
COURSE:	LAWS 1001D – Introduction to Legal Studies I
TERM:	FALL 2020
PREREQUISITES:	None
CLASS:	Day & Time: Please check Carleton Central for current Class Schedule. Room: All Courses in the Fall 2020 term are offered online. Lectures in this course will be delivered primarily through <i>pre-recorded videos</i> posted to CULearn. There will also be a limited number of "live", online workshops and "check in" sessions conducted using the Big Blue Button conferencing platform. These will occur during our regularly scheduled class times (see the Course Components descriptions below for more details).
INSTRUCTOR:	Stephen J. Tasson
CONTACT:	Office: Room D488 Loeb Building Office Hrs: Tuesdays 11:00 – 1:00pm or by appointment (online through Big Blue Button (CULearn link)) Telephone: None Email: steve.tasson@carleton.ca

CALENDAR COURSE DESCRIPTION

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

COURSE DESCRIPTION

The position of law in contemporary societies is ubiquitous and ambiguous. At first glance the answers to questions like "what is law?" and "what does law do?" may seem relatively easy or even unremarkable. However, a crucial first step in a deeper understanding some of the complexities of modern law is to recognize that beyond simply resolving interpersonal disputes or defining crimes, legal categories and activities also shape who we are and help us make sense of ourselves, our relationships, and the world in which we live. Law constitutes, authorizes and structures significant parts of our collective and individual experiences and identities. Constituting the "legal foundations" of a community, for example, is an important way that groups reflect and practically define themselves and publicly declare the roles and responsibilities expected from members. Law, in this way, is a means to define what it means to

belong as a citizen and the rights and responsibilities that are associated with that citizenship.

While **inclusion** in these “legal” identities and institutions may **empower** individuals and provide a strong sense of security and belonging, the opposite is also true. Legal definitions and legal processes also delegitimize, marginalize, and **disempower** some people, practices and ways of knowing the world. Making and remaking “the law” is consequently never politically or culturally “neutral” and our “experience” of law is far from “universal”. To really understand law, then, we must ask how legal definitions and foundational claims are created and maintained? Which identities and practices are left out or purposefully excluded? How does law potentially aggravate – rather than alleviate – **social inequalities** and exclusions (based on class, race, gender, religion, sexuality, etc)?

These are critical questions. Questions that might challenge some of our preconceptions about law and its “value”. They are fundamentally questions about what law is and does; but crucially what it *ought* to be and do.

To begin to answer these challenging questions we must first reflect on how we understand and define “law,” “the legal,” and by extension “legal studies”; we must understand the historical and constitutional “foundations” of our legal institutions (in Canada) and also the more mundane processes of legal “fact-finding” and decision-making that order and stabilize these (imagined) foundations. What principles and structures support “law” in Canada today? How are these established? Who decides, and on what authority?! What can the power and operation of “law” in Canada tell us about the production and reproduction of “Canadian society”, more generally?

Course Objectives (or, ‘what I want you to get out of the course’)

1. Identify and contrast competing historical “perspectives” or “theories of law”. Be able to discuss the implications of adopting one or more of these perspectives to understand law’s roles and impacts in contemporary societies.
2. Develop an understanding of the sources of Canadian law and the historical links to, and treatment of, “other(ed)” systems of law and social ordering. This includes understanding the early and ongoing influences of Indigenous, Civil and Common Law legal traditions in Canada.
3. Understand the stabilizing role and practices of “precedent” in judicial interpretation and decision-making within the Common Law tradition. Connect this to the theme of foundations.
4. Be able to read and identify key aspects and authorities within legal decisions (i.e. legal cases)
5. Develop your ability to summarize and critically evaluate the strengths and weaknesses of competing written arguments in legal studies articles and texts. This includes the ability to draw fine distinctions between similar arguments and the ability to discuss the logical implications of prescriptive arguments in legal studies.
6. Examine and appreciate the relationship between political liberalism, “liberal rights” and contemporary theories of citizenship, social inclusion, exclusion, and state violence.
7. Improve your ability to effectively structure, and persuasively communicate, ideas and arguments in formal writing (e.g. essays).
8. Develop your capacity to reflexively locate yourself and your own structural position within some of the core debates we investigate in the course.

