Description and Objectives
This course consists of three parts. The first part surveys various classical sociological theories in understanding law and legal systems in society, including classical authors like Marx, Weber, and Durkheim. The second part introduces contemporary theories and perspectives about the role of law in our societies. The third part of the course will focus on some contemporary issues concerning the relations and interactions between social processes and law, including the relation between law and gender, race and politics. In order to explore the relationship between law and society, this course is designed to facilitate students to obtain a good understanding of the contemporary debates through their studying assigned readings and active participation in class discussions, and providing students opportunities to develop individual research interests and make contributions to respective research areas.

Course Requirements & Methods of Evaluation
The final grade will be determined based on the completion of the following requirements:

Class Attendance (Worth 10% of the final grade; 1% per class attendance)
This course consists of a series of seminars; therefore, class attendance is required. Except in the cases of documented illness (i.e. a doctor’s note), or extenuating circumstances brought to the instructor’s attention, failure to attend a class will result in a 1% deduction of the final grade.

*Please note that there are two important rules for this course regarding class attendance:
(1) if a student attends the first period of a class and is absent from the second period, the student shall receive 50% of the attendance mark for the class;

(2) if a student fails to attend 50% of the total classes in this course, s/he will automatically receive a failing grade for the course.*

Seminar Participation (worth 17% in Total; 1.7% Per Seminar Participation)
Class participation requirements include pre-or/and during-class submission of discussion questions, active and consistent participation in class discussions. This means that students should read and understand required class readings before each class so as to come to the classes prepared for seminar discussion.

Please note that to ensure a productive and pleasant learning environment, we must conduct our seminar discussions in a respectful manner. Disparaging language, interruptions and sarcasm will not be tolerated.

*Please note that students who fail to attend a class will automatically receive no grade for the seminar participation.*

The following table will be used as a guide for evaluating student class participation.

<table>
<thead>
<tr>
<th>Grades</th>
<th>Levels of Class Participation</th>
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<tbody>
<tr>
<td>A failing grade for the course</td>
<td>Attending less than 50% of the total classes.</td>
</tr>
<tr>
<td>0 marks</td>
<td>Attending the seminars, but without participation in class discussions</td>
</tr>
<tr>
<td>F-D</td>
<td>Attending the seminars, but hardly participation in discussion at all</td>
</tr>
<tr>
<td>C- to C+</td>
<td>Participate only occasionally</td>
</tr>
<tr>
<td>B- to B+</td>
<td>Participate frequently</td>
</tr>
<tr>
<td>A- to A+</td>
<td>Participate actively, including posting discussion questions and making quality contributions to class discussions based on the required readings.</td>
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**Presentations of Required Readings (Worth 18%)**

To fulfill this requirement, each student shall be asked to give in-class power point presentations on three assigned readings (i.e. 6% of the final grade per presentation) and to provide discussion questions about the required readings and lead the class discussions.

Students who present required readings should meet the following requirements:

1. Students should submit and post on the CUlearn course website written summaries of the readings and discussion questions about the readings at least one day prior to the presentation.

2. The presentation of a required reading and its written summaries should contain the following components:
   (a) background information about the readings;
   (b) an informative summary including clear definitions and the key arguments of the readings;
   (c) critical analysis and assessment of the readings including clear discussions about the strength and weakness of its arguments and theories; how the reading is related to other reading materials in the course; and their broad policy implications for laws, their enforcement, and society, their significance and contributions to the research areas.
(3) Students who present the readings are encouraged to enrich and enliven the presentations with additional materials including videos if they are available. Please note that Carleton library film on demand is a great source for many excellent visual documentaries on law, society, and punishment.

(4) A presentation should, with the assistance of a computer presentation software (such as PowerPoint), be in the range of 15-20 minutes in length followed by class discussion.

**Research Proposal and Its Presentation (Worth 5%)**

This assignment is designed to encourage students to gain a head start on their final research projects. A research proposal should meet the following requirements:

(1) The length of the proposal should be no more than 1000 words.

(2) Each student has about 10-15 minutes to present her/his research proposal in class followed by a structured Q&A period.

(3) A research topic should be related to the themes, theories, or issues studied in this course. Students are encouraged to discuss their research topics with the course instructor.

(4) The proposal should contain the following components (which will also be used as the evaluation criteria):

   (a) A thesis statement: in this section, a clear definition of research topic should be articulated.

   (b) Discussions of significance of your proposed research in terms of theoretical and practical policy implications.

   (c) Preliminary literature reviews. Through the literature review, you can answer the question of what has been done in the existing research regarding your topic. (Usually this is the place where one also talks about different arguments/theories regarding your research questions and the pros and cons of various theoretical positions) and how your research would relate to the exiting research?

   (d) Discussions of questions such as what contributions your research could make.

   (e) An indication of sources of research materials that will be used in your research including a brief list of publications such as books and journals you may use.

**Final Research Project (Take Home Exam) (worth 50%)**

Due Date: April 27th;
Submission: Culearn course website drop-box.

