



Department of Sociology
Sociology 3360F: Law and Social Inequality
Fall 2013

This course critically investigates the origins and the operation of law in society. Both the extent to which the law reflects and reinforces social inequalities and the possibility for change and reform through law are explored.

Professor: Susan Toth
Class Time: Thursday, 6:30pm – 9:30pm
Class Location: BR-202
E-mail: stoth3@uwo.ca
Office and Office Hours: TBA

Course Description:

What social forces are influential in designing the law? To what extent does the law reflect and reinforce inequalities of “race”, gender, class, sexuality, age and ability? To what extent can the law be utilized to bring about social change? How are law and politics related?

This seminar is a critical investigation of the law-society relationship. Specifically in relation to social inequality, law is analyzed in a way that highlights its dual, contradictory nature. That is, in theory, law offers the promise of equality. However, in practice, law often reinforces and perpetuates social inequality.

More concretely, this course explores the origins and the operation of law, as well as the possibility for change and reform through law by investigating the following kinds of topics: the criminalization of poverty, First Nations people and the law, immigration law, law and policing, gender bias in the law, the criminalization of LGBTQ people in Canada, and crimes related to both young and old.

Course Objectives:

Upon completion of this course students will have:

- Gained some understanding of theories related to law and social inequality

- Become more aware of how the law reflects and reinforces inequalities of “race”, gender, class, age, sexuality and ability.
- Been introduced to ways in which the law may be utilized to bring about social change

Course Prerequisites:

Sociology 1020 or 1021E and enrolment in 3rd or 4th year Sociology. Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you will be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

REQUIRED TEXTS:

1. Comack, Elizabeth. (Ed.) *Locating Law: Race, Class, Gender, Sexuality Connections* 2nd ed. Halifax: Fernwood Publishing, 2006.
2. Perry, Barbara. (Ed.) *Diversity, Crime and Justice in Canada*. Don Mills ON: Oxford University Press, 2011.

ASSIGNMENT AND GRADING STRUCTURE:

Assignment	Grade Value
Critical Essay	35%
Grant Assignment: Short Essay and Presentation	20%
Participation	15%
Final Exam	30%

DETAILED COURSE OUTLINE:

Students, please note that the following course outline is subject to revision. From time to time, I may add topical readings to your required readings, or schedule guest speakers/videos. It is your responsibility to do all required readings, to attend class and to participate. If, for whatever reason, you are unable to attend class, please consult your colleagues in order to catch up on any administrative details, or course content that you may have missed.

DATES	WEEKLY TOPIC	REQUIRED READINGS
Sept 12	Introduction to the Canadian Legal System	

Sept 19	Theoretical Approaches to the Sociology of Law	<i>Locating Law: pg 18-67</i> <i>Diversity: Ch 2</i>
Sept 26	Women, Gender, Sexuality and the Law <ul style="list-style-type: none"> - Transgender issues - GLBTQ - Women's rights - Domestic Violence - Cyber Bullying <i>Guest Speaker: Holly Painter</i>	<i>Diversity, Crime and Justice: Cha 12 & 13</i>
Oct 3	Class Interests, Corporations, Politics and the Law <ul style="list-style-type: none"> - Corporations as people/Corporate Crimes (Exxon, Bhopal-Union Carbide, BP disaster, MM & A- Lac-Megantic) - Muzzling of Canadian Scientists - Consumer Protection <i>Video clip: The Corporation</i>	<i>Locating Law: pg 180-206</i> <i>Diversity: Ch 11</i>
Oct 10	Poverty and the Law <ul style="list-style-type: none"> - Welfare system - Homelessness - McDonald's budget and the minimum wage Addictions and the Law <ul style="list-style-type: none"> - Methadone Clinics <i>Guest Speaker: Abe Oodshoorn</i>	<i>Locating Law: Pg. 207-229</i>
Oct 17	FALL BREAK – NO CLASSES	NO READINGS
Oct 24	Policing, Crime and Justice: <ul style="list-style-type: none"> - Canadian criminal justice system - prison reform (Including Ashley Smith Inquest) - sentencing - sexual assault - disproportionate representation of aboriginals <i>Guest Speaker: Martha Cook</i>	<i>Video: PBS Documentary: False Confessions</i> <i>Locating Law: Pg. 123-146; 258-284</i> <i>Diversity: Ch 8</i>

