## Course Outline

<table>
<thead>
<tr>
<th>COURSE:</th>
<th>LAWS 5001 X – Legal Research and Social Inquiry</th>
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<tbody>
<tr>
<td>TERM:</td>
<td>Winter 2018</td>
</tr>
<tr>
<td>CLASS:</td>
<td>Tuesdays 8:35 – 11:25 am</td>
</tr>
<tr>
<td>Day &amp; Time:</td>
<td></td>
</tr>
<tr>
<td>Room:</td>
<td>Please check with Carleton Central for current room location</td>
</tr>
<tr>
<td>INSTRUCTOR:</td>
<td>Sheryl Hamilton</td>
</tr>
<tr>
<td>CONTACT:</td>
<td></td>
</tr>
<tr>
<td>Office:</td>
<td>Loeb 463C or 1206 Richcraft Hall</td>
</tr>
<tr>
<td>Office Hrs:</td>
<td>By appointment</td>
</tr>
<tr>
<td>Telephone:</td>
<td>X1975 or X1178</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:Sheryl.hamilton@carleton.ca">Sheryl.hamilton@carleton.ca</a></td>
</tr>
</tbody>
</table>

### 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 more details visit the Equity Services website: [http://carleton.ca/equity/](http://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 Equity Services website: [http://carleton.ca/equity/](http://carleton.ca/equity/)

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).* **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website ([www.carleton.ca/pmc](http://www.carleton.ca/pmc)) for the deadline to request accommodations for the formally-scheduled exam *(if applicable).*

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at [http://carleton.ca/equity/](http://carleton.ca/equity/)

### 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: http://carleton.ca/studentaffairs/academic-integrity/

Student Services

The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

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/

COURSE DESCRIPTION

This course takes as its problematic relations of knowing, specifically in relation to law, culture and society. Methodology, research design, and methods are at the heart of scholarly work, including graduate work, and yet they are often assumed, ignored, feared, unarticulated, and/or unproblematised. This course invites students to think critically about the nature of research and how we do it.

This course will study issues and practices of qualitative methodology in legal studies research at the epistemological, theoretical, and empirical levels. A combination of seminar and workshop, we will explore both questions of methodology (the privilege of the author, the ‘problem’ of rigour, different knowledge communities, the status of the ‘the object,’ self-reflexivity, and so on), as well as more practice-oriented questions of method (the relationship between methodology and method, interviewing and participant observation, treating different types of legal objects, working with ‘human subjects,’ scholarly ethics, activism and research, and so on). We will obviously not be able to treat every method that you could use in your own research, but we will explore a range of different approaches and orientations.

More importantly, we will explore the challenges and the pleasures of being a researcher and doing research.

COURSE OBJECTIVES

There are five objectives for this course:
To facilitate students in transitioning from their identities as knowledge consumers to knowledge producers;

To assist students in developing research designs suitable to their own research projects and goals;

To expose students to a range of different methods that they can use in their own research;

To enable students to integrate issues of methodology and method into their theoretical, social, cultural and political commitments; and

To encourage and support critical thinking about, and analysis of methodological issues in, the students’ own research and the work of other scholars.

COURSE MATERIALS

All readings are available through CULearn.

EVALUATION

All components of the evaluation must be completed in order to pass the course. 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. For further guidance as to standards, please see Appendix 1 for a grading guidelines policy adopted by the Department of Law and Legal Studies.

There will be six modes of evaluation in this class:

Seminar Participation 20%
Presentation of Intellectual Biography P/F
Methodological Analysis of Academic Article 15%
Discussion Questions on Readings 20%
Observation – Analysis and Presentation 20% (15% for analysis and 5% for presentation)
Working with a Corpus – Journal and Presentation 25% (20% for journal and 5% for presentation)

Seminar Participation

This course will operate as a seminar. You are expected to participate thoughtfully in the discussions through posing questions, offering examples, sharing relevant experiences, and critically analyzing the course materials and your own position. Each student will be evaluated on their participation in the seminar. Participation includes having done the assigned readings every week, being prepared to discuss them in an informed manner, making constructive interventions to facilitate the production of group knowledge, and listening to colleagues with attention and respect. The expectation in graduate school is that every week you will have completed all of the readings in a careful manner that enables their critical discussion in class.

