

Course Outline Template

COURSE:	LAWS 2105 B Social Justice and Human Rights		
TERM:	Fall 2026		
PREREQUISITES:	<i>Prerequisite(s): 1.0 credit from LAWS 1001 and LAWS 1002, or HRSJ 1101 and HRSJ 1102, or PAPM 1001 and PSCI 2003.</i>		
CLASS:	Day &	Friday	
	Time:	8:35am – 11: 25am (online)	
	Room:	Please check Carleton Central for current Class Schedule	
		This is an on-line scheduled lecture.	
INSTRUCTOR:	Dr. R. Rueban Balasubramaniam		
CONTACT:	Office Hrs:	Fridays 11:45 to 12:45pm on Zoom by appointment only.	
	Telephone:	n/a	
	Email:	Rueban_Balasubramaniam@carleton.ca	
BRIGHTSPACE:		(add your Brightspace link here)	

CALENDAR COURSE DESCRIPTION

Theories and practices of law and social justice. Issues examined may include: civil democracy and repression; global governance and the rule of law; democratic movements and social power; human rights instruments, regimes and remedies; armed conflict; and humanitarian intervention.

COURSE DESCRIPTION

We will examine the relationships between different concepts of law and the advancement of human rights and social justice. We will consider the position taken by legal positivists who believe we are theoretically and practically better off embracing an amoral concept of law and reserving the pursuit of human rights and social justice to politics and morality. And we will also consider moral theories of law that integrate this pursuit into the very idea of law. Framing our concerns will be instances of legal pathology that arise in the contexts of “very unjust law” – examples where law is used to violate human rights and to practice social injustices.

LEARNING OUTCOMES

- To understand the connections between legal theory and practice, and commitments to human rights and injustice.
- To understand the essentials of different theories of law and their utility in pursuit of such commitments.
- To learn to closely read theoretical arguments and to correctly interpret and develop a critical perspective about such arguments.
- To learn the skill of working under pressure, professionalism, and the ability to submit work to a stipulated deadline.

REQUIRED TEXTS

All required texts will be made available on Brightspace.

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.

All components must be successfully completed in order to get a passing grade. Note, however, your final grade will be based on the best two out of three of the written assignments. There is flexibility built into this scheme of evaluation so that you have the option of “trialling” the assignment and improving without being hampered by a poor mark received in one paper. I advise you to do all three so you come to understand what is expected in terms of evaluation and benefit from feedback.

- **Attendance:** While there is no mark given for attendance to the lecture, I should indicate that absences will likely make it quite difficult for you to properly do the necessary assignments. As well, my pedagogical method is dialogical so that lectures are not merely an act of communicating information to a passive audience; lectures involve dialogue, debate, and argument that will sometimes require your active participation.
- 1) **ASSIGNMENT 1 due on October 10:** The assignment will require that you summarize a specified aspect of a given reading and make two critical observations about the summarized aspect of that reading, using textual evidence from the reading itself (1000 words total).

- 2) **ASSIGNMENT 2 due on November 6:** The assignment will require that you summarize a specified aspect of a given reading and make two critical observations about that aspect of the reading, using textual evidence from the reading itself (1000 words total).
- 3) **ASSIGNMENT 3 due on December 4:** The assignment will require that you summarize a specified aspect of a given reading and make two critical observations about that aspect of the reading, using textual evidence from the reading itself (1000 words total).

POLICY ON LATE PENALTIES AND REQUESTS FOR EXTENSIONS

In general, I do not easily grant extensions especially since there is already flexibility built into the course evaluations. However, 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/>

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>

POLICY ON AI USE

AI tools may be used in this course only in a limited, supporting capacity: to clarify unfamiliar terminology or background concepts, or to check the clarity of one's own already-completed writing. They may not be used to generate the substantive work of the assignment, that is, to generate content that is then directly incorporated into an assignment. Correctly characterizing the thesis of the assigned reading, and identifying the specific textual evidence used to build a critical point, must be the product of the student's own independent engagement with the text. These assignments are designed to require exactly that kind of engagement: accurate thesis characterization and evidence-based critique, at the level of textual precision expected with pinpoint citations, cannot be produced without having actually read and worked through the material closely — a generic or AI-generated answer is likely to be either too general to meet the assignment's requirements or textually inaccurate in ways that will be evident on marking. Students should expect to be able to explain, with specific reference to the passages they cite, why that evidence supports the critical point they are making.

Principles Governing Evaluations

The following are principles that will be applied when marking your assignments:

1. Thesis Accuracy. Does the response correctly and precisely identify the reading's central thesis, rather than its general topic or a plausible-sounding approximation of it?

- **Strong:** the thesis is stated with precision, capturing the specific claim being made and the terms in which the author makes it.
- **Adequate:** the thesis is broadly correct but imprecise, general, or missing a qualification the author relies on.
- **Weak:** the response mistakes the topic for the thesis, or attributes a claim the reading does not actually make.

2. Textual Evidence. Is the evidence offered specific, accurately cited, and genuinely apt to the point being built — as opposed to generic, approximate, or decorative?

- **Strong:** evidence is precisely located, correctly characterized, and doing real work for the argument.
- **Adequate:** evidence is relevant but loosely characterized, or its connection to the point being made is asserted rather than shown.
- **Weak:** evidence is generic, misattributed, or could be replaced by evidence from almost any comparable text without changing the argument.

