

Course Outline

COURSE:	LAWS 2201 A—Persons and Property
TERM:	SUMMER 2022
PREREQUISITES:	LAWS 1001 and LAWS 1002
CLASS:	Day & Time: Tuesdays and Thursdays 2:35 Pm – 5:25 pm EST Room: Lectures in this course will be delivered using pre-recorded videos that will be made available through our course Brightspace page. Watch videos during the lecture period or at any time of your convenience however, I will make each lecture material available 3 days before the scheduled class. I will hold the first and the last lectures live via Zoom. Please check Brightspace for the current Class Schedule. I will be available during the lecture period (Every lecture except May 5, 26, & 31, from 2:35 pm until all presentations are complete) on Zoom. During this time, an assigned group [I will make groups and will post on Brightspace] will meet me. Zoom link for this session will be provided on Brightspace.
INSTRUCTOR:	Dr. Mohammad Hasan
TEACHING ASSISTANTS:	One to two TAs will assist me with marking related activities and will be your first point of contact. There are NO group tutorials. TAs have office hours and contact them through Brightspace email.
CONTACT:	Office Hrs: By appointment through Zoom. Check in Brightspace for my Zoom link. Let me know by email if you would like to talk with me. Allow 36 hours for a reply. No replies on weekends or evenings. Email: MohammadHasan@cunet.carleton.ca

CALENDAR COURSE DESCRIPTION

Origins and scope of the concept of the person in law and how concepts of legal personality change over time. Origins and scope of the concept of property and how concepts of property change over time.

COURSE DESCRIPTION

This course examines two broader concepts of private law—Person and Property. It includes the discussion of the origins and scope of the concept of person and property and how concepts of legal personality and concepts of property change over time. The course emphasizes the idea of legal personhood as constituting the legal subject and the idea of property as the legal object. The personhood of women, slaves, children, and corporations is studied along with origin stories, purposes, and types of property in Canada.

Throughout the term, we will explore questions including: What is the ‘legal person’? Why does this construct matter (and to whom)? Who has or has not been a legal person (over time), and thus seen as capable of autonomous legal action and ownership? What is property as a legal construct? What can be owned, by whom, and on what terms? Who or what has been classified as (public or private) property and thus seen as giving rise to claims to exclude others and extract revenue from it? The course will also emphasize the role played by the state in the ordering of private law relations.

COURSE MODALITY & TECHNICAL REQUIREMENTS

This course is an online course where the instructor and students share information, ideas, and learning experiences in a virtual course space. Asynchronous courses do not have live, scheduled meetings online. However, students are expected to remain up to date with the deadlines and due dates provided by the instructor. These courses require high-speed Internet access and a computer.

LEARNING OBJECTIVES

Upon successful completion of the course, students will be able to:

- Define the legal concepts of person and property;
- Explain how the concepts of person and property constitute a taxonomy/framework by which law approaches ownership and decision-making;
- Investigate theoretical concepts related to persons and property in private law and key legal materials such as cases and legislation/statutes;
- Analyze and assess different aspects of legal inclusion and exclusion through personhood, property, and ownership using socio-legal concepts;
- Assess and critique the current categorization of persons and property in light of its adequacy to manage current challenges related to persons and property arising from corporate dominance, reconciliation with Indigenous peoples, ecosystem, and climate change.

REQUIRED TEXTS

T. Brettel Dawson, *Persons, and Property in Private Law*, THIRD EDITION (North York, Captus Press, 2019).

This is the only textbook we will follow throughout the semester. Make sure you have purchased the

THIRD EDITION of the book. The Casebook book is available as an **e-book or in print**. Please order directly in the format you prefer from Captus Press (at a discounted price to cover some of the shipping cost). Please order using the following secure link to buy the in-print book. <https://secure.captus.com/checkout/offer.aspx?OfferID=1440>

For term-based online streaming eBook (available for purchase in the week of April 18, 2022):
<http://www.captus.com/information/eBook.htm>

Select Carleton University, and you will find the following item:

LAWS2201 - Fall- Persons and Property in Private Law, 3e

Second-hand copies may be available at Haven Books or the University Bookstore but do not buy the second edition of the Casebook as it was significantly updated in its current third edition.

You are expected to read about 30 pages for every lecture. To complete course assignments, you will need to have to use the Casebook readings. Since reading is mandatory in this course, get the book as early as possible. You will not be granted any extension excusing that you have no book or wrong edition.

EVALUATION

Standing in a course is determined by the course instructor subject to the approval of the Department and 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.