<p>Oct 31</p>	<p>Racism, Immigration and the Law</p> <ul style="list-style-type: none"> - immigration and refugee rights - racial profiling <p><i>Video: 30 Days: Morgan Spurlock</i></p> <p>~ Short Essay for Grant Assignment Due ~</p>	<p><i>Locating Law</i> pg. 94-121</p> <p><i>Diversity: 6, 7 & 10</i></p> <p><i>The Symbolic Violence of the Crime-Immigration Nexus: Migrant Mythologies in the Americas</i> by John Hagan et al</p>
<p>Nov 7</p>	<p>Age, Inequality and the Law</p> <ul style="list-style-type: none"> - young offenders (Roy McMurtry Centre) - Seniors <p>International Inequalities</p> <ul style="list-style-type: none"> - Drones - Climate change - Sweat shops - Patents and pharmacies (ketamine) 	<p><i>Diversity: Ch 14-15</i></p> <p>Readings to be announced...</p>
<p>Nov 14</p>	<p>Rights, Freedoms and the Law</p> <ul style="list-style-type: none"> - <i>Charter of Rights and Freedoms</i> - Privacy/Surveillance (Snowden, Manning) - Activism/SLAPP suits - “Anti-terrorist” legislation - G20 - Graffiti case in London - Access to Justice – Legal Aid etc 	<p>Readings to be announced...</p>
<p>Nov 21</p>	<p>Mental Health, Physical Disabilities, Worker’s Health and Safety and the Law</p> <ul style="list-style-type: none"> - access to mental health resources - new disability access laws - employment - WSIB 	<p><i>Diversity: Cha 16</i></p> <p><i>Locating Law: pg. 180-206</i></p>
<p>Nov 28</p>	<p>Aboriginal and First Nations People and the Law</p> <ul style="list-style-type: none"> - An Alternative Model of Justice - Idle No More - Highway of Tears - Indian Act/Reservations - Experimentations on First Nations Children in 1960s (Residential Schools) <p>~ Critical Essays Due ~</p>	<p><i>Locating Law: pg. 73-93</i></p> <p><i>Diversity: Ch. 5</i></p>

Dec 5	Grant Assignment Presentations and Vote	none
TBA	FINAL EXAM	FINAL EXAM

DETAILED ASSIGNMENT INSTRUCTIONS:

1. Critical Essays (35%)

- **Due: Thursday November 28, 2013**
- **1500 words: double spaced, TYPED pages and properly referenced.**

Your essay should include at least 2 sources from the required class readings and 5 additional scholarly references, beyond the required course texts.

*** 2 COPIES OF THE ESSAY SHOULD BE SUBMITTED– ONE ELECTRONIC COPY THROUGH TURITIN.COM ON THE OWL SAKAI COURSE PAGE and ONE HARD COPY DURING CLASS TIME.***

Consistent with the theme of this course, your essay should explore some dimension of inequality in relation to law. While I do encourage you to clear your topic with me in advance, you have a great deal of latitude to pursue a topic that is of interest to you. For those of you who are less certain about a topic, you might use the following suggestions as a guide.

Select a particular case study in relation to one of the areas listed below:

- Policing (e.g., racial profiling, the case of Robert Dziekanski, the case of Sammy Yatim, G20 mass arrests etc)
- Immigration (e.g., how have the events of September 11th shaped Canadian immigration? E.g., the Mahar Arar Case)
- First Nations People (e.g., “Idle No More”, Dudley George)
- Miscarriages of justice– e.g. the case of Steven Truscott
- Violence against women
- Homophobia and hate crimes
- Treatment of offenders within prison (e.g. Ashley Smith Inquest)
- The challenges associated with criminal insanity as a defence—e.g., the case of Luka

Magnotta

- Cyber-bullying and the law: (e.g. Rehtaeh Parsons, Amanda Todd)
- “Occupy” (Wall-street) movement
- Bradley Manning and Ed Snowden “espionage” charges.

