

Course Outline Template

COURSE: LAWS 5903G – Sociolegal Theory and Popular Films

TERM: Fall 2023

PREREQUISITES:

CLASS: **Day & Time:** Thursdays 2:35-5:25
 Room: Please check Carleton Central for current class details

INSTRUCTOR: Diana Young

CONTACT: **Office:** LA C574

Office Hrs: Please make an appointment by email
 Telephone: 520-2600 ex 1981
 Email: diana.young@carleton.ca

COURSE DESCRIPTION

The purpose of this course is not to look at courtroom dramas or critique popular conceptions of the criminal justice system per se. Instead, we will look at examples of popular genres in screen art (i.e., film and television) and consider them in light of some theoretical perspectives that students might be familiar with. My aim is for the course to work for students on three levels:

- 1) The study of screen art can provide students with an opportunity to think about how theoretical perspectives that they might have studied through text may also be conveyed through other means, such as visual representations, sound, acting, and editing techniques.
- 2) Thinking about screen art and its relationship to various theoretical perspectives may generate deeper insights into these perspectives, as well as provide interesting new ways of appreciating popular art forms.
- 3) The act of unpacking the cultural reference points through which meaning is conveyed in popular culture may provide insights into the assumptions that underlie much of legal discourse, and suggest different critical approaches to law and related concepts.

Film and television are obviously varied media and the selections I have made for this course are not intended to constitute a canon. All of the selections are drawn from popular culture but are also complex and multi-layered. Although I suggest various approaches to thinking about the selections we will study, of course any art form can be interpreted in a variety of ways and students are welcome to suggest alternatives to those suggested in the syllabus.

Time constraints require that along with their readings, students will screen the films outside of

class. Most of the films are available for streaming through the MacOdrum Library catalogue or through Ares.

REQUIRED TEXTS

All the course readings can be accessed electronically through the MacOdrum Library collection of journals and e-books or on Brightspace.

EVALUATION

Participation – 25%

Presentation – 25%

Response paper – 10% (Due on November 16th at the latest)

Final paper – 40% (Due on December 8th)

The presentations will be scheduled during the last four weeks of the course. Students may present an alternate theoretical approach to a film that we have discussed in class, or provide a presentation on a film or television program that has not been included in these course materials. Although the films assigned for the course are drawn from American popular culture, students are welcome to use examples of screen art from other parts of the world. Presenters will be asked to discuss their topic with the instructor ahead of time. The final paper should be about 20 pages in length and be based on the presentation. It must include research apart from the material covered in class. The response paper should be discussion of any one of the films covered in class and/or the assigned readings and be three to four pages in length. It can be submitted at any time during the semester but must be received by November 16th at the latest.

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.

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 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

September 7

Introduction to the Course

To start us off, we will talk a little bit about how film conveys meaning. We won't become experts on the filmmaker's art in this class; however, we should not just think of films as narratives with a "message" about law or legal studies. We should also think about how filmmakers use techniques that are particular to the medium – cinematography, sound, and editing – to evoke responses in the viewer. In the first class we will consider some of these techniques.

The material in this course is also drawn from many different time periods. We will talk a bit about the effect of time on the meaning of popular film. When contemporary audiences watch a film made decades ago, how is the film's meaning transformed? When modern films are made about earlier generations, how does the identity of the contemporary audience change the tools available to the filmmaker for analysis and critique?

We will also talk in general terms about the relationship between popular culture and socio-legal studies. How can images from popular film and television be used to enhance understanding of complex ideas about how society is regulated? How can sociolegal theory enhance our understanding of popular culture?

Readings:

Deranty, J. and Olsen, M.J. (2019) The Work of Art in the Age of its Digital Distribution. *Journal of the Theoretical Humanities*, 24(5): 104-123.

Hall, S. (1980) Encoding/Decoding. In (Hall, S. et al.), *Culture, Media, Language: Working Papers in Cultural Studies*. 117-127. London: Routledge. (available online in e-book form through the MacOdrum Library catalogue).

