

Course Outline

COURSE:	LAWS 4302C – Regulation of Corporate Crime
TERM:	Winter 2023
PREREQUISITES:	LAWS 2908, CRCJ 3001, or CRCJ 3002 and fourth-year Honours standing.
CLASS:	Day & Time: Friday 11:35am – 2:25pm Room: Please check with Carleton Central for current room location
INSTRUCTOR:	Dr. Jamie Brownlee
CONTACT:	Office: A209 Loeb Office Hrs: Thursday 1:30 – 2:30pm (or by appointment) Telephone: 613-899-2193 Email: jamielbrownlee@cunet.carleton.ca

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 three kinds of participation throughout the term: class participation, attendance and a presentation.

Presentation: Seminar participants 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 presented in the readings, and then stimulate class discussion. Oral presentations should be approximately 15-20 minutes. Please note that this time recommendation refers to the length of the presentation by the entire group, not each individual student. Presentations will begin the second week of the course.

2. SHORT ASSIGNMENT, DUE FEBRUARY 17TH 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 a critically reflective paper of approximately 6-7 double-spaced pages on all the readings from one of the weeks during the term. The paper should briefly summarize some of the main 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. Papers are due on the selected week and should be submitted electronically by the end of the scheduled class time. Please note that for the critical reaction paper, students are required to choose one of the weeks when they are *not* presenting on the readings.

4. FINAL PAPER, DUE APRIL 12TH 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.

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. 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).

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.

COURSE SCHEDULE

WEEK ONE – JANUARY 13TH

INTRODUCTION

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

WEEK TWO – JANUARY 20TH

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 27TH

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 – FEBRUARY 3RD**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 10TH**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 17TH**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 24TH – WINTER BREAK, NO CLASS

WEEK SEVEN – MARCH 3RD

UNSAFE PRODUCTS / UNSAFE PRODUCTION: EXAMINING CORPORATE VIOLENCE, SAFETY CRIMES AND HUMAN RIGHTS

READINGS

- 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.
- Deneault, Alain and William Sacher. 2012. *Imperial Canada Inc.: Legal Haven of Choice for the World’s Mining Industries*. Vancouver: Talonbooks. pp. 1-7, 45-64.

WEEK EIGHT – MARCH 10TH

UNDERMINING ECOLOGICAL SUSTAINABILITY: CORPORATE 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 17TH**CONFRONTING THE CLIMATE CRISIS: ASSESSING THE CRIMINALITY OF CLIMATE CHANGE AND THE CLIMATE DENIAL INDUSTRY****READINGS**

- Charles Derber. 2010. “The Denial Regime” in *Greed to Green: Solving Climate Change and Remaking the Economy*. Boulder, CO: Paradigm. pp. 74-87.
- 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.
- 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 24TH**STATE-CORPORATE CRIME AND INTERNATIONAL LAW: A CASE STUDY OF AMERICAN FOREIGN POLICY AND MODERN WARFARE****READINGS**

- Jeremy Scahill. 2007. “Baghdad’s Bloody Sunday” in *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 31ST**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 12TH (NOTE: APRIL 12TH CLASSES FOLLOW A FRIDAY SCHEDULE)

- **SUBMIT FINAL PAPERS**

Winter 2023 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/	
January 9, 2023	Winter term begins.
January 20, 2023	Last day for registration and course changes (including auditing) in full winter and late winter courses.
February 20, 2023	Statutory holiday. University closed.
February 20-24, 2023	Winter break. No classes.
March 15, 2023	Last day for academic withdrawal from full winter, late winter, and fall/winter courses.
April 7, 2023	Statutory holiday. University closed.
April 12, 2023	Winter term ends. Last day of full winter, late winter, and fall/winter classes.
April 15-27, 2023	Final examinations in full winter, late winter, and fall/winter courses will be held. Examinations are normally held all seven days of the week.
April 27, 2023	All final take-home examinations are due on this day.

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/>.

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/>.

STATEMENT ON PANDEMIC MEASURES

It is important to remember that COVID-19 is still present in Ottawa. The situation can change at any time with the risks of new variants and outbreaks. 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, and maintaining proper respiratory and cough etiquette.

Feeling sick? Remaining vigilant and not attending work or school when sick or with symptoms is 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 should follow Carleton's [symptom reporting protocols](#).

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

Vaccines: Further, while proof of vaccination is no longer required as of May 1, 2022 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. 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.

STATEMENT ON STUDENT MENTAL HEALTH

As a university student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. Here is a list that may be helpful:

Emergency Resources (on and off campus): <https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306 5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Empower Me: 1-844-741-6389, <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>