Through an analysis of the case study, critically investigate the effectiveness of the law in relation to your chosen issue. Does the case study suggest that the law promotes justice and fairness for all? Or alternatively, does the case study provide evidence of how the law, in practice, perpetuates social inequality?

2. Grant Assignment (20%)

In this class we will be talking extensively about inequality and challenges faced by people on a daily basis for different reasons. It can be easy to be disheartened by these issues, and students often express a desire to make the world a better place. One small way of accomplishing this to create a class “grant fund”

Each student is asked to contribute \$5 (or more) to this fund, which I will match dollar for dollar up to \$150.00. Yes, this is a modest sum, but the idea is to add a real-world dimension to the assignment. Whoever presents the most persuasive argument will choose which local organization their grant money is to be donated.

a) Short essay/proposal component – (10%) - Due October 31st

You will each submit a short essay/proposal that identifies an issue related to law and inequality. Argue why your topic is an important problem that needs to be addressed: support your position with arguments or examples. Discuss a potential solution for the problem, with relevant research. Your proposed solution can be something already being done somewhere by an organization, or an entirely new idea. Discuss the implication and consequences of your problem and solution.

Be sure to show me that you understand the dynamics of the problem and inequality faced by the person/situation. 250 words, typed, double spaced.

b) Presentation – (10%) - December 5th

On December 5th, you will make a short oral presentation about your problem and proposed solution. Please plan on standing up in front of the class and talking for approximately 10 minutes. To make sure we get through all of the presentations, I will cut people off if they run long.

In your presentation, please state the problem you addressed in your paper and provide a brief overview of some of the evidence or examples that show it is an important problem. Then, describe your proposed solution and explain why it would work. *Feel free to be*

creative as long as you keep to the time limit.

At the end of the presentations, the class will vote on who made the most persuasive case for their problem and solution. The winner will choose where to donate the grant money.

NB: If you have ANY CONCERNS ABOUT YOUR ABILITY TO DONATE PLEASE SEE ME OR SEND ME AN EMAIL. This assignment is not meant to discriminate against anyone who is unable to participate because of financial limitations. Any concerns will be entirely anonymous, no one will see who donates or how much unless you choose to share that information.

IF YOU CANNOT MAKE THE DECEMBER 5th CLASS: Please see me about making alternate arrangements about when to present to the class, otherwise you will not receive any marks for the presentation part of the assignment.

4. Participation and Addressing Inequality in Your Own Lives (15%)

I expect everyone to participate in class discussions and encourage everyone to feel at liberty to speak their opinions. Respect for each other's ideas is not only encouraged, it is mandatory. Any disrespectful dialogue will be shut down immediately. However, disagreements and passionate opinions are to be expected and encouraged as well.

Ask questions, be curious. Have your own interpretation. Be supportive of each other and remember that we all have a story and all of our interpretations of the world are coloured by our experiences within it.

However, I also understand that not everyone is an extrovert, and not everyone comes from a culture that encourages raucous debate. To that end, **I do not intend to mark your participation on how much you speak in class.**

Instead, I ask that you show me that you are thinking about law and inequality in your daily lives. You can do this in one of two ways:

OPTION A:

Regularly forward to me:

- a) Interesting articles and a short note on how it relates to our class, or
- b) A short note, in a blog style, on something you observed in your own lives or on the news that relates to something we have or will discuss in class (e.g. you noticed how a homeless man was treated when you were walking downtown)

When I say regularly, I would aim to be sending me something on a bi-weekly basis (so at the end of the term a total of about 5-7 emails). I will be grading you on quality of your

observations related to the article or event, not on quantity of articles or emails you send me. They don't have to be long, and you don't need to have your thought be conclusive. A series of thoughtful, critical questions on the article/event that shows me you are analyzing the issue is enough, although if you do have a strong opinion, please share it!

OPTION B:

- a) A journal type entry on something you did that shows me you are exploring inequality outside of the classroom. It should involved some sort of off-campus trip: a day you took to sit in on court cases, an evening you spent attending a city hall meeting, arranging a tour of a local service agency e.g My Sisters Place, Life*Spin, WOTCH-Impact Junk, etc. Ask me before you do this to make sure what you decide to do meets the criteria. If you need help with maneuvering City Hall or the courts, or what agency to visit, let me know!