The requirements for this assignment include:

(1) Length of the paper is between 3000-3200 words, and no more than 3500 words.
The topic of research project is ideally related to issues discussed in our classes, including the theories and perspectives discussed and their applications. Nevertheless, students could also research a topic that is related to law and society, but not covered in our classes. In this situation, students are encouraged to discuss their topics with the instructor before starting their research work.

The final research project can be in one of the following three forms: (a) an empirical study of a topic using secondary data collected by Canadian governments; (b) literature based research essay; and (c) a critical literature review essay about research and theories on a specific issue.

Students are welcome to discuss with the course instructor their research topics and the logic and structure of the final research project report. Please note that a list of possible research topics has been posted on the course website.

The final research project reports will be evaluated based on the following criteria:
(1) Clear thesis statement
(2) Multiple perspectives
(3) Empirical support
(4) Synthesis /analysis/discussion
(5) Summary/conclusions
(6) Creativity/originality
(7) Organization
(8) Style

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<th>Summary of Evaluation Method</th>
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<td>Presentations of the assigned readings</td>
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<tr>
<td>Research proposal and its presentation</td>
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<tr>
<td>Final research paper (Take home exam)</td>
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</table>

Important Conventions in This Course

(1) To ensure a productive and pleasant learning environment, we must conduct our seminar discussions in a respectful manner. Disparaging language, interruptions and sarcasm will not be tolerated.

(2) Students who fail to attend 50% of all the classes in this course will automatically receive a failing grade for the course.

(3) Except in the cases of documented illness, or extenuating circumstances brought to my
attention at least one day before the due date of an assignment, there will be a penalty for a late assignment of 10% of the assigned grade per day;

(4) A student who fails to make a scheduled presentation of required readings will not be guaranteed for an opportunity of making up the missed presentation.

Textbooks:


Please note that the required and recommended readings listed in this course outline are available in Library Reserves. They can be viewed or downloaded from the course on Ares on our CUElearn course website. Students could also purchase hardcopies of the textbooks from Amazon.ca or other online book venders.

Tentative Topics and Readings (please note that some new topics and readings may be added and others deleted)

**Topic #1 Introduction to the course (January 8)**

**Topic #2 The Sociological Conceptions of Law (January 15)**

In this section, the discussion topics include some basic definitions of law, legal system comparison, and the sociological conception of law.

**Required readings:**
Trevino, chapter 1.


**Recommended readings:**


**Part I Classical Theories on Law and Society**

**Topic #3 Foundational Works on Law and Society (Jan. 15)**
Required readings:
Trevino, chapter 2.

Henry Maine’s Ancient Law, pp. 36-43.

W. G. Sumner, “Folkways and Mores”, pp.50-54.

Topic #4 The Sociological Movement in Law and Society (Jan. 22)

Required Readings:
Trevino, chapter 3.

Oliver Wendell Holmes, “The Path of Law”.
Karl N. Llewellyn, “Some realism about Realism- Responding to Dean Pound”.

Topic #5 Durkheimian Perspectives on Law (January 29)

Required readings
Trevino, chapter 6.

Reading Materials for Class Presentations:


David Garland, Chapter 2 Punishment and social Solidarity in Punishment and Modern Society

David Garland, Chapter 3 Punishment and the construction of authority in Punishment and Modern Society

Recommended readings:

Steven Spitzer, “Punishment and social organization: a study of Durkheim’s theory of penal evolution” pp.298-310.


**Topic #6 The Marxian Perspectives on Law (Feb 5)**

*Required readings:*
Trevino, chapter 4.

*Reading Materials for Class Presentations:*
Alan Stone, “The Place of Law in the Marxian Structure-Superstructure Archetype”, pp. 149-161.

David Garland, Chapter 4 The Political Economy of Punishment: Rusche and Kirchheim and the Marxist Tradition

David Garland, chapter 5 Punishment as Ideology and Class Control: Variations of Marxist Themes


*Recommended readings:*


K. Marx, “Debates on the law on theft of wood” p. 128, Trevino, chapter 4:


**Topic #7 Conflict Theory of Law and Structure-Functionalist Theories of Law (Feb 12)**

*Required Readings:*
Trevino, Chapter 8.
Reading Materials for Class Presentations:


Topic #8 Foucault on Law, Punishment, and Social Control (Feb. 26)

Required Readings:

Required background readings:
Barry Smart, Michel Foucault, New York: Routledge, 1991. pp. 71-93, 121-144

Reading Materials for Class Presentations


David Garland, Chapter 6 Punishment and the Technology of Power: The Work of Michel Foucault in Punishment and Modern society.

David Garland, Chapter 7 Beyond the Power Perspectives: a critique of Foucault on Punishment in Punishment and Modern society.


Topic #9 The Weberian Perspectives on Law (March 5)

Required Readings:
Trevino, chapter 5.

