

Law & Society 201 – Sec 01
Introduction to Legal Studies – Winter Term, 2013
MWF 15:00 – 15:50; RM: ST 145

Instructor: Rick Nilson

Office Location: SS 1204

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Office Hours: Wednesday, 13:00 – 14:45

Course Description

This course provides an introduction to the study of Law and Society. This course will be structured in six parts:

- **Part 1** will include an introduction to the study of Law & Society, as well as a discussion of the classic themes in **Legal Theory**: Natural Law, Positive Law and Legal Realism.
- **Part 2** will move on to **Political Theory** and how it has shaped our government. The contributions of some influential political theorists (J.S. Mill, John Locke and Thomas Paine) will be discussed.
- **Part 3** will consider the **Sociology of Law** and see how society shapes the law. We will consider the work of some early sociologists (Emile Durkheim, Karl Marx and Max Weber).
- **Part 4** will discuss how **Canadian Legal History** has been influenced by these Legal, Political and Social theories.
- **Part 5** will examine the main **Purposes of Law**: Social Control, Dispute Resolution and Social Change.
- **Part 6** will expand on the concept of law as an agent of social change, through a discussion of some **Modern Legal Theories** of Law & Society: Legal Feminism, Critical Race Theory and Power & Knowledge.
- **Part 7** will consider how all of these theories have shaped **Our Legal System** including the Organization of Law, our Law Making process and the Legal Profession.

Classes will be a mixture of lecture and discussion format. Theoretical concepts will be discussed and applied to historical cases and current events. Students are expected to have done all of the assigned readings in advance of class and to actively participate in class discussions. The Instructor's slides for each class will be made available on Blackboard, but this will only include a summary of the material that for which students will responsible in this course.

Course Objectives

Since Law and Society is an interdisciplinary endeavor, this course has a set of interlinked objectives. The first is to introduce a set of key disciplinary perspectives on law: those of philosophy, history, sociology, and political theory. Other perspectives exist, but we will focus on these. The second objective is to enable students to describe and analyze how law bears on a set of contemporary issues: the relationship between crime and morality, the tension between property rights and equality and the relations between individuals and the state. By the end of the course, students should be able to articulate what sorts of questions can be asked and addressed through different disciplinary perspectives, and they should be able to examine a socio-legal problem from this set of disciplinary perspectives.

Textbooks and Readings:

- Steven Vago and Adie Nelson, *Law and Society*, 3d Canadian ed. (Toronto: Pearson Prentice, 2009) [**"Vago & Nelson"**]
- George Pavlich, *Law & Society Redefined* (Oxford: Oxford University Press, 2011) [**"Pavlitch"**]
- Alan Hutchinson, *Is Eating People Wrong? Great Legal Cases and How they Shaped the World.* (New York: Cambridge University Press, 2011) [**"Hutchinson"**]
- Other Readings – or links to them – will be posted on Blackboard

Course Evaluation

Course evaluation will be based on 2 examinations and 3 assignments:

Mid-Term Exam - (30% of final grade). The mid-term will cover Parts 1 - 3 of the course. The mid-term will be a multiple-choice examination.

Final Examination – Registrar Scheduled (40% of final grade). The final examination will be cumulative but will focus on Parts 4 – 7 of the course. The final will consist of multiple choice and short answer questions.

The examinations may cover all assigned readings and all material covered in class. All examinations are closed-book.

3 Assignments – (30% of final grade). There are 3 assignments throughout the term, each worth 10%, due on the dates specified on the Schedule that appears below. Deductions will be made for late assignments. Students are expected to apply what they learn in this course to current news events. Additional guidelines for these assignments and a sample of an appropriate template will be posted on Blackboard.

Schedule

The following is an expected schedule of the parts, topics, readings, examinations and assignment due dates. The instructor reserves the right to modify the schedule or the readings, but students will be given notice of any changes in advance.

