

Course Outline

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<b>COURSE:</b>	<b>LAWS 1001A – Introduction to Legal Studies I</b>
<b>TERM:</b>	<b>FALL 2022</b>
<b>PREREQUISITES:</b>	<b>None</b>
<b>CLASS:</b>	<b>Day &amp; Time: Please check Carleton Central for current Class Schedule.</b>
	<b>Room: Note this is an “in person” section of the course so you must attend the class to have access to the lecture materials (i.e. the lectures are not recorded or posted online). There are also required tutorials.</b>
<b>INSTRUCTOR:</b>	<b>Stephen J. Tasson</b>
<b>CONTACT:</b>	<b>Office: Room D582 Loeb Building</b>
	<b>Office Hrs: Wednesday 10:30-12:30pm (in person) or by appointment (online through Zoom (Brightspace link))</b>
	<b>Telephone: None</b>
	<b>Email: <a href="mailto:steve.tasson@carleton.ca">steve.tasson@carleton.ca</a></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 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 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 groups, practices and ways of knowing the world. Making and remaking “the law” is consequently never politically or culturally “neutral” and our experience of “the 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 also 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 seemingly more mundane processes of legal “fact-finding” and decision-making that order and stabilize these (imagined) foundations. What principles and structures support “the law” in Canada today? How are these established? Who decides, and on what authority? Is violence a necessary part of law? 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 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 capable of reading and identifying key aspects and authorities within legal decisions (i.e. read 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.
6. Examine and appreciate the relationship between political liberalism, “liberal rights” and contemporary theories of citizenship, social inclusion, 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.

**REQUIRED TEXTS**

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

This core “course text” (as it referenced on the weekly reading schedule) is available for purchase at **\*\*Octopus Books\*\*** ([reserve a copy through this link](#)) – located a short ride from campus on the #7 bus. I have not ordered this book through the campus bookstore.

The text is also available directly from the publisher, **Captus Press**, as an *ebook*. See the following link for more information on accessing the text online (<http://www.captus.com/information/ebook.htm>). Follow the link to ‘**Carleton University**’ section.

The text may also be available “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!**

**NOTE:** In addition to this main course text there will be **additional readings/media** for which you will be also be responsible. These are available to you through our course Brightspace page and detailed in the **Required Reading Schedule (on Brightspace)**.

**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 (4/5)	25%	(continuous, see below)
Course Participation (Tutorials)	15%	(continuous, see below)
Term Paper		
Outline/Thesis Submission (OPTIONAL)		(due 11pm, November 20)
Final Term Paper	30%	(due 11pm, December 3)
Final Exam	30%	(during Dec. 10-22 exam period)

**COURSE COMPONENTS****Reading Response/Reflections (25%)**

On select weeks throughout the term (see the COURSE SCHEDULE on Brightspace) there is a question or short set of questions (posted to Brightspace) that ask you to respond/reflect on the material for the week. In some instances this will be more summarizing work but in other cases you may be asked to consider policy implications, or even connect issues to your own experience.

These response/reflection submissions should minimally demonstrate that a) you have read the required materials (summary elements) and b) considered the arguments/topic in some depth (analysis elements). The reflection is not about providing a complete summary or about getting the “right” answer to the question(s) posed. Rather, the main aim of your response/reflection should be to demonstrate to the reader your “engagement” with the materials.

More details regarding formatting and a rubric appear Brightspace. Unless otherwise specified your submissions should be **approx. 400 words and be double-spaced (roughly 2 double-spaced pages)**. Like other written components of the course, these response/reflection submissions are submitted via **Brightspace** and must be submitted before the deadlines indicated on Brightspace.

**NOTE:** There are **specific LATE penalties for these submissions**. Please see the assignment sheet for these details about this (there are normally no “extensions” available for these). Start them early if possible.

**Course Participation (15%)**

Despite the fact that this is primarily delivered as a lecture course, individual weekly participation and “engagement” are still key components of the course and your mark. Hopefully we can have some solid discussion in the lecture, but your main opportunity to discuss and participate is in the “tutorials”/discussion groups (you will have registered in one of these groups when you registered for the course). You are expected to **attend and come prepared** to participate and contribute to your group. Your “course participation” mark is based not only on your basic attendance to these groups, but on the quality of your actual participation in the discussions and planned exercises.

As part of the tutorials/discussion groups, we will conduct and evaluate a several “**Skills Workshops**”. 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, how to read legal cases, as well as how to structure and write effective papers.

It is very important that you attend these groups! While a key function is to provide a more intimate place to discuss course material with your peers, the groups also help clarify assignment expectations and develop some of the core skills necessary to your success in this course (and beyond).

