

Carleton University
Department of Sociology and Anthropology

Sociology 4480: Advanced Studies in the Sociology of Law
Course Outline, Winter 2026

Instructor: Dr. Zhiqiu Lin
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Class Meeting Time: 2:35pm - 5:25 pm Wednesdays

Method of Delivery: in person on Carleton campus

Office Hours: by appointment in person or over Zoom

Important Dates for the Course: The first class is on Jan. 7; no class on Feb. 18 during the winter reading break; and the last class is on April 1.

Course Description

The objectives of this course are to explore various questions on the relationship between the law and society; the questions include how the law helps shape the society, and how various social issues and concerns affect the formation and enforcement of the law. To address these issues, the 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. And **the third part** of the course will focus on some contemporary debates on the relations and interactions between social processes and law, including the relation between law and gender, race, and politics, and morality.

In this course, students will obtain the knowledge and understanding on the relations between the law and society through studying assigned readings, writing reading journals, active participation in seminar reading presentations and discussions. The course also provides the students opportunities to develop their individual research interests and make contributions to respective research areas.

Learning Outcomes

- (1) students will have a good understanding of the sociology of law including both classical and contemporary theories and perspectives on the relationship between the law and society.
- (2) will obtain the knowledge and understanding of the controversies, debates, and the laws including case laws related to the relations of the law and gender, race, politics, morality.
- (3) will improve both written and oral communication skills. Students will develop these skills through carrying out critical analysis of literature and research projects on laws, jurisprudence, and society, oral presentations of course reading materials and research proposals, and participation in seminar discussions.

Diversity and Inclusion Statement

In this course, you are expected to learn from your texts, your teacher and from one another. This requires striving towards understanding each other but it does not imply striving towards finding agreement. Our class will be racially, religiously, politically, culturally, generationally, and economically diverse. We will be of different gender identifications and sexual orientations and our lived experiences and reactions to the course material will reflect this diversity. Sharing our perspectives and interpretations on the course material will enhance everyone's learning experience and you are encouraged to openly express any disagreements with the authors you will read, with your fellow classmates, or with the Professor in the different participation fora that are available for this course. However, you are expected to conduct yourself in such a way that shows the utmost respect to others who may – or may not – share your views. Derogatory comments and hateful behavior towards others (and their views) will not be tolerated.

Carleton University acknowledges the location of its campus on the traditional, unceded territories of the Algonquin nation. In doing so, Carleton acknowledges it has a responsibility to the Algonquin people and a responsibility to adhere to Algonquin cultural protocols.

Course Requirements & Methods of Evaluation

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

Please note that the Chicago author-date citation style (17th edition) is to be used in the assignments and papers of this course. For more information, please see:
https://www.chicagomanualofstyle.org/tools_citationguide/citation-guide-2.html

The final grades will be determined based on the completion of the following course 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 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 only 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 15% of the final grade in Total; 1.5% per Seminar)

Participation)

Class participation requirements include active and consistent participations in class discussions and pre-or/and during-class submission of discussion questions. This implies that students should read and understand the required class readings before each class so as to come to the classes being prepared for seminar discussions.

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 the student class participations.

<i>Grades</i>	<i>Levels of Class Participation</i>
<i>A Failing grade for the course</i>	<i>Attending less than 50% of the total classes.</i>
<i>0 marks</i>	<i>Attending the seminars, but without participation in class discussions</i>
<i>F-D</i>	<i>Attending the seminars, but hardly participation in seminar discussion</i>
<i>C- to C+</i>	<i>Participate only occasionally</i>
<i>B- to B+</i>	<i>Participate frequently</i>
<i>A- to A+</i>	<i>1. To receive an A – Grade, a student needs participating actively in 80% of the classes.</i> <i>2. To receive an A grade, in addition to the level of participation for an A- grade, a student needs to make “quality” contributions to class discussions by relating to other course reading materials.</i> <i>3. To receive an A+ grade, in addition to the level of participation required for an A grade, a student needs regularly posting discussion questions before each class.</i>

Presentations of Required Readings (Worth 15%)

To fulfill this requirement, each student shall be required to give in-class power-point presentations on 3 assigned readings (i.e., 6% of the final grade per presentation), to provide discussion questions about the required readings, and lead the class discussions.

