

LWSO 201 Lec 01
Introduction to Legal Studies
Fall 2012
Tu/Th 12:30-1:45

Instructor: MaryWyatt Sindlinger
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Office Hours: By appointment or after class

Course Description

This course will introduce students to some of the main theoretical approaches and issues in socio-legal studies. The course is divided into three parts. After beginning with a discussion of what the law is, Part I will cover different philosophical texts and the evolution of legal philosophy from natural law, to legal positivism and legal realism. Part II will examine contemporary approaches to the study of law and society, including classical sociological approaches as well as critical legal studies, feminism, critical race theory, aboriginal legal theory, and interpretive socio-legal theories. Part III will move from theory to a discussion of the structures and processes of the legal system and the interaction between law and society at large. This part of the course will look at the concept of the rule of law, the civil and common law traditions, constitutionalism and the Canadian Charter of Rights and Freedoms, criminal law as social control, and law as a tool of social transformation.

Objectives of the Course

By the end of the course, students should be able to critically evaluate legal philosophical and theoretical texts as well as understand the way in which law, politics and society influence each other and how the law in Canada is made and reformed over time.

Textbooks and Readings:

There are two required textbooks for this course. They are both available for purchase at the University of Calgary bookstore. Please use the edition of the textbook noted below. Readings not from the textbooks will be posted on the course Blackboard website under Course Documents.

Steven Vago and Adie Nelson, *Law and Society* (Third Canadian Edition) (Toronto: Pearson Prentice Hall, 2010) – the Second Edition 2008 is also acceptable.

Allan C. Hutchinson, *Is Eating People Wrong? Great Legal Cases and How They Shaped the World* (Cambridge UP, 2011)

Assignments and Evaluation

Midterm: 25%

October 11, 2012

The midterm will consist of short answer questions (2-3 paragraphs per answer) covering material in Part I of the course.

Assignment: 35%

Due November 29, 2012

The assignment consists of ten (10) journal entries relating to law and society issues. Each journal entry is to be 1-2 pages in length and will deal with an issue in the news. You are required to find the news item and analyze it using the legal and social theories discussed in class. Details of the assignment will be posted on Blackboard the week of September 17, 2012.

Final Exam: Registrar Scheduled exam 40%

The final exam will consist of multiple choice questions. The final exam will be cumulative (i.e. will cover all 13 weeks of the course) and will test students on the lectures and the readings. The final exam is closed book.

It is the student's responsibility to keep a copy of each submitted assignment.

Note: Please hand in your essays directly to the instructor if possible. If it is not possible to do so, a daytime drop box is available in SS102; a date stamp is provided for your use. A night drop box is also available for after-hours submission. Assignments will be removed the following morning, stamped with the previous day's date, and placed in the instructor's mailbox.

Registrar-scheduled Final Examination: Yes

Please note: If your class is held in the evening, the Registrar's Office will make every attempt to schedule the final exam during the evening; however, there is NO guarantee that the exam will NOT be scheduled during the day.

Policy for Late Assignments

Assignments submitted after the deadline may be penalized with the loss of a grade (e.g.: A- to B+) for each day late.

Writing Skills Statement

Department policy directs that all written assignments (including, although to a lesser extent, written exam responses) will be assessed at least partly on writing skills. For details see <http://www.comcul.ucalgary.ca/needtoknow>. Writing skills include not only surface correctness (grammar, punctuation, sentence structure, etc) but also general clarity and organization. Research papers must be properly documented.

If you need help with your writing, you may use the Writing Centre. Visit the website for more details: www.efwr.ucalgary.ca

Grading System

The following grading system is used in the Department of Communication and Culture:

(Revised, effective September 2008)

	Grading Scale
A+	96-100
A	90-95.99
A -	85-89.99
B+	80-84.99
B	75-79.99
B-	70-74.99
C+	65-69.99
C	60-64.99
C-	55-59.99
D+	53-54.99
D	50-52.99
F	0-49

Where a grade on a particular assignment is expressed as a letter grade, it will normally be converted to a number using the midpoint of the scale. That is, A- would be converted to 87.5 for calculation purposes. F will be converted to zero.

Schedule of Lectures and Readings

The following topics and readings will be covered, time permitting. Readings not in the texts will be posted to Blackboard.

