Course Outline LWSO 413-02
Liberalism
Fall 2014
Tuesdays & Thursdays 15:30-16:45 (SA 247)
Sabrina Gilani BA, LLM, PhD(c)
sabrina.gilani@gmail.com
Office Hours: By appointment (SS 942)

Course Description
In this class students will be introduced to two foundational texts of political liberalism, Mill’s *On Liberty* and Rawls’ *Justice as Fairness*. Over the course of this module students will consider varying conceptions of liberty, justice, and autonomy within the context of contemporary legal issues in Canada. The seminar will focus on critical and legal debates that both support and challenge the tenets of liberal theory as the forerunning ‘worldview’ of modern societies, and will discuss the ways in which liberal theory has the potential to, at times, oppress while it aims to liberate.

Students will be expected to come to each seminar having done the reading. The majority of the classes will be organized so as to maximize student interaction. There is a strong expectation that students will contribute to class discussion and debate. Beginning Week 3 groups of three to four students will be responsible for organizing ‘student-led’ teaching seminars.

Core Texts
- J.S. Mill, *On Liberty*
- John Locke, *Second Treatise of Government*
- John Rawls, *Justice as Fairness*
- A number of additional readings are assigned for each class and can be accessed online via your online UCID account.

There may also be a few reserve readings that will be available through the library. It is suggested that students find all pertinent readings at the beginning of the semester to avoid any last-minute delays. The inability to access a reading will not be accepted as a valid excuse for coming to class unprepared.

Assignments and Coursework
1. **In Class Participation – 15%**
   Class Participation will include both attendance and student contributions to in-class discussions.

2. **Midterm Exam – 20% (October 16th)**
   The midterm exam will consist of 1 (from a choice of 3) essay questions. The midterm exam will cover material to the October 14th class.
3. **Quiz – 10% (November 6th)**
   The quiz will consist of 3 (from a choice of 5) short answer questions. It will cover material from October 16th to the November 4th class.

4. **Student-Led Class – 30% (TBD based on Topic)**
   Students will be organized into groups of 3-4 during the first week of classes. Student-led teaching seminars require that each group of students read, critically evaluate and present the readings to the class. Students will also be responsible for developing discussion questions. Your presentation should make a concerted effort to tie the material to some of the broader debates we've been discussing in class, particularly as they relate to, for instance, conceptions of harm, bodily integrity, equality, and distributive justice. More information on the student-led classes will be forthcoming during the first week of classes.

5. **Registrar-Scheduled 3-Hr Final Exam – 25%**
   The final exam will consist of 2 essay questions (from a choice of 5) and 3 short answer questions (from a choice of 6).

**Policy for Late Assignments**
Assignments submitted after the deadline will 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 [www.comcul.ucalgary.ca/info](http://www.comcul.ucalgary.ca/info). 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 wish help with your writing at any stage, including drafts, you are invited to contact the Writing Centre, SS110, 220-7255.

**Grading System**

The following grading system is used in the Department of Sociology

<table>
<thead>
<tr>
<th>Grade</th>
<th>Grading Scale</th>
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<tbody>
<tr>
<td>A+</td>
<td>96-100</td>
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<tr>
<td>A</td>
<td>90-95.99</td>
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<tr>
<td>A-</td>
<td>85-89.99</td>
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<tr>
<td>B+</td>
<td>80-84.99</td>
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<tr>
<td>B</td>
<td>75-79.99</td>
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<tr>
<td>B-</td>
<td>70-74.99</td>
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<tr>
<td>C+</td>
<td>65-69.99</td>
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<td>C</td>
<td>60-64.99</td>
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<td>C-</td>
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<td>D+</td>
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<td>D</td>
<td>50-52.99</td>
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<tr>
<td>F</td>
<td>0-49</td>
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</table>
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. An F will be converted to zero.

**Plagiarism**

Using any source whatsoever without clearly documenting it is a serious academic offense. For details see [www.comcul.ucalgary.ca/info](http://www.comcul.ucalgary.ca/info). 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 or the Writing Centre (SS110) if you have any questions regarding how to document sources.