This option doesn't require ongoing emails to me like the first option, but its potentially more time consuming since it requires you to make a trip and sit and observe. You would then write a personal journal entry on your thoughts, observations, and put it into context of what you have learned in Sociology previously and what you are learning in this class.

5. Final Exam (35%)

This exam will be written during the final examination period in April. The format of the exam will be discussed later in the term.

COURSE SPECIFIC POLICIES:

1. Submission of Assignments

All assignment due dates are firm and subject to a late penalty, except when the professor recognizes that there are legitimate and documented exceptional circumstances (eg. illness, death in the family). For each day the assignment is late, the student will lose .5 of a mark (.5% of your final course grade). Except for exceptional circumstances such as those noted above, **assignments submitted 7 days or more past the due date will not be accepted.**

2. Late Submission of Assignments worth less than 10%

For academic accommodation to be considered for any course component worth less than 10% of the final course grade, it is the responsibility of the student to approach the course instructor(s) in a timely fashion. Documentation may be required to be submitted to the

academic advisor. If documentation is required, the request for accommodation will be decided by the academic advisor in consultation with the instructor. If documentation is not required, the instructor will make the final decision as to whether or not accommodation will be granted. The policies governing requests for academic accommodation for course components worth 10% or more of the course grade are outlined in the Academic Policies section included at the end of the course outline.

3. Policy Statement Regarding Essay Courses

Sociology 3360F is designated as an essay course. According to the University of Western Ontario's regulations for essay courses, all half courses, designated at the 100 level or above, must include written assignments (excluding examinations) totaling at least 2500 words. Additionally, according to this regulation, students are required to demonstrate competence in essay writing in order to pass the course.

BRESCIA UNIVERSITY COLLEGE ACADEMIC POLICIES AND REGULATIONS

1. POLICY REGARDING MAKEUP EXAMS AND EXTENSIONS OF DEADLINES

When a student requests academic accommodation (e.g., extension of a deadline, a makeup exam) for work representing 10% or more of the student's overall grade in the course, it is the responsibility of the student to provide acceptable documentation to support a medical or compassionate claim. All such requests for academic accommodation **must** be made through an Academic Advisor and include supporting documentation. Academic accommodation on medical grounds will be granted only if the documentation indicates that the onset, duration and severity of the illness are such that the student could not reasonably be expected to complete her academic responsibilities. Appropriate academic accommodation will be determined by the Dean's Office in consultation with the student's instructor(s). Please note that personal commitments (e.g., vacation flight bookings, work schedule) which conflict with a scheduled test, exam or course requirement are not grounds for academic accommodation.

A UWO Student Medical Certificate (SMC) is **required** if a student is seeking academic accommodation on medical grounds. This documentation should be obtained at the time of the initial consultation with the physician/nurse practitioner or walk-in clinic. A SMC can be downloaded under the Medical Documentation heading of the following website: <https://studentservices.uwo.ca/secure/index.cfm> . If it is not possible to have an SMC completed by the attending physician/nurse practitioner, the student must request documentation sufficient to demonstrate that her ability to meet academic responsibilities was seriously affected. Please note that under University Senate regulations documentation stating simply that the student "was seen for a medical reason" or "was ill" is **not** adequate to support a request for academic accommodation. All documentation is to be submitted to an Academic Advisor.

Whenever possible, requests for academic accommodation should be initiated in advance of due dates, examination dates, etc. Students must follow up with their professors and Academic Advisor in a timely manner.

The full statement of University policy regarding extensions of deadlines or makeup exams can be found at <http://www.westerncalendar.uwo.ca/2013/pg117.html>

2. ACADEMIC CONCERNS

If you feel that you have a medical or personal problem that is interfering with your work, contact your instructor and Academic Advisor as soon as possible. Problems may then be documented and possible arrangements to assist you can be discussed at the time of occurrence rather than on a retroactive basis. Retroactive requests for academic accommodation on medical or compassionate grounds may not be considered.

