
COURSE:	LAWS3903A – Selected Legal Topics: Sport, Law and Society
TERM:	FALL 2020
PREREQUISITES:	1.0 credit in LAWS at the 2000 level.
CLASS:	Day & Time: Tuesday, 14:35-17:25. Please note <u>all course content is delivered asynchronously</u> . Pre-recorded lectures will be posted on CU Learn. Room: All Courses in the Fall 2020 term are offered online.
INSTRUCTOR: (CONTRACT)	Bridgette Desjardins
CONTACT:	Office: N/A (all online) Office Hrs: Virtual office hours held via Zoom, Tuesday from 4:30-5:30pm Additional meetings can be scheduled by appointment. Email: Bridgette.desjardins@carleton.ca
TEACHING ASSISTANT:	Garry Balaganthan (garrybalaganthan@cmail.carleton.ca)

CALENDAR COURSE DESCRIPTION

Selected topics in law and legal studies.

COURSE DESCRIPTION

This course explores how sport is informed by, and in turn informs, law, policy, and other forms of governance. Topics include sport and the law, violence, social regulation, and social change, as related to professional and amateur sport as well as sport fandom.

REQUIRED TEXTS

None – all materials are available on CU Learn.

COURSE INSTRUCTION METHOD

Pre-recorded lectures will be posted to CU Learn each week. Students can view lectures at their leisure, and participate in the online discussion forum any time during the week. All graded elements of this course are asynchronous. Note that students are able to attend live, virtual office hours if they desire 'face to face' communication. Office hours are held each Tuesday, from 4:30-5:25pm, via zoom.

EVALUATION

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.

Evaluation Scheme

Participation and attendance: worth 20%:

- Weekly, asynchronous, via discussion boards on CU Learn

Response Paper 1, worth 15%:

- Due by Saturday, 17 October 2020, 11:59 PM

Response Paper 2, worth 15%:

- Due by Tuesday, 10 November 2020, 11:59 PM

Paper Proposal, worth 15%:

- Due by Tuesday, 24 November 2020, 11:59 PM

Final Essay, worth 35%:

- Due by Friday, 11 December 2020, 11:59 PM

Explanation of Evaluations

Class participation and attendance: 20%

Given that this course is being held online, facilitating a space where students can engage deeply with the course material, and with each other, is crucial. As such, ongoing participation is important in this course. Students will be expected to write at least one, preferably several, posts on the CU Learn discussion forum each week. The instructor will post at least three discussion questions each week, and students can choose which questions to respond to. Students are also able to ask their own discussion questions, and are encouraged to engage with each other's responses.

Students are encouraged to connect their comments critically to course content, current events, and personal experiences. While personal and political opinions may be shared, it is expected that students will ground their opinions in course content. Naturally, students will have differences in opinion, but keep in mind that all communication is expected to be respectful and considerate. Hateful, hurtful, and inflammatory remarks are not acceptable.

Please note that students need only participate in 10/12 weeks to receive full marks (meaning that each week students have the option to earn 2 marks). A further explanation of how participation is graded will be given during course lectures and the policy will be posted in CU Learn.

Response Paper 1, 15%:

The first response paper should be 3-4 pages in length, and is due Saturday, October 17, 2020. The instructor will post a question which the student will answer in the response paper. The student should draw on course materials only to write their response (no external research is needed). The purpose of the response papers is to encourage deep engagement

with course content, and therefore students should attempt to link concepts between readings and critically evaluate the content.

Response Paper 2, 15%:

The second response paper should be 3-4 pages in length, and is due Tuesday, November 10, 2020. The instructor will post a question which the student will answer in the response paper. The student should draw on course materials only to write their response (no external research is needed). The purpose of the response papers is to encourage deep engagement with course content, and therefore students should attempt to link concepts between readings and critically evaluate the content.

Paper Proposal, 15%:

Students will be expected to submit a proposal outlining the content of their final paper on Tuesday, November 24, 2020. This proposal should be 3-5 pages in length, and will discuss a sport related policy selected by the student. In this proposal the student will identify their chosen policy, describe the areas of the policy they intend to critique, and provide an annotated bibliography of several academic sources that inform their critique. Further instructions will be provided on CU Learn.

Final Paper, 35%:

After receiving comments on the essay proposal, students will proceed to complete their final paper, which is due on December 11, 2020. The paper should be 10-12 pages long and include: a description of the policy they have chosen to critique; a section identifying problematic areas of the policy, drawing on academic sources to support their critique; and suggested amendments to the policy, drawing on academic sources to support their suggestions. Further details will be provided on CU Learn.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension.

To request an extension:

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>.

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).

Penalty for papers submitted late (without a pre-arranged extension):

5% will be deducted each day that an assignment is late (example: a paper submitted 3 days late will have 15% deducted). As the extension policy is quite generous students should submit a request for extension if they fear that they will be delayed in submitting assignments.

SCHEDULE**Week 1, September 15-21:** Introduction to the course

- Watch, “**What is Sport?**” by Jeff Montez de Oca:
<https://www.youtube.com/watch?v=EBhUHZrr5IE>

Week 2, September 22-28: Introduction to Sport and Law

- McLaren, R. H. (2019). **Chapter 4: Canada.** In A. Gurovits (Ed.), *The Sports Law Review* (5th ed., pp. 36–46). Law Business Research Ltd.
- Berman, M. N. (2018). **Why Sport Illuminates Law (and Vice Versa).** *New York Law School Review*, 63(2), pp. 235–250.