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**Class Schedule**

**Introduction to Course**

<table>
<thead>
<tr>
<th>Date</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 9, 2014</td>
<td><strong>Liberty &amp; Harm</strong></td>
</tr>
<tr>
<td>September 11, 2014</td>
<td><strong>Harm &amp; the Law: The Legalization of Marijuana</strong></td>
</tr>
<tr>
<td>September 16, 2014</td>
<td><strong>Harm &amp; the Law: Thought, Expression, &amp; the ‘Obscene’</strong></td>
</tr>
<tr>
<td>September 18, 2014</td>
<td><strong>Harm &amp; the Law: Individuality and the Regulation of Speech</strong></td>
</tr>
</tbody>
</table>

**Liberty & Harm**


**Harm & the Law: The Legalization of Marijuana**


**Harm & the Law: Thought, Expression, & the ‘Obscene’**


- Miller v. California 413 U.S. 15 (1973)
  [http://www.law.cornell.edu/supremecourt/text/413/15]

- Towne Cinema Theatres Ltd. v. The Queen, 1 SCR 494 (1985)

**Harm & the Law: Individuality and the Regulation of Speech**

- J.S. Mill, *On Liberty*, Chap. 3, ‘Of Individuality, as one of the Elements of Well-Being’

Harm & the Law: Society, the Individual and Mills’ Applications  September 23, 2014
• J.S. Mill, On Liberty, ch. 4, “Of the Limits to the Authority of Society Over the Individual”
• J.S. Mill, On Liberty, ch. 5, “Applications”

Liberty & Harm: Student-Led Discussion  September 25, 2014

Student-Led Class: Political Information & Critique
• New York Times Co. v. United States, 403 U.S. 713 (1971)
• Simone Chambers, “Behind Closed Doors: Publicity, Secrecy and the Quality of Deliberation,”  
• Julian Assange “Don’t Shoot Messenger for Revealing Uncomfortable Truths”, The Australian,  
December 8, 2010.  
• Edward Snowden – Student Choice of Readings

Student-Led Class: Mill’s Political Liberalism and Bodily Integrity  September 30, 2014
• Nicola Lacy, “Unspeakable Subjects, Impossible Rights: Sexuality, Integrity, and Criminal Law”,  

Student-Led Class: Law and Pornography  October 2, 2014
• R v Butler, [1992] 1 SCR 452  
• R v Sharpe, 2001 SCC 2, [2001] 1 SCR 45  
Student-Led Class: Law, Expression & Action over the Internet October 7, 2014
  [http://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=1060&context=dltr]
- ‘Second Life Child Abuse Claims’, BBC News Online [May 9, 2007]
  [http://news.bbc.co.uk/2/hi/technology/6638331.stm]

Student-Led Class: Prostitution and the Regulation of Sex October 9, 2014
- J.S. Mill, The Subjection of Women (1869), Chap. 1
  [http://www.constitution.org/jsm/women.htm]
  http://sls.sagepub.com.ezproxy.lib.ucalgary.ca/content/8/2/181.full.pdf+html

Student-Led Class: The Legal Regulation of ‘Life’ October 14, 2014
- Rodriguez v British Columbia (Attorney General), [1993] 3 SCR 519
  [http://www.canlii.org/en/ca/scc/doc/1993/1993canlii75/1993canlii75.html?searchUrlHash=AAAAAQARUm9kcmIndWV6iHN1aWNpZGUAAAAAAQ]
- Carter v Canada (Attorney General), 2013 BCCA 435

Midterm Exam 1 October 16, 2014

Liberty & Justice
Introduction to Rawls October 21, 2014
- Excerpts from John Locke, Second Treatise of Government (1690), Chaps 1 & 5 (available from various sources, including http://www.gutenberg.org/ebooks/7370)

Rawls: Part II October 23, 2014
- John Rawls, Justice as Fairness, Part II: “Principles of Justice”

Rawls: Part III October 28, 2014

**Rawls: Part IV**  
October 30, 2014  

**Rawls: Part V & Wrap-up**  
November 4, 2014  

**Quiz**  
November 6, 2014

**Reading Break – No Class**  
November 11, 2014

**Liberty & Justice: Student-Led Discussion**  
November 13, 2014  

**Student-Led Class: Environmental Justice**  
November 18, 2014  

**Critiques of Liberalism**  
November 20, 2014  
  OR  
**Feminist Critique**

November 25, 2014


**Critiques of Liberalism: Student-Led Discussion**

November 27, 2014

- Seyla Benhabib, “The Claims of Culture” (posted on D2L, Week 12)

