

**Department of Law and Legal Studies  
Carleton University**

**LAWS 4106 – Law and Violence  
Course Outline**

**Term:** Fall 2024

**Class Date & Time:** Monday 11:35-2:25pm

**Location:** Please see course schedule or Brightspace for details.

**Prerequisites:** LAWS 2908 or PAPM 3000 and fourth-year honors standing.

**Enrolment:** 35 students.

**Instructor:** Meg D. Lonergan [she/they]

**Email:** [meg.lonergan@carleton.ca](mailto:meg.lonergan@carleton.ca)

**Office Hours:** Please email for an appointment

**Brightspace link:** <https://brightspace.carleton.ca/d2l/home/290276>

**Course Calendar Description**

**LAWS 4106 [0.5 credit]**

**Law and Violence**

*Examination of how law defines, justifies, and addresses individual, collective and state violence: contemporary and historical case studies; theoretical inquiries into the relationship between law, legality and different forms of violence.*

This fourth-year seminar course is a critical examination of law and violence. In this course we will explore how law defines, justifies, and perpetuates violence; how law seeks to address violence; different forms of violence; and key debates related to the overarching theme of law and violence. Is there a paradox at the heart of the relationship between law and violence? Law both enables and is a form of violence. Violence is often understood as necessary not only to the modern state's capacity to guarantee order, predictability, and maintain the rule of law - it is also implicated in dispossessing, excluding, and targeting specific populations through legal systems. How do systems and practices of law encounter, produce, and justify violence? Throughout the term, we will explore the complex relationship between law and violence and its multiple manifestations through the emergence of narratives, norms, procedures, resistance and more. What is the relationship between law and justice with regards to violence? In approaching these issues, we will engage with a diversity of theoretical texts and topics that demonstrate the complexity of that relationship, its defining aspects to our political imagination, as well as its centrality to our everyday lives.

## LAWS 4106A—Law and Violence (Fall 2024)

### Content Warning

As the course title and description suggest, this course deals with content and conversations that some students may find difficult or uncomfortable. Students who find global politics, harm, politics, pornography, violence, victimization, and death difficult to engage with in academic spaces may wish to enroll in a different course.

While discussions in seminar are expected to be engaged in with mutual respect and a generous spirit; *there is no safe space in the university as an institution. Learning can be and often is an uncomfortable process.* Students are encouraged to contact the instructor with any questions or concerns, to make use of campus resources, and practice self-care regularly throughout the term.

### Texts

All required readings will be available via Brightspace under the week they are assigned for.

### Carleton University Grading Scale

<b>A+</b>	90-100	<b>B+</b>	77-79	<b>C+</b>	67-69	<b>D+</b>	57-59	<b>F</b>	0-49
<b>A</b>	85-89	<b>B</b>	73-76	<b>C</b>	63-66	<b>D</b>	53-56		
<b>A-</b>	80-84	<b>B-</b>	70-72	<b>C-</b>	60-62	<b>D-</b>	50-52		

### Assignments & Course Evaluation Breakdown

*You do not start with 100% and receive dedications, rather, you start at 0% and earn marks.*

All components must be completed to pass the course:

- **Active participation and regular attendance of seminar**
  - 20% cumulative
- **Reading reflections**
  - 7 minimum reading reflections with discussion questions
  - 20% (best 5 marks, 4% each)
  - Due Sundays by 4pm
- **Paper proposal**
  - 20%
  - Extensive feedback will be given to help set up success on the final paper
  - Due Sunday, November 3<sup>rd</sup> by 4pm
- **Final paper**
  - 40%
  - 10-12 pages; building off paper proposal
  - Due on designated take-home exam day per University Exam Services December 21<sup>st</sup> by 6pm

## LAWS 4106A—Law and Violence (Fall 2024)

### Active seminar participation: 20% of grade

- *Attendance is not participation; attendance is passive, whereas participation is active*
- Further details and rubrics available on Brightspace
- Satisfactory/Not satisfactory grading scheme
- *Good: 20% towards final grade*
- *Passable: 10%*
- *Unsatisfactory: 0%*

