



Department of Sociology
Sociology 3360G: Law and Social Inequality
Winter 2017

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: Wednesday, 8:30am-11:30am

Class Location: BR-304

E-mail: stoth3@uwo.ca

Office and Office Hours: Wednesday, 11:30am-12:30pm.

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 TEXT:

Hurlbert, Margo. (Ed.) *Pursuing Justice: An Introduction to Justice Studies* Halifax: Fernwood Publishing 2011

ASSIGNMENT AND GRADING STRUCTURE:

Assignment	Grade Value
Personal Experience Paper (due Feb 15)	23%
Critical Essay (due Apr 5)	35%
Participation (ongoing)	12%
Final Exam (tba)	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
Jan 11	Introduction to the Canadian Legal System and Concepts of Justice	Chapters 1 & 2 of <i>Pursuing Justice</i> http://www.iflscience.com/brain/no-youre-not-entitled-your-opinion http://everydayfeminism.com/2015/06/problem-with-educate-me/

<p>Jan 18</p>	<p>Policing, Crime and Justice:</p> <ul style="list-style-type: none"> - Canadian criminal justice system - prison reform (Including Ashley Smith Inquest) - sentencing - sexual assault <p>Guest Speaker: Lesley Bikos</p>	<p><i>Pursuing Justice</i> Cha 10 & 11</p>
<p>Jan 25 and Feb 1</p>	<p>Women, Gender and the Law</p> <ul style="list-style-type: none"> - Women's rights - Domestic Violence - Cyber Bullying - Hegemonic Masculinity <p>Sexuality & Gender Identity and the Law</p> <ul style="list-style-type: none"> - Gender as a construct - Transgender issues - GLBTQ 	<ul style="list-style-type: none"> - Chapter 6 – <i>Pursuing Justice</i> - http://goodmenproject.com/featured-content/megasahd-the-lack-of-gentle-platonic-touch-in-mens-lives-is-a-killer/ - http://everydayfeminism.com/2015/01/why-our-feminism-must-be-intersectional/ - http://blogs.hbr.org/cs/2013/04/for_women_leaders_likability_a.html - http://rstb.royalsocietypublishing.org/content/royptb/368/1631/20130080.full.pdf - http://www.dailylife.com.au/dl-women-of-the-year/how-sexism-teaches-us-to-feel-threatened-by-other-women-20151123-gl5wd1.html
<p>Feb 8 and Feb 15</p>	<p>Rights, Freedoms and the Law</p> <ul style="list-style-type: none"> - <i>Charter of Rights and Freedoms</i> - Human Rights - Balancing Act - Privacy/Surveillance (Snowden, Manning) - Activism/SLAPP suits - “Anti-terrorist” legislation - G20 - Access to Justice – Legal 	<p><i>Pursuing Justice</i> - Cha 9</p> <p>http://news.nationalpost.com/full-comment/justin-peters-shattering-the-broken-windows-theory-of-policing</p>

	<p>Aid etc</p> <ul style="list-style-type: none"> - Carding/Street checks - International Human Rights Law <p>Personal Experience Paper</p>	
Feb 22	SPRING BREAK – NO CLASSES	NO READINGS
Mar 1 & Mar 8	<p>Racism, Immigration and the Law</p> <ul style="list-style-type: none"> - white privilege - immigration and refugee rights - racial profiling - restorative justice <p><i>Video: 30 Days: Morgan Spurlock</i></p>	<p>http://opinionator.blogs.nytimes.com/2015/12/24/dear-white-america/?smid=fb-nytimes&smtyp=cur</p> <p>http://tvo.org/article/current-affairs/shared-values/why-immigrant-nations-fear-new-immigrants</p> <p>http://libjournal.uncg.edu/ijcp/article/view/249/116</p> <p>http://canadalandshow.com/article/thanks-explaining-racism-me-white-people</p> <p>http://www.vox.com/identities/2016/11/15/13595508/racism-trump-research-study</p> <p><i>Pursuing Justice – Cha 5</i></p> <p><i>The Symbolic Violence of the Crime-Immigration Nexus: Migrant Mythologies in the Americas</i> by John Hagan et al</p>
Mar 15	<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>https://ricochet.media/en/1034/advocates-call-for-change-at-corrections-canada-to-address-aboriginal-incarceration-rates</p> <p>Gladue Sentencing; Uneasy Answers to the Hard Problem of Aboriginal Over-Incarceration</p>
Mar 22	<p>Age, Inequality and the Law</p> <ul style="list-style-type: none"> - young offenders (Roy McMurtry Centre) 	<i>Pursuing Justice - Cha 7 & 8</i>

