

Course Outline

COURSE: LAWS 5001W – Legal Research and Social Inquiry

TERM: WINTER 2022

CLASS: **Day & Time:** Thursday 2:35pm – 5:25pm
 Room: Southam Hall 318 (online via Zoom until at least Jan. 28)

INSTRUCTOR: Dr. Michael Christensen

CONTACT: **Office:** C476 Loeb Building
 Office Hrs: By appointment
 Telephone: 613-520-2600 x3608
 Email: Michael.christensen@carleton.ca

CALENDAR COURSE DESCRIPTION

Introduces problems of research strategy and methods. Explores contrasting methodologies in legal research; evaluates methodologies employed in understanding legal reasoning, discourses, and practices. Includes seminars in which participants present outlines of their own research projects, focusing on methodologies and research questions.

COURSE DESCRIPTION

This course introduces students to some of the most common approaches Legal Studies scholars use to collect, interpret and critically analyze data. When scholars study social, cultural, political, or legal phenomena, they must make choices about how to approach their subjects. The range of available methodological options are always framed by the process of asking a research question, identifying sources of empirical data and reflecting on how to best interpret these in relation to existing theoretical and empirical research. It is also incumbent upon all scholars to examine their own social positions in relation to their research subjects. In this class, we will discuss the research process, the role of the researcher and the benefits and limitations of choosing different methods of inquiry. We will also discuss specific approaches, including qualitative interviews, ethnographies, and digital content analysis.

Learning Outcomes

The topics presented in this course will help students achieve the following learning objectives:

1. Learn how to design a research project and choose an appropriate methodological strategy for a given topic and research question.
2. Develop a critical understanding of how methodological choices can shape the findings of a study.
3. Learn how to read research articles in Legal Studies and identify the strengths and weaknesses of the findings based on an assessment of the methodology.

REQUIRED TEXTS

Hesse-Biber, Sharlene Nagy (2017) *The Practice of Qualitative Research*. 3rd edition. Thousand Oaks, CA: Sage Publications.

- The course text can be found at [Octopus Books](#) (116 Third Ave., Ottawa, 613-233-2589)
- All other required reading materials will be posted to Brightspace

LECTURE

Class will generally take a synchronous (live) seminar format, and will include short lectures, discussions and interactive workshops. For as long as we are online, Zoom links for each class can be found on Brightspace. I have not planned to record classes, but this can be discussed by the group in the first class.

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 Components

| <u>Type</u> | <u>Description</u> | <u>Date(s) Due</u> | <u>Weight</u> |
|-------------------------|---------------------------|--------------------|---------------|
| Application Assignments | 3 assignments @ 10 points | See below | 30% |
| Scaffolding Exercises | 3 assignments @ 10 points | See below | 30% |
| Research Proposal | 15-20 page report | April 7 | 40% |

3 Application Assignments @ 10 points each (30%)

Students will be expected to complete three application assignments during the term, which are worth 10 points each. The instructions for each assignment will be posted in the “Assignments” module on Brightspace. The “Ethics” assignment is due on **February 10**. The “Interview” assignment is due on **March 3**. The “Coding and Textual Analysis” assignment is due on **March 31**.

3 Scaffolding Exercises @ 10 points each (30%)

Students will be expected to complete three “scaffolding” assignments that will support the completion of the research proposal and are worth 10 points each. These assignments will include: a research question exercise (due on **January 27**), the submission of a draft of the research proposal coupled with a peer feedback exercise (completed in class on **March 24**), and a written presentation script which will be submitted along with the research proposal and delivered verbally on **April 7**. Specific instructions for these assignments will be posted to Brightspace.

Research Proposal (40%)

Each student is required to write a research proposal that introduces a topic, a research question and a discussion of which qualitative method(s) would be appropriate for the proposed study. The research proposal should be in the form of a 15-20 page report. The instructions for this assignment will be posted on Brightspace. The research proposal is due on **April 7**.

OPTIONAL ALTERNATIVE COMPONENT Reading Quizzes (10%)

As an optional course component, students can complete short quizzes on the weekly assigned readings. Quizzes will be posted on Brightspace and will open on Thursdays at 5:30pm and close on the following Thursday at 2:30pm the following week. There will be a quiz each week, excluding the first class for a total of 11 quizzes. Missed quizzes cannot be made up and the best possible score is a 10/10 (10 quizzes, worth 1 point each = 10%). **This 10% can then be used to replace any of the application or scaffolding assignments, OR it can be used to reduce the weight of the research proposal assignment to 30% of the grade.** Quizzes will be composed of 5 multiple choice questions and you must get at least 3 of the questions on each quiz correct in order to get full credit. Please ensure that you have a secure and reliable internet connection when completing the quizzes as they will be timed.

