

**COURSE:** LAWS 2201T – Persons and Property

**TERM:** Summer (May – June) 2018

**PREREQUISITES:** LAWS 1000

**CLASS:** **Day & Time:** Online/Streamed. See below for times and ways to watch  
**Room:** N/A

**INSTRUCTOR:** Professor Brettel Dawson

**CONTACT:** **Office:** Loeb D497  
**Office Hrs:** By Appointment  
**Telephone:**  
**Email:** [brettel.dawson@carleton.ca](mailto:brettel.dawson@carleton.ca)  
Email is the best way to contact me, or our TA(s). Turnaround time is normally within 24 hours but do not expect a reply on weekends or overnight.

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#### **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 more details visit the Equity Services website: <http://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 Equity Services website: <http://carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. 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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website ([www.carleton.ca/pmc](http://www.carleton.ca/pmc)) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

**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.<sup>1</sup>

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

**Student Services:** The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4<sup>th</sup> floor of MacOdrum Library or online at carleton.ca/csas

### **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.

<http://carleton.ca/law/current-students/>

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## **COURSE DESCRIPTION**

We examine the origins and scope of the concept of person in law and how concepts of legal personality change over time and the origins and scope of the concept of property and how concepts of property change over time. I explore how law has responded to social and economic change and the role of legal concepts (and taxonomies) in shaping how we think about and respond to changes and challenges. Two key concepts are the legal person (centering the individual) and property (centered on ownership by persons and exchange between them). These reflect 'liberal legalism'; we probe their potential and their limitations.

## **LEARNING OBJECTIVES**

By the end of this course you should be able to:

- explain how the legal concepts of legal personhood and property law constitute a framework by which law approaches ownership and decision-making related to resources and our own bodies.
- critically assess the concepts of the legal person and property (e.g., how they mobilize legal ideologies; how they have historically and currently advanced certain interests and excluded others); and
- apply the concepts to explaining and resolving past and contemporary social and economic developments.

This course is designed to contribute towards your intellectual development within the law program by assisting you to become better able to:

- read and analyze case law (ancient and modern);
- understand the role of judicial decisions in shaping common law rules;
- move from describing cases to placing them within the context of theoretical concepts and policy ideas;
- apply (and extend) legal concepts (and precedents) to contemporary social and legal debates.

More detailed learning objectives for each section of the course are stated in the relevant Part Introductions in the Course Text.

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1. I reserve the right to compare all files with other submissions in this course and other offerings of the course. I rigorously pursue suspicion of plagiarism and, without exception, refer to the Office of the Dean. Further if 'off topic' work is submitted, I reserve the right to consult with your other instructors to confirm that you are not 'reusing and re-cycling' which is strictly prohibited.

## **CULEARN:**

cuLearn, is an essential part of this course. Lecture slides, course information, lecture slides, assignments, discussion boards are available only through this modality. POST AN INTRODUCTION ON CULEARN BEFORE LECTURE THREE TO GET A BONUS MARK!

## **LECTURES**

2018 Summer Session LAWS 2201T Lectures are a rebroadcast of lectures recorded by Professor Dawson during the Fall 2017 term with minor tidying up. There are 11 lectures (no Thursday lecture May 31, just before mid-term)

Web-streamed twice a week as follows:

**First Lecture (1)** is broadcast Monday May 07, 2018 at 12.30PM and shown again Tuesday 11.30PM. For Lecture 1, read Chapter 1 of course text.

**Second lecture (2)** is broadcast Thursday at 8.30AM and shown again Friday at 8.30PM.

- There IS a lecture (5) on Monday May 21, 2018. (But, to avoid breaking-up the long weekend, you can also watch it Tuesday at 11.30PM).
- There zIS NO lecture on MAY 31, 2018 in light of end of week mid-term exam.

**Last lecture** is broadcast 12.30PM Thursday June 14, 2018 (and repeated 11.30PM Tuesday June 15, 2018). Note: Essay based on course work is due June 19, 2018 at noon via cuLearn (details follow)

Study at your own pace and on your own schedule: You may access the course lectures on-line by one of the following ways.

- Watch the lectures as they are streamed on the CUOL Web Channel: <https://vod.cuol.ca/stream/web-channel>.
- Subscribe to the optional Video-on-Demand (VOD) service for this course by registering in section TOD (CRN 21290) \$40 fee applies. Pay per view is also available for individual lectures,
- Watch the VOD lectures on campus at the CUOL Student Centre in room D299 Loeb Building 24/7 at no charge.