Class begins at 8:35 and concludes at 11:25; please respect those times. Attendance in graduate seminars is mandatory and absences are exceptional. You cannot pass the class if you have missed three sessions or more
without documented reasons.

Unless your cell phone needs to be on the table for reasons of an emergency situation, your phone should be stowed during class time. Laptop computers should be used for class purposes only. Use of technology for any other purpose is distracting to you and to your colleagues and will result in a grade of 0 for participation.

Throughout the course you will be asked to make yourself vulnerable through not merely discussing academic readings in the abstract, but by relating academic literature to questions that you want to research and issues that are of interest to you. This is not always easy and we will not all agree. We are, however, all expected to work to make the classroom environment a space of respect where everyone feels comfortable sharing their research, their questions, and their views. If, at any time, you are not comfortable in the class, please speak to me as soon as possible so that we can address the situation.

Presentation of Intellectual Biography

Each of us comes to the research projects that we do for a variety of reasons. Some of these reasons may include past teachers or professors who motivated us, books or articles that we have read that have inspired us, the programs in which we have chosen to study, or events in the world around us. As well, however, our intellectual work is shaped by our more personal biography, including how we understand our selves, our identity, our communities, and our life experiences. These factors can impact the kinds of scholarly questions we want to ask and how we want to explore the process of finding possible answers to those questions. Students will be asked to present their intellectual biographies to the class on either January 23rd or January 30th. Presentations should be limited to 5 minutes. I will have to time these strictly given the class size, so please practice your presentation before class in order to ensure you respect the time limit. Not only will these help us to get to know each other better and see where each other is “coming from” in our future discussions, it will hopefully stimulate in each student a process of intellectual self-reflection that will make their research stronger.

Methodological Analysis of Academic Article

Select a piece of academic writing that is one of your favourites – because it convinces you, entertains you, frustrates you, intimidates you, angers you, etc. – and write a brief paper (approx. 5-7 pages, double-spaced) analyzing its methodology and method(s). Identify the author’s epistemological assumptions, the methodology and methods used, how the methodology and method(s) relate to the theoretical choices made by the author, and the implications of the design of the research for the kind of knowledge produced. Note that these assumptions are not always well articulated or justified in some academic writing. As well, analyze what role the methodology and method(s) play in your intellectual and affective response to the piece. These will be due on February 13th.

Discussion Questions on Readings

Each student will be responsible for preparing questions to animate a critical intellectual discussion of the readings and the issues they present in a particular week. This should take the form of three questions as follows:

1. one question which selects a specific passage from one of the readings and offers a series of probes to unpack, trouble, engage, elaborate upon, etc. that author’s point. This can be a passage with which you are confused, annoyed, stimulated, thrilled, etc. but should be complex enough to warrant our specific attention;
2. one question which draws critical epistemological or theoretical connections across a number (but not necessarily all) of the articles for that week (and/or to earlier weeks’ readings); and
3. one question which selects an instance, event, or phenomenon to illustrate the issue(s) upon which that week’s materials are focused and enables an application of some of the ideas, critiques, concepts, and so on from the readings to the “real life” instance selected. The example may be selected to elaborate upon,
critically engage with, illustrate or trouble the points in the readings. It can be in any medium and/or genre.

Feel free to draw upon an array of media in preparing your questions. Students are responsible for securing and operating the technological resources necessary for their presentation.

In addition to any visual aids which you may be using, please provide a handout for the class with your questions for our reference.

Questions should be prepared to elicit analysis, not opinion or belief and should not be answerable by “yes” or “no” or “good or bad.” The objective of this component of the evaluation is to showcase your ability to read critically, to make connections to other ideas and to the world around you, and to creatively engage with intellectual writing of varied sorts. This is not an exercise in describing the readings. All presentations should begin from the premise that all members of the class have read the readings carefully and are ready to discuss them critically at a sophisticated intellectual level.

Given time constraints and class enrollment, we may not get to discuss all of your questions, but you will be graded on all of them. Sign up will take place during the second class.

Observation Analysis and Presentation

Part of being an effective researcher is attuning oneself to the questions that the world around us offers. This assignment focuses on careful observation and the generation of a research question from the observation and reflection.