Schedule	Topics	Readings
Jan 9	Course Overview	Course Syllabus
Jan, 11, 14, 16, 18, 21	Part 1 – Legal Theory	
	Introduction to Law & Society	Pavlich, Introduction Vago & Nelson, Chapter 1
	Classical Natural Law	Pavlich, ch. 1 Hutchinson, ch. 2 – <i>Dudley and Stephens</i>
	Modern Natural Law	Pavlich, ch. 2 Hutchinson, ch. 3 - <i>Roncarelli v. Duplessis</i>
	Legal Positivism	Pavlich, ch. 3
	Legal Realism	Pavlich, ch. 4
Jan 23, 25, 28, 30	Part 2 – Political Theory	
	John Stuart Mill	J.S. Mill, <i>On Liberty</i> ; Chapter IV, <i>Of the Limits to Authority of Society over the Individual</i> http://www.bartleby.com/130/
	John Locke	John Locke, <i>Second Treatise of Government</i> http://constitution.org/il/2ndtreat.htm
	Thomas Paine	Thomas Paine, <i>Common Sense</i> (1776) http://www.gutenberg.org/ebooks/147
Feb 1	Assignment #1 Due	
	Part 3 - Sociology of Law	
Feb 1, 4, 6, 8, 11	Emile Durkheim	Pavlich, ch. 5 Vago & Nelson, pp. 36-37
	Karl Marx	Pavlich, ch. 6 Vago & Nelson, pp. 34-35 Hutchinson, ch. 8 (<i>Hadley v. Baxendale</i>)
	Max Weber	Pavlich, ch. 7 Vago & Nelson, pp. 35-36
Feb 13	Review	
Feb 15	MIDTERM EXAM	
Feb 18-22	READING WEEK	

March 1	Assignment # 2 Due	
Feb 25, 27 Mar 1, 4, 6,	Part 4 - Canadian Legal History	
	Colonial Times to Confederation	<i>Canada in the Making</i> (Up to 1867) http://www.canadiana.ca/citm/index_e.html
	Post-Confederation	<i>Canada in the Making</i> (1867 to Present) http://www.canadiana.ca/citm/index_e.html
Mar 8, 11, 13, 15, 18, 20	Part 5 - Purposes of Law	
	Law & Social Control	Vago & Nelson, Chapter 5 Hutchinson, ch. 6 (<i>Donoghue v. Stevenson</i>)
	Law & Dispute Resolution	Vago & Nelson, Chapter 6 Hutchinson, ch. 4 (<i>Pierson v. Post</i>)
	Law & Social Change	Vago & Nelson, Chapter 7 Hutchinson, ch. 5 (<i>Brown v. Board of Education</i>)
Mar 22, 25 27	Part 6 - Modern Legal Theories	
	Feminist Legal Theory	Vago & Nelson, pp. 48 -52 Pavlich, pp. 117 – 130
	Critical Race Theory	Vago & Nelson, pp. 52 -54, pp. 98 -103 Pavlich, pp. 130 -132 Hutchinson, ch. 7 (<i>Mabo</i>)
	Law, Power & Knowledge	Pavlich, ch. 9
Mar 29	Good Friday	
April 1	Assignment # 3 Due	
April 1, 3, 5, 8, 10, 12	Part 7 - Our Legal System	
	The Organization of Law	Vago & Nelson, ch. 3 Hutchinson, ch. 9 (<i>Miranda</i>)
	Law Making	Vago & Nelson, ch. 4
	The Legal Profession	Vago & Nelson, ch. 8
April 15	Review	
TBA	<u>FINAL EXAM</u>	

Grading System

	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

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>.

Ethics

This course will not involve any research on human subjects. Whenever you perform research with human participants (i.e. surveys, interviews, observation) as part of your university studies, you are responsible for following university research ethics guidelines. Your instructor must review and approve of your research plans and supervise your research. For more information about your research ethics responsibilities, see <http://arts.ucalgary.ca/research/for-researchers/ethics>.

Internet and electronic communication device information

Laptops are allowed in class, provided that they are used for notes and access to materials only. All cell phones must be turned off during class.

Policy on Recording of Lectures

Recording shall be permitted for individual private study only at the discretion of the instructor. For any other use, whether by duplication, transcription, publication, sale or transfer of recordings, written approval must be obtained from the instructor for the specific use proposed. Any other use of recordings constitutes academic misconduct and may result in suspension or expulsion. For more information on recording of lectures please see: <http://www.ucalgary.ca/pubs/calendar/current/e-6.html>

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.

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

Campus Security will escort individuals day or night -- call 403-220-5333 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 your information resource for everything in Arts! Drop in at SS110, call us at 403-220-3580 or email us 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.