

Course Outline

COURSE:	LAWS 6000-F – Doctoral Seminar Legal Studies		
TERM:	Fall 2026		
PREREQUISITES:	NA		
CLASS:	Day & Time:	Tuesdays 2:35-5:25pm	
	Room:	Please check Carleton Central for current Class Schedule LA D490 in person seminar.	
INSTRUCTOR:	Dr. Ratna Rueban Balasubramaniam		
CONTACT:	Office Hrs	Fridays 11:45 to 12:45pm on Zoom by appointment only	
	/ Location:		
	Telephone	n/a	
	:		
	Email:	Rueban_Balasubramaniam@carleton.ca	
BRIGHTSPACE:	[TBD]		

CALENDAR COURSE DESCRIPTION

Analysis of major themes, approaches and literature in contemporary legal and social theory.

COURSE DESCRIPTION

This seminar takes as its starting point a question posed with new urgency: what happens to the standing of the legal subject when law is used to render a vulnerable group rightless, in ways that threaten the legitimacy of Western liberal democracies themselves? The seminar's substantive throughline is how law functions as both sword and shield — an instrument that can be wielded to dominate a legal subject, and one that can be built to protect against domination, often within the very same doctrines. We pursue this question through a sustained, unmediated encounter with two recent books by David Dyzenhaus: *The War Against Law*, which traces the resurgence of ideas about law and politics first forged to justify authoritarian rule in early twentieth-century Europe, and *The Long Arc of Legality*, his major theoretical statement on the foundations of legal authority. Both books are demanding, and

the seminar treats that demand as part of its purpose rather than an obstacle to it, following the reading method of Mortimer Adler and Charles Van Doren through three stages: first, understanding what *The War Against Law* is about on its own terms; second, asking whether it is true — how far its theoretical underpinnings, developed at length in *The Long Arc of Legality*, actually succeed in analyzing the problem it diagnoses; and third, asking so what — why and how Dyzenhaus's argument matters relative to other possible ways of approaching the same problem.

LEARNING OUTCOMES

- To learn and practice the skills of close reading, analysis, and argumentation as displayed through oral seminar interventions and within written work as suitable to expectations at the doctoral level.
- To understand and gain control of complex theoretical resources and to construct frameworks for analysis and argumentation using such resources.
- To understand the relationship between law as a distinct field of normative inquiry and its relation to other fields of inquiry in keeping with an inter-disciplinary approach to legal studies implying a conversation between law and another discipline.

REQUIRED TEXTS

- David Dyzenhaus, *The War Against Law* (Cambridge: Cambridge University Press, 2026) (CAD 51.95 on Amazon.ca)
- David Dyzenhaus, *The Long Arc of Legality: Hobbes, Kelsen, Hart* (Cambridge University Press, 2022) (CAD 41.95 on Amazon.ca)

I recommend that you buy both books because you will need to read them over and over again as well as mark these up. I have cited prices based on Amazon but you may order them from other sources.)

SUPPLEMENTARY TEXTS

- Mortimer J. Adler & Charles Van Doren, *How to Read a Book: The Classic Guide to Intelligent Reading* (Touchstone Press, 2014) (CAD 27.98 on Amazon.ca)

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.

Paper I (1000-1250 words max): Provide an accurate overview of David Dyzenhaus's aims and central argument in *The War Against Law*, explaining what problem the book diagnoses, how it builds its case, and why that argument matters. The task is one of faithful comprehension rather than critique: the goal is to demonstrate that a difficult, sustained argument has been genuinely understood on its own terms before any evaluation of it is attempted. **(20%) Due date: October 25, 2026.**

Paper II (1000-1250 words max): Trace how specific theoretical resources developed in *The Long Arc of Legality* feed the analysis presented in *The War Against Law* — identifying a particular concept or move from the theoretical work and showing concretely where and how it does work in the political argument. The task (for now) is not to assess *The Long Arc of Legality*'s own method or interpretive fidelity to the thinkers it engages, but to show how its theoretical resources are put to use elsewhere. **(20%) Due date: November 25, 2026**

Paper III (3000- 3500 words max): An interdisciplinary paper where you engage in independent analysis — possibly drawn from another field or a case of your choosing — to bear on the problem of law as sword and shield. Consider how that independent perspective amplifies, qualifies, or complements Dyzenhaus's resort to normative legal theory by showing your approach to this problem. **(40%) Due Date: December 10, 2026.**

