

BRESCIA UNIVERSITY COLLEGE
Department of Sociology

Sociology 3360G:
Law and Social Inequality
Winter 2015

Course Director: Dr. Lisa Jakubowski
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Class Time:
Thursdays: 11:30 am-2:20 pm

Office Hours :
Thursdays: 10-11 am, or by
appointment.

Course Prerequisites:

Sociology 1020 or 1021E and enrolment in 3rd or 4th year Sociology.

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.

LEARNING OUTCOMES:

Upon completion of this course students will be able to:

1. **Demonstrate** understanding of theories related to law and social inequality
2. **Analyze** the ways in which law reflects and reinforces inequalities of “race”, gender, class, age, sexuality and ability.
3. **Illustrate** ways in which the law may be utilized to bring about social change
4. **Collaborate** with classmates to design and deliver a seminar on a law-related theme.

ASSIGNMENT	ASSIGNMENT VALUE	RELEVANT LEARNING OUTCOMES
Critical Essay	35%	1,2,3
Seminar Presentation	20%	2, 3, 4
2 Pg. Seminar Summary	10%	2, 3, 4
Final Exam	35%	1, 2, 3

REQUIRED READINGS:

Comack, Elizabeth. (Ed.) ***Locating Law: Race, Class, Gender, Sexuality Connections*** 3RD ed. Halifax: Fernwood Publishing, 2014.

Perry, Barbara. (Ed.) ***Diversity, Crime and Justice in Canada***. Don Mills ON: Oxford University Press, 2011.

DETAILED COURSE OUTLINE:

Students, please note that the following course outline is subject to revision. That is, throughout the term, circumstances may arise that will alter the ordering of the topics, the pace at which we move through the material and so on. It is your responsibility to do all required readings, to attend class and to participate in the seminar presentations of your colleagues. 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 TOPICS AND IMPORTANT DATES	REQUIRED READINGS
January 8 th	Administrative Details; Introduction	<i>Diversity, Crime and Justice: Chapter 1</i>
January 15 th	Theoretical Approaches to the Sociology of Law	1) From <i>Diversity, Crime and Justice: Chapter 2</i> ; 2) From <i>Locating Law: "Theoretical Excursions"</i>

DATES	WEEKLY TOPICS AND IMPORTANT DATES	REQUIRED READINGS
January 22 nd	Theoretical Approaches continued... VIDEO-TBA	1) <i>Diversity, Crime and Justice</i> : Chapter 4.
January 29 th	The Origins of Law VIDEO-TBA	1) From <i>Locating Law</i> : “Feminism, Law and the Family”; 2) From <i>Diversity, Crime and Justice</i> : Chapters 7 & 16
February 5 th	Class Interests and the Law	1) From <i>Locating Law</i> : “The Breakdown of Canada’s Corporate Crime Laws”; 2) From <i>Locating Law</i> : “The Construction of Welfare Fraud....”
February 12 th	Women and the Law GUEST SPEAKER-TBA	1) From <i>Locating Law</i> : “Sex was in the Air”; 2) From <i>Diversity, Crime and Justice</i> : Chapter 12
February 19 th	READING WEEK; NO CLASSES	NO READINGS
February 26 th	Sexuality, Crime and the Law	1) <i>Diversity, Crime and Justice</i> : Chapter 13; 2) From <i>Locating Law</i> : “Governing Obscenity and Indecency in Canada”
March 5 th	Criminalizing Race: Policing, Crime and Justice	1) From <i>Diversity, Crime and Justice</i> : Chapter 3, 8 & 10
March 12 th	Interrelating Race, Gender and Class: A Case Study in Canadian Immigration	1) From <i>Locating Law</i> : “ ‘Managing’ Canadian Immigration” 2) From <i>Diversity, Crime and Justice</i> : Chapter 6
March 19 th	Age, Crime and the Law	1) From <i>Diversity, Crime and Justice</i> : Chapters 14 & 15
March 26 th	Western vs. “Traditional” Law: Aboriginal People and An Alternative Model of Justice GUEST SPEAKER- TBA	1) From <i>Locating Law</i> : “Standing Against Canadian Law”; 2) From <i>Diversity, Crime and Justice</i> : Chapter 5 3) From <i>Locating Law</i> : “Colonialism Systemic Discrimination and the Crisis of Indigenous Over-Incarceration”

DATES	WEEKLY TOPICS AND IMPORTANT DATES	REQUIRED READINGS
April 2 nd	Justice for Diversity; Final Reflections <i>CRITICAL ESSAYS DUE</i> Last Class; Final Exam During the Final Examination Period	1) From <i>Diversity, Crime and Justice</i> : Chapters 17-19

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 Western University's regulations for essay courses, all half courses, designated at the 100 level or above, must include written assignments (excluding examinations) totalling at least 2500 words. Additionally, according to this regulation, students are required to

demonstrate competence in essay writing in order to pass the course.