Students who present the required readings should meet the following requirements:

- (1) Students should submit and post on the Brightspace course webpage the PowerPoint presentations and discussion questions about the readings at least one day prior to the presentation.

(2) The presentation of a required reading should contain the following components:

- (a) a list of the key research questions and some information about the author(s)
- (b) the relatively detailed explanations of the key/central theories and arguments of the readings.
- (c) critical analysis and **assessment of the theories**/arguments made by the authors including clear discussions about the strengths and weaknesses of the arguments and theories.
- (d) the discussions on the question of how the reading may be related to **other reading materials in the course**.
- (e) the broad theoretical and **policy implications** of the theories and augments for our understanding of laws, their enforcements, and their relations to society and their contributions to some specific research areas.
- (f) a summary of take-away points of the readings.

(3) Students who present the readings are encouraged to enrich, **enliven** (but not to substitute) the presentations with additional materials including videos if they are appropriate. Online video lectures on the same material **cannot** be used to substitute for/ supplement the presentations. Please note that *Film on demands* database in *Carleton library* has many excellent video materials 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 discussions of some **reading related questions** provided by the presenter.

(5) **the evaluation of the presentation will be made based on oral presentations of the readings.**

Reading Journals/Reflections (Worth 5%, 2.5% of the final grade per journal entry)

Due Date: listed below.

Each student is required to complete 2 reading journal entries on required or recommended readings of students' choices. **Please note that the reading summaries used for the class reading presentations cannot be used again for these assignments.**

Reading journals should meet the following requirements:

- 1) Each journal entry should contain accurate summaries of the central arguments, critical analyses, and **reflections on the readings**, and discussions of the question of how this reading may relate to other readings in the course and the applicability of the theories and arguments in this reading to the current affairs.
- 2) The journals should also contain possible questions about the readings, which could be used for seminar discussions.
- 3) Each journal entry needs to be at least 500-600 words in length and double-spaced.
- 4) The value of each journal entry is 2 percent of the final grade.
- 5) The due dates for the journal entries are listed below.

The Reading Reflections Will Be Evaluated on the Following Guidelines	
Grades	Quality of the reading reflections
C- to C+	<i>Containing complete summaries of the readings</i>
B- to B+	<i>Containing accurate summaries of the key</i>

	<i>arguments from the readings with sufficient details, and critical analysis</i>
A- to A+	<i>Containing the summaries of the key arguments, critical analyses in the context of current studies and debates, personal reflections and discussions of the reading by relating it to other course reading materials.</i>

The Due Dates for the Reading Journals	
Journal Entries	Due Dates
Entries #1	February 25, 2026
Entries #2	April 8, 2026

Research Proposal and Its Presentation (Worth 5%)

Due Date: April 1st , 2026

Submission: Brightspace course webpage Dropbox.

This assignment is designed to encourage students to have head-starts on their final research projects. A research proposal for the final research paper should meet the following requirements:

- 1) The 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.
- 2) The proposal should contain the following components (which will also be used as the evaluation criteria):
 - a) Title of the proposed research paper.
 - b) thesis statement (which could be used as an abstract in the finished paper later on). in this section, a clear definition of research topic should be articulated, a brief discussion of the significance of your proposed research in terms of theoretical and practical policy implications.
 - c) Preliminary literature reviews. Through the literature review, you should answer the questions such as what have been done in the existing literature 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 to discuss the question of how your research could relate to the exiting research.
 - d) Discussions of the contributions your research could make.
 - e) An indication of sources of research materials that will be used in your research (i.e. Literature review-based essay or data based research paper) including a brief list of publications such as books and academic journals you may use.

(3) The length of the proposal should be between 800-1000 words.

(4) Each student has about 10-15 minutes to present her/his research proposal in class (with assistance of presentation software such as PowerPoint) followed by a structured Q&A period.

