

# Legal Studies

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- **Certificate in Conflict Resolution (listed under Conflict Resolution)**
- **M.A. Legal Studies**
- **M.A. Legal Studies with Specialization in African Studies (Specialization requirements listed under African Studies (<https://currcalendar.carleton.ca/grad/gradprograms/africanstudies>) )**
- **Ph.D. Legal Studies**
- **Ph.D. Legal Studies with Specialization in Political Economy (Specialization requirements listed under Political Economy (<https://currcalendar.carleton.ca/grad/gradprograms/politiceconomy>) )**

## M.A. Legal Studies

### About the Program

The M.A. program provides an interdisciplinary, theoretical, and research-oriented approach to studying law as a social and political institution, with emphasis on the relationship between law and social transformation. The plan of studies includes a range of fields linked by a common theoretical and methodological concern with the way law shapes and is shaped by its social environment. The program is designed to develop the conceptual and analytical skills required for conducting independent research on law and society.

The research and teaching interests of faculty members in the Department include the following areas of specialization:

- Crime, Governance and Security
- Globalization, International Law and Transnational Justice
- Citizenship, Human Rights and Political Economy
- Gender, Sexuality and Identity
- Law, History, Culture and Humanities
- Conflict Resolution

### Academic Regulations

See the General Regulations (<http://www.carleton.ca/calendars/2012-13/grad/gradregulations>) section of this Calendar.

### Admission Requirements

The requirement for admission into the M.A. program in Legal Studies is an Honours bachelor's degree or the equivalent, with at least high honours standing.

Applicants will be considered for admission on the basis of their academic background and standing. Where relevant, previous professional experience may be taken into account.

The Supervisor of Graduate Studies may, in some circumstances, recommend that applicants with exceptional promise who have less than BA (Honours) status be admitted into a qualifying-year program designed to raise their standing to honours status.

Applicants without a background in law may be required to complete one or more designated courses from the department's undergraduate program before taking courses towards the master's degree.

Application deadlines can be found at: <https://gsapplications.carleton.ca/>

### Program Requirements

In consultation with the supervisor of graduate studies, each candidate is required to complete one of the following programs of studies:

- 3.0 credits and a 2.0-credit thesis LAWS 5909, which includes an oral examination, or
- 4.0 credits and a 1.0 credit research essay LAWS 5908
- All students are required to take LAWS 5000 and LAWS 5001. These courses provide students with a common theoretical and interdisciplinary framework for the program
- In addition, students are encouraged to take 0.5 credit in a related discipline, in consultation with the supervisor of graduate studies
- All students must obtain satisfactory grades in their course work, make satisfactory progress in their research, maintain a close working relationship with their thesis or research essay supervisors, and attend seminars on current research and related topics

### Thesis/Research Essay

The thesis or research essay must represent the result of the candidate's independent research undertaken after being admitted into graduate studies in the Department of Law. Previous work of the candidate may be used only as introductory or background material for the thesis or research essay.

A student may carry on research work related to the thesis or research essay off campus if the work is approved in advance and supervision arrangements have been made with the supervisor of graduate studies.

### Guidelines for Completion of Master's Degree

Full-time students are expected to complete the required two courses LAWS 5000 and LAWS 5001 and either an additional 2.0 credits (for those following the thesis program), or an additional 3.0 credits (for those following the research essay program) by the end of the second term of registration. The thesis or research essay should normally be submitted by the end of the fourth term of study.

Part-time students are expected to complete the required two courses,

LAWS 5000

and

LAWS 5001

, and either an additional 2.0 credits (for those following the thesis program) or an additional 3.0 credits (for those following the research essay program) by the end of their third year of study. The thesis or research essay should normally be submitted by the end of the fifth year of study..

## Selection of Courses in Related Disciplines

In addition to the graduate courses offered by the Department of Law, students in the M.A. program are encouraged to take at least 0.5 credit in a related discipline, in consultation with the supervisor of graduate studies.

