

PSCI 3109 (B)  
The Politics of Law and Morality  
11:35 a.m. – 2:25 p.m. Mondays  
Online Synchronous (via Zoom)

## I General information

Instructor: Sacha Ghandeharian  
On-line Office Hours: 2:30 p.m. – 4:30 p.m. Mondays via Zoom (email for appointment)  
Email: sachaghandeharian@cunet.carleton.ca  
TA: TBA

All email communication is to be via official Carleton university e-mail accounts, not personal emails. Please allow up to 2 working days for a response and note that emails with questions already answered on this outline/Brightspace may not receive a reply. Students are responsible for regularly checking their university email and Brightspace and for being aware of any posted information/announcements.

## II Course description

This course takes a multidisciplinary approach to examine the relationship between politics, law, and morality. The course is theory-based and will first explore the question of the relationship between politics, law, and morality as found in ancient, modern, and contemporary moral and political theory. Second, the course will look at the role of theoretical frameworks and/or normative approaches in public affairs and policy research/analysis. Third, the course will examine a selection of practical political and ethical issues which can be framed using the now dominant language of human rights.

## III Course Format

This is an online **synchronous** course and students are expected to attend live classes (via Zoom) at the scheduled time for which they have registered on a consistent basis. Classes will be a mixture of lecture and discussion and will seek to provide students with additional context and explanation to support their own reading and understanding of the material. Students should review the readings before classes as this is key to learning about the subject and participating. Zoom links will be on Brightspace.

## IV Learning outcomes

- Gain knowledge of influential moral and political theories and their relation to the subject of law
- Understand how political issues and public policy can be analyzed using normative frameworks
- Strengthen abilities related to academic research, analysis, writing and the communication of ideas

## V Texts

All readings will be available via the Library's ARES Reserves system, which can be accessed via Brightspace, or via links in the class schedule (below). No texts need to be purchased.

## VI Evaluation at a glance

- Participation (ongoing): 15%
- Midterm Test (via Brightspace on February 13): 15%
- Review Essay (Due March 13): 30%
- Term Essay (Due April 10): 40%

## VII Evaluation in detail

### **Participation (ongoing): 15%**

Students are expected to participate in class in both passive and active ways; the former is simply attending live Zoom classes, and this is worth half of the Participation grade. The other half of the Participation grade is for active participation in classes and requires asking questions and/or engaging in discussion on the specifics of the material. Students will be assessed on both quantity and quality of active participation; quality involves engaging with the specifics of the reading/material to demonstrate an ability for attentive reading, critical thinking, and effective communication of ideas.

### **Midterm Test (via Brightspace on February 13): 15%**

The plan is for students to have between 11:30 a.m. and 2:30 p.m. on February 13<sup>th</sup> to complete the test via Brightspace, which will consist of short answer questions (e.g., multiple choice, true/false, fill in the blank, etc.). The lectures and readings up to the date of the test will be the basis for the test. Additionally, one of the questions on the test will ask students to provide a brief statement of their chosen topic/plan for the Term Essay. Students are allowed only one attempt and there will be a 1-hour time-limit to complete the test once it is started. Please note that the test should be completed independently. Students must complete the test at the assigned time, as there will be no 'make-up' tests or individual rescheduling unless there is a truly legitimate reason for it (e.g., serious illness). If such a situation arises the instructor must be made aware as soon as possible and may require documentation.

### **Review Essay (Due March 13): 30%**

Each student will be required to write one (1) Review Essay (1000-1250 (maximum) words in length, MS Word) in relation to a specific course reading. The essay must be focused on a reading that is marked with three stars (\*\*\*) at the end of the reference in the course schedule (below). Essays that are not focused on an eligible reading will be graded zero (0). Students are encouraged to look over the eligible readings early in the term and to make an informed decision on which reading they will review well in advance of the due date. The essay must provide an assessment of the chosen reading in the context of the course and does not require any external research. Essays should identify and demonstrate an understanding of the main argument(s) of the reading under review and put forth a coherent analysis (with thesis statement) that engages with possible strengths, weaknesses, and significance of the arguments presented in the reading for the specific week's topic and theme of the course. Students should refer to specific parts of the reading and include proper in-text citations when doing so (CMS Author-Date). A successful essay will be well-written/organized and will avoid being only a summary of the reading – the aim is to analyze, not just describe. While the essay can be on any reading marked with three stars (\*\*\*) at the end of the reference, all essays are due by March 13<sup>th</sup> before 11:59PM ET via Brightspace submission. It is essential that students be aware of what constitutes plagiarism and avoid committing it.