Meaningful Attendance and Participation: The seminar's success is dependent upon your active participation. Such participation means coming to the seminar having done the reading and having prepared salient questions, comments, or arguments about some aspect of the reading that can be considered within the group. As well, participation will require the submission of a brief 250 word abstract for Paper III in preparation for group discussion before the two final workshops designed to facilitate the writing of that paper. Lastly, participation presupposes your physical presence in class; there is no alternative method to secure participation marks other than to come to class each week prepared to, well, participate. Absences have to be adequately justified. Remember, the success of a seminar is a collective enterprise that requires joint deliberation together as a group. **(20%)**

Note that we will have an in class discussion prior to every assignment about how to approach each assignment and relevant evaluative criteria. However, the following are general evaluative criteria that informs how grading is approached:

A+ Exceptional work that is technically flawless and original. Work demonstrates insight, understanding and independent application or extension of course expectations.

A Excellent work that demonstrates a very high level of integration of materials/ relevant scholarship. Work demonstrates insight, understanding and independent application or

extension of course expectations.

A- Very good quality work that represents a high level of integration, comprehensiveness and complexity, as well as mastery of relevant techniques/concepts.

B+ Represents a largely satisfactory level of integration, comprehensiveness, and complexity; demonstrates a sound level of analysis with no major weaknesses.

B Acceptable work that fulfills the minimum expectations of the course. Represents a satisfactory level of integration of key concepts/procedures. However, comprehensiveness or technical skills may be lacking.

B- Acceptable and somewhat fulfills the course expectations. Work reveals some deficiencies in knowledge, understanding or techniques.

C+ C C D Unacceptable work at the graduate level. Represents an unacceptable level of integration, comprehensiveness and complexity. Mastery of some relevant techniques or concepts is lacking.

(Carleton University requirements: "A grade of B- or better must normally be obtained in each course credited towards the master's degree" and a grade of B- must be obtained in each course credited towards the PhD. Grades below B- may result in the student's removal from the Program. See <http://calendar.carleton.ca/grad/gradregulations/administration> of the regulations/#11) F 0-49 Fail. Unsatisfactory performance, even though the student completes course requirements including submission of final paper/ completion of final exam.

All written work is to be submitted via the digital dropbox on Brightspace by the stipulated deadline.

All components must be completed to receive a final grade.

POLICY ON LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Note that I do not accept late work so there are no late penalties for such work; late work results in a failed grade for that piece of work.

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office. Full details and instructions can be found here:

<https://carleton.ca/registrar/academic-consideration-policy/>.

****NEW** POLICY ON GENERATIVE ARTIFICIAL INTELLIGENCE (AI)**

AI tools may be used in this seminar as a collaborative partner in thinking — for example, to test an interpretation against counterarguments, to probe whether a reading of a passage holds up, or to work through a point of confusion before bringing it to the seminar. They may not be used to generate content that is then directly incorporated into student work without genuine critical engagement and analysis by the student themselves. The distinction is not about tools but about authorship of thought: work submitted for this seminar should reflect the student's own struggle with, and judgment about, the material, not a synthesis produced on their behalf.

Note also that AI is a far more useful thinking partner to a student who has actually done the reading than to one who hasn't: AI makes mistakes, sometimes rather egregious mistakes. As well, it can be pushed toward sharper counterarguments and harder questions only in proportion to what the student already knows and can bring to the exchange. Struggling with the text first is not a cost you pay before getting to use AI well — it's what makes using it well possible at all.

Given that the seminar's central purpose is building the capacity to read and think through genuinely difficult material — and that struggle with that difficulty is treated throughout as part of the learning, not an obstacle to it — using AI to bypass that struggle would defeat the point of the exercise for the student using it.

Ultimately, students are expected to be able to explain and defend, in their own words, any claim in their submitted work, including how they arrived at it, as they would have to do when subject to an oral PhD defence. If I have doubts about the integrity of your work and suspect that it has been wholly generated by AI, you will be subject to an oral exam that will determine the extent to which this policy has been breached and appropriate consequences for such a breach that may include a failing grade.

