

## Course Outline

---

**Please note: All previously scheduled in-person classes will be online until January 31st. After that point, we are scheduled to return to weekly in-person seminars. Online classes may be extended. Any changes would be announced by the university.**

<b>COURSE:</b>	LAWS 4302C – Regulation of Corporate Crime
<b>TERM:</b>	WINTER 2022
<b>PREREQUISITES:</b>	LAWS 2908, CRCJ 3001 or CRCJ 3002, and fourth-year Honours standing
<b>CLASS:</b>	<b>Day &amp; Time:</b> Monday 6:05pm – 8:55pm (Lectures will be pre-recorded and posted online for the first three weeks of the term. Weekly in-person seminars are scheduled for the remainder of the term. Should this change, I will share an updated plan) <b>Room:</b> Please check with Carleton Central for current room location
<b>INSTRUCTOR:</b>	Dr. Jamie Brownlee
<b>CONTACT:</b>	<b>Office:</b> B442 Loeb (Office hours will be by online appointment for the first three weeks of the term. Weekly in-person office hours are scheduled for the remainder of the term. Should this change, I will share an updated plan) <b>Office Hrs:</b> Monday 1:00pm – 2:00pm <b>Telephone:</b> 613-899-2193 <b>Email:</b> <a href="mailto:jamiebrownlee@cunet.carleton.ca">jamiebrownlee@cunet.carleton.ca</a>

---

### CALENDAR COURSE DESCRIPTION

Legal, policy and theoretical perspectives on the regulation of corporate crime. Nature and causes of corporate crime. Selected case studies on the role of the state in regulating corporate behaviour. Failure of the criminal justice system to respond to corporate crime.

### COURSE DESCRIPTION

This course critically examines the nature, scope and impact of corporate crime in Canada and around the world. A key focus of the course is how the modern, for-profit corporation functions as a social institution whose existence and capacity to operate depends upon the law. We will analyze the legal and administrative frameworks that define and regulate corporate crime, and use examples and case studies to illustrate the limitations associated with existing laws and regulations against corporate criminality. We will also explore how, in some cases, the law is not only limited in its ability to constrain corporate crime, it actually facilitates it. Throughout the course, we will examine the problem of corporate crime within the context of political and economic power relations, including how corporate actors influence political and legal systems and the policy-making process. Students will be encouraged to think critically about the socio-economic conditions that underlie corporate crime and to identify opportunities for engagement with these issues beyond the boundaries of the classroom.

## **REQUIRED TEXTS**

Students are not required to purchase books or a course pack for this course. All assigned readings will be available through Brightspace.

## **COURSE EVALUATION**

### 1. ***CLASS PARTICIPATION, ATTENDANCE & PRESENTATION*** **25%**

This is a reading intensive course. Students are strongly encouraged to keep up with the assigned readings and come to class prepared to discuss them. This is also a student-driven course, meaning that students are expected to be active participants. The grade for this requirement will be distributed over a variety of kinds of participation throughout the term, including class participation (e.g., raising questions and making observations related to the readings, thoughtful engagement with the ideas expressed by others), attendance and a presentation.

**Presentation:** Each seminar participant will be expected to present on the readings and facilitate seminar discussions once during the term. The presentations will be done in groups. The purpose of the presentation is to briefly review and analyze the main arguments and themes in the readings, and then encourage class discussion. Group presentations should be approximately 15 minutes.

**Please note:** The in-class presentations are scheduled to begin the **fourth week of the term**, in keeping with the current plan to return to in-person classes after January 31st. For weeks two and three of the class, students can earn attendance/participation grades by submitting a short, one-page reflection paper of their key takeaways from the lectures and readings. Additional details on this requirement will be provided during the first lecture.

Should classes remain online beyond January 31st, presentations would be done online. Additional details will follow once plans are confirmed.

### 2. ***SHORT ASSIGNMENT, DUE FEBRUARY 7<sup>TH</sup>*** **20%**

This short assignment paper will give students the opportunity to analyze a corporation's record as it relates to corporate crime. The paper should be approximately 6-7 double-spaced pages. Late papers will be penalized 5 percent per day. Additional information will be provided in class.

3. ***CRITICAL REACTION PAPER, DUE ON THE SELECTED WEEK*** **20%**

The critical reaction paper will involve writing approximately 6-7 double-spaced pages on all of the readings from one of the weeks during the term. The paper should briefly summarize the main themes and arguments of the readings and then *analyze* the arguments within them. The point of the paper is to allow for a more sustained engagement with a topic that especially interests you. No other sources are expected to be used in the writing of this paper. Please note that for the critical reaction paper: (i) students are required to choose one of the weeks when they are *not* presenting on the readings; and (ii) students are required to choose a set of readings from one of the first 11 weeks (not week 12).

4. ***FINAL PAPER, DUE APRIL 11TH*** **35%**

Students will select their own topic, understanding that it must be relevant to the issues addressed in the seminar. While the paper can engage with some of the weekly readings, it must also reference additional academic sources. It should be approximately 12-15 double-spaced pages. Papers will be graded on the quality of your research and writing, strength of your analysis and arguments, and your ability to situate your arguments within existing debates. Students are encouraged to discuss paper topics with me at any point during the term. Late papers will be penalized 5 percent per day. Additional information will be provided in class.