9. Begin to explore and appreciate the complicated relationships between law, politics, economics, and “moral norms” (as sometimes complimentary, and sometimes conflicting, systems of social ordering).

REQUIRED TEXTS

Tasson, S. *et al.* (eds.) (2018). *Introduction to Legal Studies: Foundations and Rights Protection* (1th ed.). North York: Captus Press.

This core “course text” (as it is referenced on the weekly reading schedule) is available directly from the publisher, **Captus Press**, as an *ebook* (the cost is roughly \$40). See the following link for more information (<http://www.captus.com/information/ebook.htm>). Follow the link to the ‘**Carleton University**’ section. This will be the easiest way to get access to the text.

The text is also available in hardcopy (often used (if you want to save a few \$\$\$)) from multiple booksellers in Ottawa. Be sure to purchase the correct edition as earlier editions will not include all the required readings. **There is no other book required to purchase for THIS section of the course!**

In addition to this main course text there will be **additional readings** for which you will be also be responsible. These are available to you through our course CULearn page.

EVALUATION

(All core components must be completed in order to receive a passing grade in this 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 they have been approved by the Department and the Dean.

Reading Response/Reflections (Best 6)	25%	(weekly)
Section Quizzes (4)	30%	(continuous, see below)
Group/Workshop Participation (3)	15%	(continuous, see below)
Term Paper		
Thesis/Outline Exercise	5%	(due 11pm EST, November 22 nd)
Final Term Paper	25%	(due 11pm EST, December 6 th)

NOTE: There is NO scheduled final exam for this class

COURSE COMPONENTS

Reading Response/Reflections (25%)

Each week on CULearn there is a question or short set of questions that ask you to

respond/reflect on the material for the week. In some weeks, this will be more summarizing work but in other weeks you may be asked to consider policy implications, or even connect issues to your own experience.

These response/reflections should minimally demonstrate that a) you have read (or watched) the required reading/source (summary elements) and b) considered the arguments/topic in some depth (analysis elements). The reflection is not about providing a complete summary or simply about getting the “right” answer to the question posed. Rather, the main aim of your response/reflection should be to demonstrate to the reader your “engagement” with the sources and, if possible, to connect the week’s material to other themes or issues you see developing in the course.

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.

Note that the mark for this component takes the **top 6 grades** for these reflections. You are therefore only required to complete 6 entries to fulfill this component, but you may choose to complete more if you wish. It is **highly** advisable to complete them early in the term if you can.

More formatting and rubric details appear CULearn. Unless otherwise specified your submissions should be **approx. 300 words and be double-spaced**. Like other written components of the course, these response/reflections/questions are submitted via CULearn and must be submitted before the deadlines indicated on CULearn.

NOTE: There are **NO LATE penalties for these “reflections”**. If they are not submitted on time they **WILL NOT be accepted** for grading (there are no “extensions” are available).

They are *purposefully flexible* to allow you to complete them when it works best throughout the term (so when you are NOT sick, or NOT juggling assignments in other courses, etc). If you “miss” completing a week – for whatever reason – you can just try on another week as **only six are required**. Completing these early in the term provides you the most flexibility (DO NOT LEAVE THESE UNTIL THE LAST HALF OF THE TERM (when everything else is also due in most courses!)).

Quizzes (30%)

There is no formally scheduled final exam for this course. There are four smaller “quizzes” or tests (one for each “unit” or “section” of the course). There are four sections in the course (as highlighted on the **Required Readings Schedule** on CULearn). The quizzes are meant to determine that you have been keeping up on the reading and lecture materials as well as test basic comprehension of some key topics and concepts from those materials.

