

Course Outline

COURSE:	LAWS 1001 C – Introduction to Legal Studies I
TERM:	Fall 2023
PREREQUISITES:	None
CLASS:	Day & Time: In person. Tuesday 11:35am-1:25pm Room: Please check Carleton Central for current Class Schedule
INSTRUCTOR:	Professor Sébastien Malette, Ph.D.
CONTACT:	Office: Loeb D591 Office Hrs: <i>By appointment via Brightspace (Zoom), or in person.</i> <i>Office hour: Tuesday 1:35pm to 2:35pm</i> Telephone: 613.520.2600 Ext.3681 Email: sebastien.malette@carleton.ca

CALENDAR COURSE DESCRIPTION

Introduction to legal studies: concepts, sources, nature and functions of law; historical, cultural and constitutional foundations of Canadian legal system; common and civil law traditions; statutory interpretation; precedent; legal institutions; frameworks for analyzing formal and informal conceptions of law and its role in society. Precludes additional credit for LAWS 1000 (no longer offered).

COURSE DESCRIPTION

This course is designed to provide an introduction to the field of Canadian legal studies. As such, it has two main objectives.

The first objective is to provide a basic knowledge of the formal foundations of law and the legal system in Canada. Students will learn about the sources of formal law in Canada, the structure and function of legal institutions, the process of law-making and the various actors in the legal process. As well, students will be introduced to important areas of substantive law (such as criminal law, constitutional law, and contract law).

The second objective of the course is to provide students with the tools to begin to think critically about the law and our legal system. Students will be introduced to various theoretical perspectives concerning what law is, how law is “made”, how we experience law, the role of law in shaping relationships between individuals and groups, as well as relations between the state and society. The ways in which the law may be manipulated to serve particular societal interests will also be considered. Ultimately, students will consider the role that law plays in either advancing or inhibiting social justice and social change.

Learning Objectives

Upon successful completion of the course, students should be able to:

- Identify and explain several different theoretical frameworks that can be used to examine the different forms and roles of law within Canadian society, including both formal and informal conceptions of “law”;
- Identify, explain and critically evaluate the roles and functions of institutions and actors involved in the formal legal system;
- Recognize, explain and critically evaluate the formal process of legal rule-making, including the legislative process and judicial decision making;
- Recognize, explain and critically evaluate a cross-section of the formal legal rules and frameworks that directly affect the lives of Canadians;
- Recognize and critically evaluate the ways in which both formal and informal “law” may be used to affect the distribution of power in society and recognize different ways of assessing the relationship between law and justice and between law and social change.

REQUIRED TEXTS

1. Stephen Tasson, Rebecca Bromwich, Jane Dickson, Vincent Kazmierski, Bettina Appel Kuzmarov, Sébastien Malette, Umut Özsü (eds.), *Introduction to Legal Studies: Foundations and Rights Protection* (vol.1) Canadian Legal Studies Series (Concord: Captus Press, 2080); ISBN 978-1-55322-375-7.

2. Patrick Fitzgerald, Barry Wright, and Vincent Kazmierski, *Looking at Law: Canada’s Legal System*, 7th ed. (Toronto: Butterworths, 2019). ISBN 978-0-433-49892-6

May also be purchased through the Carleton University Bookstore website:

<https://www.bkstr.com/carletonstore/home>

SUPPLEMENTARY TEXTS

Please check the course Brightspace page on a weekly basis for any additional pedagogical material.

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.

There are four formal evaluation components in this course: two assignments, attendance and participation in discussion groups, and a single multiple-choice examination held in the regular examination period in December 2023. Assignments must be completed and submitted electronically to the appropriate Teaching Assistant via Brightspace by 4:30 p.m. on the due date. Papers submitted in any other fashion will not be accepted; late papers will not be accepted save in the case of a documented medical excuse or similarly serious and unforeseen circumstance. Details of the late submission policy are outlined below.

- Assignment 1 (25%): Short essay, due October 26, 2023, by 4:30 p.m. (full details of the assignment will be posted on Brightspace).
- Assignment 2 (25%) Case Summary, due November 21, 2023, by 4:30 p.m. (full details of the assignment will be posted on Brightspace).
- Final Examination (35%) A Multiple Choice Examination of all topics/materials covered during the Fall term, written during the formal examination period.
- Discussion Group (15%) Students will be expected to attend and participate in weekly discussion groups.

All components must be successfully completed in order to get a passing grade.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late assignments will be marked down 2 marks for each day submitted after the due date (including weekend days). Extensions will only be given out in extreme circumstances, such as severe illness of the student or death of a family member. Appropriate documentation will be required to accompany all requests for extensions. Grade Appeals: Students who have questions about the grade they receive on an assignment or who wish to challenge the grade must contact their TA via email to request a review/appeal of their grade within one week of the posting of the disputed mark on Brightspace.

Considerations of requests for reviews/appeals, which fall outside this timeline, are solely at the discretion of the TA. Students who are not satisfied with the outcome of a grade review/appeal, or who are denied a review/appeal, may appeal that outcome or denial to the Instructor within one week of receiving the TA's determination or denial of their review/appeal. The instructor will not generally entertain reviews/appeals of grades outside this timeline, nor consider any grade review/appeal that has not first been discussed with the TA.

Recommended text 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**Tuesday, September 12, 2023. Week 1: Course Introduction**

No Readings – Review Course Outline

September 19, 2023. Week 2: What is Law and What Does It Do?

Readings:

Legal Studies Course Reader, 1(a)-(b)-(c)

Looking at Law, pp. 1-12.

September 26, 2023. Week 3: Sources of Law in Canada

Readings:

Legal Studies Course Reader, 2(a)-(b)

Looking at Law, pp. 23-34.

October 3, 2023. Week 4: Law, the State and the Constitution

Readings:

Legal Studies Course Reader, 3(a)-(b)-(e)

Looking at Law, pp. 47-62.

October 10, 2023. Week 5: Approaches to Law: Law, Morality and Justice

Readings:

Legal Studies Course Reader, 5(a)-(b)-(e)-(f)

Looking at Law, pp. 12-20.

October 17, 2023: Week 6: Approaches to Law: Legal Liberalism and Its Critics

Readings:

Legal Studies Course Reader, 6(a)-(c)

October 24-27, 2023. NO CLASSES.

October 31, 2023. Week 7: Approaches to Law: Law and Society

Readings:

Legal Studies Course Reader, 7(a)-(c)

November 7, 2022: Week 8: Making Law I: Legislation, Administrative Decisions, Enforcement and Discretion

Readings:

Legal Studies Course Reader, 9(a)-(d)

Looking at Law, pp. 34-40, 152-154

November 14, 2023. Week 9: Making Law II: Judicial Decisions

Readings:

Legal Studies Course Reader, 8(a)-(b)

Looking at Law, pp. 40-47, pp. 121-133

November 21, 2023. Week 10: Law, Citizenship and Human Rights I

Readings:

Legal Studies Course Reader, 10(a)-(e)

Looking at Law, pp.173-189

November 28, 2023. Week 11 Law, Citizenship and Human Rights II – the Charter

Readings:

Legal Studies Course Reader, 11(b)-(d)

Looking at Law, pp. 62-70

December 5, 2023. Week 12: Catch-up Lecture and Exam Review

Fall 2023 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/	
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

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/>.