

## Course Outline

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<b>COURSE:</b>	<b>LAWS 1001 B – Introduction to Legal Studies I</b>
<b>TERM:</b>	<b>Fall 2024</b>
<b>PREREQUISITES:</b>	<b>None</b>
<b>CLASS:</b>	<b>Day &amp; Time: Fridays 11:35 am - 1:25 pm</b> <b>Room: Please check Carleton Central for current Class Schedule</b> <b><i>In person. Lecture.</i></b>
<b>INSTRUCTOR:</b>	<b>Sebastien Malette, Ph.D.</b>
<b>CONTACT:</b>	<b>Office Hrs: Loeb D591</b> <b>By appointment via Brightspace (Zoom) or in person.</b> <b>Office hour: Friday 1:45pm to 2:45pm.</b> <b>TAs information on Brightspace</b> <b>Telephone: 613-520-2600 x. 3681 (emails are preferred)</b>  <b>Email: <a href="mailto:Sebastien.malette@carleton.ca">Sebastien.malette@carleton.ca</a></b>
<b>BRIGHTSPACE:</b>	<b><a href="https://brightspace.carleton.ca/d2l/home/290210">https://brightspace.carleton.ca/d2l/home/290210</a></b>

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### CALENDAR COURSE DESCRIPTION

Introduction to legal studies: concepts, sources, nature and functions of law; historical, cultural and constitutional foundations of Canadian legal system; common and civil law traditions; statutory interpretation; precedent; legal institutions; frameworks for analyzing formal and informal conceptions of law and its role in society. Precludes additional credit for LAWS 1000 (no longer offered).

### COURSE DESCRIPTION

This course is designed to provide an introduction to the field of Canadian legal studies. As such, it has two main objectives.

The first objective is to provide a basic knowledge of the formal foundations of law and the legal system in Canada. Students will learn about the sources of formal law in Canada, the structure and function of legal institutions, the process of law-making and the various actors in the legal process. As well, students will be introduced to important areas of substantive law (such as criminal law, constitutional law, and contract law).

The second objective of the course is to provide students with the tools to begin to think critically about the law and our legal system. Students will be introduced to various theoretical perspectives concerning what law is, how law is “made”, how we experience law, the role of law in shaping relationships between individuals and groups, as well as relations between the state and society. The ways in which the law may be manipulated to serve particular societal interests will also be considered. Ultimately, students will consider the role that law plays in either advancing or inhibiting social justice and social change.

## **LEARNING OUTCOMES**

Upon successful completion of the course, students should be able to:

- Identify and explain several different theoretical frameworks that can be used to examine the different forms and roles of law within Canadian society, including both formal and informal conceptions of “law”;
- Identify, explain and critically evaluate the roles and functions of institutions and actors involved in the formal legal system;
- Recognize, explain and critically evaluate the formal process of legal rule-making, including the legislative process and judicial decision making;
- Recognize, explain and critically evaluate a cross-section of the formal legal rules and frameworks that directly affect the lives of Canadians;
- Recognize and critically evaluate the ways in which both formal and informal “law” may be used to affect the distribution of power in society and recognize different ways of assessing the relationship between law and justice and between law and social change.

**REQUIRED TEXTS**

1. Stephen Tasson, Rebecca Bromwich, Jane Dickson, Vincent Kazmierski, Bettina Appel Kuzmarov, Sébastien Malette, Umut Özsu (eds.), Introduction to Legal Studies: Foundations and Rights Protection (vol.1) Canadian Legal Studies Series (Concord: Captus Press, 2018); ISBN 978-1-55322-375-7.
2. 2. Patrick Fitzgerald, Barry Wright, and Vincent Kazmierski, Looking at Law: Canada's Legal System, 7th ed. (Toronto: Butterworths, 2019). ISBN 978-0-433-49892-6

May be purchased through the Carleton University Bookstore website:

<https://www.bkstr.com/carletonstore/home>

**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.

There are four formal evaluation components in this course: two assignments, attendance and participation in discussion groups, and a single multiple-choice examination held in the regular examination period in December 2024. Assignments must be completed and submitted electronically to the appropriate Teaching Assistant via Brightspace by 4:30 p.m. on the due date. Papers submitted in any other fashion will not be accepted; late papers will not be accepted save in the case aligning with University policies and regulations on this matter. Details of the late submission policy are outlined below.

- Assignment 1 (30%): Short essay, due October 18, 2024, by 4:30 p.m. (full details of the assignment will be posted on Brightspace).
- Assignment 2 (35%) Case Summary, due November 22, 2024, by 4:30 p.m. (full details of the assignment will be posted on Brightspace).
- Final Examination (25%) A Multiple-Choice Examination of all topics/materials covered during the Fall term, written during the formal examination period. This

assessment will occur online and may be scheduled or facilitated outside of regular class time (which can include Friday evening, Saturday or Sunday).

- Discussion Group (10%) Students will be expected to attend and participate in weekly discussion groups.

*Students who cannot attend on-campus assessments in person may apply to write their exams remotely, if they meet certain criteria. More information for instructors and students is available at <https://carleton.ca/ses/distance-exams/>.*

## **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

Late assignments will be marked down 2 marks for each day submitted after the due date (including weekend days). Extensions will only be given out in extreme circumstances.