Final Research Project/Take-Home Exam (worth 50%)

Due Date: April 23, 2026

Submission: Brightspace course webpage drop-box

The requirements for this assignment include:

- (1) Length of the paper is between 3000-3200 words, no more than 3500 words, double spaced.
- (2) The topic of the research project is ideally related to issues discussed in our classes, including the theories and perspectives studied and their applications. Nevertheless, students could also research on a topic that is related to law and society though it has not been covered in our classes. In this situation, students are encouraged to discuss their topics with the course instructor before starting their research work.
- (3) The final research project can be in one of the following two forms: (a) a literature-based research essay, i.e., a research essay using facts and data from existing literature (this kind of research paper is also called social issue analysis papers (see p. 151, the sociology student writer's manual, by W.A. Johnson Jr. et al 6th ed. 2010). (b) an empirical study of a topic using secondary data (either quantitative or qualitative) collected by the Canadian government or other organizations.

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 webpage.

The final research project reports will be evaluated based on the following criteria:

- (1) A proper title
- (2) An abstract of the paper
- (3) Clear thesis statements
- (4) Multiple perspectives
- (5) Empirical support
- (6) Synthesis /analysis/discussions
- (7) Summary/conclusions
- (8) Creativity/originality
- (9) Organization
- (10) Quality of writing including focus, coherence, and clarity
- (11) The Chicago author-date citation style (17th edition) is to be used in this assignment. For more information, please see:

https://www.chicagomanualofstyle.org/tools_citationguide/citation-guide-2.html

Summary of Evaluation Method		
Evaluation Components	Values	Due Dates
Class attendance	10%	N/A
Seminar participation	15%	N/A

Presentations of the assigned readings	15%	TBA
Reading journals	5%	See the above listed due dates
Research proposals and presentations	5%	April 1 st , 2026
Final research paper/take home exam	50%	Due Date: April 23, 2026 Submission: Brightspace Course webpage drop box

Important Policies and Conventions of this Course

- (1) Students who fail to attend 50% of all the classes of this course will automatically receive a failing grade for the course.
- (2) Except in the cases of illness, or extenuating circumstances brought to instructor's 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.
- (3) A student who fails to make a scheduled presentation of required readings will not be guaranteed an opportunity of making up the missed presentations.

Readings and Textbooks:

Javier Trevino, *The Sociology of Law: Classical and Contemporary Perspectives*, London: Transaction Publishers, 2008. (Please note that this text has been ordered through Carleton University bookstore with the price: \$86. A used copy of this text can be used for this course.

David Garland, *Punishment and Modern Society: A Study in Social Theory*; Chicago: The University of Chicago Press, 1992. (E-copy of this book is available at Carleton Library (ARES))

Please note that there are many other required and recommended readings which are also available in course online Library Reserves (ARES).

Tentative Topics and Readings (please note that some new topics and readings may be added, and others eliminated. Some dates may also be alternated pending on the progresses of course)

Topic #1 Introduction to the course (January 7, 2026)

Topic #2 The Sociological Conceptions of Law (January 14)

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

Required Background Readings:

Trevino, chapter 1.

Abel, Richard L. 1995, "What we talk about when we talk about law" pp. 1-10 in *the Law and Society Reader*. Ed. R. L. Abel. New York: New York university press. 1995.

Recommended readings:

Cotterrell, chapter 1 The Social basis of law in *Introduction to the Sociology of Law*, Oxford University Press, second edition, 1992.

Griffiths, John. 2006, "The idea of sociology of law and its relation to law and to sociology. Pp. 49-69. In *Law and Sociology*, ed. By M. Freeman, Oxford: Oxford University Press.

Hunt, Alan, "Dichotomy and contradiction in the sociology of law" *British Journal of Law and Society*, 8(1):47-77.

Nonet Philippe, 1971, "For jurisprudential sociology," *Law and Society Review*, 10(4): 525-545.

Part I Classical Theories on Law and Society

Topic #3 Foundational Works on Law and Society (January 21)

Required Background Readings

Trevino, chapter 2.

Henry Maine's Ancient Law, pp. 36-43. (please note that all the readings listed without providing the source are from out Trevino's text).