Each quiz will be comprised of approximately 25 multiple-choice questions and will be completed through the CULearn platform. The dates and times for each quiz are available on the **Required Readings Schedule** as well as in the **Calendar** on CULearn. Each quiz will only

cover the materials for one section of the course - so the quizzes are not cumulative. That said, there are key themes and some materials that are discussed across multiple lectures and so there may be minor overlap.

For the most part multiple-choice questions aim to test the breadth of knowledge you have gained in the course rather than the depth (this is what your reflections and paper is for).

NOTE: You will receive a **grade of zero** if you do not attempt to complete a scheduled quiz. In very exceptional circumstances alternative term work (e.g. an additional short essay assignment) may be made available to make up the missed grade.

Group/“Workshop” Participation (15%)

Normally this course includes regular weekly discussion groups (which you all registered in on Carleton Central). We are unfortunately unable to hold “in-person” discussion groups this term, but engagement with your peers is still an important component and is reflected in the breakdown of your course mark.

You have two main ways to engage with your peers. The first is through weekly text-based **Discussion Forums** where you can ask and answer questions about the weekly material (these discussion groups are also where I draw questions to discuss during my “check ins”).

Second, we will hold **three “Workshops”** over the course of the term. These will be **one-hour live online workshops** using **Big Blue Button (on CULearn)**. These will be held during the times originally scheduled for your “discussion groups” on Carleton Central. More information about these workshop dates and times (as well as the conference links to join the Workshops) will be available on **CULearn** and I will discuss them a little more there on a short video.

The workshops are designed to develop and/or hone a few key skills that you will need to succeed in future Legal Studies courses and at university, more generally. These include “*How to read academic articles and legal cases?*” as well as “*How to structure and write effective papers?*”. A fourth optional “workshop” (which you complete independently) focuses on *Academic integrity and avoiding plagiarism*. This will be available in the second half of the term (as we get closer to the Term Paper).

Again, the exact schedule for the **Workshops** appears on **CULearn** on the **Required Reading Schedule** and also the **Calendar**. If you anticipate difficulties “attending” (online) these workshops please let me know as soon as possible.

Outline/Thesis Exercise (5%) Term Paper (25/30%)

The “Term Paper” component is normally made up of two parts: A preliminary Thesis/Outline Exercise and the actual Final Term Paper.

The Thesis/Outline Exercise provides you a chance to receive feedback on the direction and basic structure you plan to use in your paper. It gives you a chance to make sure you are “on

the right track” and have understood the essay requirements clearly. A solid structure improves papers (and paper GRADES) significantly.

NOTE: Due to the tight timelines, LATE Thesis/Outline Exercises will not normally be accepted. If you do not submit a thesis/outline assignment for feedback before the deadline then your final paper will be account for 30% of your course grade rather than 25%. You are strongly encouraged to submit this component for feedback. However, it is not strictly mandatory.

The Term Paper itself, which is due late in the term, asks you to summarize, synthesize and critique (i.e. offer a position on) some questions arising from the material we investigate in the course. It provides you an opportunity to discuss the course materials that we investigate and draw connections to some of the broader questions and themes highlighted in the lectures. The Term Paper will be **approx. 2000 words (roughly 8 double-spaced pages) in length**. The specific question, format and rubric for evaluation will be outlined in the assignment sheet (available before Fall Reading Week) and will also be discussed in more detail in a video on CULearn.

NOTE: Extensive “outside” research (i.e. sources other than course texts and lectures) will not normally be required and is usually **not encouraged** in preparing the Term Paper. The paper is not a “research paper” but rather structured to encourage deeper analysis (i.e. grading is heavily weighted toward analysis).

SCHEDULE

The complete **Required Reading and Lecture topics schedule is available on CULearn**. If you have any questions or concerns about these topics or readings, please let me know via email. Please also note these other important term dates:

September 7 – Statutory Holiday, University Closed

September 9 – Fall term begins

October 12 – Statutory holiday, University Closed

October 26 – 30 - Fall Term Break, No Classes

December 11 – Last Day of Fall Term Classes & Last day to hand in Fall Term work.