If you think that you are too far behind to catch up or that your work load is not manageable, you should consult an Academic Advisor. If you consider reducing your workload by dropping one or more courses, this must be done by the appropriate deadlines (refer to the Registrar's website, www.registrar.uwo.ca, for official dates). You should consult with the course instructor and the Academic Advisor who can help you consider alternatives to dropping one or more courses. *Note that dropping a course may affect OSAP eligibility and/or Entrance Scholarship eligibility.*

The Dean may refuse permission to write the final examination in a course if the student has failed to maintain satisfactory academic standing throughout the year or for too frequent absence from the class or laboratory.

3. ABSENCES

Short Absences: If you miss a class due to a minor illness or other problems, check your course outline for information regarding attendance requirements and make sure you are not missing a test or assignment. Cover any readings and arrange to borrow notes from a classmate. Contact the course instructor if you have any questions.

Extended Absences: If you have an extended absence, you should contact the course instructor and an Academic Advisor. Your course instructor and Academic Advisor can discuss ways for you to catch up on missed work and arrange academic accommodations, if appropriate.

4. POLICY ON CHEATING & ACADEMIC MISCONDUCT

Students are responsible for understanding the nature of and avoiding the occurrence of plagiarism and other academic offences. Students are urged to read the section on Scholastic Offences in the Academic Calendar. Note that such offences include plagiarism, cheating on an examination, submitting false or fraudulent assignments or credentials, impersonating a candidate, or submitting for credit in any course without the knowledge and approval of the instructor to whom it is submitted, any academic work for which credit has previously been obtained or is being sought in another course in the University or elsewhere. Students are advised to consult the section on Academic Misconduct in the Western Academic Calendar.

If you are in doubt about whether what you are doing is inappropriate or not, consult your instructor, the Student Services Centre, or the Registrar. A claim that "you didn't know it was wrong" is not accepted as an excuse.

The penalties for a student guilty of a scholastic offence (including plagiarism) include refusal of a passing grade in the assignment, refusal of a passing grade in the course, suspension from the University, and expulsion from the University.

Plagiarism:

Students must write their essays and assignments in their own words. Whenever students take an idea or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence (see Scholastic Offence Policy in the Western Academic Calendar).

All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com.

Computer-marked Tests/exams:

Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating. Software currently in use to score computer-marked multiple-choice tests and exams performs a similarity review as part of standard exam analysis.

5. PROCEDURES FOR APPEALING ACADEMIC EVALUATIONS

All appeals of a grade must be directed first to the course instructor. If the student is not satisfied with the decision of the course instructor, a written appeal signed by the student must be sent to the Department Chair. If the response of the department is considered unsatisfactory to the student, she may then submit a signed, written appeal to the Office of the Dean. Only after receiving a final decision from the Dean may a student appeal to the Senate Review Board Academic. A Guide to Appeals is available from the Ombudsperson's Office, or you can consult an Academic Advisor. Students are advised to consult the section on Academic Rights and Responsibilities in the Western Academic Calendar.

6. PREREQUISITES AND ANTIREQUISITES

Unless you have either the prerequisites for a course or written special permission from your Dean to enroll in it, you will be removed from the course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites.

Similarly, you will also be deleted from a class list if you have previously taken an antirequisite course unless this has the approval of the Dean. These decisions may not be

appealed. You will receive no adjustment to your fees in the event that you are dropped from a course because you have taken an antirequisite course.

7. SUPPORT SERVICES

The Brescia University College Registrar's website, with a link to Academic Advisors, is at http://www.brescia.uwo.ca/academics/registrar_services/index.html. The Western Registrar's website is at <http://www.registrar.uwo.ca/index.cfm>. The website for the Student Development Centre at Western is at <http://www.sdc.uwo.ca/>. Students who are in emotional/mental distress should refer to Mental Health @Western <http://www.uwo.ca/uwocom/mentalhealth/> for a complete list of options about how to obtain help.

Portions of this document were taken from the Academic Calendar, the Handbook of Academic and Scholarship Policy and the Academic Handbook of Senate Regulations. This document is a summary of relevant regulations and does not supersede the academic policies and regulations of the Senate of the University of Western Ontario.