	<ul style="list-style-type: none"> - Seniors <p>Consumer Protection & Environmental Law</p> <ul style="list-style-type: none"> - Climate change - Sweat shops - Patents and pharmacies - Corporations as people/Corporate Crimes - Muzzling of Canadian Scientists 	
Mar 29	<p>Poverty and the Law</p> <ul style="list-style-type: none"> - Welfare system - Homelessness - Basic Income <p><i>Guest Speaker: James Hildebrand</i></p>	<p>http://www.theestablishment.co/2015/11/23/tiny-home-houses-poverty-appropriation/</p> <p>https://www.washingtonpost.com/posteverything/wp/2014/12/10/how-the-american-myth-of-self-reliance-is-fueling-income-inequality/</p> <p><i>Pursuing Justice – Chapter 4</i></p>
Apr 5	<p>Mental Health, Physical Disabilities</p> <ul style="list-style-type: none"> - access to mental health resources - new disability access laws <p>Addictions and the Law</p> <ul style="list-style-type: none"> - Methadone Clinics <p><i>Final Essay Due</i></p>	<p>http://www.huffingtonpost.com/johann-hari/the-real-cause-of-addicti_b_6506936.html</p>
TBA	FINAL EXAM	

DETAILED ASSIGNMENT INSTRUCTIONS:

Personal Experience Paper: Addressing Inequality in Your Own Lives (23%) – February 15

I ask that you show me that you are thinking about law and inequality in your daily lives. To do this I ask that you either:

- Find two recent articles that made you think of one of the topics we are discussing and tell me your opinion on those articles, OR
- Write a blog about something in your own life that relates to one of the topics: a

- personal experience with racism, a volunteer job that taught you about violence against women etc, OR,
- Write a blog about an off-campus trip you made for this class that relates to a topic, e.g. going to city hall, spending a day in court, arranging a tour of a local service agency. 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!

The end result should be 3-5 pages max. you will be marked on the experience and depth of thought. I want you to show me that you are thinking about what you are learning and reading about in class into your day to day lives. If you have privilege, challenge it and lean into that discomfort. If you have experienced inequality, tell me about it. Struggle through issues that are tough and have no perfect answers.

Critical Essay (35%) - April 5, 2017

- **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 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?

Participation (12%) - ongoing

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.

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: **Attendance will be worth 12% for attendance - e.g. 1% per class you attend.**

Final Exam (30%) - Date TBA

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 3360G 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.

2016-17 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 for illness 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. Minor ailments typically treated by over-the-counter medications will not normally be accommodated. Documentation shall be submitted as soon as possible to the student's Academic Advisor indicating the period of illness and when the student should be able to resume academic responsibilities. Students must submit their documentation along with a request for relief specifying the nature of the accommodation being requested no later than two business days after the date specified for resuming 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 from: <http://www.westerncalendar.uwo.ca/2016/pg117.html> 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.

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 policy on requesting accommodation due to illness can be viewed at: http://www.uwo.ca/univsec/pdf/academic_policies/appeals/accommodation_illness.pdf

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 (<http://www.westerncalendar.uwo.ca/2016/pg130.html>)

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.westerncalendar.uwo.ca/2016/pg113.html>

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 Student Academic Appeals under Academic Rights and Responsibilities in the Western Academic Calendar (<http://www.westerncalendar.uwo.ca/2016/pg112.html>)

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 prerequisite(s).

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 is at <http://brescia.uwo.ca/academics/registrar-services/> . 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://uwo.ca/health/mental_wellbeing/ for information including 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.