SCHEDULE

January 13 – Introduction to the Course

- Course Outline Review
- Booth, Wayne, Gregory G. Colomb, Joseph M. Williams (2003) *The Craft of Research*, 2nd edition. Chicago; London: University of Chicago Press. Pgs. 40-55 (Chapter 3).

January 20 – Sorting Through Different Approaches to Research

- *The Practice of Qualitative Research* (Chapter 1)
- Creutzfeldt, Naomi (2019) “Traditions of studying the social and the legal: A short introduction to the institutional and intellectual development of socio-legal studies.” In Naomi Creutzfeldt, Marc Mason & Kirsten McConnachie (eds.) *Routledge Handbook of Socio-Legal Theory and Method*. Abingdon: Routledge. Pgs. 9-34.
- Law, John (2004) *After Method: Mess in Social Science Research*. London; New York: Routledge. Pgs. 1-17.

January 27 – The Role of Theory in Research

*****SCAFFOLDING EXERCISE DUE: Research Question Exercise*****

- *The Practice of Qualitative Research* (Chapter 2)
- Martin, John Levi (2015) *Thinking Through Theory*. New York; London: W.W. Norton & Company. Pgs. 1-15.
- Sears, Alan & James Cairns (2015) *A Good Book, In Theory: Making Sense Through Inquiry*. Toronto: University of Toronto Press. Pgs. 1-24.

February 3 – Research Design and the Politics of Methodology

- *The Practice of Qualitative Research* (Chapter 3)

- hooks, bell (2004) “Culture to Culture: Ethnography and Cultural Studies as Critical Intervention.” in Sharlene Nagy Hesse-Biber & Patricia Leavy (eds.) *Approaches to Qualitative Research*. Oxford; New York: Oxford University Press. Pgs. 149-158.
- Burgis-Kasthala, Michelle (2016) Scholarship as Dialogue? TWAIL and the Politics of Methodology. *Journal of International Criminal Justice* 14: 921-937.

February 10 – Research Ethics

*****APPLICATION ASSIGNMENT DUE: Ethics Assignment*****

- *The Practice of Qualitative Research* (Chapter 4)
- Benson, Michaela (2015) “On Goffman: Ethnography and the Ethics of Care.” In *The Sociological Review* (blogpost). <https://www.thesociologicalreview.com/on-goffman-ethnography-and-the-ethics-of-care/>
- Campos, Paul (2015) “Alice Goffman’s Implausible Ethnography.” In *The Chronicle of Higher Education*. September, section B: 6-16.
- Pittaway, Eileen et al. (2010). “‘Stop Stealing Our Stories’: The Ethics of Research with Vulnerable Groups” in *Journal of Human Rights Practice*. 2(1): 229-251.

February 17 – Interview Research

- *The Practice of Qualitative Research* (Chapter 5)
- Pugh, Allison (2013) “What Good are Interviews for Thinking About Culture? Demystifying Interpretive Analysis” in *American Journal of Cultural Sociology*. 1(1): 42-68.
- Jerolmack, Colin & Shamus Khan (2014) “Talk is Cheap: Ethnography and the Attitudinal Fallacy” in *Sociological Methods & Research*. 43(2): 178-209

February 24 – Winter Break

March 3 – Ethnographic Research

*****APPLICATION ASSIGNMENT DUE: Interviewing Assignment*****

- *The Practice of Qualitative Research* (Chapter 7)
- Geertz, Clifford (1973) “Deep Play: Notes on the Balinese Cockfight” in *The Interpretation of Cultures*. New York: Basic Books/Harper Collins. Pgs. 412-453.
- Ewick, Patricia & Susan S. Silbey (1998) *The Common Place of Law*. Chicago; London: University of Chicago Press. Pgs. 3-15; 33-56

March 10 – Case Studies

- *The Practice of Qualitative Research* (Chapter 8)
- Burawoy, Michael, et al. (1998) *Global Ethnography: Forces, Connections, and Imaginations in a Postmodern World*. Berkley; London: University of California Press. Pgs. 1-35
- Flyvbjerg, Bent (2006) “Five Misunderstandings About Case-Study Research.” In *Qualitative Inquiry*. 12(2): 219-245.