SCHEDULE

September 15 - **Introduction**

September 22 - **David Dyzenhaus, The War Against Law**

Required Reading: Introduction, Ch. 1 "The New Constitutional Lobbyists" (pp. ix–42)

September 29 - **David Dyzenhaus, The War Against Law**

Required Reading: Ch. 2 "Parliamentary Sovereignty and the Rule of Law" (pp. 43- 81)

October 6 - David Dyzenhaus, The War Against Law

Required Reading: Ch. 3 “A Tale of a Parallel Universe” (pp. 82-122); Ch. 4 “Heresy v Heresy: Debating the Rule of Law” (pp. 123-150)

October 13 - David Dyzenhaus, The War Against Law

Required Reading: Ch. 5 “Sovereignty, International Law, the Rule of Law” (pp. 151- 190)

October 20 - David Dyzenhaus, The War Against Law

Required Reading: Ch. 6 “The Political Theology of the Parallel Universe” (pp. 191-250)

October 27 - Fall Break**November 3 - David Dyzenhaus, The Long Arc of Legality**

Required Reading: Preface, Introduction, Ch. 1 “The Puzzle of Very Unjust Law: Hart and Dworkin (pp. ix - 87); Ch. 2 “The Puzzle of Very Unjust Law: Hobbes” (pp. 88-148)

November 10 - David Dyzenhaus, The Long Arc of Legality

Required Reading: Ch. 3 “The Constitution of Legal Authority/The Authority of Legal Constitutions” (pp. 149-223); Ch. 4 The Janus-Faced Constitution (pp. 224-296).

November 17- David Dyzenhaus, The Long Arc of Legality

Required Reading: Ch. 5 “The Politics of Legal Space” (pp. 297-351).

November 24 - David Dyzenhaus, The Long Arc of Legality

Required Reading: Ch. 6 “Legality’s Promise” (pp. 352-422)

December 1 - Alternative Approaches Workshop I**December 8 – Alternative Approaches Workshop II**

Final Note on Readings: As noted, the readings required will be challenging and effortful to digest. Therefore, the reading list is compressed and I have not included what could be a voluminous list of secondary resources relevant to these required readings. Any such resources can be discussed in class. However, at the Phd level, my working assumption is that the student will do independent work to locate relevant materials to facilitate comprehension and analysis

and, if appropriate, seek my advice about such materials depending on the specific question or issue they wish to investigate.

Fall 2026 Sessional Dates and University Closures	
Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/	
September 9, 2026	Fall term begins.
September 22, 2026	Last day for registration and course changes (including auditing) in full fall, late fall, and fall/winter courses.
September 30, 2026	Last day to withdraw from full fall courses and the fall portion of fall/winter courses with a full fee adjustment.
October 12, 2026	Statutory holiday. University closed.
October 26-30, 2026	Fall break. No classes.
November 15, 2026	Last day for academic withdrawal from full and late fall courses.
	Last day to request Formal Examination Accommodations for December full fall, late fall, and fall/winter midterm examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
November 27, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full fall term or fall/winter undergraduate courses, before the official December final examination period.
December 11, 2026	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	Last day for take home examinations to be assigned.
December 9-10, 2026	No classes or examinations take place.
December 12-23, 2026	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
December 23, 2026	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.
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STATEMENTS ON ACADEMIC INTEGRITY

Students may draw on work developed in other courses where it bears on a genuine, ongoing research interest — this is a reasonable economy of labour, particularly at the graduate level, where a student's coursework often circles a central research concern rather than starting fresh each term. What is not acceptable is the unmediated re-submission of prior work — cutting and pasting material from another course or context without adapting it to the specific requirements of the assignments set here. Any material drawn from prior work must be substantially reworked to meet this seminar's particular tasks — whether that is the comprehension demanded by Paper I, the tracing of theoretical influence in Paper II, or the independent analysis required by Paper III — and should represent a genuine, current engagement with those tasks rather than a repurposed answer to a different question. Where work has been used in other assignments or pieces of writing, this should be expressly cited.

STATEMENT ON 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.

STATEMENT ON 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](#))

- Crisis/Urgent Counselling Support: 613-520-6674 (Mon-Fri, 8:30-4:30)
- 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/>
- 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).

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

Pregnancy 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](#).

