

## Course Outline

**COURSE:** LAWS 5903-F – Ethnography of Law: A Methods Workshop

**TERM:** Fall 2024

**PREREQUISITES:** N/A

**CLASS:** **Day & Time:** Mondays 11:35-14:25

**Room:** Loeb D492

**INSTRUCTOR:** Hollis Moore (she/her)

**CONTACT:** **Office Hrs.:** Mondays 2:30-3:30 pm & Tuesdays 9-10 am, Loeb D498.  
\*Please send an email to let me know that you will be attending office hours.

**Email:** [hollis.moore@carleton.ca](mailto:hollis.moore@carleton.ca)

### CALENDAR COURSE DESCRIPTION

A research seminar which explores a selected topic from current debates in legal studies. Students should check with the Department regarding the topic offered.

### COURSE DESCRIPTION



*A courtroom sketch in the age of Zoom  
by Lauren Foster-MacLeod. (CBC)*

Adopting an ethnographic lens, this course will offer students tools to both investigate and think critically about everyday experiences of law. Through methods training and applied learning, students will deepen their understanding of how law is lived and cultivate an ethnographic sensibility that enriches all types of legal inquiry. This workshop-style course is particularly suitable for PhD students as well as MA students considering the MA Thesis or Research Essay path because students will be able to explore topics that interest them, experiment with methods, and get a taste of independent research. This course is also appropriate for students who want to deepen their understanding of law through a different style of hands-on, applied learning.

In this experiential course, graduate students will deepen their understanding of legal phenomena (e.g., racism in courtroom culture and sex discrimination in the Indian Act) while learning how to study law empirically. Through site visits (e.g., to the Ottawa Courthouse), lab-based learning, and a series of small research projects, students will develop the knowledge and skills necessary to conduct independent qualitative research. Both ‘in the field’ and inside the classroom, students will complete regular labs in which they gain first-hand experience performing core research activities such as **systematic observation, recording fieldnotes, interviews, and coding**.



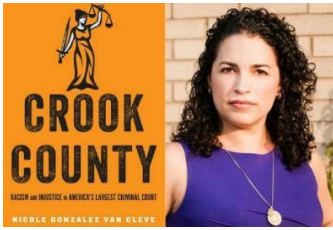
*Joanna Neborsky (NYT)*

Instead of submitting a traditional final research essay, students will have the opportunity to design and execute three small research projects throughout the term. First, students will carry out an observational study of a legal setting of their choice. Second, they will use autoethnography to investigate their own legal experiences. Finally, they will conduct interviews with legal actors, code/analyze their data, and report on their findings. In each case, there will be ample opportunity to practice skills, engage in structured self-reflection, and “workshop” ideas and techniques. In this course, we will read/discuss both compelling exemplars of ethnographic legal research and practical methods guides.

### **LEARNING OUTCOMES**

Upon successful completion of this course, students will be able to:

- ⊙ Formulate ethnographic research questions AND select research methods appropriate to answering a particular question.
- ⊙ Collect and analyze data based on interviews and observation in various settings (this includes producing fieldnotes).
- ⊙ Reflect on and discuss how different ethnographic research techniques inform our understanding of law, legality, and legal institutions in a variety of contexts.
- ⊙ Assess strengths and limitations of research projects, particularly in terms of the extent to which they exhibit an “ethnographic sensibility” or take quotidian experiences of the law into consideration.

**REQUIRED TEXTS**

Gonzalez Van Cleve, Nicole. 2016. *Crook County: Racism and Injustice in America's Largest Criminal Court*. Stanford, California: Stanford Law Books, an imprint of Stanford University Press.

- Available for purchase from [OCTOPUS Books](#).
- Although I *strongly recommend* that you acquire your own hard copy of this text (we will be reading the full book), an electronic copy is available through the Carleton library.



Gehl, Lynn. 2014. *The Truth That Wampum Tells: My Debwewin on the Algonquin Land Claims Process*. Halifax: Fernwood Publishing.

- Available for purchase from [OCTOPUS Books](#).
- Again, we will be reading the full book and I strongly recommend that you acquire your own hard copy. However, I have requested that an electronic copy be put on reserve through ARES.



Electronic Course Pack: Available through Brightspace (contains links to films and additional required readings).