### Reading Reflections: 20%

- Due Sunday by 4pm the evening before the seminar for which the readings are assigned
- Late submissions will not be accepted
- Further details and rubric available on Brightspace
- Must complete 7 submissions (you're welcome to submit more to bolster your mark on this assignment)
- Each submission must discuss at least 2/3 readings assigned for the week and one discussion question submitted for seminar discussion
- Feedback will be given each week

### Paper proposal: 20% of grade

- Further details and rubrics available on Brightspace
- Satisfactory/Not satisfactory grading scheme
- *Satisfactory: 20% towards final grade*
- *Unsatisfactory: 0%*
  - Unsatisfactory grades may resubmit for 10% for completion of correcting issues explained in feedback given on original proposal

### Final paper: 40% of grade

- Please see Brightspace for rubrics and further details
- **Title page:** Creative title, name and student number, date submitted, course code and information
- **Body:** 10-12 pages in length (1-inch standard margins, double-spaced, size 12 Times New Roman font, must be submitted in Word .doc format)
- Must use minimum of 4 course readings and a minimum of 4 additional academic sources
- **Citations and references:** APA, ASA, or McGill citation styles (no MLA); references to be listed on separate page (not counted as part of page count; must be listed alphabetically by author's last name)
- *Due on designated take-home exam day per University Exam Services by 6pm.*

**Please refer to the course schedule in this syllabus to ensure you are keeping on top of all assignments, deadlines, and readings.**

## Course Schedule

### September 9<sup>th</sup>

#### Week 1: Introduction to Law and Violence

- Course syllabus and Brightspace page
  - *Question: What do we mean when we talk about “law” and “violence”?*

Austin, J. L. (1962). “Lecture I,” in *How to do things with words*. Oxford University Press, pp. 1-12

### September 16<sup>th</sup>

#### Week 2: Critiques

Benjamin, Walter. (1996). “A critique of violence,” in Marcus Bullock and Michael W. Jennings (eds.)’s *Walter Benjamin: Selected Writing Volume 1, 1913-1926*. Cambridge, Mass.: Harvard University Press, pp. 236-252.

Linnemann, Travis. (2022). “The unthinkable world,” in *The Horror of Police*. Minneapolis: University of Minnesota Press, pp. 195-219.

Smith, Andrea. (2012). The moral limits of the law: Settler colonialism and the anti-violence movement. *Settler Colonial Studies*, 2(2), 69-88.

### September 23<sup>rd</sup>

#### Week 3: Addressing Violence Through Law

Ashley, Florence. (2018). Don’t be so hateful: The insufficiency of anti-discrimination and hate crime laws in improving trans well-being. *The University of Toronto Law Journal*, 68(1), 1-36.

Bogosavljević, Katarina., and Kilty, Jennifer M. (2023). Prosecuting and propagating emotional harm: The criminalisation of HIV nondisclosure in Canada. *Canadian Journal of Law and Society*, 38(1), 109-128.

Bruckert, Chris., and Law, Tuulia. (2018). “Sexual assault: Laws, scripts, and victim blaming,” in *Women and gendered violence in Canada: An intersectional approach*. University of Toronto Press, pp. 109-149.

### September 30<sup>th</sup>

#### Week 4: Citizenship and Nation

Anderson, Benedict. “Cultural roots,” and “The origins of national consciousness,” in *Imagined Communities: Reflections on the Origin and Spread of Nationalism*. London: Verso, pp. 9-46.

Arendt, Hannah. ([1952] 2017). “The decline of the nation-state and the end of the rights of man,” in *Origins of Totalitarianism*. UK: Penguin Classics, pp. 348-396.