## **Term Essay (Due April 10): 40%**

Each student will write a Term Essay directly related to a political/legal topic/issue covered in the course, and where they will use the relevant course readings and external academic research to explore some of the key moral/ethical dimensions of the chosen topic/issue. The instructor will provide a list of topics/issues that students can choose from. The essay should be well-written/organized, present a focused, clear, consistent, and well-developed argument/analysis (with thesis statement), and must include sufficient engagement with, and reference to, peer-reviewed academic sources. Essays should incorporate both the course readings that are relevant to the chosen topic/issue, as well as a minimum of five (5) academic peer-reviewed journal articles or books that are outside of the course, but directly related to the topic/issue. Essays should be approximately ten (10) pages in length not including title page and reference list (MS Word, double-spaced, 12-pt, Times New Roman, normal margins) and should use the CMS (Author-Date) citation style according to a link on Brightspace. The expectation is that students will include full citations for all sources and have a properly formatted reference list. It is essential that students be aware of what constitutes plagiarism and avoid committing it.

**Late essays** will be accepted, but only if they are submitted to Brightspace within 7 calendar days of the original due date and will be subject to a penalty of 3% per calendar day. Late essays will not be accepted past 7 calendar days and a grade of zero (0) will be assigned. Extensions may be granted at the discretion of the instructor and/or in accordance with university policy. Requests for extension must meet the following three criteria to receive consideration: 1) it must be for a legitimate reason (typically, serious illness or bereavement); 2) it must be made in writing (via email to the instructor) at least 24hrs before the due date; 3) the emailed request must include a proposed revised due date. Students should be prepared to provide supporting documentation upon request. Requests submitted past 24hrs in advance of the deadline will only be considered if it is a case of documented emergency that made it impossible/unreasonable to make the request in advance, and, even if this is the case, the request must be made no later than three (3) working days of the original due date to receive consideration.

## VIII Course schedule

*Please note that while the below schedule/readings are the plan, adjustments may be made based on the pace at which we move through the material and/or to improve the way the topic is covered/discussed in class. Students will be kept informed of any changes either through a Brightspace posting and/or emailed announcement. Some weeks have more reading(s) listed than others; students will be given guidance from week-to-week as to how to approach the readings and/or what to prioritize.*

**Class 1 (January 9) – Introduction to the Course** (no readings; discussion of course outline)

**Class 2 (January 16) – Intersection of Politics, Law, and Morality as Represented in the Trial of Socrates**

Plato. 2010. "The Apology of Socrates." In *The Last Days of Socrates: Euthyphro, Apology, Crito, Phaedo*, translated by Christopher Rowe, 32-62. London: Penguin Books.

**Class 3 (January 23) – Relationship Between Power, Morality, and Law in Modern Political Theory**

Hobbes's *Leviathan* (Chapters 13-15, 26):

<https://www.earlymoderntexts.com/assets/pdfs/hobbes1651part1.pdf>

<https://www.earlymoderntexts.com/assets/pdfs/hobbes1651part2.pdf>

Locke's *Second Treatise of Government* (Chapters 1-3, 5, 9, 11):  
<https://www.earlymoderntexts.com/assets/pdfs/locke1689a.pdf>

#### **Class 4 (January 30) – Contemporary Moral Theory and a Political Conception of Justice**

Gauthier, David. 1986. *Morals by Agreement*. New York: Oxford University Press. (Chapter 1: "Overview of a Theory").

Rawls, John. 1985. "Justice as Fairness: Political Not Metaphysical." *Philosophy and Public Affairs* 14 (3): 223-251. \*\*\*

#### **Class 5 (February 6) – Emergence of Human Rights as a Global Ethical, Political and Legal Phenomenon**

Hutchings, Kimberly. 2018. *Global Ethics: An Introduction*. Second Edition. Medford: Polity Press. (Chapter 2: "Rationalist Ethical Theories").

Langlois, Anthony J. 2016. "Normative and Theoretical Foundations of Human Rights." In *Human Rights: Politics and Practice*, edited by Michael Goodhart, 11-27: Oxford: Oxford University Press.

Universal Declaration of Human Rights (1948): <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Canadian Charter of Rights and Freedoms (1982): <https://www.justice.gc.ca/eng/csj-sjc/rfc-dlc/ccrf-cddl/pdf/charter-poster.pdf>

#### **Class 6 (February 13) – Midterm Test**

**February 20 – 24 – Winter Break (No Class)**

#### **Class 7 (February 27) – Feminist Approaches to Morality, Politics and Law**

Crenshaw, Kimberlé W. (2011) 2016. "Demarginalising the Intersection of Race and Sex: A Black Feminist Critique of Anti-discrimination Doctrine, Feminist Theory, and Anti-racist Politics." In *Framing Intersectionality: Debates on a Multi-Faceted Concept in Gender Studies*, edited by Helma Lutz, Maria Teresa Herrera Vivar and Linda Supik, 25-42. London: Routledge. eBook. \*\*\*