**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.

Unobtrusive Observation Assignment	25%	November 1 <sup>st</sup>
Auto-Ethnographic Essay	25%	November 22 <sup>nd</sup>
Attendance & Contributions to the Course	15%	Ongoing
Take-Home Exam	35%	December 21 <sup>st</sup>

***Unobtrusive Observation Assignment (25%)***

Students will conduct a series of “apprenticeship” observations during and outside of class time. Once students have successfully completed the apprenticeship phase, they will choose a public setting where they will conduct and report on their own observations. This will entail making at least two visits to the same setting. In all cases, students should consider how the law and other systems of regulation shape observed behavior. They should also discuss the process of investigation, which includes gaining access, engaging in systematic observation, writing ‘down’ fieldnotes, writing ‘out’ data, and writing ‘up’ a partial and provisional ethnographic account. Students are not expected to produce a complete ethnographic account or make extensive use of secondary data. Assignments will primarily be assessed with reference to the quality of both ethnographic observations and the discussion of the research process.

The completed paper should be no more than 6 pages (double spaced, in size 12 Times New Roman font, with default margins).

\*Detailed instructions will be provided in class.

***Auto-Ethnographic Essay (25%)***

This assignment is inspired by the activist-scholarship of Julia Sudbury (Oparah), Stormy Ogden, Lisa Cacho, and Lena Palacios: in particular, their auto-ethnographic essays “grounded” in race-radical/critical race feminist activist-scholarship.

You will produce an essay that creatively and critically analyzes a memory, artifact, or lived experience that speaks to how you have been socialized within a legal field and touched/targeted/marginalized by, resistant to, and/or benefited by a legal phenomenon.

I encourage you to think through what it means – for yourself, your family, and your community – to be simultaneously privileged by, oppressed by, and complicit with a legal system that perpetuates and upholds social injustice, control, and violence.

The initial step of this assignment is to free write. In auto-ethnographic work, that means writing the “story” of a memory, artifact, or lived experience in simple terms, with no analysis. In essence, your "story" or narrative becomes the data from which your analysis can grow or be grounded.

The second step is for you to produce the more polished, worked-through, edited, and analytical paper: the one that has worked with the data, reflected upon it, and pulled in and grounded relevant secondary sources, including theoretical materials.

The completed paper should be no more than 8 pages (double spaced, in size 12 Times New Roman font, with default margins).

\*Detailed instructions will be provided in class.

***Attendance & Contributions to the Course (15%)***

Class time will be dedicated to discussion of readings, “labs” or practical exercises and activities, and methods training.

I expect our meetings to feel like a community of intellectuals critically discussing materials, ideas, and our experiences of ethnographic inquiry. This is a discussion-based, rather than a lecture-based, course. This means that we are mutually accountable for course discussion – you just as much as me – and that we all assume responsibilities for being prepared and present for our meetings.

Students’ contributions to the course are expected to take the following main forms:

- 1) Students are expected to contribute to class discussion every week.
- 2) Students are expected to actively engage in labs, collaborate with other members of class, and periodically report on the progress of their projects and their experiences of research.
- 3) Students are expected to sign up to introduce individual readings, for about 3-5 minutes (approximately three students per week). Each student will likely end up introducing three readings at different points in the term.

I will keep a record of your weekly attendance and contributions. To provide flexibility and accommodate unexpected life events, students may miss up to two meetings (in which they were not scheduled to introduce a reading), for whatever reason, without penalty. If illness or other issues arise that cause you to miss more than two meetings, or a meeting in which you were scheduled to introduce a reading, please contact the professor to discuss the situation.

***Take-Home Exam (35%)***

Students will conduct a series of “apprenticeship” interviews, and complete other preparatory tasks, during and outside of class time. Once students have successfully completed the apprenticeship phase, they will complete the take-home exam, which will assess their ability to perform the procedures used by ethnographers to conduct and analyze interview-based research. The examination will require students to:

- Write a set of interview questions for a semi-structured, open-ended interview format
- Conduct at least three interviews with participants, taking thorough fieldnotes in the process
- Type ‘out’ interview findings and fieldnotes, using coding techniques learned in class
- Write ‘up’ an ethnographic account that describes and analyzes the process and results of the interviews. The completed account should be no more than 8 pages (double spaced, in size 12 Times New Roman font, with default margins).

\*Detailed instructions will be provided in class.

**LATE POLICIES AND REQUESTS FOR EXTENSIONS**

Late *Unobtrusive Observation Assignments* and *Auto-Ethnographic Essays* will be penalized at a rate of **2% per day** (including weekends and holidays).