Week 3, September 29-October 5: Introduction to Sport, Law, and Governance

- Jonson, P. T., Thorpe, D. (2019). **Legal and regulatory aspects of sport governance.** In *Routledge Handbook of Sport Governance* (pp. 35–52). Routledge.
<https://doi.org/10.4324/9780429440250-3>
- Grix, J., Harris, S. (2016). **Governance and Governmentality of Sport.** In *Routledge Handbook of Sport and Politics* (pp. 1-15). Routledge.

Week 4: October 6-12: Introduction to Sport, Law, and Policy

- Houlihan, B. (2016). **Sport Policy-Making.** In *Routledge Handbook of Sport and Politics* (pp. 16-27). Routledge.
- Sam, M.P., Schoenberg, G. (2020). **Government policy and sport governance: Canada, New Zealand and Australia.** In *Routledge Handbook of Sport Governance* (pp. 65-78). Routledge.
- Frisby, W., Thibault, L., Cureton, K. (2015). **Multiculturalism and Federal Sport Policy in Canada.** In *Routledge Handbook of Sport Policy* (pp. 106-116). Routledge.

Week 5: October 13-19: Sport and Human Rights

- Donnelly, P. (2008) **Sport and human rights.** *Sport in Society*, 11(4), pp. 381-394, DOI: 10.1080/17430430802019326
- Schwab, B. (2018). **‘Celebrate Humanity’: Reconciling Sport and Human Rights Through Athlete Activism.** *Journal of Legal Aspects of Sport*, 28(1), pp. 170-207.

ATTN: Response Paper 1 is due Saturday, October 17, 2020!

Week 6: October 20-26: Regulating Sport Violence

- Young, K. (2012). **Player Violence: The drift to criminalization.** In *Sport, Violence and Society* (pp. 18–41). Routledge.
- R. v. Miletic 2020 BCPC 154

- Findlay, H. (2002). **Violence in Sport: Policy Considerations for the Amateur Sport Organization**. *Sport Law & Strategy Group*. <https://sportlaw.ca/violence-in-sport-policy-considerations-for-the-amateur-sport-organization/>

Week 7: October 27-November 2: READING WEEK – NO CLASS!

Week 8: November 3-9: Sport Violence and Injury

- TBD

Week 9: November 10-16: Analyzing Sport Policy

- Szto, C., McKegney, S., Mahkwa (Bear) Auksi, M., & Dawson, B. (2020). **Policy Paper for Anti-Racism in Canadian Hockey**. https://hockeyinsociety.files.wordpress.com/2020/02/policypaper_anti-racisminhockey_execsummary_final.pdf
- **Truth and Reconciliation Committee's Call to Action #87- 91** (http://trc.ca/assets/pdf/Calls_to_Action_English2.pdf)
- Kennett, C. (2015). **The Evaluation of Sport and Social Inclusion Policy Programmes**. In *Routledge Handbook of Sport Policy* (pp. 253-263). Routledge.

ATTN: Response Paper 2 is due Tuesday, November 10, 2020!

Week 10: November 17-23: Regulating Sport Participation, Gender

- Harmon, S.H.E. (2020). **Gender Inclusivity in Sport? From value, to values, to actions, to equality for Canadian athletes**. *International Journal of Sport Policy and Politics*, 12(2), pp. 255-268.
- Safai, P. (2013). **Women in Sport Policy**. In *Sport Policy in Canada* (pp. 317-349). University of Ottawa Press.
- Spencer, D. (2020). **Non-binary athletes navigating Canadian sport with little policy help**. *The Star*. <https://www.thestar.com/sports/2020/05/26/non-binary-athletes-navigating-canadian-sport-with-little-policy-help.html>

Week 11: November 24 – 20: Regulating Sport Participation, Race

- Désir, A. M. (2020, May 8). **Ahmaud Arbery and Whiteness in the Running Community**. *Outside Online*. <https://www.outsideonline.com/2413115/ahmaud-arbery-murder-whiteness-running-community>
- Morgan, P. D. (2019, January 24). **Race, Privilege, and the Canadian Wilderness**. *The Walrus*. <https://thewalrus.ca/race-privilege-and-the-canadian-wilderness/>
- (Academic Podcast) Silva, D., & Kalman-Lamb, N. (2020). **Episode 12: Blame Canada** (No. 12). Retrieved May 25, 2020, from <https://theendofsport.podbean.com/e/episode-12-blame-canada/>

- Danford, M. & Donnelly, P. (2018). **'Racial' Representation in Canadian Interuniversity Sport: A Pilot Study**. Toronto: Centre for Sport Policy Studies, Faculty of Kinesiology and Physical Education, University of Toronto.

ATTN: Final Paper Proposal is due Tuesday, November 24, 2020!

Week 12: December 1-7: Sport and Social Change

- Parlow, M. J. (2018). **Race, speech, and sports**. *University of Richmond Law Review*, 52(4), pp. 923-940.
- Dubnewick, M., et al. (2018). **"There's a Cultural Pride Through Our Games": Enhancing the Sport Experiences of Indigenous Youth in Canada Through Participation in Traditional Games**. *Journal of Sport and Social Issues*, 42(4), pp. 207-226.
- Cloud, N. (2020). **Your Silence Is a Knee on My Neck**. *The Players' Tribune*. <https://www.theplayerstribune.com/en-us/articles/natasha-cloud-your-silence-is-a-knee-on-my-neck-george-floyd>
- Zirin, D. (2019). **Rosalie Fish Runs for the Murdered and Missing**. *The Nation*. <https://www.thenation.com/article/archive/rosalie-fish-canada-indigenous-women/>

Week 13: December 8-11: Sexual Violence and Sport

- TBD

ATTN: Final Paper 1 is due Friday, December 11, 2020

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>

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/>