Hooks, B. (1992) The Oppositional Gaze: Black Female Spectators. In (Lewis, R. and S. Mills, eds.), *Feminist Postcolonial Theory: A Reader*: 207-221. New York: Routledge. (available online through the MacOdrum Library database)

Part I: Gender and Authenticity**September 14**

In this class, we will begin thinking more specifically about theory and representation in popular culture in light of Billy Wilder's 1959 classic, *Some Like It Hot*, Sydney Pollack's 1982 comedy *Tootsie*, and Judith Butler's concept of gender performativity. The older film blurs the "naturalist" distinction between genders, as men who cross-dress seem to adopt the characteristics and survival strategies of women. On another level the casting of Marilyn Monroe – an icon of 1950s femininity whose public image was also carefully constructed – as the female lead seems to unsettle assumptions about what might constitute an "authentically" feminine figure.

Readings:

Butler, J. (1993) Introduction. *Bodies That Matter*: 1-23. New York: Routledge. (Available through Ares).

Butler, J. (1999) Subjects of Sex/Gender/Desire. *Gender Trouble: Feminism and the Subversion of Identity*: 3-44. New York: Routledge. (Available in ebook form through the MacOdrum Library catalogue).

Vincente, Marta V. (2021) Transgender: A Useful Category? *Transgender Studies Quarterly* 8(4): 426-442.

Schilt, K. (2018) From Object to Subject: Situating Transgender Lives in Sociology. In (J.W. Messerschmidt et al.), *Gender Reckonings: New Social Theory and Research*. New York: New York University Press. 57-70. (available in e-book form through the MacOdrum Library catalogue).

Films:

Some Like It Hot (1959) Billy Wilder (available online through the MacOdrum Library).

Tootsie (1982) Sydney Pollack (available online through the MacOdrum Library).

Boys Don't Cry (1999) Kimberly Peirce (available online through the MacOdrum Library).

Recommended viewing:

The Danish Girl (2015) Tom Hooper

All About My Mother (1999) Pedro Almodóvar

September 21

Masculinity, like femininity, is sometimes seen as performative, and variable depending on the intersections of gender, class, and race. It may also have a connection to larger questions of economic power and globalization.

Readings:

Garlick, S. (2020) The Nature of Markets: on the affinity between masculinity and (neo)liberalism. *Journal of Cultural Economy* 13(5): 548-560.

Connell, R.W. and Messerschmit, J.W. (2005) Hegemonic Masculinity: Rethinking the Concept. *Gender and Society* 19(6): 829-859.

Dunn, S. (2008) Introduction: Race, Gender, and Black Action Fantasy. In *Baad Bitches and Sassy Supermamas: Black Power Action Films*: 1-11. Chicago: University of Illinois Press. (Available in ebook form through the MacOdrum Library catalogue).

Films:

Glengarry Glen Ross (1992) James Foley (available online through the MacOdrum Library)

Moonlight (2016) Barry Jenkins (available online through the MacOdrum Library)

Boogie Nights (1997) Paul Thomas Anderson (available online through the MacOdrum Library)

Suggested viewings:

The Big Sleep (1946) Howard Hawks

Shaft (1971) Gordon Parks

Part II: Resistance and the Reproduction of Meaning**September 28**

How is the meaning of a representation transformed depending on the cultural and temporal context in which it is viewed, by the identity of the viewer, and the character with whom the viewer chooses to identify? What is the transformative potential of popular art, given that it must reproduce norms in order to be intelligible?

Readings:

Foucault, M. (1972) Truth and Power. In (Gordon, C. ed.) *Power/Knowledge*: 109-133. New York: Pantheon Books. (Available through Ares)

Samuels, R. (1988) *Marnie*: Abjection, Marking, and Feminine Subjectivity. *Hitchcock's Bi-Textuality: Lacan, Feminists, and Queer Theory*: 93-108. Albany: State University of New York Press. (Available through Ares)

Latour, B (1993) *We Have Never Been Modern*. 67-79. Cambridge, Mass: Harvard University Press. (available in ebook form through the MacOdrum Library catalogue).