Students can propose taking a graduate level course from any department in the University but the following disciplines tend to provide courses of particular interest to Legal Studies students:

- Canadian Studies
- Economics
- Geography
- History
- International Affairs
- Journalism and Communication
- Political Science
- Psychology
- Public Administration
- Sociology and Anthropology
- Social Work

## Ph.D. Legal Studies

### About the Program

The Department of Law is uniquely representative of, and committed to, the diverse and polyvocal traditions that link social, political and legal theory into the discipline of Legal Studies. Its commitment to theoretical, methodological and conceptual diversity and to productive engagement across traditions is a distinct strength of our faculty and we seek to encourage a broad theoretical competency and engagement in our graduate students. Within this commitment to a diverse and broad program of study, doctoral students also select one field of concentration from the following three:

### Crime, Law and Security

This field explores historical and contemporary debates around the social, political, economic and cultural contingencies of crime and security as mediated through law. Both the state and civil society's responses are analyzed in the context of discourses and representations of crime and its control, governmental rationalities and crime control strategies, regulatory regimes, public and private surveillance, and both state and non-state acts of violence and coercion.

### Human Rights, Citizenship and Global Justice

This field focuses on the ways law has been implicated in the social, political and economic transformations wrought by globalization, and the constitutive relation between these processes and human rights, citizenship, and global justice. It questions citizenship as traditionally conceptualized as the rights and obligations attached to membership in the nation-state in relation to the changing contours of law, sovereignty and democracy under globalizing conditions and the "War on Terror".

## Law, Regulation and Governance

This field focuses on the historical and contemporary place of law and regulation in the processes, discourses, knowledges and practices of governance. Emphasis is placed on investigating law and state as distinct sources of regulation, while examining wider forms of domestic and global governance. Particular focus is placed on the diversity of law-governance relationships both within and between regulatory regimes.

### Academic Regulations

See the General Regulations (<http://www.carleton.ca/calendars/2012-13/grad/gradregulations>) section of this Calendar.

Doctoral students must normally obtain a grade of B- or better in each course counted toward the fulfillment of the requirements of the degree.

### Admission Requirements

Applicants will normally hold a master's degree (or equivalent) with at least an A- average. Given the interdisciplinary nature of the department and the graduate program, applications are accepted from a wide variety of backgrounds, including, but not limited to, legal studies, political science, history, criminology, sociology, women's studies and philosophy. In cases of uncertainty, potential applicants are encouraged to contact the Graduate Supervisor as to the suitability of their background. Depending on their academic background, applicants may be asked to complete course work in addition to the Ph.D. program requirements.

### Program Requirements

Students admitted to the Ph.D. program are bound by the General Regulations (<http://www.carleton.ca/calendars/2012-13/grad/gradregulations>) of the Faculty of Graduate Studies and Research, and are required to complete a total of 10.0 credits as follows:

<b>1. 0.5 credit in:</b>	0.5
LAWS 6000 [0.5]	Doctoral Seminar in Legal Studies
<b>2. 0.5 credit in:</b>	0.5
LAWS 6001 [0.5]	Proseminar in Legal Studies
<b>3. 1.0 credit in:</b>	1.0
LAWS 6095 [1.0]	Field Comprehensive
LAWS 6096 [1.0]	Thesis Proposal
<b>4. 1.5 credits in approved courses, at least 0.5 of which must be chosen from</b>	1.5
LAWS 6002 [0.5]	Law, Regulation and Governance
LAWS 6003 [0.5]	Human Rights, Citizenship and Global Justice
LAWS 6004 [0.5]	Crime, Law, and Security

Students will normally be required to take the course which relates to their field of study. Optional courses will be selected from a list approved annually by the department. Students may complete up to 1.0 credit of approved courses offered in other departments. Students may also choose directed reading courses with the core faculty of the program

5. Language requirements as noted below

<b>6. 5.5 credits in:</b>	5.5
LAWS 6909 [5.5] Ph. D. Thesis	
<b>Total Credits</b>	<b>10.0</b>

### **Comprehensive Examination and Thesis Proposal**

As indicated above, each doctoral candidate must successfully write and pass a field comprehensive examination ( LAWS 6095 [1.0]). The examination will focus on the relevant theoretical and methodological issues related to the candidate's field of study:

1. Crime, Law and Security
2. Human Rights, Citizenship and Global Justice
3. Law, Regulation and Governance

The examination can take a variety of forms including, for example, a major paper, a take-home examination, or a course design, each of which may be required to be defended at an oral examination. The exact format of the comprehensive examination is at the discretion of the student's supervisory committee in consultation with the student. This committee will also form the examining board of the comprehensive examination. Evaluation is on the basis of Pass with Distinction/Pass/Fail. LAWS 6095 [1.0] will normally be completed no later than the end of the fall of the second year of registration in the program. Failure to complete the examination successfully will result in denial of permission to continue in the program.