Gilligan, Carol. 2003. *In a Different Voice*. Cambridge, MA: Harvard University Press. eBook. (Chapter 2: "Images of Relationship"). \*\*\*

Nedelsky, Jennifer. 1993. "Reconceiving Rights as Relationship." *Review of Constitutional Studies* 1 (1): 1-26. \*\*\*

#### **Class 8 (March 6) – Public Policy, Theoretical Frameworks, and Normative Analysis**

Browne, Jennifer, Brian Coffey, Kay Cook, Sarah Meiklejohn, and Claire Palermo. 2019. "A Guide to Policy Analysis as a Research Method." *Health Promotion International* 34 (5):1032-1044.

Pal, Leslie. 2014. *Beyond Policy Analysis: Public Issue Management in Turbulent Times*. 5th edition. Toronto: Nelson Education. (Chapter 1: "Policy Analysis: Concepts and Practice").

### **Class 9 (March 13) – Abortion and Euthanasia**

Grant, George. (1998) 2017. "Justice and The Right to Life: English-Speaking Justice (1974)." In *The George Grant Reader*, edited by William Christian and Sheila Grant, 107-122. Toronto: University of Toronto Press. eBook. \*\*\*

Martel, Joane. 2001. "Examining the Foreseeable: Assisted Suicide as a Herald of Changing Moralities." *Social & Legal Studies* 10 (2): 147-170. \*\*\*

Government of Canada. 2022. "Government of Canada Strengthens Access to Abortion Services." <https://www.canada.ca/en/health-canada/news/2022/05/government-of-canada-strengthens-access-to-abortion-services.html>

Government of Canada. 2022. "Medical Assistance in Dying." <https://www.canada.ca/en/health-canada/services/medical-assistance-dying.html>

### **Class 10 (March 20) – Public Health Measures and the Responsibility for Care**

Bardosh, Kevin, Alex de Figueiredo, Rachel Gur-Arie, et al. 2022. "The Unintended Consequences of COVID-19 Vaccine Policy: Why Mandates, Passports and Restrictions May Cause More Harm Than Good." *BMJ Global Health* 7: 1-14. \*\*\*

FitzGerald Murphy, Maggie. 2017. "The Ethics of Care and the Newfoundland Paid Family Caregiver Program: An Assessment." *Canadian Review of Social Policy* 77: 1-16. \*\*\*

Government of Canada. 2022. "Public Health Ethics Framework: A Guide for Use in Response to the COVID-19 Pandemic in Canada." <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/canadas-reponse/ethics-framework-guide-use-response-covid-19-pandemic.html>

### **Class 11 (March 27) – Political, Ethical, and Legal Issues Related to Sexuality and Sex Work**

MacKinnon, Catharine A. 1989. *Toward a Feminist Theory of the State*. Cambridge, MA: Harvard University Press. (Chapter 7: "Sexuality"). \*\*\*

Nussbaum, Martha C. 1995. "Objectification." *Philosophy & Public Affairs* 24 (4): 249-91. \*\*\*

Khan, Ummni, and Maggie FitzGerald. 2018. "We Do Have Nice Tits; Thank You for Noticing! (Or, An Intersectional Pleasure-Positive Defence of Catcalling)." *Toronto Metropolitan University Centre for Free Expression*. <https://cfe.torontomu.ca/blog/2018/08/we-do-have-nice-tits-thank-you-noticing-or-intersectional-pleasure-positive-defence>

Dubinski, Kate. 2021. "Groups Representing Sex-Trade Workers Launch Legal Challenge of Canada's Prostitution Laws." *CBC News*. March 30, 2021. <https://www.cbc.ca/news/canada/london/sex-trade-legal-challenge-canada-1.5969798>

Department of Justice. 2018. "Prostitution Criminal Law Reform: Bill C-36, the *Protection of Communities and Exploited Persons Act*." Government of Canada. [https://www.justice.gc.ca/eng/rp-pr/other-autre/c36fs\\_fi/](https://www.justice.gc.ca/eng/rp-pr/other-autre/c36fs_fi/)

### **Class 12 (April 3) – Economic Justice, Cheap Labour, and Sweatshops**

Kabeer, Naila. 2004. "Globalization, Labor Standards, and Women's Rights: Dilemmas of Collective (in)Action in an Interdependent World." *Feminist Economics* 10 (1): 3-35. \*\*\*

Moyn, Samuel. 2014. "A Powerless Companion: Human Rights in the Age of Neoliberalism." *Law and Contemporary Problems* 77 (4): 147-69. \*\*\*

Young, Iris Marion. 2006. "Responsibility and Global Justice: A Social Connection Model." *Social Philosophy & Policy* 23 (1): 102-130. \*\*\*

Krugman, Paul. 1997. "In Praise of Cheap Labor: Bad Jobs at Bad Wages are Better than No Jobs at All." *Slate*, March 21, 1997. <https://slate.com/business/1997/03/in-praise-of-cheap-labor.html>

### **Class 13 (April 10) – Term Essay Due**

This timeslot may be used as a make-up class, to finish discussion of the material, or as a conclusion. If it is not needed for such purposes, then students will be given the time to finalize their Term Essay.