Films:

The Birds (1963) Alfred Hitchcock (available online through the MacOdrum Library catalogue)

Marnie (1964) Alfred Hitchcock (available online through the MacOdrum Library catalogue)

Bamboozled (2000) Spike Lee (available through Ares)

Recommended Viewing:

Vertigo (1958) Alfred Hitchcock

Notorious (1946) Alfred Hitchcock

Outrage (1950) Ida Lupino

Part III: Subjectivity, Science Fiction, Sport and Disability: Identity and the Body**October 5**

In this section we will consider the relationship between subjectivity and the body through science fiction and sports films. Many science fiction films deal with manufactured beings, which taps into popular anxieties about identity and the paradoxes of subjectivity. We will also look at notions of citizenship and power through the manipulation of identity.

Readings:

Haraway, D.J. (1991) A Cyborg Manifesto: Science, Technology, and Socialist-Feminism in the Late Twentieth Century. *Simians, Cyborgs, and Women: The Reinvention of Nature*: 149-181. New York: Routledge. (Available through Ares).

Begley, V. (2004) Bladerunner and the Post Modern: A Reconsideration. *Literature Film Quarterly* 32(3): 186 – 192.

Du Bois, W.E.B. (2007/1905) Of Our Spiritual Strivings. *The Souls of Black Folk*: 2-7. Oxford: Oxford University Press. (available in ebook form through the MacOdrum Library catalogue).

Meer, N. (2019) W.E.B. Du Bois, Double Consciousness and the “Spirit” of Recognition. *The Sociological Review* 67(1): 47-62.

Films:

Blade Runner (1982/1993) Ridley Scott (available online through the MacOdrum Library catalogue)

Moon (2009) Duncan Jones (available online through the MacOdrum Library catalogue)

Get Out (2017) Jordan Peele (available online through the MacOdrum Library catalogue)

Recommended Viewing:

Us (2020) Jordan Peele

Blade Runner 2049 (2017) Denis Villeneuve

October 12

Films about sport often deal with the transcendence of one’s own history and social location through the discipline of the body. In today’s class, we will consider conceptions of agency

through mastery of the body and care of the body, in particular how these conceptions may reinforce or challenge existing power structures.

Readings:

Shilling, C. (2005) Sporting Bodies. *The Body in Culture, Technology & Society*: 101-126. London: Sage Publications. (available in ebook form through the MacOdrum Library catalogue).

Foucault, M. (1980) Body/Power. *Power/Knowledge: Selected Interviews & Other Writings, 1972-1977*: 55-62. New York: Pantheon Books. (Available through Ares)

Young, D. (2017) Fighting Oneself: The Embodied Subject and Films About Sports. *Sport In Society* 20(7): 816-832. (available on Brightspace)

Films:

Million Dollar Baby (2004) Clint Eastwood (available online through the MacOdrum Library catalogue)

Sugar (2008) Anna Boden, Ryan Fleck (available online through the MacOdrum Library catalogue)

Gattaca (1997) Andrew Niccol (available online through the MacOdrum Library catalogue)

Recommended viewing:

Body and Soul (1947) Robert Rossen

October 19

Contemporary disability scholars advocate a social model of disability, suggesting that disability is not so much about physical impairment as it is about how social concepts of independence and capabilities are shaped by normalized bodies. This week's films explore disability in various social contexts.

Readings:

O'Connell K (2017) Eccentricity: The case for undermining legal categories of disability and normalcy. *Continuum: Journal of Media & Cultural Studies* 31(3): 352–364.

Sherry M (2014) The promise of human rights for disabled people and the reality of neoliberalism. In: Gill M and Schlund-Vials CJ (eds) *Disability, Human Rights and the Limits of Humanitarianism*. Farnham: Ashgate, 15–26.

Goodley D and Runswick-Cole K (2016) Becoming dishuman: Thinking about the human through dis/ability. *Discourse: Studies in the Cultural Politics of Education* 37(1): 1–15.

