

Course Outline

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<b>COURSE:</b>	<b>LAWS 1001 C</b> <b>Introduction to Legal Studies 1: Foundations and Rights Protection</b>
<b>TERM:</b>	<b>FALL 2020</b>
<b>CLASS:</b>	<b>Day, Time:</b> <b>Tuesdays 2:35 pm</b>  <b>Prerecorded lectures made available at this day and time throughout the term on the Carleton University Online [CUOL] and Videos on Demand [VOD] supplemented by live discussion groups on Zoom after selected lectures noted on class schedule below</b> <b>Online Information and Assistance:</b> <b>CUOL website: <a href="http://www.carleton.ca/cuol">www.carleton.ca/cuol</a></b> <b>VOD login (use your MC1 password) <a href="https://vod.cuol.ca/vod">https://vod.cuol.ca/vod</a></b> <b>Email: <a href="mailto:cuol@carleton.ca">cuol@carleton.ca</a>; <a href="mailto:vod@carleton.ca">vod@carleton.ca</a></b>
<b>INSTRUCTOR:</b>	<b>Professor Barry Wright</b>
<b>CONTACT:</b>	<b>Office:</b> <b>D489 Loeb Building (extension 8201) No office hours Fall Term because of pandemic measures</b>  <b>Email:</b> <b><a href="mailto:barry.wright@carleton.ca">barry.wright@carleton.ca</a> *Please contact your course TA by email in the first instance, before emailing Professor Wright if further follow up needed. (See <i>CULearn</i> for TA and Peer Assisted Study Support contact information and ‘important notes on assessment and expectations’ below).</b>

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**Calendar Course Description:**

Introduction to legal studies: Concepts, sources, nature and functions of law; historical, cultural and constitutional foundations of the Canadian legal system; common law and civil law traditions; statutory interpretation, precedent; legal institutions; frameworks for analyzing formal and informal conceptions of law and its role in society.

**Detailed Course Description:**

This course is designed to provide an introduction to the field of legal studies. It surveys the Canadian legal system, focused on common law jurisdictions, and places law, legal processes, institutions and personnel in broader historical, social and political contexts. Students will learn about the concepts and theories of law as well as the sources of formal law in Canada, their origins and role in colonization. The Canadian constitution and the main doctrinal areas of public and private law are overviewed, as are the courts and alternative dispute resolution, the legal

profession and access to justice. The course examines central issues raised by these topics, including experiences of discrimination and related injustices. It concludes with addressing the role of law in a changing society, and considers the prospects for progressive law reform and justice.

### **Learning Objectives:**

Upon completion of this course students should be able to describe the main foundational or technical elements related to the above topics, identify and assess central issues and debates arising from these topics, and begin to think critically about the law and the legal system.

### **Course Organization:**

This course is administered through three online platforms: Weekly lectures delivered according to class schedule below, accessed via *CUOL* Videos on Demand; TA led discussion groups via *Zoom*, on dates noted on the class schedule below; ongoing course-related communication and written work assigned and submitted via *CULearn*.

### **REQUIRED TEXT**

**Barry Wright, Vincent Kazmierski, Betina Appel Kuzmarov, Rebecca Bromwich, *Looking at Law: Canada's Legal System 7<sup>th</sup> edition* (Toronto: LexisNexis, 2019)**

This book may be ordered and purchased online from the Carleton University Bookstore at: [www.bkstr.com/carletonstore/home](http://www.bkstr.com/carletonstore/home). On-line orders can be picked up on campus (Bookstore Service Counter) or delivery can be arranged when placing your order. Note that the book is extensively revised from previous editions and the readings below refer to that edition's page numbers (used 5<sup>th</sup> and 6<sup>th</sup> editions not recommended).

### **EVALUATION**

**There are four assessed or formally evaluated components in this course: two written assignments, attendance and participation in weekly scheduled discussion groups, and an online final examination on scheduled during the formal December examination period:**

- 30% Assignment 1: Review Essay (details will be posted on *CULearn*) Due: 13 October**
- 30% Assignment 2: Analytical Essay (details will be posted on *CULearn*) Due: 10 November**
- 30% Final Examination (3 hour open book, accessed and submitted on *CULearn* during the formal December examination period)**
- 10% Discussion Group Participation (online TA led *Zoom* sessions, following lectures at 4:00 pm on 29 September, 6 October, 20 October, 3 November and 8 December).\***

**Important notes on assessment and expectations in this course:**

\*Students unable to attend the synchronous Zoom discussion groups should notify their TA and may request the final exam be weighed 40% instead of 30%. All written components (both essay assignments and final exam) must be submitted to receive a passing grade in this course (failure to complete any of these written elements will result in a failing grade regardless of results in completed assessed elements). Essays submitted after the due date, without authorized extension based on illness or other unexpected emergency, are subject to late penalties as noted in the essay assignment and cannot be submitted after 11 December. In case of illness or other unexpected emergency, a deferred examination, following the same format as the final exam, may be applied for at the Registrar's Office.