### **Outline/Thesis Exercise + Term Paper (30%)**

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

There is no grade for the Thesis/Outline Submission. Rather, completing it 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 paper structure improves papers (and paper **GRADES!**) significantly. You are strongly encouraged to submit this component for feedback. However, it is not strictly mandatory.

**NOTE: Due to the tight timelines, LATE Thesis/Outline Exercises will not normally be accepted.**

The Term Paper itself, which is due at the end of the term, asks you to summarize, synthesize and offer a position on some key issues 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 (or around 8 double-spaced pages) in length**. **The specific question, format requirements and rubric for evaluation will be outlined in the assignment sheet** (available during or before Fall Reading Week on Brightspace) and will also be discussed in more detail in class/ the groups.

**\*\*\*NOTE:** “Outside” research or sources (other than course texts and lectures) will **NOT** normally be required and are usually not encouraged in preparing the Term Paper. The paper is not a “research paper” but rather structured to demonstrate competency in structuring arguments and analysis.

### **Final Exam (30%)**

The final exam will be held during the formally scheduled exam period in December. **It will cover content for the whole term**. The exact date, time and location are centrally scheduled by the university (I’m at their whim as much as you!). The exam will likely consist of approximately 90-100 multiple-choice questions; though there may limited short-answer questions as well (if this is the case, I will inform you before the Fall Break). For the most part multiple-choice exams aim to test the breadth of knowledge you have gained in the course rather than the depth (this is what your papers are for). The specifics of the exam and tips for studying will be discussed closer to the end of term.

**SCHEDULE**

The complete **Required Reading and Lecture Topics schedule** is available on Brightspace (our online portal). 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:

<b>Fall 2022 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 7, 2022</b>	Fall term begins.
<b>September 20, 2022</b>	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
<b>October 10, 2022</b>	Statutory holiday. University closed.
<b>October 24-28, 2022</b>	Fall break, no classes.
<b>November 25, 2022</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)
<b>December 9, 2022</b>	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule (fall and fall/winter courses only).
	Last day for handing in term work and the last day that can be specified by a course instructor as a due date for term work for full and late fall courses.
<b>December 10-22, 2022</b>	Final examinations in fall courses and mid-term examinations in fall/winter courses will be held.

**PRACTICAL STRATEGIES FOR SUCCESS IN THIS (& OTHER) COURSES****1. Make a personal schedule and stick to it.**

The class structure forces you to “stay on top of” the weekly work. I know that this can be annoying but the aim is to keep you engaged but still allows for some flexibility in when you complete the work. You can’t participate if you are not attending class or the tutorial groups and contributing and this is an important part of your mark. Basic attendance keeps you engaged and prevents you from falling too far behind or feeling overwhelmed.

**2. Get it in!!!**

Aside from the term paper and exam, the stakes on any individual written component are fairly “low

stakes” (roughly 6% 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**

Your TA and I are here to help you succeed in the course. While it may feel sometimes that you are “on your own”, **you are not!** Again, your TA and I want you to succeed and so you should contact us if you are struggling. 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 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 (you will discuss “Ground rules” early on in the first groups).

## UNIVERSITY AND DEPARTMENTAL POLICIES

### DEPARTMENT POLICIES

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/>

### 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/>

### 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](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 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/equity/sexual-assault-support-services](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. <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/>

**COVID Update**

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

**Feeling sick?** Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's [symptom reporting protocols](#).

**Masks:** Carleton has paused the [COVID-19 Mask Policy](#), but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

**Vaccines:** Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca).

### **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**

#### ***Why are deadlines so important?***

I **fully understand** you have all have competing commitments and responsibilities! Some of these priorities may supersede this course and necessitate that some assignments be submitted late. This **is why there is a policy for late submissions** (in most instances)!

Meeting deadlines particularly matters 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 late this puts additional pressure on them and complicates my ability to maintain consistency in grades across the course.

**A late assignment will normally be penalized 3% per day it is late (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 Brightspace unless you are otherwise directed.

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

**\*\*\*NOTE:** Late assignment may not be graded and “returned” along normal timelines and the quantity of feedback may be affected.

**\*Extension requests\***

Extension requests must normally be communicated to me a) **in advance of the assignment deadline** and b) ideally **“in-person”** (e.g. office hours). Frantic email requests on the eve of a deadline are unlikely to receive a favorable reply. 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> (be sure to read this form carefully and check the relevant boxes).

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 until a final grade is received in the class. Students must be able to produce a copy of assignments 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!