Students should select a public space/location off campus that is suitable for observation, where it will pose no disruption to the activities in that space, where your activity will not negatively impact any of the individuals in that environment. Sites provided for or involving vulnerable subjects are not appropriate for this assignment. The observation may be mobile (i.e. walking) or situated. The location should be selected in conjunction with the development of a question about the legal power dynamics of that particular location. Possible appropriate sites include: a shopping mall, a public court room or administrative hearing, a library, an art gallery or museum, a coffee shop or restaurant, a grocery store. Please have your location approved by me prior to conducting the observation. You should plan on a 1-2 hour observation. You should not record the activities of that space in any way. You should, however, take detailed notes, ideally as you conduct the observation. You may wish to read the Wolfinger reading from February 27th to assist you with this process.

After reviewing your notes, please write up a 5-7 page (double-spaced) analysis and reflection on your observation. You should begin with describing what occurred and beginning to put an analytic language on those observations. Then you might ask yourself some questions about the site and your own process and role as an observer. Some questions to guide you include:

- what did the space look like and how was it structured? Did the physical environment impact what occurred in that place?
- what people did you notice during your analysis and how did they act? Did their actions impact what occurred in that space?
- how did activity unfold over time in the environment you observed? Did temporality impact the occurrences in that space?
- how might you characterize what took place in that space (e.g. conflictual, cooperative, symbolic, mercenary, ritualistic, etc.?)
- was anything that took place in that space able to typologized or placed on a spectrum of observable activity?
- how did you feel during your period of observation? Did this change over the period of observation?
and why?
- how did your presence impact what occurred in the space, if at all?
- what challenges did you encounter, if any?
- what was interesting about this space?
- did anything surprise you?
- having conducted your preliminary observation, what further research questions might you develop in relation to this space?

Please use these questions only as a guide for beginning to analyze your observation and to organize your notes. Your analysis and reflection should not take the form of a set of responses to these questions. Not all of these questions may make sense for your particular observation context. Each observation will generate unique questions and observations. No external research is required for this assignment.

Your written notes and analysis are to be submitted on March 6th and you will be asked to make an 8-10 minute presentation to the class about your experience on either March 6th or March 13th.

Working with a Corpus – Journal and Presentation

Things legal do not happen only in the courtroom, in cases and legislation, or at the police station. Legal knowledge and knowledge of law is also produced and reproduced in various cultural locations. This assignment asks you to think about how we represent legal issues in public and popular discourse and how we might ‘see’ and ‘know’ those representations. It is about the interpretive processes whereby we translate textual traces we can find in everyday life into an analyzable corpus of material.

You begin by selecting a focused legal issue of interest to you. If you plan to complete either a thesis or research essay as part of your M.A. degree, your issue would ideally relate to that work. Next, decide a cultural location where you can see that issue being talked about or worked out: an archive, a public hearing, the Twitterverse, the press, a television series, films, the tabloid press, Instagram, a social marketing campaign, a set of novels or self-help books, etc. I recommend speaking to me briefly about your selection of topic and discursive site before collecting your material. You should determine the key parameters (time, jurisdiction, story arc, etc.) of your inquiry, thinking about your justifications for those choices. You then collect all the materials that meet your parameters – in other words, you produce a corpus of materials for analysis (e.g. the Canadian quality press coverage of the Ghomeshi case; the federal government’s video campaign in response to the “opioid crisis,” the first season of the BBC series Humans, all the right wing GIF’s circulating about immigrants on Facebook from Trump’s election until now, etc.). You should then immerse yourself in your materials, looking for patterns relevant to the issue/questions that are of interest to you, and coming up with a preliminary coding scheme for making some sense of it. Then work through your materials a second or third or even fourth time, refining your coding scheme and identifying further issues and patterns. In other words, play in your corpus in a focused, purposive and methodical manner. Be attentive to temporality, to repetition, to authority, to narratives, to key metaphors or assumptions, to absences as well as presences, to central figures or images, and so on.