Every student in this class must complete the following assessment criteria for full evaluation:

- 1. Presentation and Written Reflection: 15%**
- 2. Progress Report: 5%**
- 3. 5 Reading and Lecture Quizzes: 25%**
- 4. Mid-term Exam: 20% [May 26]**
- 5. Final Take-home Exam: 35% [TBA. To be scheduled during the formal examination period.]**

Total: 100%

Presentation and Written Summary [15%]: I plan to hold a Live Presentation Session during our class time for meeting a group. The session starts at 2:35 pm and continues until all presentations are completed. You must join the session at the beginning. I will make groups of 6-8 students each and a scheduled group will meet me during the session. You will be assigned a reading to present for 7 to 10 minutes during this session. I will post the list of groups with the first lecture materials of our class. If you don't see your name on the list yet (due to late registration), let me know ASAP so that I can assign you to a group and you will be able to present. You will be required to present only once throughout this short semester. To do this, you will read an assigned reading, make a summary of the reading, and present it during the live session. This is a great opportunity for both students and instructors to

communicate with each other and analyze the topics more effectively. You need to address the following questions while presenting:

During your presentation, you need to tell the audience (me and other students):

1. Who is the author or if it is a case, cite the case name?
2. What is the reading about? Make a summary.
3. How the reading is relevant to Persons or Property?
4. Why do you think the reading you are presenting is relevant to our course?

In addition to the presentation, you are required to submit a summary and critical reflection of your works and the presentation slide (in a single document) based on the questions posed above for your presentation. To submit this written portion, you must complete your scheduled presentation. I will create a submission portal or dropbox for each group where you will submit your written document before your assigned presentation. Your summary should not exceed 350 words.

The oral presentation is worth 10% each. The written summary and critical reflection are worth 5%.

Progress Report: [5%]:

Brightspace has a great option to see how many contents and percentages each student has reviewed and completed. You will be assessed out of 5% based on your activities (lecture materials and other components) of this course on Brightspace. Since you are registered for this course, you are required to complete course contents and assessments. This is an easy mark.

5 Reading and Lecture Quizzes [25%]:

For assessing a better understanding of the reading and lecture materials, you will be required to complete online quizzes. The quizzes may be comprised of true/false, multiple-choice, or other forms of quiz questions. There may be 10 questions you should answer for each quiz. A total of 6 quizzes [May 10, 17, 24, 31, June 7, & 14] will be available and you must attend at least 5 quizzes. Each of the quizzes is worth 6%, for a total of 30% of the total grade. To get the full 5% on each quiz, you must have at least 10 correct answers. So, 0.5 points for each correct answer and no deduction for the wrong answer. For example, if you have 9 correct answers, you will receive 4.5 points, 8 correct answers for 4 points, 4 correct answers for 2 points, 2 correct answers for 1 point, and 1 correct answer, you will receive 0.5 points. You are allowed to attempt a quiz once only. Missed quizzes cannot be made up.

Each quiz will be posted and made available for you on Brightspace 72 hours before the scheduled quiz and you can complete each quiz any time before the due time. For example, the FIRST quiz will be posted on Brightspace on May 8 (Sunday) at 12:01 am or after, and you can complete the quiz any time before 11:59 pm on May 10 (Tuesday). This example applies to all assigned quizzes. **More information is outlined in the class schedule.** Please ensure that you have a secure and reliable internet connection when completing the quizzes as they will be timed. Start your quiz after reading the reading materials and reviewing the lecture materials. Once the quiz starts online, students will have 30 minutes to complete all

10 quiz questions. They will be marked automatically, and students will receive their results through Brightspace.

Mid-term Exam: [20%]: (Lectures 1-6)

The mid-term exam will include some short conceptual questions and multiple-choice and true-false questions to answer. Students will be responsible for all the required readings and cases, as well as the material covered by the lectures. However, greater emphasis will be placed on materials covered in the first half (Lectures 1 to 6) of the course. Further information will be provided later in the term. You are expected to answer 20 multiple-choice and true-false questions and 5 short questions for this mid-term exam during a 60-minute window. You can not copy any materials from the book or other sources. You must write answers on your own.

The mid-term exam will be held on May 26 during the class time between 3:00 pm and 4:00 pm.

Final Take-home Exam [35%]: [Lectures 7-12]

The final exam will be in essay format. You will be asked to answer two to three long questions during the examination period. Please note that the Final Exam in this course will be scheduled by Examination Services at a later date.

Please note: All evaluation components must be successfully completed in order to get a passing grade

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late Penalty

Late submission will be penalized. Assignments submitted later than the due date will be penalized 5% per day of the total value of the assignment. For example, if an assignment worth 20% of the total course grade is a day late, 1 point out of 20 (or 5% per day) will be deducted. If you miss the final exam due to unavoidable circumstances such as illness and other compassionate grounds, please inform your course instructor as soon as possible.