Reading Materials for Class Presentations


David Garland, Chapter 8 The rationalization of Punishment: Weberian Themes and Modern Punishment in *Punishment and Modern Society*.

**Recommended readings:**

Cotterell, chapter 5 the acceptance and legitimacy of law


**Part II Recent Theoretical Developments and Critical Issues**

**Topic #10 Feminist Jurisprudence and Critical Legal Studies (March 12 )**

**Required readings:**

Trevino, chapter 9.

**Reading Materials for Class Presentations:**

Patricia Smith, ‘Feminist jurisprudence and the nature of law’, pp. 218 In Chapter 5 of Keith Culver (ed), Readings in the philosophy of law, third edition, Broadview, 2017


**Recommended readings:**


**Topic #13 Law and Politics: A Canadian Case of Judicial Review (March 19)**

**Required Reading**


**Reading Materials for Class Presentations:**


**Recommended readings:**


**Topic #13 Law, Culture and History (March 26)**


**Topic #14 Law in a Global Society (March 26)**

**Reading Materials for Class Presentation:**


**Topic #14 Research Proposal Presentations (April 2 and 9)**

Each student has about 5-10 minutes for presentation followed by discussion and suggestions.

**Important Information From Carleton University Calendar**

In accordance with the Carleton University Undergraduate Calendar Regulations, the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100 B+ = 77-79 C+ = 67-69 D+ = 57-59

A = 85-89 B = 73-76 C = 63-66 D = 53-56

A - = 80-84 B - = 70-72 C - = 60-62 D - = 50-52

F = Below 50 WDN = Withdrawn from the course

DEF = Deferred (See above)

**Academic Regulations, Accommodations, Plagiarism, Etc.**

University rules regarding registration, withdrawal, appealing marks, and most anything else you might need to know can be found on the university’s website, here: [www.calendar.carleton.ca/undergrad/regulations/academicregulationsoftheuniversity/](http://www.calendar.carleton.ca/undergrad/regulations/academicregulationsoftheuniversity/)

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

**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 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).*
The deadline for contacting the Paul Menton Centre regarding accommodation for final exams for the Winter 2019 (April) exam period is March 15, 2019.

For Religious Obligations:
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, visit the Equity Services website: [www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

For Pregnancy:
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, visit the Equity Services website: [www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf](http://www.carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf)

For 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: [www.carleton.ca/sexual-violence-support](http://www.carleton.ca/sexual-violence-support)

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. [https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf](https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf)

Plagiarism
Plagiarism is the passing off of someone else's work as your own and is a serious academic offence. For the details of what constitutes plagiarism, the potential penalties and the procedures refer to the section on Instructional Offences in the Undergraduate Calendar. Students are expected to familiarize themselves with and follow the Carleton University Student Academic Integrity Policy (See [https://carleton.ca/registrar/academic-integrity/](http://https://carleton.ca/registrar/academic-integrity/)). The Policy is strictly enforced and is binding on all students. Academic dishonesty in any form will not be tolerated. Students who infringe the Policy may be subject to one of several penalties.

What are the Penalties for Plagiarism?
A student found to have plagiarized an assignment may be subject to one of several penalties including but not limited to: a grade of zero, a failure or a reduced grade for the piece of academic work; reduction of final grade in the course; completion of a remediation process; resubmission of academic work; withdrawal from course(s); suspension from a program of study; a letter of reprimand.

What are the Procedures?
All allegations of plagiarism are reported to the faculty of Dean of FASS and Management. Documentation is prepared by instructors and departmental chairs. The Dean writes to the student and the University Ombudsperson about the alleged plagiarism. The Dean reviews the allegation. If it is not resolved at this level then it is referred to a tribunal appointed by the Senate.
Assistance for Students:
Academic and Career Development Services: http://carleton.ca/sacds/
Writing Services: http://www.carleton.ca/csas/writing-services/
Peer Assisted Study Sessions (PASS): https://carleton.ca/csas/group-support/pass/

Important Information:

- 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).
- Students must always retain a hard copy of all work that is submitted.
- Standing in a course is determined by the course instructor subject to the approval 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 Dean.
- Carleton University is committed to protecting the privacy of those who study or work here (currently and formerly). To that end, Carleton’s Privacy Office seeks to encourage the implementation of the privacy provisions of Ontario’s Freedom of Information and Protection of Privacy Act (FIPPA) within the university.
- In accordance with FIPPA, please ensure all communication with staff/faculty is via your Carleton email account. To get your Carleton Email you will need to activate your MyCarletonOne account through Carleton Central. Once you have activated your MyCarletonOne account, log into the MyCarleton Portal.
- Please note that you will be able to link your MyCarletonOne account to other non-MyCarletonOne accounts and receive emails from us. However, for us to respond to your emails, we need to see your full name, CU ID, and the email must be written from your valid MyCarletonOne address. Therefore, it would be easier to respond to your inquiries if you would send all email from your connect account. If you do not have or have yet to activate this account, you may wish to do so by visiting https://students.carleton.ca/