Keep a research journal throughout the entire process recording your thought process to choose an issue, your choices in the production of your corpus (including its size and nature), your reflections throughout, your coding schemes and how they changed and became more refined, and your preliminary analytic observations based on your handling of the material. Find five academic sources that relate specifically to your corpus, preliminary findings, and/or issue and discuss how they might be applied to your proto-analysis. Your journal can be either handwritten or digital, depending upon how you are working.

Your journal is due on April 10th and you will make a 8-10 minute presentation to the class on that day discussing your process and what you learned.
**Special Needs**

If you have any other special needs as a student not addressed or not addressed adequately by existing policies, and that would benefit from an informal accommodation for you to maximize your learning experience (employment, travel, child or elder care, etc.), please speak to me at the beginning of the term so that we can arrange a mutually satisfactory approach to meeting the course requirements and objectives.
**SCHEDULE**

**January 9**  
**Introduction: Thinking About Relations Among Knowers, Knowing, and Knowledge**

**January 16**  
**The Problem of, and Problems with, Objectivity**


**January 23**  
**On Being a Scholar**


**Presentations of Intellectual Biographies**

**January 30**  
**On Reading Like a Scholar**


Presentations of Intellectual Biographies

February 6  On Writing Like a Scholar


February 13 – Research, Originality and Knowledge Communities: The Literature Review


Methodological Analyses of Academic Articles are due!

February 20  Spring Break

February 27  Participating in/Observing the Legal in Space and Place


March 6  Narratives in and of Law and Culture


Observation Analyses are Due!

Presentations of Observation Analyses

March 13 – Activism and/as Method


Presentations of Observation Analyses

March 20 – Talk as method: Interviewing


**March 27 – Scholarly Ethics and Ethics Review**


**April 3 Visualizing Law and Thinking About Aesthetics**


**April 10 Presentations on Journals and Course Wrap-up**

**Working with a Corpus Journals are due!**

**Presentations of Journals**
Appendix 1: GRADING

The grades (and their meaning) are governed by Carleton University regulations on the relationship between percentages and letter grades as well as rules on what counts as a passing grade. In addition, the Department of Law and Legal Studies has passed the following table that connects letter grades to levels of demonstrated research competency.

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<tr>
<th>Grade</th>
<th>Percentage</th>
<th>Description</th>
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<tbody>
<tr>
<td>A+</td>
<td>90-100</td>
<td>Exceptional work that is technically sound and original. Work demonstrates insight, understanding and independent application or extension of course expectations; often of publishable quality.</td>
</tr>
<tr>
<td>A</td>
<td>85-89</td>
<td>Very good work that demonstrates a very high level of integration of materials/relevant scholarship. Work shows insight, understanding and independent application or extension of course expectations.</td>
</tr>
<tr>
<td>A-</td>
<td>80-84</td>
<td>Quality work that represents a high level of integration, comprehensiveness and complexity, as well as proficiency of relevant techniques/concepts.</td>
</tr>
<tr>
<td>B+</td>
<td>77-79</td>
<td>Satisfactory level of integration, comprehensiveness, and complexity; demonstrates a sound level of analysis with some weaknesses.</td>
</tr>
<tr>
<td>B</td>
<td>73-76</td>
<td>Unsatisfactory work that represents below a basic level of integration of key concepts/procedures. Comprehensiveness or technical skills may be lacking.</td>
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<tr>
<td>B-</td>
<td>70-72</td>
<td>Does not fulfill the course expectations. Work reveals deficiencies in knowledge, understanding or techniques.</td>
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<tr>
<td>C+ C</td>
<td>67-69</td>
<td>Unacceptable work at the graduate level. Represents an unacceptable level of integration, comprehensiveness and complexity.</td>
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<tr>
<td>C- D</td>
<td>60-59</td>
<td>(Carleton University requirements: “A grade of B- or better must normally be obtained in each course credited towards the master’s degree” and a grade of B- must be obtained in each course credited towards the PhD. Grades below B- may result in the student’s removal from the Program. See <a href="http://calendar.carleton.ca/grad/gradregulations/administrationoftheregulations/#11">http://calendar.carleton.ca/grad/gradregulations/administrationoftheregulations/#11</a>)</td>
</tr>
<tr>
<td>F</td>
<td>0-49</td>
<td>Fail. Unsatisfactory performance, even though student completes course requirements including submission of final paper/completion of final exam.</td>
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