## LAWS 4106A—Law and Violence (Fall 2024)

### October 7<sup>th</sup>

#### **Week 5: Colonialism and Imperialism**

Anker, Elisabeth R. (2020). ‘White and deadly’: Sugar, slavery, and the sweet taste of freedom. *Theory & Event*, 23(1), 169-206.

Fanon, Frantz. (1963). “Concerning violence,” in *The Wretched of the Earth*. New York: Grove Press, pp. 1-38.

Mackey, Eva. (2014). Unsettling expectations: (Un)certainly, settler states of feeling, law, and decolonization. *Canadian Journal of Law and Society*, 29(2), 235-252.

### October 14<sup>th</sup> Stat Holiday

### October 21-25<sup>th</sup> Reading Week

### October 28<sup>th</sup>

#### **Week 6: A Swashbuckling Case Study**

Mabee, Bryan. (2009). Pirates, privateers and the political economy of private violence. *Global Change, Peace & Security*, 21(2), 139-152.

Mann, Itamar. (2020). The right to perform rescue at sea: Jurisprudence and drowning. *German Law Journal*, 21, 598-619.

Robinson, Paul H., and Robinson, Sarah M. (2023). “Lesser evils: Cannibalism at sea,” in *American Criminal Law*. Routledge, pp. 145-156.

#### Optional substitution for Mabee (2009):

Kelly, Michael J. (2013). The pre-history of piracy as a crime & its definitional odyssey. *Case Western Reserve Journal of International Law*, 46, 25-42.

### November 4<sup>th</sup>

#### **Week 7: Bodily Autonomy and Legal Regulation**

Bogdanoski, Tony. (2009). Every body is different: Regulating the use (and non-use) of cosmetic surgery, body modification and reproductive genetic testing. *Griffith Law Review*, 18(2), 503-528.

Granger, Christophe. (2024). Rule matters. *Historical Social Research*, 49(2), 172-194.

Khan, Ummni. (2014). “The legal fondling of s/m practice,” in *Vicarious kinks: S/M in the socio-legal imaginary*. University of Toronto Press, pp. 236-310.

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**November 11<sup>th</sup>**

### **Week 8: Law As Violence**

Colin, Dayan. (2011). "Civil death," in *The Law is a White Dog: How Legal Rituals Make and Unmake Persons*. Princeton, NJ: Princeton University Press, pp. 39-70.

Foucault, Michel. (1978). "Right of death and power over life," in *The History of Sexuality, Volume I: An Introduction*. New York: Pantheon Books, pp. 135-159.

Mbembe, Achille. (2003). Necropolitics. *Public Culture*, 15(1), 11-40.

**November 18<sup>th</sup>**

### **Week 9: Punishment and Torture**

Adeleye, Nkem. (2021). The death row phenomenon: A prohibition against torture, cruel, inhuman and degrading treatment. *San Diego Law Review*, 58(4), 875-902.

Bargu, Banu. (2017). The silent exception: Hunger striking and lip-sewing. *Law, Culture and the Humanities*, 1-28.

Renic, Neil C. (2018). Justified killing in an age of radically asymmetric warfare. *European Journal of International Relations*, 25(2), 408-430.

#### Optional substitution for Adeleye (2021):

Bradford, Caycie D. (2010). Waiting to die, dying to live: An account of the death row phenomenon from a legal viewpoint. *Interdisciplinary Journal of Human Rights Law*, 5(1), 77-97.

**November 25<sup>th</sup>**

### **Week 10: Representation**

Beutin, Lyndsey P. (2023). There's a trafficking jam on the underground railroad: Black abolitionist icons and anti-trafficking media. *Feminist Media Studies*, 23(8), 3884-3900.

Frazer, Elizabeth., and Hutchings, Kimberly. (2011). Avowing violence: Foucault and Derrida on politics, discourse and meaning. *Philosophy and Social Criticism*, 37(1), 3-23.

Saunders, Kevin W. (1996). "The concept of obscenity," in *Violence as obscenity: Limiting the media's First Amendment protection*. Durham, Duke University Press, pp. 63-85.