Please retain a **copy** of all work that is submitted.

### **GRADES**

In accordance with the Carleton University Undergraduate Calendar, the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 57-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50			

WDN = Withdrawn from the 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.

**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. 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).

## **COURSE SCHEDULE**

### **WEEK ONE – JANUARY 10<sup>TH</sup>**

#### **INTRODUCTION**

- Introduction to the course: overview, themes, lectures, readings, and assignments
- Presentation schedule

### **WEEK TWO – JANUARY 17<sup>TH</sup>**

#### **THE INDUSTRIAL REVOLUTION, PRIVATE PROPERTY AND THE RISE OF THE MODERN CORPORATION**

##### ***READINGS***

- Jeremy Rifkin. 1991. “A Private Nature” in *Biosphere Politics: A New Consciousness for a New Century*. New York: Crown. pp. 38-47.
- Douglas Hay. 2019. “Working Time, Dinner Time, Serving Time: Labour and Law in Industrialization” in *The Class Politics of Law*. Halifax: Fernwood. pp. 151-170.
- Joel Bakan. 2004. “The Corporation’s Rise to Dominance” in *The Corporation: The Pathological Pursuit of Profit and Power*. Toronto: Viking. pp. 5-27.

### **WEEK THREE – JANUARY 24<sup>TH</sup>**

#### **CORPORATE CITIZENSHIP, CRIMINOGENIC PERSONHOOD AND THE PROMISE OF CORPORATE SOCIAL RESPONSIBILITY**

##### ***READINGS***

- Joel Bakan. 2004. “Business as Usual” in *The Corporation: The Pathological Pursuit of Profit and Power*. Toronto: Viking. pp. 28-59.
- Joel Bakan. 2020. “The New Corporation” in *The New Corporation: How ‘Good’ Corporations are Bad for Democracy*. Toronto: Allen Lane. pp. 7-35.
- Harry Glasbeek. 2017. “The Shareholder as Toxin” in *Class Privilege: How Law Shelters Shareholders and Coddles Capitalism*. Toronto: Between the Lines. pp. 64-82.

**WEEK FOUR – JANUARY 31<sup>ST</sup>****GLOBALIZATION, DEREGULATION AND THE RISING POWER OF BIG BUSINESS****READINGS**

- Wayne Ellwood. 2015. “The Corporate Century” in *Globalization: Buying and Selling the World*. Oxford: New Internationalist. pp. 68-93.
- Joel Bakan. 2020. “The Corporate Liberation Movement” in *The New Corporation: How ‘Good’ Corporations are Bad for Democracy*. Toronto: Allen Lane. pp. 59-90.
- Harry Glasbeek. 2017. “Cooking the Books” in *Class Privilege: How Law Shelters Shareholders and Coddles Capitalism*. Toronto: Between the Lines. pp. 17-28.

**WEEK FIVE – FEBRUARY 7<sup>TH</sup>****CRIME IN THE STREETS VERSUS CRIME IN THE SUITES: POLICING, PROSECUTION AND PUBLIC PERCEPTION****READINGS**

- Paul Leighton and Jeffrey Reiman. 2014. “A Suitable Amount of Street Crime and a Suitable Amount of White-Collar Crime: Inconvenient Truths about Inequality, Crime and Criminal Justice” in *The Routledge Handbook of International Crime and Justice Studies*. New York: Routledge. pp. 302-324.
- Dawn Rothe and David Kauzlarich. 2016. “Media, Culture, and Crimes of the Powerful” in *Crimes of the Powerful: An Introduction*. London: Routledge. pp. 18-32.
- Harry Glasbeek. 2002. “Corporate Deviance and Deviants: The Fancy Footwork of Criminal Law” in *Wealth by Stealth: Corporate Crime, Corporate Law, and the Perversion of Democracy*. Toronto: Between the Lines. pp. 118-143.

**WEEK SIX – FEBRUARY 14<sup>TH</sup>****AIDING AND ABETTING THROUGH ADVERTISING AND PUBLIC RELATIONS: IMPLICATIONS FOR CHILDREN, CONSUMERS, AND EVERYDAY UNDERSTANDINGS OF ‘CRIME’****READINGS**

- Sheldon Rampton and John Stauber. 2001. “Packaging the Beast” in *Trust Us, We’re Experts!* New York: Penguin Putnam. pp. 99-119.
- John Stauber and Sheldon Rampton. 1995. “Smokers’ Hacks” in *Toxic Sludge is Good for You: Lies, Damn Lies and the Public Relations Industry*. Monroe, ME: Common Courage Press. pp. 25-32.

- Sharon Beder. 2009. “Turning Children into Consumers” in *This Little Kiddy Went to Market: The Corporate Capture of Childhood*. London: Pluto Press. pp. 6-22.

