%)

The course is designed to be very “writing focused”. There are four short papers due throughout the course. These papers ask you to summarize, synthesize and analyze some questions arising from the material we investigate in the course. They provide you an opportunity to discuss the course materials that we investigate and draw connections to some of the broader questions and themes highlighted in class. The early papers are weighted more toward summative elements (demonstrating understanding). In the second term the paper weighting shifts slightly toward analysis.

Each paper’s length is **approx. 1250 words (roughly 5 double-spaced pages)**. The specific requirements, questions, format, and rubrics for evaluation will be outlined in the assignment sheets (available well in advance of the deadlines on Brightspace). There will be opportunities in class to discuss paper expectations, citation concerns, and other general tips to assure your best grades on this component.

We will spend class time talking about the planning and revision processes for term papers. You should expect that marks for these papers will be derived not only from the final product but also by demonstrating attention to the processes of planning and revision.

Class Engagement (15% + 15%)

As you can see “Class Engagement” makes up a significant portion of your course grade. This is a “seminar” course which is normally very different from a lecture course. Seminars succeed or fail largely on the active preparation and contributions of their members. When you decide to take this course, you commit to participating in the class!

You are expected attend our in-class sessions and be prepared to participate in discussions and any assigned activities within the session.

Your “Class Engagement” grade is based on these criteria (a more detailed guide/rubric for “participation” is available on Brightspace):

A) Basic attendance

You are expected to attend scheduled “live” sessions. This sets the baseline for your grade. If you miss 20% of the scheduled “in-class sessions” then your possible component grade cannot exceed 80% for this component. If you expect to be absent for justified reasons you should discuss with me asap. In the event that we have to change the delivery of the class (i.e. if we have to move parts of the course “online”), we will discuss how this will impact this course component.

B) The quality of your contribution to weekly class discussions and exercises

Informed discussion is the backbone of a seminar course. We discuss the course material both in small groups as well as with the entire class and you must be prepared to do this (e.g. come prepared with questions, comments and concerns about the required materials that you read/watch in advance). Quality participation is also not just about “talking” or making comments. It also depends on **active and engaged listening** (not just to me, but to your peers) and your ability to encourage and “open” discussion rather than close it down. As noted, participation also may include “planned exercises” such as in-session writing.

C) Conferencing

At least once per term I will be holding student conferences to discuss your specific progress in the course (and first-year generally). You are, of course, welcome to talk to me outside these times as well (e.g. in office hours) but attendance to an in-person/online scheduled conference is required and counted toward your “Class Engagement” mark in both terms.

SCHEDULE (FALL & WINTER)

The complete **Required Reading and Lecture topics schedule is available on Brightspace**. We will discuss this schedule in some detail in the first few classes each term. If you have any questions or concerns about these topics or readings, please let me know via email. Please also note these other important FALL and WINTER term dates:

September 6 -- Statutory holiday. University closed.

September 8 – Fall term begins

October 11 – Statutory holiday (Thanksgiving)

October 25 – 29 - Fall Term Break

November 26 -- Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade before the official examination period (see [examination regulations](#) in the Undergraduate Calendar).

December 10 – Last Day of Fall Term Classes & Last Day to hand in Fall Term work.

December 12 – 23 – Formally Scheduled exams take place

January 10 – Winter term begins

February 21 – Statutory holiday (Family Day)

February 22 – 25 - Winter Term Break

March 29 – Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade before the official examination period (see [examination regulations](#) in the Undergraduate Calendar).

April 2 – Statutory holiday (Good Friday)

April 12 – Last Day of Winter Term Classes & Last Day to hand in course work.

April 14 – 28 – Formally Scheduled exams take place

STRATEGIES FOR SUCCESS (IN EXTRAORDINARY TIMES)

We live in “challenging” times. The delivery of this course has been somewhat altered to reflect the ongoing disruptions caused by the global pandemic. Based on changes in public health guidance and limitations, further changes may be required. **My goal in this course to provide you, as students, with clear guidelines and expectations whilst acknowledging the need for flexibility in face of changing health requirements.** Any required changes to course delivery or expectations will be communicated clearly and as soon as possible.

Here are a few interconnected concrete steps can you take to succeed in this course:

1. Attend class!!!!

You can’t participate if you are not attending class and contributing and this is a big part of your mark. Frequent smaller assignments, and frequent shorter meetings, force you to “stay on top of” weekly work. I realized that this provides you less flexibility but, again, the aim is to keep you engaged and prevent you

from falling too far behind or feeling overwhelmed if you do miss a few class meetings.

2. Get it in!!!

The stakes on any individual written component are fairly “low stakes” (10% or less of the course grade). **Perfection is the enemy of completion!** Get written work in and get feedback on how to improve. (I know this is FAR easier than it sounds for many folks, but it is a valuable lesson in first year!)