Sahn, S. (2017) Between Friends: Disability, Masculinity, and Rehabilitation in *The Best Years of Our Lives*. *Journal of Literary and Cultural Disability Studies* 11(1): 17-34.

Films:

The Best Years of Our Lives (1946) William Wyler

The Miracle Worker (1962) Arthur Penn

The Father (2020) Florian Zeller

Recommended viewing:

Never Fear (1949) Ida Lupino

My Left Foot (1989) Jim Sheridan

Still Alice (2014) Richard Glatzer, Wash Westmorland

October 26

*****Fall Break, no class*****

Part IV: The Western – Grand Theories and Competing Discourses

November 2

Classical Westerns often present the “civilization” of the West as a Hegelian evolution of the subject through legalization. The stark esthetic of these films presents the west as a legal void, awaiting colonization by the universal norms of ethics and political organization emanating from the East. Heaven’s Gate presents an alternative vision, where the history of the West is a more unpredictable and chaotic coalescence of social forces.

Readings:

Taylor, C. (1985) Kant’s Theory of Freedom. *Philosophy and the Human Sciences*: 318-337. Cambridge: Cambridge University Press. (Available through Ares)

Simmon, S. (2003) Time, Space, and the Western. *The Invention of the Western Film*: 178-191. Cambridge: Cambridge University Press, 2003. (Available through Ares)

Young, D. (2011) Law and the Foucaultian Wild West in Michael Cimino's *Heaven's Gate*. 7 *Law, Culture and the Humanities* (2) 310-326.

Films:

My Darling Clementine (1946) John Ford (available online through the MacOdrum Library website)

High Noon (1952) Fred Zinnemann (available online through the MacOdrum Library website)

Heaven's Gate (1980) Michael Cimino (available on Ares)

Recommended Viewing:

3:10 to Yuma (1957) Delmer Davies

The Man Who Shot Liberty Valance (1962) John Ford

True Grit (2013) Joel and Ethan Cohen

Part VI: Violence, Surveillance, and the Construction of the Criminal

November 9

This week's films explore themes of the disorienting effects of the experience of violence on identity, the perception of time, and the individual's relationship to culture and society.

Readings:

Eamonn Carabine, *Seeing Things: Violence, Voyeurism, and the Camera* (2014) 18 *Theoretical Criminology*, 134-158.

Susan J. Brison, "Outliving Oneself: Trauma, Memory, and Personal Identity" In (Tietjens-Meyers D., ed.) *Feminists Rethink the Self* (Boulder: Westview Press, 1997) pp. 12-39. (Available through Ares).

Alison Young, "No End to Violence?" in *The Scene of Violence: Cinema, Crime, Affect* (New York: Routledge, 2010) pp. 147-172. (ebook available through the MacOdrum Library catalogue.

Films:

The Conversation (1974) Francis Ford Coppola (available on Ares)

Taxi Driver (1976) Martin Scorsese (available online through the MacOdrum Library website)

Lust, Caution (2007) Ang Lee (available online through the MacOdrum Library website)

Recommended viewing:

Into the Forest (2015) Patricia Rozema

Part VII: Student Presentations

November 16

November 23

November 30

December 7

Fall 2023 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
September 6, 2023	Fall term begins.
September 19, 2023	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
September 30, 2023	Last day to withdraw from full fall and fall/winter courses with a full fee adjustment.
October 9, 2023	Statutory holiday. University closed.
October 23-27, 2023	Fall break, no classes.
November 15, 2023	Last day for academic withdrawal from full fall courses.
November 24, 2023	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in fall term or fall/winter undergraduate courses, before the official December final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
December 8, 2023	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	Last day for final take-home examinations to be assigned, 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.
	Last day that can be specified by an instructor as a due date for term work for full and late fall courses.
	Last day for receipt of applications for undergraduate degree program transfers for winter term.
December 10-22, 2023	Final examinations in full fall and late fall courses and mid-term examinations in fall/winter courses will be held. Examinations are normally held all seven days of the week.
December 22, 2023	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.

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

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/>.

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 accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form that can be found at:

<https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

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 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/>.