December 12-23 – Formally Scheduled Exams take place

STRATEGIES FOR SUCCESS IN EXTRAORDINARY TIMES

The format and delivery of this course has been altered significantly to reflect the disruptions caused by the global pandemic. The most crucial changes are that lecture materials will be delivered **asynchronously (they will be pre-recorded and made available as per the schedule on CULearn)**. There will still be some more limited **synchronous** elements in the course (specifically the **Workshops, “Check-ins”** and also the four **Quizzes** at the end of each

“section”/ unit of the course).

My goal in this course to provide you, as students, with as much flexibility as possible whilst still acknowledging the administrative challenges of administering a large survey course in a way that is fair to everyone.

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

1. Make a personal schedule and stick to it.

The class structure very purposefully forces you to “stay on top of” the weekly work. I know that a steady drip of smaller assignments can be annoying, but the aim is to keep you engaged (which will improve your mark) while allowing at least some flexibility in when you complete the work. More than ever, it is critically important to keep up with the lectures and course materials. Especially now, **this course relies heavily on CULearn**. Be sure to check out the CULearn page and visit it often throughout the term (this should be part of your schedule/plan).

2. Get it in!

The grade weighting/ stakes on any individual component (aside from the Term Paper) are low (usually approx. 5% of the course grade). Perfection is the enemy of completion! Get 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).

Your TAs and I are here to help you succeed in the course. While you may feel you are “on your own” because the course is largely asynchronous and we don’t have the pleasure of seeing one another in lecture hall or classroom every week, **you are not alone!**

Again, your TAs and I want you to succeed and so you should contact us if you need to. You are also part of a “class” and you should not underestimate the value of peer support and an academic community. Don’t be afraid to get to know your peers and ask (and answer their) 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 very 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. The fact that our course takes place exclusively “online” means that our intentions and nuisance in our communication may be harder to measure. Be attentive to this fact and **be “generous” in your communication** with others in the class. Personal attacks in any part of the course (eg. the **Forums** or in the **Workshops** will not be tolerated (see the pinned “Ground rules” post on the **Forums**).

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 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>

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 (or on a title page). 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 CULearn 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

Why are deadlines so important?

As already noted, there is a certain degree of flexibility for when the majority of class assignments in this course are submitted/completed. For other assignments, like the Term Paper, a standard deadline ensures that everyone has the same time (in theory) to complete the work. This helps establish a minimal "baseline" that enables me to gauge, as much as possible, "engagement and commitment" to this course. In practice, I fully understand you have competing commitments, responsibilities, and priorities. Some of these priorities may supersede

this course and necessitate that some assignments be submitted late. While this is not ideal, it is why there is flexibility built into some submissions and why there is a policy for late submissions for major components.

Deadlines particularly matter in larger courses like this one where I rely on TAs to mark course work. Teaching Assistants are students like you. They have their own assignments and course/research work to complete – and have their own deadlines (and in some limited cases, actual lives to live!). They plan their term schedule around when they have to grade and complete feedback for their students and if your assignments or papers are constantly late then this puts additional pressure on them and complicates my ability to maintain consistency in grades across the course.

NOTE: A late assignment will normally be penalized 3% per day (e.g. a paper marked as a 68% that was 1 day late would receive a grade 65%) (unless otherwise specified on the assignment instructions).

Late assignments must be submitted normally through CULearn 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

If you know in advance you will be unable to complete an assignment on time you may request a deadline extension if you have a valid reason. For requests for extensions lasting **less than 7 days**, please complete the form at the following link and submit it to appropriate link on CULearn **prior to the assignment due date**.
<https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf> (be sure to read this form carefully and check the relevant boxes).

Extensions spanning longer than 7 days are not normally granted. In those extraordinary cases where extensions lasting longer than 7 days are requested (e.g. in the case of prolonged medical issues), students should contact me directly (Steve) and may be required to provide additional information/documentation to justify the extension (usually up to a maximum of 14 days).

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 an academic integrity concern, a discrepancy in final grades or an issue with the files submitted to CULearn. 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 one of the **Workshops** in the term. 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 and about other assignment expectations!