3. Critical Analysis. Does the response use the evidence to build a genuine critical point — surfacing ambiguity, vagueness, contradiction, or a hidden presupposition — rather than paraphrasing or restating the reading?

- **Strong:** the critical point is specific, well-supported, and shows independent judgment about where the reading is vulnerable.
- **Adequate:** a critical point is identified but underdeveloped, or leans more on assertion than demonstration.
- **Weak:** the response summarizes or agrees with the reading without identifying a genuine point of difficulty.

4. Clarity and Organization. Is the argument expressed economically and in a structure a reader can follow without effort?

- **Strong:** clear, economical, well-sequenced.
- **Adequate:** generally clear but with some inefficiency or structural drift.
- **Weak:** difficult to follow, or padded well beyond what the point requires.

The relative emphasis given to each criterion may be calibrated assignment by assignment, at the instructor's discretion, in response to what each specific reading and assignment is asking students to do.

SCHEDULE

- Kindly note that the readings are sometimes long, complex, and span over several weeks. And that is because the problems discussed within the readings are complex and require extended discussion. I will deal with aspects of the readings during lectures, bringing to bear far more than the readings convey. Your task will be to spend the time to work through these readings over and over in light of the lectures. There is therefore no brightline division of content to read from week to week because any such distinction in this case would be wholly arbitrary and unproductive.

1) September 11 – Introductory Lecture

2) September 18 - Legal Positivism and Wicked Law

H.L.A. Hart, "Positivism and the Separation between Law and Morals" [1958] 71:4 Harvard Law Review 593-629.

3) September 25 - The Grudge Informer

H.L. A. Hart, "Positivism and the Separation between Law and Morals" [1958] 71:4 Harvard Law Review 593-629.

4) October 2 - Legal Order and Minimum Moral Content

H.L. A. Hart, "Positivism and the Separation between Law and Morals" [1958] 71:4 Harvard Law Review 593-629.

5) October 9 - The Theory of Primary/Secondary Rules and Rights?

HLA Hart, The Concept of Law (1997), Chapters 4,5, and 6.

6) October 16 - The Sheep and the Slaughterhouse

Jeremy Waldron, "All We Like Sheep," (1999) Canadian Journal of Law and Jurisprudence 169.

7) October 23 - The Law and the Holocaust

Kristen Rundle, "The Impossibility of an Exterminatory Legality," (2009) 59:1 University of Toronto Law Journal 65-125.

8) October 30 - Fall Break

9) November 6 - The Law and the Holocaust

Kristen Rundle, "The Impossibility of an Exterminatory Legality," (2009) 59:1 University of Toronto Law Journal 65-125.

10) November 13 - Dworkin's Liberal Reply

Ronald Dworkin, "The Model of Rules," (1967-1968) University of Chicago Law Review 14-46.

11) November 20 - Interpretivism and Liberal Justice

Ronald Dworkin, "Hard Cases," (1975) 88:6 Harvard Law Review 1057-1109.

12) November 27 - The Limits of Liberal Legality in Unjust Systems

R. Rueban Balasubramaniam, The Conceptual Case for Law as Integrity in Malaysia in Matt McManus ed, *Liberalism and Socialism: Mortal Enemies or Embittered Kin* (London: Palgrave MacMillan, 2022), pp 31-72.

13) December 4 - Wrap Up Lecture

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/>.)

Carleton's *Academic Integrity Policy* states that "instructors at both the graduate and undergraduate level have the responsibility to provide clear guidelines concerning their specific expectations of academic integrity (e.g. rules of collaboration or citation) on all course outlines, assignment and examination material."

Your unit may provide you with a standard Academic Integrity statement for your syllabus or you may craft your own. Statements must be consistent with the University's Academic Integrity Policy when it comes to definitions, processes, and rules.

The statement should include the following:)

a. Permissibility of submitting substantially the same piece of work more than once for academic credit.

- Although this is not a violation of the Academic Integrity Policy, you may prohibit students from re-using their own work from a different course/assignment, require students to cite such work, or to seek your permission before doing so.
- This must be clearly stated in the course outline or assignment instructions.
- Instructors should clearly define what they consider to be "substantially the same."

b. Permissibility of group or collaborative work.

- If group or collaborative work is expected or allowed, provide a clear and specific description of how and to what extent you consider collaboration to be acceptable or appropriate, especially in the completion of written assignments.

c. Permissibility of the use of generative artificial intelligence tools (e.g. ChatGPT).

- Unless explicitly permitted, either generally or for a specific assignment, any use of generative AI tools to produce assessed content is considered a violation of academic integrity standards.
- You are strongly encouraged to include a statement about whether AI tools are permitted or not permitted in your course.

If you explicitly permit the use of generative AI, you must provide clear and detailed instructions on which generative AI tools students may use and with what limits.

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://students.carleton.ca/services/empower-me-counselling-services>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

ACADEMIC ACCOMMODATIONS

The following statement must be included in your course outline:

“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).”

*You should provide any **additional information** on your requirements for short-term informal accommodations.*

- *If you require supporting documentation for short-term considerations, you may only request the [Academic Consideration for Coursework form](#). You may **not** request medical notes or documentation.*
- *Consult the [Academic Consideration Policy for instructors](#) information page for more details.*

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 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](#).