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

Topic #4 The Sociological Movement in Law and Society (January 21)

Required Background Readings:

Trevino, chapter 3.

Oliver Wendell Holmes, "The Path of Law".

Roscoe Pound, "A Survey of Social Interests".

Karl N. Llewellyn, "Some realism about Realism- Responding to Dean Pound".

Topic #5 The Marxian Perspectives on Law (January 28)

Required Background Readings:

Trevino, chapter 4.

Cotterrell, chapter 4 Law, Power, and Ideology in Roger Cotterrell, *Introduction to the Sociology of Law*, Oxford University Press, 1992. Pp. 106-136.

Reading Materials for the Class

Isaac Ballus, "Commodity form and legal form: an essay on the 'relative autonomy' of the law". pp. 140-148.

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.

Video Screening: A History of Punishment (52 minutes) on Carleton Library film on demands.

Recommended Readings

Hunt, Alan, 1985, "The Ideology of law: advances and problems in recent applications of the concept of ideology to the analysis of law" *Law and Society Review* 19(1): 11-38.

Mirritt, A. "The Nature and function of law: a criticism of EP Thompson's Whigs and Hunters" (1980) 7 *British Journal of Law and Society*, 194.

Isaac Ballus, "Commodity form and legal form: an essay on the 'relative autonomy' of the law". pp. 140-148.

Alan Stone, "The Place of Law in the Marxian Structure-Superstructure Archetype", pp. 149-161.

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

Hirst, Paul, (1972) "Marx and Engels on law, crime and morality", *Economy and Society*, 1(1):28-56

Cotterrell, chapter 4 Law, Power, and Ideology in Roger Cotterrell, Introduction to the Sociology of Law, Oxford University Press, 1992.

Beirne, Piers and Richard Quinney (eds.). *Marxism and Law*. New York: John Wiley, 1986

Cain, Maureen (1974) "The main themes of Marx' and Engels' sociology of law" *British Journal of Law and Society*, 1(2) 136-148.

Steven Spitzer (1983), "Marxist perspectives in the sociology of law", *Annual Review of Sociology*, 9, 103-124.

Paul Hirst, *On Law and Ideology*, London: Macmillan, 1979.

Topic # 6 The Durkheimian Perspectives on Law (February 4)

Required Background Readings

Trevino, chapter 6.

Reading Materials for Class Presentations:

Clarke, Michael, 1976, "Durkheim's sociology of law", *British Journal of Law and Sociology*, 4(2): 241-252.

Emile Durkheim, "The Evolution of punishment", pp. 275-286 of Trevino's *the Sociology of Law*.

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.

Clarke, Michael, 1976, "Durkheim's sociology of law", *British Journal of law and sociology*, 4(2): 241-252.

Cartwright, B.C. and R.D. Schwart, 1973, "The invocation of legal norms: an empirical investigation of Durkheim and weber", *American sociological review*, 38(3):340-354.

Cotterrell, Roger, 1977, "Durkheim on legal development and social solidarity" *British Journal of Law and Sociology*. 4(2): 241-251.

Lukes, Steven and Andrew Scull, 1983. "Introduction", pp. 1-32 in *Durkheim and the Law*. ed. S. Luke sans A. Skull. New York: St. Martin's press.

Lonn Lanza-Kaduce et al, "Law and Durkheimian order: an empirical examination of the convergence of legal and social definitions of law" pp. 287—297.

Topic #7 The Weberian Perspectives on Law (February 11)

Required Background Readings

Trevino, chapter 5.

Reading Materials for Class Presentations

Milovanovic, Dragan. 1983, "Weber and Marx on law: demystifying ideology and law toward an emancipatory political practice" *Contemporary Crisis* 7:353-370.

David M Trubek, "Max Weber on law and the rise of capitalism", pp. 220-231 of Trevino's *The Sociology of Law*.

Ewing, Sally (1987) "Formal justice and the spirit of capitalism: Max Weber's sociology of law" *Law and Society Review* 21.3:487-512.

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

Recommended readings:

Cottrell, chapter 5 the acceptance and legitimacy of law

Alan Hyde, "The Concept of Legitimation in the Sociology of law", pp. 209-219.