Note: After the first four lectures, we will release the remaining lectures.

## **REQUIRED TEXTS**

**Class Slides:** PowerPoint slides will be posted on cuLearn. I have tidied them up for the Summer Session. Disregard anything related to Fall assignments or class participation (not applicable in summer term).

**Text:** The following course book has been prepared for this section of the course and is required reading. Please read the assigned material before each lecture and review after each lecture.

T. Brettel Dawson, *Persons and Property in Private Law*, SECOND EDITION (North York, Captus Press, 2013). Available for purchase in the University Bookstore.

[NOTE: Do NOT acquire the book *Just Between the Law and Us* as it is not used in this course.]

## **EVALUATION**

1. Mid-Term Multiple-choice Examination. Worth 60%, June 01, 2018. Two Hours: 6.00-8.00PM (subject to change; any changes will be announced ASAP).

- Information on attending examinations for local and distant students can be found at this link: <https://carleton.ca/cuol/examination-services/>

2. Essay. Worth: 40%. Due on June 19, 2018. Topics provided by May 28.<sup>2</sup>

- **You will lose marks – at a high tariff if you submit your Essay late:** 10% (or 4 marks) per day (starting 12.00AM on day after Due Date). Work handed in more than 10 days late counts to course completion but receives ZERO.
- You do not do additional research for the Essay; instead, use course readings and lecture material.
- You receive the instructions and assignment through cuLearn and you ‘hand-in’ the assignment by attaching/ posting to cuLearn Assignments section for Laws 2201T.
- You will receive your mark and feedback through cuLearn. Your mark will also be loaded Gradebook.
- You can confirm how the submission process works by completing the Test Assignment (which requires you to attach a document and use the ‘assignment dropbox’. Nothing you post will be read and there is no grade value – simply a chance to know how things work before the crunch time of the real assignment.
- You will be able to post questions and seek clarifications through the FAQ Assignment board for the Essay on the cuLearn page. Check if your question has been asked and answered before you post.

NO formal class participation component (disregard any references still remaining in lectures)

But - I will give a bonus mark to you for posting an introduction in cuLearn before Lecture 3 as I want you to go to the site and look around and become comfortable with it EARLY in the term.

I have put up discussion forums where you can post ideas or observations or ask questions. I hope you will feel part of a learning community by using the cuLearn space.

### Notes:

You must complete all evaluation components to obtain a passing mark in the course. All assignments and examinations must be done as individual work. See Policy statement on Plagiarism.

### Extensions and Late Work:

- You may request an extension from me for the Essay. By necessity (final grade submission, it can only be for a short period).
- Students seeking an extension **must** complete and email to me **an Extension Application Form** (posted on cuLearn) which includes a signed declaration by the student. Contact me (by email and as early as possible).
- I grant extensions **only** for documented, serious health conditions and emergency situations affecting immediate family members. I do not grant extensions for computer crashes, schedule conflicts with paid or volunteer work or minor illnesses such as a cold etc. Start your work early; plan to finish it early; back up your work frequently!

### INDIVIDUAL WORK ONLY

You must follow the University's policies on academic integrity. You must complete all work individually and it must be fully original. Do not share draft (or final) work with others in the class. Do not share your electronic files

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2. I will announce (through email) when it has been posted on the cuLearn page.

with other students as they may copy your work and you will be equally subject to academic investigation. You must not rely excessively on quotations as this will not count as being your own work. You must show your understanding of questions or issues independently of giving quotations.

### COURSE STANDING

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.

### SCHEDULE

The Course Schedule is posted on cuLearn. You will find topics and readings from the Text along with additional (sometimes required) readings – some are links to relevant websites and others are to articles or cases posted on cuLearn. There is some variation between some headings between slides and schedule.

### Overview

Week 1: A. Introduction	B. Defining Persons in Law
Week 2: A. Defining Property in Law	B. Corporations as Legal Persons
Week 3: A. Women: Property and Persons	B. Legal Persons: Self-Possession
Week 4: A. Property Essentials	B. No lecture. <b>Mid-term June 01</b>
Week 5: A. Body, Death and Legal Person	B. Body Tissue and Property
Week 6: A. Nature: Protection, Property	B. Nature: Protection, Persons