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 short-term extensions, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/academic-consideration-coursework-form/>.

Final exam deferrals must be applied for at the Registrar's Office. Please view the following link for more information and how to apply for a deferral: <https://carleton.ca/registrar/deferral/>

For more information regarding academic consideration for short-term incapacitation (illness, injury, or extraordinary circumstances beyond a student's control), please visit the following link: <https://students.carleton.ca/course-outline/#academic-consideration-for-short-term-incapacitation>

Grade Appeals: Students who have questions about the grade they receive on an assignment or who wish to challenge the grade must contact their TA via email to request a review/appeal of their grade within one week of the posting of the disputed mark on Brightspace.

Considerations of requests for reviews/appeals, which fall outside this timeline, are solely at the discretion of the TA. Students who are not satisfied with the outcome of a grade review/appeal, or who are denied a review/appeal, may appeal that outcome or denial to the Instructor within one week of receiving the TA's determination or denial

of their review/appeal. The instructor will not generally entertain reviews/appeals of grades outside this timeline, nor consider any grade review/appeal that has not first been discussed with the TA.

## **SCHEDULE**

### **September 6, 2024. Week 1: Course Introduction**

No Readings – Review Course Outline

### **September 13, 2024. Week 2: What is Law and What Does It Do?**

Readings:

Legal Studies Course Reader, 1(a)-(b)-(c)

Looking at Law, pp. 1-12.

### **September 20, 2024. Week 3: Sources of Law in Canada**

Readings:

Legal Studies Course Reader, 2(a)-(b)

Looking at Law, pp. 23-34.

### **September 27, 2024. Week 4: Law, the State and the Constitution**

Readings:

Legal Studies Course Reader, 3(a)-(b)-(e)

Looking at Law, pp. 47-62.

**October 4, 2024. Week 5: Approaches to Law: Law, Morality and Justice**

Readings:

Legal Studies Course Reader, 5(a)-(b)-(e)-(f)

Looking at Law, pp. 12-20.

**October 11, 2024: Week 6: Approaches to Law: Legal Liberalism and Its Critics**

Readings:

Legal Studies Course Reader, 6(a)-(c)

**October 18, 2024. Week 7: Approaches to Law: Law and Society**

Readings:

Legal Studies Course Reader, 7(a)-(c)

**October 21-25, 2024. NO CLASSES. FALL BREAK**

**November 1, 2024: Week 8: Making Law I: Legislation, Administrative Decisions, Enforcement and Discretion**

Readings:

Legal Studies Course Reader, 9(a)-(d)

Looking at Law, pp. 34-40, 152-154

**November 8, 2024. Week 9: Making Law II: Judicial Decisions**

Readings:

Legal Studies Course Reader, 8(a)-(b)

Looking at Law, pp. 40-47, pp. 121-133

**November 15, 2024. Week 10: Law, Citizenship and Human Rights I**

Readings:

Legal Studies Course Reader, 10(a)-(e)

Looking at Law, pp.173-189

**November 22, 2024. Week 11 Law, Citizenship and Human Rights II – the Charter**

Readings:

Legal Studies Course Reader, 11(b)-(d)

Looking at Law, pp. 62-70

**November 29, 2024. Week 12: Catch-up Lecture and Exam Review**

<b>Fall 2024 Sessional Dates and University Closures</b>	
<i>Please find a full list of important academic dates on the calendar website: <a href="https://calendar.carleton.ca/academicyear/">https://calendar.carleton.ca/academicyear/</a></i>	
<b>September 4, 2024</b>	Fall term begins.
<b>September 17, 2024</b>	Last day for registration and course changes (including auditing) for fall, and fall/winter courses.
<b>September 30, 2024</b>	Last day to withdraw from fall term and fall/winter courses with a full fee adjustment (financial withdrawal).
<b>October 14, 2024</b>	Statutory holiday. University closed.
<b>October 21-25, 2024</b>	Fall break. No classes.
<b>November 15, 2024</b>	Last day for academic withdrawal from fall courses.
	Last day to request formal exam accommodations for fall, and fall/winter examinations to the Paul Menton Centre for Students with Disabilities.
<b>November 22, 2024</b>	Last day for summative tests or examinations or formative tests or examinations totaling more than 15% of the final grade in the fall or fall/winter before the official examination period.
<b>December 6, 2024</b>	Fall term ends.
	Last day of fall term classes.
	Classes follow a Monday schedule.
	Last day for take home examinations to be assigned.
<b>December 7-8, 2024</b>	No classes or examinations take place.
<b>December 9-21, 2024</b>	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
<b>December 21, 2024</b>	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.
<b>December 24, 2024 – January 2, 2025</b>	University closed.



## 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

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; and
- failing to acknowledge sources through the use of 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 conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

### 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.

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

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://studentcare.ca/rte/en/IHaveAPlan\\_CarletonUniversityUndergraduateStudentsCUS\\_A\\_EmpowerMe\\_EmpowerMe](https://studentcare.ca/rte/en/IHaveAPlan_CarletonUniversityUndergraduateStudentsCUS_A_EmpowerMe_EmpowerMe)
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

## **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)).

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows.

### **Pregnancy Obligation and Family-Status Related Accommodations**

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

### **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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

### **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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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/>.

### **Academic Consideration for Medical and Other Extenuating Circumstances**

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that

are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).