Cain Maureen (1980) "The Limits of Idealism: Max Weber and the Sociology of Law" *Research in Law and Sociology* 3:53-83.

David, M. Trubek, (1985) "Reconstructing Max Weber's Sociology of Law", *Stanford Law Review*, 37.3: 919-938.

Beirne, Piers, "Ideology and Rationality in Max Weber's Sociology of Law" pp. 101-131 in *Research in Law and Sociology*, vol. ii, ed. S. Spitzer, Greenwich. IC: JAI press,1979.

Marsh, Robert, 2000. "Weber's misunderstanding of traditional Chinese law" *American Journal of Sociology*, 106(2): 281-302.

Andreski, S.L. 1981, "Understanding, Action and Law in Max Weber" pp. 45-66 in *Sociological Approaches to Law*, ed. A. Podgorecki and C. J. Whelan, New York: St. Martin's press.

Milovanovic, Dragan. 1983, "Weber and Marx on law: demystifying ideology and law toward an emancipatory political practice" *Contemporary Crisis* 7:353-370.

Martin Albrow (1975), "Legal positivism and bourgeois materialism: Max Weber's view of the sociology of law", *British Journal of Law and Society*, 2(1)14-31.

February 18, the Winter Reading Break, No Class

Topic #8 Conflict Theory of Law (February 25)

Required Background Readings

Trevino, Chapter 8.

Reading Materials for Class Presentations:

William J. Chambliss, 'A sociological analysis of the law of vagrancy' pp. 373-380.

Austin T. Turk, "Law as a weapon in social conflict", pp.381-389.

Hay, D. "Property, authority and criminal law", in Hay, D. et al, Albion' Fatal Tree, London: Allen Lane, 1975.

Topic #9 Structure-Functionalist Theories of Law (March 4)

Required Background Readings

Chapter 7 of Trevino's The Sociology of Law

Reading Materials for Class Presentations

Adam Podgorecki, "the Three Levels of Functioning of Law" in Trevino's the Sociology f Law, Pp. 340-348.

Cotterrell, "Law as an integrative mechanism" in Chapter 3 of Roger Cotterrell, *Introduction to Sociology of Law*, Second Edition, Oxford University Press, 1992, pp.71-98.

Part II Recent Theoretical Developments and Critical Issues

Topic #10 Foucault on Law, Punishment, and Social Control (March 4 and 11)

Required Background Readings

Required Background Readings

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

Reading Materials for Class Presentations

Mathieu Deflem, chapter 11, Social Control: The Enforcement of Law, in Mathieu Deflem, *Sociology of Law: Visions of a Scholarly Tradition*, Cambridge University Press, 20008. Pp. 227-249.

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*.

Stanley Cohen, "The Punitive City: Notes on the Dispersal of Social Control" in Eugene McLaughlin and John Muncie (eds.) *Criminological Perspectives: Essential Readings*. Sage. 2013. Pp.476-498.

Topic #11 Critical Legal Studies and Feminist Jurisprudence (March 18)

Required Background Readings:

Trevino, chapter 9.

Reading Materials for Class Presentations:

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

Catharine A. MacKinnon, "Toward Feminist Jurisprudence," from Toward a Feminist Theory of the State In Chapter 5 of Keith Culver (ed), Readings in the philosophy of law, third edition, Broadview, 2017

Kathleen A. Kenealy, "Sexual harassment and the reasonable woman standard" (1992) in *Law and Morality: readings in legal philosophy*, by D. Dyzenhaus, S. R. Moreau, and A. Ripstein (Eds). 3rd edition, 2007. Toronto: The University Toronto Press, 270-278.

Case discussions:

Ellison v. Brady 924 F2d 872. (USA 9th circuit).

R. V. S. (RD). [1997] 3 SC. 484.

R. v. Lavallee, in Classic readings and Canadian cases in the philosophy of law, Susan Dimock (ed.) Toronto: Prentice Hall, 2002. pp.167-182

All these cases are posted under the title 'Feminist approach to the rule of law" on the Ares, our course website.