Part I – Legal Theory and Philosophy

**Week 1: What is Law and Introduction Natural Law
Sept 11 and 13**

Vago, chap 1
Hutchinson, chap 2

**Week 2: Natural Law Theory
Sept 18 and 20**

Plato, *Crito*
St. Thomas Aquinas, *Summa Theologiae*, Concerning the Nature of Law
Edmund Burke, selections from *Reflections*

**Week 3: Legal Positivism
Sept 25 and 27**

John Austin, *A Positivist Conception of Law*
H.L.A. Hart, *A New Conception of Law*

**Week 4: Legal Realism
Oct 2 and 4**

O.W. Holmes, Jr. *The Path of Law*
Jerome Frank, *Legal Realism*

Part II- Law and Social Theory

**Week 5: Foundations of Socio-legal Theory
October 9**

Vago, chap 2

October 11: Midterm Exam

**Week 6: Marx and Critical Legal Theory
October 16 and 18**

Hutchinson, chap 4

**Week 7: Feminism, Race-based Critical Theory and Aboriginal Legal Theories
Oct 23 and 25**

Hutchinson, chap 7 and 8
R. v. Delgamuukw (excerpts)
R v. Sparrow

Part III – Structures and Processes

Week 8: The Rule of Law and the Common and Civil Law Traditions Oct 30 and Nov 1

Vago, chap 1
Hutchinson, chap 3

Week 9: The Canadian Constitution and Social Change November 6 and 8

Vago, chap 4, pp. 118 – 126 only
Relevant case law to be posted

Week 10: The Charter of Rights and Freedoms No class November 13 November 15

Relevant cases to be posted

Week 11: The Role of Judges November 20 and 22

Vago, chap 4 pp. 126-145

Week 12: Crime and Punishment as Social Control November 27 and 29

Vago, chap 5
Hutchinson, chap 191

Journal Assignment due November 29

Week 13: Law and Social Change December 4 and 6 – last day of classes

Vago, chap 7

Ethics

This course does not include work with human subjects.

Freedom of Information and Protection of Privacy Act

This course is conducted in accordance with the Freedom of Information and Protection of Privacy Act (FOIP). As one consequence, **students should identify themselves on all written work by using their ID number. Also you will be required to provide a piece of picture identification in order to pick up an assignment or look at a final exam.** For more information see also <http://www.ucalgary.ca/secretariat/privacy>.

Plagiarism

Using any source whatsoever without clearly documenting it is a serious academic offense. Consequences include failure on the assignment, failure in the course and possibly suspension or expulsion from the university.

You must document not only direct quotations but also paraphrases and ideas where they appear in your text. A reference list at the end is insufficient by itself. Readers must be able to tell exactly where your words and ideas end and other people's words and ideas begin. This includes assignments submitted in non-traditional formats such as Web pages or visual media, and material taken from such sources.

Please consult your instructor if you have any questions regarding how to document sources.

Internet and electronic communication device information

Computers and other electronic devices may be used for class-related purposes. Talking on the phone, texting, or accessing websites unrelated to the course is not permitted, as it is distracting and disrespectful to the instructor and other students. Classes may not be recorded without the permission of the instructor.

Academic Misconduct

For information on academic misconduct and the consequences thereof please see the current University of Calgary Calendar at the following link;
<http://www.ucalgary.ca/pubs/calendar/current/k.html>

Academic Accommodation Policy

If you are a student with a disability who may require academic accommodation, it is your responsibility to register with the Disability Resource Centre (220-8237) and discuss your needs with your instructor no later than fourteen (14) days after the start of the course. For further information, please see <http://www.ucalgary.ca/drc/node/46>

Emergency Evacuation and Assembly Points

Please note the evacuation points for this particular classroom. All classrooms on campus exit to specific places in case of emergency. The emergency assembly points differ

depending upon where your classroom is located. For information on the emergency evacuation procedures and the assembly points see <http://www.ucalgary.ca/emergencyplan/assemblypoints>

"SAFEWALK" Program -- 220-5333

Campus Security will escort individuals day or night -- call 220-5333 for assistance. Use any campus phone, emergency phone or the yellow phone located at most parking lot booths.

Student Representation

There are four Arts reps, with the email addresses being arts1@su.ucalgary.ca, arts2@su.ucalgary.ca, arts3@su.ucalgary.ca, and arts4@su.ucalgary.ca. Please contact them if you have questions related to Students Union matters, events, or concerns.

For your student ombudsman, please see

<http://www.ucalgary.ca/provost/students/ombuds>

Faculty of Arts Program Advising and Student Information Resources

- Have a question, but not sure where to start? The Faculty of Arts Program Information Centre (PIC) is the information resource for everything in Arts! Drop in at SS110, call 403-220-3580 or send email at artsads@ucalgary.ca. You can also visit the Faculty of Arts website at <http://arts.ucalgary.ca/undergraduate> which has detailed information on common academic concerns.
- For program planning and advice, contact the Student Success Centre (formerly the Undergraduate programs Office) at (403) 220-5881 or visit them on the 3rd Floor of the Taylor Family Digital Library
- For registration (add/drop/swap), paying fees and assistance with your Student Centre, contact Enrolment Services at (403) 210-ROCK [7625] or visit them at the MacKimmie Library Block.