## **Appendix**

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### **Covid-19 Pandemic Measures**

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

**Feeling sick?** Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you should follow Carleton's [symptom reporting protocols](#).

**Masks:** Masks are no longer mandatory in university buildings and facilities. However, we continue to recommend masking when indoors, particularly if physical distancing cannot be maintained. We are aware that personal preferences regarding optional mask use will vary greatly, and we ask that we all show consideration and care for each other during this transition.

**Vaccines:** While proof of vaccination is no longer required to access campus or participate in in-person Carleton activities, it may become necessary for the University

to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact [covidinfo@carleton.ca](mailto:covidinfo@carleton.ca).

### **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. Here is a list that may be helpful:

***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>

### **Requests for Academic Accommodation**

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

**Pregnancy accommodation:** 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. For accommodation regarding a formally-scheduled final exam, you must complete the Pregnancy Accommodation Form ([click here](#)).

**Religious accommodation:** 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. For more details [click here](#).

**Accommodations for students with disabilities:** If you have a documented disability requiring academic accommodations in this course, please contact the Paul Menton Centre for Students with Disabilities (PMC) at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation or contact your PMC coordinator to send your instructor your Letter of Accommodation at the beginning of the term. You must also contact the PMC no later than two weeks before the first in-class scheduled test or exam requiring accommodation (if applicable). After requesting accommodation from PMC, reach out to your instructor as soon as possible to ensure accommodation arrangements are made. For more details, [click here](#).

**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 engage in student activities 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please contact the departmental administrator or visit: [students.carleton.ca/course-outline](https://students.carleton.ca/course-outline).

### **Sexual Violence Policy**

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated. 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: [carleton.ca/sexual-violence-support](https://carleton.ca/sexual-violence-support).

### **Plagiarism**

Carleton's [Academic Integrity Policy](#) defines plagiarism as "presenting, whether intentional 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, websites, 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, 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;
- 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 which cannot be resolved directly with the course's instructor. The Associate Deans of the Faculty conduct 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 may include a mark of zero for the plagiarized work or a final grade of "F" for the course.

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

### **Intellectual property**

Student or professor materials created for this course (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the author(s). They are intended for personal use and may not be reproduced or redistributed without prior written consent of the author(s).

### **Submission and Return of Term Work**

Papers must be submitted directly to the instructor according to the instructions in the course outline. The departmental office will not accept assignments submitted in hard copy.

## **Grading**

Standing in a course is determined by the course instructor, subject to the approval of the faculty Dean. Final standing in courses will be shown by alphabetical grades. The system of grades used, with corresponding grade points is:

<b>Percentage</b>	<b>Letter grade</b>	<b>12-point scale</b>	<b>Percentage</b>	<b>Letter grade</b>	<b>12-point scale</b>
90-100	A+	12	67-69	C+	6
85-89	A	11	63-66	C	5
80-84	A-	10	60-62	C-	4
77-79	B+	9	57-59	D+	3
73-76	B	8	53-56	D	2
70-72	B-	7	50-52	D-	1

Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by an instructor may be subject to revision. No grades are final until they have been approved by the Dean.

## **Carleton E-mail Accounts**

All email communication to students from the Department of Political Science will be via official Carleton University e-mail accounts and/or Brightspace. As important course and university information is distributed this way, it is the student's responsibility to monitor their Carleton University email accounts and Brightspace.

## **Carleton Political Science Society**

The Carleton Political Science Society (CPSS) has made its mission to provide a social environment for politically inclined students and faculty. By hosting social events, including Model Parliament, debates, professional development sessions and more, CPSS aims to involve all political science students at Carleton University. Our mandate is to arrange social and academic activities in order to instill a sense of belonging within the Department and the larger University community. Members can benefit through our networking opportunities, academic engagement initiatives and numerous events which aim to complement both academic and social life at Carleton University. To find out more, visit us on Facebook <https://www.facebook.com/CarletonPoliticalScienceSociety/>.

## **Official Course Outline**

The course outline posted to the Political Science website is the official course outline.