Recommended readings:

Comack, E. 2006, "Theoretical approaches in the sociology of law: theoretical excursions" pp. 18-67 in *Locating law: race/class/gender/sexuality connections*, ed. E. Comack, 2nd ed. Canada: Fernwood publishing.

Topic #12 Law and Politics: A Canadian Case of Judicial Review (March 25)

Required Background Reading

P. H. Russel, 'the Environment of Canada's judicial system' in *the Judicial System in Canada*, (Toronto: McGraw-Hill Ryerson Limited, 1987), pp31-39.

Reading Materials for Class Presentations:

Joseph Raz, "Rule of Law and its virtue" *The Law Quarterly Review*, Vol. 93, 195-211.

Jennifer Smith, " the Origins of judicial review in Canada" p. 416-422, in *Law, politics and the Judicial process in Canada*, F.L. Morton and Dave Snow (Eds), Calgary: the University of Calgary, 2018, 4th edition.

TA. Cromwell, "Aspects of constitutional judicial review in Canada" , 46 S. C.L Rev. 1027 . (1994-95)

Peter Russell, "the anti-inflation case: the anatomy of a constitutional decision" pp. 424-436.

Law, politics and the Judicial process in Canada, F.L. Morton and Dave Snow (Eds), Calgary: the University of Calgary, 2018, 4th edition,

Smiley, "Courts, legislatures, and the protection of human rights", in *Law, politics and the Judicial process in Canada*, F.L. Morton and Dave Snow (Eds), Calgary: the University of Calgary, 2018, 4th edition, pp. 579-581

Chief Justice Beverley McLachlin, "Unwritten constitutional principles: what is going on? in *Law, politics and the Judicial process in Canada*, F.L. Morton and Dave Snow (Eds), Calgary: the University of Calgary, 2018, 4th edition, pp.582-588.
presenter:

F.L. Morton, "judicial review and civil liberties" pp. 589-600.

F. L. Morton and Reiner Knopff, what's wrong with the chapter revolution and the court party" pp. 601-604.

Peter H. Russell, " the notwithstanding clause: the charter's homage to Parliamentary democracy" pp. 605-610.

Saskatchewan uses of the out-withstanding clause: pp.611-615.

Dialogue or monologue: Hogg and Thornton versus Morton" pp. 627-633;

Dennis Baker' "checking the court: justifying parliament's role in constitutional interpretation. 627-633.

Recommended readings:

Jennifer Smith, “The Origins of judicial review in Canada”, *Canadian Journal of Political Science*, 1983, vol. 16. 115-134.

Sujit Choudhry and Claire E. Hunter, ‘Measuring judicial activism on the supreme court of Canada: a comment on Newfoundland (treasury Board) v. nape”, 2003, *McGill Law Journal*, Vol. 48, pp.525-562.

Eugene V. Rostow, ‘The Democratic character of judicial review’ *Harvard Law Review*, vol. 66, 1952, 193-224.

Topic #13 Research Proposal Presentations (April 1)

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:

<https://calendar.carleton.ca/undergrad/regulations/academicregulationsoftheuniversity/>

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 (<https://students.carleton.ca/course-outline/>). For an accommodation request, the processes are as follows:

Academic Accommodations for Students with Disabilities

The Paul Menton Centre for Students with Disabilities (PMC: <https://carleton.ca/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. 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 February/March examinations is **February 1, 2026** and **March 15, 2026** for April examinations.

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

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

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

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>

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/>). 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.

Generative Artificial Intelligence Tools (e.g. ChatGPT)

Unless explicitly permitted, either generally or for a specific assignment, any use of generative AI tools to produce assessed content is considered a violation of academic integrity standards. As our understanding of the uses of AI and its relationship to student work and academic integrity continue to evolve, students are required to discuss their use of AI in any circumstance not described here with the course instructor to ensure it supports the learning goals for the course.

Note: Students can also access resources related to citing Generative AI on the [MacOdrum Library website](#).

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.

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>

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/>.