Extension

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. So, write to me directly if you have any unavoidable circumstances such as illness and other compassionate grounds. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor before the assignment due date. <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf> . **Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

SCHEDULE

There are three types of learning strategies that will be followed for this course. First, students are responsible for all assigned readings. I suggest students read the required reading material before each scheduled lecture. Secondly, students should review lecture slides posted on Brightspace, Thirdly, students should carefully watch recorded lecture videos and take notes, although the contents may focus on a limited number of these readings. I will make sure all lecture materials are available for them to read, review and watch at least 3 days before the scheduled lecture time.

Lectures	Topic	Readings	Assessments	Online Presentation
Lecture 1 May 5	Live session via Zoom [This session will be recorded and posted on Brightspace later] Overview of the course: Identify the concepts Introduction: Persons, Property, and Legal Ordering	Discussion on the syllabus, learning objectives, and assessments. Chapter 1		
Lecture 2 May 10	The Legal Person Constructed Foundational Categories Legal Personification in Theory and Practice	Chapter 2	Quiz 1 [Chapter 1 & 2]	Group 1
Lecture 3 May 12	Women: Property, Person, and Place Women's historical exclusion from public and professional roles (not considered included in the term 'persons') and Women's historical exclusion from property ownership (if married).	Chapter 3		Group 2
Lecture 4 May 17	Legal Person/Human Body Possessing the self (body) in law Medical decision-making	Chapter 4	Quiz 2 [Chapter 3 & 4]	Group 3
Lecture 5 May 19	Legal Personality and Decision-Making: Beginnings Children	Chapter 5		Group 4

	Medical decision-making			
Lecture 6 May 24	Beyond the Human Being: Legal Personality and Non-Human Entities This lecture focuses on the legal status of the corporation (history, theory, critique).	Chapter 6	Quiz 3 [Chapter 5 & 6]	Group 5
Lecture 7 May 26	The Idea of Property Concept, Rationales, Definitions Case Study: Property and Power	Chapter 7	Mid-term exam on May 26 (Chapters 1-6) [3:00 pm to 4:00 pm]	No presentation
Lecture 8 May 31	Private Property (Mainly) Origin Stories I: Private Property Case Study: Becoming Property (or Not)	Chapter 8	Quiz 4 [Chapter 7 & 8]	No presentation
Lecture 9 June 2	Troubling the Boundaries of Private Property The Commons Property and Conservation	Chapter 9		Group 6
Lecture 10 June 7	Public Property/Indigenous Land: Parks and Wilderness Origin Stories II: Public (Crown) land in Canada Case Study: Non-Ownership/Co-Governance	Chapter 10	Quiz 5 [Chapter 9 & 10]	Group 7
Lecture 11 June 9	Eco-Systems, Reconciliation, and Legal Categories Property or Person? Non-ownership?	Chapter 11		Group 8
Lecture 12 June 14	Live session via Zoom [Will be recorded] Conclusion: From Blackstone to	Chapter 12	Quiz 6 [Chapter 11 & 12]	Group 9

	Berry – Revising Categories (Taxonomies) of Person and Property			
	Exam review class			

Summer 2022 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
May 5, 2022	Early summer and full summer classes begin.
May 20, 2022	Last day to withdraw from early summer and full summer courses with a full fee adjustment. Withdrawals after this date will result in a permanent notation of WDN on the official transcript.
May 23, 2022	Statutory holiday. University closed.
June 10, 2022	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.
June 17, 2022	Last day of early summer classes (NOTE: full summer classes resume July 4)
June 18-19, 2022	No classes or examinations take place.
June 20-26, 2022	Final examinations in early summer courses and mid-term examinations in full summer courses may be held. Examinations are normally held all seven days of the week.
June 26, 2022	All take home examinations are due on this day, with the exception of those conforming to the Examination Regulations in the Academic Regulations University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
July 1, 2022	Statutory holiday. University closed.
July 4, 2022	Late summer classes begin. Full summer classes resume.
July 22, 2022	Last day to withdraw from late summer courses with a full fee adjustment.
August 1, 2022	Statutory holiday. University closed.
August 9, 2022	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.
August 17-18, 2022	No classes or examinations take place.

August 19-25, 2022	Final examinations in late summer and full summer courses may be held. Examinations are normally held all seven days of the week.
August 25, 2022	All take home examinations are due on this day, with the exception of those conforming to the Examination Regulations in the Academic Regulations University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements:

<https://carleton.ca/law/student-experience-resources/>.

PLAGIARISM

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/>.

COVID-19 PREVENTION MEASURES

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: On the recommendation of Ottawa Public Health, Carleton will be maintaining the mandatory

[COVID-19 Mask Policy](#) until further notice. The policy requires masks to be worn in all university buildings, including offices, classrooms and labs.

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.

ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy Obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For 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 where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.