**\*FEBRUARY 21<sup>ST</sup> – WINTER BREAK, NO CLASS\***

**WEEK SEVEN – FEBRUARY 28<sup>TH</sup>**

**UNSAFE PRODUCTS / UNSAFE PRODUCTION: EXAMINING CORPORATE VIOLENCE IN THE CONTEXT OF HEALTH AND SAFETY CRIMES**

**READINGS**

- Laureen Snider. 2015. “Safety Crimes” in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 50-73.
- Steven Bittle, Steve Tombs and David Whyte. 2019. “Corporate Killing Personified: Twisting the Corporate Hand to Fit Inside the Criminal Glove” in *The Class Politics of Law*. Halifax: Fernwood. pp. 114-134.
- Sheldon Rampton and John Stauber. 2001. “Dying for a Living” in *Trust Us, We’re Experts!* New York: Penguin Putnam. pp. 75-98.

**WEEK EIGHT – MARCH 7<sup>TH</sup>**

**UNDERMINING ECOLOGICAL SUSTAINABILITY: ENVIRONMENTAL CRIME AND REGULATION**

**READINGS**

- Rena Steinzor. 2015. “The Environment” in *Why Not Jail? Industrial Catastrophes, Corporate Malfeasance, and Government Inaction*. New York: Cambridge University Press. pp. 149-182.
- Laureen Snider. 2015. “Environmental Crimes” in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 23-49.
- Natural Resources Defence Council. 2014. “Tar Sands Crude Oil: Health Effects of a Dirty and Destructive Fuel.” NRDC Issue Brief. pp. 1-8.

**WEEK NINE – MARCH 14<sup>TH</sup>****CONFRONTING THE CLIMATE CRISIS: ASSESSING THE CRIMINALITY OF CLIMATE CHANGE AND THE CLIMATE DENIAL INDUSTRY****READINGS**

- Ronald Kramer. 2013. “Carbon in the Atmosphere and Power in America: Climate Change as State-Corporate Crime.” *Journal of Crime and Justice* 36 (2): 153-170.
- Charles Derber. 2010. “The Denial Regime” in *Greed to Green: Solving Climate Change and Remaking the Economy*. Boulder, CO: Paradigm. pp. 74-87.
- Seth Klein. 2020. “What We’re Up Against: The New Climate Denialism in Canada” in *A Good War: Mobilizing Canada for the Climate Emergency*. Toronto: ECW Press. pp. 25-56.

**WEEK TEN – MARCH 21<sup>ST</sup>****STATE-CORPORATE CRIME AND INTERNATIONAL LAW: A CASE STUDY OF AMERICAN FOREIGN POLICY AND MODERN WARFARE****READINGS**

- Jeremy Scahill. 2007. *Blackwater: The Rise of the World’s Most Powerful Mercenary Army*. New York: Nation Books. pp. 3-44.
- Barry Sanders. 2009. “Depleted Uranium” and “Bombs Away, All Day” in *The Green Zone: The Environmental Costs of Militarism*. Oakland, CA: AK Press. pp. 83-92; 95-106.
- Dawn Rothe. 2006. “Iraq and Halliburton.” In R. Michalowski and R. Kramer (eds.), *State-Corporate Crime: Wrongdoing at the Intersection of Business & Government*. New Jersey: Rutgers University Press. pp. 215-238.

**WEEK ELEVEN – MARCH 28<sup>TH</sup>****CORPORATE FRAUD, FINANCIAL REGULATION AND THE GLOBAL ECONOMIC CRISIS****READINGS**

- Lauren Snider. 2015. “Financial Crimes” in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 74-99.
- Stephen Rosoff, Henry Pontell and Robert Tillman. 2004. “Corporate Fraud” In *Profit Without Honor: White Collar Crime and the Looting of America*. New Jersey: Prentice-Hall. pp. 278-294.



- David Freidrichs. 2013. “Wall Street: Crime Never Sleeps” in *How They Got Away With It: White Collar Criminals and the Financial Meltdown*. New York: Columbia University Press. pp. 3-25.

**WEEK TWELVE – APRIL 4<sup>TH</sup>****LIFTING THE CORPORATE VEIL: CONFRONTING CORPORATE POWER AND REGULATING CORPORATE CRIME*****READINGS***

- Snider, Laureen. 2015. “Tackling Corporate Power” in *About Canada: Corporate Crime*. Halifax: Fernwood. pp. 100-125.
- Bakan, Joel. 2020. “Democracy Unbound” in *The New Corporation: How ‘Good’ Corporations are Bad for Democracy*. Toronto: Allen Lane. pp. 145-175.
- Glasbeek, Harry. 2017. “A Step Off the Road to Serfdom” in *Class Privilege: How Law Shelters Shareholders and Coddles Capitalism*. Toronto: Between the Lines. pp. 238-252.

**WEEK THIRTEEN – APRIL 11<sup>TH</sup>**

- SUBMIT FINAL PAPERS

## **UNIVERSITY AND DEPARTMENT POLICIES**

### **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/student-experience-resources/>.

### **COVID-19 PREVENTION MEASURES**

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions](#)

[\(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca)

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

### **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](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 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/>.