March 17 – Media Research and the Challenge of Digital Data

- *The Practice of Qualitative Research* (Chapter 9)

- Langlois, Ganeale, Joanna Redden & Greg Elmer (eds.) (2015) *Compromised Data: From Social Media to Big Data*. New York; London: Bloomsbury. Pgs. 1-14.
- Marres, Noortje (2017) *Digital Sociology: The Reinvention of Social Research*. Cambridge; Malden, MA: Polity Press. Chapter 3 (“Do We Need New Methods?”)

March 24 – Data Analysis and Interpretation

SCAFFOLDING EXERCISE: Draft Proposals Due

- *The Practice of Qualitative Research* (Chapter 11)
- *The Practice of Qualitative Research* (Chapter 12)

March 31 – Mixed Methods and the Logic of Quantitative Approaches

APPLICATION ASSIGNMENT DUE: Coding and Textual Analysis

- *The Practice of Qualitative Research* (Chapter 10)
- Khan, Shamus & Dana R. Fisher (2014) *The Practice of Research: How Social Scientists Answer Their Questions*. Oxford; New York: Oxford University Press. Pgs. 50-70.

April 7 – Futures of Inquiry

RESEARCH PROPOSALS DUE

SCAFFOLDING EXERCISE: Presentation Scripts Due

- Smith, Linda Tuhiwai (2012) *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd edition. New York: Zed Books. Pgs. 44-60.
- Denzin, Norman K. (2019) “The Death of Data in Neoliberal Times.” In *Qualitative Inquiry*. 25(8): 721-724.
- Gerrard, Jessica, Sophie Rudolph, Arathi Sriprakash (2017) “The Politics of Post-Qualitative Inquiry: History and Power.” In *Qualitative Inquiry*. 23(5): 384-394.

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 email the instructor. **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).

Late assignments will only be accepted in consultation with the instructor. As soon as you know that you will not be able to turn in an assignment on time, please contact me. All other late assignments will be assessed a standard late penalty of 5% per day.

***Important: all assignments should be submitted via Brightspace. It is your responsibility to upload assignments BEFORE the deadline and in readable formats that are compatible with the Brightspace system (e.g. PDF, .docx, etc.).

OTHER COURSE POLICIES

How to succeed in this course during the COVID-19 pandemic

Taking courses online can be very difficult so here are a few tips that will help you succeed in this course:

- **Stay on top of the course schedule:** This course includes a series of workshops that are designed to build your skills and culminates in a research proposal assignment. The assignments, on their own may not be too challenging, but if you get behind on assignments, it can be much harder to make them all up at once.
- **Attend class as much as possible.** This is a seminar style course and much of the learning will take place in our discussions in class. You will also have the opportunity to workshop your project ideas, and receive feedback on your assignments in class. For all these reasons, interaction in class will be one of the most important components of the course.
- **Manage your expectations.** This course was designed for both in-person and online delivery, but online courses are not for everyone. The level of interaction will not be comparable to traditional in-person classes and you will be required to do more work to organize and motivate yourself. Understanding these limits and challenges will help you avoid frustration and will lead to you getting the most out of this course.

Communication

For questions about accommodations or other personal concerns, please email the instructor (me). My standard policy is that I will try to respond within 48 hours during the week. Please use your Carleton email account for correspondence related to the course in order to ensure a response.

For all matters related to registration or program standing, please contact the department office.

Accommodations and Student Well-Being

There are many things that can come up during the course of a term that affect student well-being and I will be happy to work with you to ensure that you can both manage your well-being AND be successful in this course. Please contact me or any of the campus services listed below with any issue as early as possible. Accommodations become much more difficult after the fact.

General Policies

This course outline is a provisional document and the instructor reserves the right to change its contents based on the needs of the course.

Students are responsible for reading this document and being aware of all due dates and requirements listed herein.

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 more details, visit the Equity Services website: <https://carleton.ca/equity/accommodation/academic/students/>

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 Equity Services website: <https://carleton.ca/equity/accommodation/academic/students/>

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/students/accommodations/>

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/sexual-violence-support/>

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://carleton.ca/equity/accommodation/academic/>

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.

<http://carleton.ca/law/current-students/>