**Student-Led Class: Legal Regulation of Cultural Diversity**

December 2, 2014

- *Chaoulli v Quebec (Attorney General)*, 2005 SCC 35 [http://canlii.ca/t/1kxrh]
- *Moore v British Columbia (Education)*, 2012 SCC 61, [http://canlii.ca/t/ftp16]

**Regulator Scheduled Final Exam during Exam Period – See Calendar**

December 4, 2014

1. [Optional] Grade Reappraisal: Within two weeks of the date the exam/assignment is returned, students seeking reappraisal of examinations or assignments must submit a written response to the instructor explaining the basis for reconsideration of one's mark. The instructor will reconsider the grade assigned and will then book a time with the student to discuss his or her work and rationale. It should be noted that a reconsidered mark may be raised, lowered, or remain the same.
2. The main Sociology Department office does not deal with any course-related matters. Please speak directly to your instructor.
3. Academic Misconduct: Please refer to the website listed below for information on University of Calgary policies on Plagiarism/Cheating/Other Academic Misconduct: [http://www.ucalgary.ca/pubs/calendar/current/k-2-1.html](http://www.ucalgary.ca/pubs/calendar/current/k-2-1.html)
4. Protection of Privacy: The Freedom of Information and Protection of Privacy (FOIPP) legislation does not allow students to retrieve any course material from public places. Anything that requires handing back will be returned directly during class or office hours. “If students are unable to pick up their assignments from the instructor, they provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.”
5. Deferrals: If possible, please provide advance notice to the instructor if you are unable to write an exam or complete/turn-in assignments on time. All requests for deferral of a course component due to health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the health issue rather than after recovery.
Deferrals will be allowed in the following circumstances: illness, domestic affliction or religious conviction. Travel arrangements and misreading of the syllabus are not valid reasons for requesting a deferral. Deferrals will not be granted if it is determined that just cause is not shown by the student. If you have missed a test for a legitimate reason, the instructor can require you to write a “make up” test as close in time to the original test as possible or can choose to transfer the percentage weight to another course component. If the instructor schedules a “make up” test for you, its date and location will be at the convenience of the Department of Sociology. Deferred Final Exam Form: Please note that requests to defer a Registrar scheduled final exam are dealt with through the Registrar’s Office. Further information about deadlines, and where paperwork should be taken, is available on the form, which can be found at: http://www.ucalgary.ca/registrar/files/registrar/Sp_Su_DFE_App.pdf

Deferred Term Work Form: Deferral of term work past the end of a term also requires a form to be filled out. It’s available at http://www.ucalgary.ca/registrar/files/registrar/defTW.pdf

Once an extension date has been agreed between instructor and student, the form should be taken to the Faculty of Arts Program Information Centre (SS 110) for approval by an Associate Dean (Students).

6. Student Representation: The 2014-15 Students’ Union VP Academic’s email is: Hana Kadri suvpaca@ucalgary.ca. The Faculty of Arts has four SU representatives who may be contacted at any of the following email addresses: arts1@ucalgary.ca, arts2@ucalgary.ca, arts3@ucalgary.ca, and arts4@ucalgary.ca. You may also wish to contact the Student Ombudsperson for help with a variety of University-related matters: http://www.ucalgary.ca/provost/students/ombuds/role

7. Emergency Evacuation: In the case of fire or other emergency evacuation of this classroom, please proceed to the assembly point at [*location*]. Please check these assembly point locations for your other classes at: http://www.ucalgary.ca/emergencyplan/assemblypoints

8. Safewalk: The University of Calgary provides a “safe walk” service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the “Help” phones located around Campus.

9. Academic Accommodation: Students who require academic accommodation, must register with Student Accessibility Services (formerly the Disability Resource Centre) at MC 452 (or phone 403-220-8237). Please provide academic accommodation letters to the instructor as early in the semester as possible and no later than two weeks after the course begins.