3. Ask for help if you need help or any course requirements are unclear (YOU ARE NOT ALONE!)

My role is not to make your life miserable (honest!). I want you to succeed in the course and come out the other end better informed and better prepared to tackle the challenges of your upper-year courses! While it may feel sometimes that you are “on your own”, **you are not!** Again, I want you to succeed and so you should contact me to discuss concerns or struggles. **Early communication is key!**

You are also part of a “class” and you should not underestimate the value of peer support and academic community. Don’t be afraid to get to know your peers and ask (and answer) questions. This may be intimidating at first, but part of the university experience is recognizing you are now part of a community of learning in which we all have a shared interest in fostering understanding, disseminating knowledge and forwarding new ideas.

4. Be open to new ideas and new ways of thinking (and communicating)

Good courses ought to challenge us to think differently about what we think we already know and/or force us to find new ways to articulate our positions or experience. Consequently, they may prompt us to reflect on ourselves, our relationships with others, and the structures of the world around us. This can sometimes be an unsettling and uncomfortable process and different people react to these challenges differently. In this class the source of these challenges may be the course materials (my “lectures” or the readings) but they may also come through interactions with your peers in class. Not everyone is equally skilled in expressing their positions or posing questions. Be attentive to this fact, to the diversity of other student’s experiences, and be “generous” in attributing motives to others in the class. Personal attacks will not be tolerated (we will discuss “Ground rules” early on in the first week).

COVID-19 PREVENTION MEASURES

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton’s COVID-19 response and required measures, please see the [University’s COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

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, [click here](#).

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. 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 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/>

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/>

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/>

OTHER COURSE SPECIFIC POLICIES

(Please ask if there is any confusion or concern with any course-related policies!)

ASSIGNMENT FORMATTING and SUBMISSION

Unless otherwise specified, any written work submitted in this course must be double-spaced, formatted to 12pt Times New Roman or Arial font with standard margins. Assignments normally must include your name and student number and the course code in the document's header. Title pages, bibliographies and extensive footnotes are not usually counted in determining an assignment's word count or page length.

Assignments are normally submitted using the links provided for this specific purpose on the Brightspace page for this course. **It is your responsibility to ensure that assignments are submitted in a readable file format (usually .doc or .pdf formats) *before the deadline***. If the assignment is unreadable it will not be considered submitted. If you anticipate any issues (technological or otherwise) you should discuss this with your TA or with me ASAP in *advance of the deadline*.

LATE ASSIGNMENTS & EXTENSIONS POLICY

As noted in the section above on Strategies for Success it is important to stay on top of course work and to communicate with me early if you anticipate issues completing work on time. Deadlines are also important (for me) because I plan my time around when assignments come due and when I have time to mark and provide feedback on them. Because the assignments come fairly frequently, if you get behind on them, then they can begin to "run into" each other and this can **become very overwhelming very fast**. Time management skills are something that you really need to develop for your long-term success at the university. If you are struggling with this, then please let me know EARLY and we can come up with some strategies!

I **fully understand** everyone has competing commitments and responsibilities! Some of these priorities may supersede this course and necessitate that some assignments be submitted late. While this is not ideal, this is **why there is a policy for late submissions!**

NOTE: A late paper/assignment will normally be penalized 5% per day (e.g. a paper marked as a 70% that was 1 day late would receive a grade 65%) (unless otherwise specified on the assignment instructions). Late assignments must be submitted normally through Brightspace unless you are otherwise directed.

Email is NOT considered an acceptable means of submission for any assignment

Late assignment may not be graded and “returned” along normal timelines and the quantity of feedback you receive may be affected.

Extension requests

Extension requests must normally be communicated to me a) **in advance of the assignment deadline** and b) **“in-person”** (ideally in office hours). Frantic email requests on the eve of a deadline are **far** from ideal.

In extraordinary cases where a requested extension lasts longer than 7 days (e.g. in the case of prolonged medical or other issues), students will normally be required to provide additional information to justify the extension (usually up to a maximum of 14 days). **EARLY COMMUNICATION REGARDING LATES/EXTENSIONS IS VITAL!**

BACKUP COPIES

Student must retain a “backup” copy of anything submitted for a grade in the class. This copy should be kept for at least 3 months following the end of the course in case there is a discrepancy in final grades or an issue with the files submitted to Brightspace. Students must be able to produce a copy of assignments within 24hrs upon request.

REFERENCING & PLAGIARISM (Part II)

Assignments in the course must be properly referenced and include a bibliography of all sources used in the preparation of the assignment (unless directed otherwise). We will discuss citation styles in some detail in class. I understand that, to this point, students have had varying degrees of experience with citation and referencing in their academic work. Regardless, the expectation is that you have a basic ability to reference and cite other’s work used in preparing your own assignments. As highlighted above, failure to reference properly or attempting to pass someone else’s ideas or work off as your own constitutes plagiarism. Both the university and I take it very seriously and so should you. Plagiarism can lead to penalties that are very serious. **Recklessly or purposefully engaging in it is incredibly misguided.** If you are struggling or unsure about how best to use sources in preparing your work in the course, it is far better to contact me and talk to me about resources to help!