4. Cell Phones and Computers

- Out of respect for your colleagues and the instructor, please refrain from using cell phones during class time. Ensure that they have been turned off before entering class. Similarly, computers are to be used to for note-taking and class related activities only— NOT surfing the net, chatting, looking at photos etc.

DETAILED ASSIGNMENT INSTRUCTIONS:

1. Seminar Presentation (30%):

20%– Seminar Grade

**10%- 2 page summary of key points from the seminar
(a *hard copy should be submitted in class on the day of your presentation; an electronic copy should be sent to me for posting on Sakai*)**

*****Each group member will receive the same grade on both parts of this assignment.***

This assignment is to be done in groups of 4 (with one group of 3). The seminar should last approximately 40 minutes (this time frame includes any discussion or class participation in the seminar).

Throughout this course, some emphasis will be placed on thinking “critically” about issues related to law and society. That is, you will be encouraged to raise questions about issues presented throughout the course. As Czerny et al. (1994:14) suggest, being critical does not mean: *being negative, or condemning the society that we live in or showing ingratitude for the good things it has to offer. Critical means becoming conscious, aware and questioning. It means developing a discerning attitude....*

It is in this spirit that you are asked to design and present a seminar.

This seminar will require both creativity and content. It is inspired by the problem-posing pedagogical approach of Paulo Freire. More specifically, this assignment uses “**codes**” to challenge students to think critically about some dimension of law and social inequality that has sparked your interest from the weekly themes or readings.

What is a “Code”?

In the context of this course, a “code” may take the form of: a photograph, a song, a video clip, a skit, a poem etc.

More specifically, the “code” becomes a representation of an issue, conflict or problem that is related to law and social inequality (e.g., racism in policing; the victimization, criminalization and incarceration of women; discriminatory immigration law; hate crimes; human trafficking). It is designed to invite open-ended discussion and multiple interpretations, depending on the standpoint of the participants. Beyond being visual and/or audio aids, codes are designed to promote critical thinking and action strategies.

With this in mind, you are asked to select a “code” representative of one of the course themes and organize your presentation around the following five questions:

- 1) Describe what you see.
- 2) Define/identify the problem(s) or issues.
- 3) Share similar experiences (*if applicable*).
- 4) Question why there is a problem.
- 5) Within the context of law and justice, strategize what can be done to address the problem or issue.

While all of these questions have the potential to generate discussion, it is equally important to connect your presentation to relevant course readings (e.g., through questions 2, 4 and/or 5)

Every effort should be made to involve the rest of the class in your presentation. This may be through discussion, an activity or class exercise. Be as creative as you wish as you attempt to bring the topic “to life” for your classmates.

2. Critical Essays (35%):

Due: Thursday April 2nd 2015

7 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 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., here you might like look at a specific case of racial profiling)
- 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”, Donald Marshall, Dudley George, Helen Betty Osborne)
- Miscarriages of justice— e.g. the case of Steven Truscott
- Violence against women
- Homophobia and hate crimes
- Treatment of offenders within prison
- The challenges associated with criminal insanity as a defence—e.g., the case of Luka Magnotta
- Cyber-bullying and the law
- “Occupy” (Wall-street) movement

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?

As another alternative, you may choose to review, and critically comment on the use of a specific piece of legislation that is considered, by some to be a “positive” step towards the reduction, or elimination, of some dimension of social inequality (e.g., the use of the Battered Women’s Syndrome as a defence for women who have been abused). In other words consider whether there is consistency between legal ideology and practice in relation to the specific piece of legislation.

3. 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.

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/2014/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

Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

http://www.uwo.ca/univsec/pdf/academic_policies/appeals/scholastic_discipline_undergrad.pdf.

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.