WINTER TERM 2026 – Important Dates and Deadlines

Date	Activity
WINTER TERM 2026	
December 29, 2025	Deadline for course outlines to be made available to students registered in full winter and early winter term courses.
January 5, 2026	University reopens. Winter term begins. Full winter and early winter classes begin.
January 9, 2026	Last day for registration and course changes (including auditing) in early winter courses.
January 16, 2026	Last day for registration and course changes (including auditing) in full winter and late winter courses. Last day to withdraw from early winter courses with a full fee adjustment.
	Graduate students who have not electronically submitted their final thesis copy to Graduate Studies will not be eligible

Date	Activity
	to graduate in winter 2026 and must register for the winter 2026 term.
January 23-25, January 30- February 1, 2026	Full fall and late fall term deferred final examinations will be held.
January 31, 2026	Last day to withdraw from full winter courses and the winter portion of fall/winter courses with a full fee adjustment.
February 1, 2026	Last day for academic withdrawal from early winter courses.
	Last day to request Formal Examination Accommodations for Feb/Mar final examinations from the Paul Merton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
February 6, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in early winter undergraduate courses, before the official Feb/Mar final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
February 13, 2026	Last day of early winter classes.
	Last day for final take-home examinations to be assigned in early winter courses, 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 early winter courses.

April examination schedule available online.

Date	Activity
February 16, 2026	Statutory holiday. University closed.
	Deadline for course outlines to be made available to students registered in late winter courses.
February 16-20, 2026	Winter break, no classes.
February 21-22, February 28- March 1, 2026	Final examinations in early winter undergraduate courses will be held.
February 23, 2026	Late winter classes begin.
February 27, 2026	Last day for registration and course changes (including auditing) in late winter courses.
March 1, 2026	Last day for receipt of applications for admission to an undergraduate degree program for the fall/winter session from applicants whose documents originate outside Canada or the United States.
	Last day for receipt of applications to Bachelor of Architecture, Bachelor of Industrial Design, Bachelor of Information Technology (Interactive Multimedia and Design), Bachelor of Music, Bachelor of Science in Nursing and Bachelor of Social Work degree programs for the fall/winter session.
	Last day for receipt of applications for admission from candidates who wish to be guaranteed consideration for financial assistance (including Carleton fellowships, scholarships and teaching assistantships) administered by Carleton University. Candidates whose applications are received after the March 1 deadline may be considered for the award of a fellowship, scholarship or teaching assistantship (Graduate students only).

Date	Activity
March 6, 2026	Last day to withdraw from late winter term courses with a full fee adjustment.
March 13-15, 2026	Early winter undergraduate deferred final examinations will be held.
March 15, 2026	Last day for academic withdrawal from full winter, late winter, and fall/winter courses.
	Last day to request Formal Examination Accommodations for April full winter, late winter, and fall/winter final examinations from the Paul Merton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
March 25, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full winter term or fall/winter undergraduate courses, before the official April final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
April 1, 2026	Last day for graduate students to submit their supervisor-approved thesis, in examinable form to the department.
	Last day for receipt of applications from potential spring (June) graduates.
April 3, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in late winter term undergraduate courses, before the official final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
	Statutory holiday. University closed.

Date	Activity
April 8, 2026	<p>Winter term ends.</p> <p>Classes follow a Friday schedule.</p>
	<p>Last day of full winter, late winter, and fall/winter classes.</p>
	<p>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.</p>
	<p>Last day that can be specified by an instructor as a due date for term work for full winter, late winter, and fall/winter courses.</p>
April 9-10, 2026	<p>No classes or examinations take place.</p>
April 11-23, 2026	<p>Final examinations in full winter, late winter, and fall/winter courses will be held. Examinations are normally held all seven days of the week.</p>
April 23, 2026	<p>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.</p>
May 1, 2026	<p>Last day for receipt of applications for undergraduate internal degree transfers to allow for registration for the summer session.</p>
May 15-27, 2026	<p>Full winter, late winter term, and fall/winter deferred final examinations will be held.</p>
June 1, 2026	<p>Last day for receipt of applications for admission to an undergraduate program for the fall/winter session except for applications due March 1.</p>

Date	Activity
June 15, 2026	Last day for receipt of applications for undergraduate degree program transfers for the fall term.