Late *Take-Home Exams* will not be accepted.

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).

**SCHEDULE**

\*Note: This is a provisional schedule and may be altered.

Week	Date	Topic	Required Material (Complete before lecture)
1	Sept. 9	Introduction	Review: - The Course Outline
2	Sept. 16	Key Components of Ethnographic Inquiry - What is ethnography? - Why ethnography?  *Receive Observation Assignment Instructions	Gonzalez Van Cleve, Nicole. 2016. <i>Crook County</i> . - Introduction + Chapters 1 & 2: 1-92.
3	Sept. 23	Ethnography of Judicial Process	Gonzalez Van Cleve, Nicole. 2016. <i>Crook County</i> . - Chapters 3-5 + Conclusion: 93-190.
4	Sept. 30	Core Skill: Observation	Madden, R. 2017. Looking at People: Observations and Images. IN: <i>Being Ethnographic: A Guide to the Theory and Practice of Ethnography</i> , Second ed. 55 City Road, London: SAGE Publications Ltd pp. 95-112.  DeWalt, Kathleen Musante, and DeWalt, Billie R. 2010. "Doing Participant Observation: Becoming an Observer." In <i>Participant Observation: A Guide for Fieldworkers</i> . Blue Ridge Summit: AltaMira Press.
5	Oct. 7	Core Skill: Fieldnotes	Madden, Raymond. 2017. Description: Writing 'Down' Fieldnotes. IN: <i>Being Ethnographic</i> . 115-136.  Emerson, Robert M., Rachel I. Fretz, and Linda L. Shaw. 2011. Chapters 1 & 2. IN: <i>Writing Ethnographic Fieldnotes</i> . 2nd ed. Chicago Guides to Writing, Editing, and Publishing. Chicago: University of Chicago Press.

<b>Oct. 14, Statutory Holiday</b>			
<b>October 21-25, Fall Break, No Classes</b>			
6	Oct. 28	<p>Core Skill: Auto-Ethnography</p> <p>*Receive Auto-Ethnographic Essay Instructions</p>	<p>Ellis, C. S. 2008. Autoethnography. IN: <i>The sage encyclopedia of qualitative research methods</i>, vol. 0, Thousand Oaks, CA: SAGE Publications, Inc.</p> <p>Ferrell, J. 2012. Autoethnography. IN: <i>The SAGE Handbook of Criminological Research Methods</i>, London: SAGE Publications Ltd pp. 218-230.</p> <p>McGregor, Rafe. 2021. “Four Characteristics of Policing as a Practice.” <i>Policing: A Journal of Policy and Practice</i> 15 (3): 1842–53.</p> <p>Nixon, S. 2022. “Surviving the Landings: An Autoethnographic Account of Being a Gay Female Prison Officer (in an Adult Male Prison in England).” <i>Women &amp; Criminal Justice</i> 32 (1–2): 111–30.</p> <p>Emerson, Robert M., Rachel I. Fretz, and Linda L. Shaw. 2011. Chapter 3. IN: <i>Writing Ethnographic Fieldnotes</i>.</p>
<b>DUE: Nov. 1 – Unobtrusive Observation Assignment</b>			
7	Nov. 4	<p>Auto-Ethnography and Challenging Convictions</p> <p>Film: <a href="#"><u>Shadow Boxing: A Chicana’s Journey from Vigilante Violence to Transformative Justice</u></a> (2013, 15 mins).</p>	<p>Palacios, L., 2016. “Something else to be”: a Chicana survivor’s journey from vigilante justice to transformative justice. <i>Philosophia</i>, 6(1), pp.93-108.</p> <p>Cacho, Lisa Marie. 2007. “‘You Just Don’t Know How Much He Meant’: Deviancy, Death, and Devaluation.” <i>Latino Studies</i> 5 (2): 182–208.</p> <p>Ogden, Stormy. 2006. “Pomo Woman, Ex-Prisoner, Speaks Out.” <i>Color of Violence: The Incite! Anthology</i>: 164-70. - 2005. “The prison-industrial complex in Indigenous California.” <i>Global lockdown: Race, gender, and the prison-industrial complex</i>: 57-65.</p> <p>Eisenberg-Guyot, Nadja, and Kitty Rotolo. 2022. “A Trans Way of Seeing.” <i>GLQ: A Journal of Lesbian and Gay Studies</i> 28 (2): 277–88.</p>