#### Optional substitution:

Watson, Thomas. (2013). There's something rotten in the state of Texas: Genre, adaptation and *The Texas Vibrator Massacre*. *Journal of Adaptation in Film & Performance*, 6(3), 387-400.

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**December 2<sup>nd</sup>**

**Week 11: Witnessing**

Butler, Judith. (2004). “Violence, mourning, politics,” in *Precarious life: The powers of mourning and violence*. New York: Verso, pp. 19-49

Mowatt, Rasul A. (2018). Black lives as snuff: The silent complicity in viewing Black death. *Biography*, 41(4), 777-806.

Sontag, Susan. (2003). “Chapter 1 & 2,” in *Regarding the Pain of Others*. New York: Picador.

**December 6<sup>th</sup> follows a Monday schedule.**

**Week 12: Final Paper Workshop**

**Take home exams due December 21<sup>st</sup> by 6pm.**

**Email Correspondence Policy**

Please be sure communications are sent from your Carleton email address. I try to reply to emails within 72 hours, not including weekends and statutory holidays. If you do not receive a reply to an email after 72 hours, please do send a follow up email, it may have gotten lost in the dark depths of my inbox.

Email correspondence is expected to reflect a professional and respectful tone. You may find sample email formatting on the Brightspace page.

**Late Penalties and Extension Policy**

Please be sure to ask for extensions as far in advance as is foreseeable. Asking in advance demonstrates organization and planning. Sometimes unforeseeable things do happen, of course, so please let me know if situations arise and you need accommodations.

Assignments submitted late without notice (or a pre-arranged extension) will be penalized 5% per day. Assignments more than 7 days late may not be accepted.

**Academic Integrity and Plagiarism**

The University Academic Integrity Policy defines plagiarism as “presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.” This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

***Examples of plagiarism include, but are not limited to:***

- *any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT)*
- *using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment*
- *using another’s data or research findings without appropriate acknowledgement*
- *submitting a computer program developed in whole or in part by someone else, with or without modifications, as one’s own*
- *failing to acknowledge sources with proper citations when using another’s work and/or failing to use quotations marks.”*

**Plagiarism is a serious offence that cannot be resolved directly by the course’s instructor.**

The Associate Dean of the Faculty follows a rigorous [process for academic integrity allegations](#), including reviewing documents and interviewing the student, when an instructor suspects a



violation has been committed. *Penalties for violations may include a final grade of “F” for the course.*

**Students in this course are prohibited from:**

- submitting substantially the same piece of work from another course
- use of AI tools, such as ChatGPT
- There is no group work component in this course.

**Grade Appeals and Final Grade Approval**

University policies regarding grade appeals (both informal and formal) can be found here: <https://carleton.ca/registrar/appeal-of-grade/>. Please email your T.A. first (if they marked your assignment) and then follow up with the instructor if a satisfactory resolution is not found.

Standing in a course is determined by the course instructor subject to the approval 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 Dean.*

**Student Mental Health**

As a 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. For more information, please consult <https://wellness.carleton.ca/>”

***Emergency Resources (on and off campus)***

- Suicide Crisis Helpline: call or text 9-8-8, 24 hours a day, 7 days a week.
- For immediate danger or urgent medical support: call 9-1-1

***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: call 613-238-3311, text 343-306-5550, or connect online at <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: call 613-722-6914 or toll-free 1-866-996-0991, or connect online at <http://www.crisisline.ca/>
- Empower Me Counselling Service: call 1-844-741-6389 or connect online at <https://students.carleton.ca/services/empower-me-counselling-services/>
- Good2Talk: call 1-866-925-5454 or connect online at <https://good2talk.ca/>
- The Walk-In Counselling Clinic: for online or on-site service <https://walkincounselling.com>

**Requests for Academic Accommodations**

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website ([students.carleton.ca/course-outline](https://students.carleton.ca/course-outline)).

Please contact me with any questions or concerns as soon as possible.