*CULearn* is the primary method of communication with students in the absence of face to face class time and office hours. The course site includes periodic announcements and notices, supplementary readings, written assignment topics, and guidelines and submission procedures. Students should sign on to *CULearn* the first week of classes and regularly check the course site for updates (at least weekly). All written components (both essay assignments and final exam) must be submitted on *CULearn* by the specified due date and time indicated and receipt will be registered on the system. Submissions in any other format or fashion will not be accepted. You are advised to retain identical, dated secure back-up electronic copies of your submissions in a separate file.

You are expected to complete the readings for the lecture as set out in the Class Schedule on the next page. Advanced reading will facilitate your understanding of matters covered in Professor Wright's lecture. The lecture will elaborate on important issues raised in the readings and new material may be introduced that could appear in the **Important notes on assessment and expectations --continued:** final exam. Courtesy towards others and respect for diverse points of view will be maintained in lectures and is also expected of you in discussion groups.

You will be assigned a TA, who will grade your written work and lead discussion groups on the *Zoom* online platform following lectures 3, 4, 6, 7, and 12 (dates and times noted above and below). They provide an opportunity to review and discuss central themes, raise questions in an informal small group setting, and review expectations for the successful completion of written assignments. 10% of your final grade is allocated to participation in these sessions. If you disagree with a TA's assessment of your written work or participation you must contact your TA within one week after the disputed grade is posted on *CULearn*. Professor Wright will not review an appeal of the grade unless it has been first discussed with your TA.

Please note regulations concerning academic integrity and related instructional offences as noted below and in the Undergraduate Calendar. Prior approval of the instructor must be obtained if it is intended to submit work that has previously or concurrently been submitted for credit in this or another course. 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 approved by the Chair and Dean.

**SCHEDULE**

September 7, 2020	Statutory Holiday, University Closed
September 9, 2020	Fall Term Begins. Fall and Fall/Winter Classes Begin
October 12, 2020	Statutory Holiday, University Closed
October 26 – 30, 2020	Fall Break, No Classes
December 11, 2020	Fall Term Ends
	Last Day of Fall Term Classes
	Classes follow a Monday Schedule
December 12 – 23, 2020	Formally Scheduled Final Exams May Be Held
December 25 – 31, 2020	University Closed
January 1, 2021	University Closed

**CLASS SCHEDULE: LECTURE TOPICS AND READINGS**

All readings in the 7<sup>th</sup> edition (2019) of *Looking at Law*, supplemented by additional readings posted in *CULearn*.

Lecture 1	(15 September) Introductions and Course Overview
Lecture 2	Concepts of Law 1: What is Law? <i>Looking at Law</i> ch.1 p.1-12
Lecture 3	Concepts of Law 2: What Does Law Do? <i>Looking at Law</i> ch.1 p.12-21; Supplementary Reading in <i>CULearn</i> : Twining, <i>The Great Juristic Bazaar</i> <b>TA led discussion groups on Zoom from 4:00 pm following lecture (29 September)</b>
Lecture 4	Sources of Law 1: Reception of European Laws and Colonization <i>Looking at Law</i> ch.2 p.23-34; Supplementary Reading in <i>CULearn</i> : Borrows, <i>Wampum at Niagara: The Royal Proclamation, Canadian Legal History and Self-Government</i> <b>TA led discussion groups on Zoom from 4:00 pm following lecture (6 October)</b>
Lecture 5	Sources of Law 2: Common Law and Precedent, Legislation <i>Looking at Law</i> ch.2 p.34-45 <b>Note: Assignment 1 to be completed and submitted on CULearn (13 October)</b>
Lecture 6 Federalism	Law, State and Constitution 1: British Constitutional Foundation and Canadian <i>Looking at Law</i> ch.3 p.47-61 <b>TA led discussion groups on Zoom from 4:00 pm following lecture (20 October)</b>

- Lecture 7 Law, State and Constitution 2: The Charter of Rights  
*Looking at Law* ch.3 p.62-70; Supplementary Reading in *CULearn*, Berger,  
*Judicial Review*  
**Note: No class 27 October – Fall Term Reading Week**  
**TA led discussion groups on Zoom from 4:00 pm following lecture (3 November)**
- Lecture 8 Areas of Substantive Law: Overview of Public and Private Law Doctrines  
*Looking at Law* ch.4 (read whole chapter)  
**Note: Assignment 2 to be completed and submitted on CULearn (10 November)**
- Lecture 9 The Legal Process 1: Evidence and Procedure  
*Looking at Law* ch.5, p.99-102, 109, 113-119;
- Lecture 10 The Legal Process 2: Adjudication, ADR and Legal Personnel  
*Looking at Law* ch.6 p.121-25, 131-33; ch.7 p.139-50
- Lecture 11 The Legal Process 3: Access to Justice, Law Reform, and Rights  
*Looking at Law* ch.9 (read whole chapter)
- Lecture 12 Law and the Future; Review Class (survey readings and class notes for entire term)  
**TA led discussion groups on Zoom from 4:00 pm following lecture (8 December)**
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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: <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/>