8	Nov. 11	Core Skill: Writing “Out” and “Up” Ethnographic Data  Introducing Gehl’s Debwewin Journey	Madden, Raymond. 2017. Chapters 7 (excerpts) and 8. IN: <i>Being Ethnographic</i> .  Gehl, Lynn. 2014. <i>The Truth That Wampum Tells: My Debwewin on the Algonquin Land Claims Process</i> . Halifax: Fernwood Publishing. - Chapters 1  Stevenson, Lisa. 2009. The Suicidal Wound and Fieldwork among Canadian Inuit. IN: <i>Being There: The Fieldwork Encounter and the Making of Truth</i> , edited by John Borneman, and Abdellah Hammoudi, University of California Press. 55-76.
9	Nov. 18	Concluding Gehl’s Debwewin Journey  Case Study: The Algonquins of Ontario  *Receive Apprenticeship Interview Instructions	Gehl, Lynn. 2014. <i>The Truth That Wampum Tells: My Debwewin on the Algonquin Land Claims Process</i> . Halifax: Fernwood Publishing. - Chapters 2-4
<b><i>DUE: Nov. 22 – Auto-Ethnographic Essay</i></b>			
10	Nov. 25	Core Skill: Interviewing	Spradley, James P. 1979. “Interviewing an Informant.” In <i>The Ethnographic Interview</i> . New York: Holt.  Spradley, James. 1979b. “Reprint: Asking Descriptive Questions.” In <i>The Ethnographic Interview</i> .
11	Dec. 2	Interviewing  *Receive Apprenticeship Coding Instructions	Gehl, Lynn. 2014. <i>The Truth That Wampum Tells: My Debwewin on the Algonquin Land Claims Process</i> . Halifax: Fernwood Publishing. - Chapter 5  Mulla, Sameena. 2008. “There Is No Place Like Home: The Body as the Scene of the Crime in Sexual Assault Intervention.” <i>Home Cultures</i> 5 (3): 301–25.

12	Dec. 6	<p>*Meet on Friday (follows a Monday schedule)</p> <p>Core Skill: Coding</p>	<p>Madden, Raymond. 2017. Chapter 7 (excerpts). In <i>Being Ethnographic</i>.</p> <p>Torres Rivera, Camila. ND. “Coding Qualitative Data.” IN: <i>Ethnography Made Simple</i>. Edited by Alia R. Tyner-Mullings, Mary Gatta, and Ryan Coughlan. Open Educational Resource.</p> <p>Burns, April. ND. “Analyzing Ethnographic Data.” IN: <i>Ethnography Made Simple</i>. Edited by Alia R. Tyner-Mullings, Mary Gatta, and Ryan Coughlan. Open Educational Resource.</p>
<b>Take-Home Exam – Due Dec. 21</b>			

### COMMUNICATION POLICY

- ☞ I am happy to discuss any aspect of the course materials and requirements with you in a conversation. Please feel welcome to attend office hours (even if you don’t have a pressing question). Talking to students is an important way for me to get feedback on the class and learn about events in the community. It is something I truly enjoy doing.
- ☞ I cannot maintain a frequent email correspondence with each of you. **Email should be used to request/make appointments, not to discuss course content or complex scenarios.**
  - All emails must contain the course code (LAWS 5903-F) in the subject line and be sent from your official Carleton email account.
  - I strive to respond to your emails within 48 hours, *excluding weekends*; if you have not received a reply within 48 working hours, **PLEASE RESEND IT**.
- ☞ **Virtual Office** (on Brightspace): This is the spot for your impersonal and quick questions, for example: “I’m having difficulty finding the article assigned for week 4…” “Where can I find my grade for the Knowledge Translation?” I’ll monitor this discussion and provide timely replies. Students are also encouraged to respond to their peers’ questions. You should get in the habit of consulting Virtual Office whenever you encounter an uncertainty. If your issue has not already been addressed, please post your question.

### ACADEMIC ACCOMMODATIONS

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

### 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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

**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](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). 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>

**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/studentssupport/svpolicy/>

**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://students.carleton.ca/services/accommodation/>

**Plagiarism**

Plagiarism is presenting, whether intentionally 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.

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. More information on the University's Academic Integrity Policy can be found at: <https://carleton.ca/registrar/academic-integrity/>.

### **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: <https://carleton.ca/law/current-students/>