

Course Outline

COURSE:	LAWS 3908A – Approaches to Legal Studies II
TERM:	Fall 2014
PREREQUISITES:	LAWS 2908 and third-year Honours standing
CLASS:	Day & Time: Monday 18:05 – 20:55
	Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Lawrence Buhagiar
CONTACT:	Office: B442 LA (Loeb) – Contract Instructors’ Office
	Office Hrs: MONDAY 17:00 – 18:00 OR BY APPOINTMENT
	Telephone: 613-797-0589
	Email: buhagiar@icloud.com

Academic Accommodations

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

Pregnancy obligation: write to me 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: <http://www2.carleton.ca/equity/>

Religious obligation: write to me 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: <http://www2.carleton.ca/equity/>

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 for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me 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*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished

material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:
<http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION

This course will focus on theoretically informed analysis, critical thinking, interdisciplinary approaches to legal research and the study of different interdisciplinary research methods and designs. The course will ask you to go beyond the study of traditional sources of law (cases and statutes), for a broader exploration of a legal topic. Students examine the links between theory, methodology and research design placing emphasis on what counts as evidence and what makes up sound academic analysis.

The specific theme for this course is "Neuroscience and the Law." The course will examine developments in the area of neuroscience from the historical biological roots of criminology to issues of legal responsibility flowing from advances in neuroimaging. The following core themes are emphasized throughout the course: legal and moral culpability, responsibility, the constitution of the criminal, and the criminalization of bodies. This theme will be used to further develop students' abilities to think critically. Each lecture will include both theoretical and practical aspects of critical research methodologies relating to socio-legal analyses.

REQUIRED READINGS

While there is no textbook for this course, there are weekly readings – articles, cases, videos, etc. – that are outlined below in the schedule section of this syllabus. These items reside within the public domain. Other required readings will include articles and cases. These readings are indicated in this syllabus. Some weeks direct web URLs are provided to required readings or videos.

EVALUATION

The following grade scale will be utilized for this class.

Percentage	Letter grade	12-point scale	Percentage	Letter grade	12-point scale
90-100	A+	12	67-69	C+	6
85-89	A	11	63-66	C	5
80-84	A-	10	60-62	C-	4
77-79	B+	9	57-59	D+	3
73-76	B	8	53-56	D	2
70-72	B-	7	50-52	D-	1

Note: You must complete every aspect of this evaluation scheme in order to pass this course and receive a grade.

Standing in a course is determined by the course instructor subject to the approval of the Department and 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 Department and the Dean.

Participation (25%): **Each and every lecture** there will be either an in-class assignment, exercise or quiz that you will need to complete. Depending on the intended use these may occur at the start or end of the class. There will be no make-ups for any assignments, exercises or quizzes that are missed. Your participation score will be derived from the average of the best ten scores you receive. For example, should you attend 9 classes then your 9 best scores and a zero will be used to calculate your participation score. If you are unable to attend and participate regularly, you should definitely consider taking this course another time.

Critical Essay (35%): You will produce a 12 - 15 page essay that demonstrates your capacity for analysis and application. The essay topic and materials will be given to you. This essay will be further discussed in class and a handout provided to students setting out format and expectations. Your Critical Essay will be **due on November 17, 2014**. Late penalty is 10% per day.

Take-Home Final Exam (40%): A take-home final examination (THFE) will be handed out and discussed at the final lecture of the term December 8th. This THFE will be a demonstration of your knowledge and skills. The THFE will be **due by NOON on December 21, 2014** the last day of the formal exam period.

GROUND RULES

Warning: Your failure to adequately plan does not constitute an emergency or extenuating circumstance in the Instructor's world that will exonerate, alleviate or exempt you from any of the requirements or demands of this course.

Each student is responsible for their own course notes. If you are unable to attend a lecture you will need to obtain notes from one of your classmates. Any PowerPoint slides I will show in class are only a skeleton to help guide lectures. Students are expected to put the 'flesh' onto this skeleton in the form of their notes in class and from the assigned readings.

If your classroom conduct is disturbing or disruptive, you will be asked to leave the class.

The use of electronic devices in this course is a privilege not a right. Your cell phone, blackberry and/or pager should either be turned off or set to vibrate mode. Laptop computers are only permitted in class for the specific purpose of note-taking.

Students pay a lot of money for the opportunity to learn. However, your grade(s) are based upon your ability to demonstrate what you have learned through the assignments rather than your cancelled check or registrar's receipt.

EXTENSIONS & DEFERRALS

Extensions are extremely rare occurrences and will only be granted in cases of exceptional circumstances. When requesting an extension students must tender all work completed on the assignment to that date (e.g. drafts, notes, etc.).

Students must produce proper documentation for consideration (e.g. medical certificate; death certificate; etc.). A physician's medical opinion does not entitle a student to an automatic extension. The decision to grant an extension is never automatic even with proper documentation. The discretion to grant an extension rests with the course Instructor/Professor.

Assignments are set far in advance of their due dates so that students have ample time to complete them. A student who leaves an assignment until the last moment is accepting any and all risk for getting ill, work conflicts, workload issues, etc. A failure to plan accordingly will not garner an extension. Similarly, no extensions will be granted for any type of computer hardware or software problem/failure. Students should be protecting their work product by ensuring it is backed up, printed off, etc.

Deferrals can only be granted by the Registrar's Office. Should you require a deferral please contact the Registrar's Office directly.

SCHEDULE

LAWS 3908A: APPROACHES TO LEGAL STUDIES II COURSE TOPICS AND READINGS		
Date	Lecture	Assigned Reading
Lecture 1 – Sept 8, 2014	Introduction & Administrivia	Course outline; Rosen Article
Lecture 2 – Sept 15, 2014	Crime, History & Science I	Garland, 1985
Lecture 3 – Sept 22, 2014	Crime, History & Science II	Rose, 2009
Lecture 4 – Sept 29, 2014	Neuroscience Explained	Neuro Basics for lawyers
Lecture 5 – Oct 6, 2014	Neurons, Determinism & Freedom	Philosophical Basis
No Lecture – Oct 13, 2014	Statutory Holiday – No Lecture	No assigned reading
Lecture 6 – Oct 20, 2014	Science in the Courtroom	Lobes & Robes
No Lecture – Oct 27, 2014	Reading Week	No assigned reading
Lecture 7 – Nov 3, 2014	The (Ab)Use of Evidence	Evidentiary Value
Lecture 8 – Nov 10, 2014	Scientific and Legal Discourse	History of Scientific Images in Law
Lecture 9 – Nov 17, 2014	Eugenics & Pre-crime Critical Essay - Due	Promises & Pitfalls
Lecture 10 – Nov 24, 2014	What can we know	Brain Overclaim Syndrome
Lecture 11 – Dec 1, 2014	Bad brain or Bad Science?	Blind Justice or Blind Faith
Lecture 12 – Dec 8, 2014	Review Class	No assigned reading
Take Home Final Examination – Due NOON December 21, 2014		