Also as indicated above, each doctoral candidate must successfully complete and defend a thesis proposal ( LAWS 6096 [1.0]). The proposal must be written after the completion of the other course requirements, and normally should be completed by the end of the second year of doctoral study. The proposal is defended at an oral examination conducted by the supervisory committee. Evaluation is on the basis: Pass/Fail. The proposal must be successfully defended before the candidate can register in the Ph.D. Thesis ( LAWS 6909 [5.5]).

### **Thesis**

The Ph.D. thesis must be successfully defended at an oral examination.

### **Language Requirements**

Candidates must demonstrate reading ability in an approved language, other than English, normally by successfully completing a translation examination during the second year of full-time enrollment in the program.

### **Period of Study**

This program is designed to be completed in four years of full-time study. Students admitted to part-time study will normally complete all requirements within eight years of registration.

### **Selection of Courses in Related Disciplines**

In addition to the graduate courses offered by the Department of Law, students in the Ph.D. program are permitted to take up to 1.0 credit of courses in a related discipline, in consultation with the Graduate Supervisor.

Students should be aware that the number of spaces in graduate courses offered by other departments may be limited, and that registration may be conditional upon obtaining the prior approval of the department concerned. It is the student's responsibility to ensure that permission is obtained from the appropriate department prior to registering in any of the department's courses.

For an up-to-date listing of offerings and course descriptions in other departments, please consult the graduate calendar and the class schedule at <https://central.carleton.ca> .

### **Law (LAWS) Courses**

#### **LAWS 5000 [0.5 credit]**

##### **Theories of Law and Social Transformation**

Examines three groups of theories of law (liberal, sociological and Marxist) focusing on different ways law is conceived as an object of inquiry and on different accounts of trajectories of legal development. Potential of law for realizing or inhibiting social change provides analytic framework.

#### **LAWS 5001 [0.5 credit]**

##### **Legal Method and Social Inquiry**

Introduces problems of research strategy and methods. Explores contrasting methodologies in legal research; evaluates methodologies employed in understanding legal reasoning, discourses, and practices. Includes seminars in which participants present outlines of their own research projects, focusing on methodologies and research questions.

#### **LAWS 5002 [0.5 credit]**

##### **Law and Gender Relations**

Examines theoretical approaches informed by significance of gender to structure and operation of law. Concepts such as essentialism, difference, cultural determination, and social construction of gender relations examined in context of contemporary feminist debates. Focus on understanding and facility with feminist analysis and methodology.

#### **LAWS 5003 [0.5 credit]**

##### **Law, Economy and Society**

Addresses the relationship between law, economy, and society. Competing theoretical accounts of the relationship between legal regulation and social and economic change explored through selected historical and contemporary case studies.

#### **LAWS 5004 [0.5 credit]**

##### **Law, Crime and Social Order**

Examines issues of crime control and state security through topical, in-depth investigations into contemporary problems. Focus is on critically analyzing the criminal justice system, and crime control strategies, as order maintenance /social control.

**LAWS 5005 [0.5 credit]****Law, State and Politics**

Examines theoretical explanations of relationships between law, state and politics. Selected areas such as rights theory, rule of law, separation of powers or judicial review may provide focus.

**LAWS 5006 [0.5 credit]****Historical Perspectives on Law and Society**

Examines historical relationship between social forces, law and legal institutions and utility of historical forms of knowledge and methods to legal studies. Surveys selected issues in private, public and criminal law.

**LAWS 5007 [0.5 credit]****Race, Ethnicity and the Law**

Examines ways race and racism interact with gender and class in shaping legal system. Explores ways legal system institutionalizes racism and potential for using the legal system to combat racism. Selected areas such as immigration law and native rights may be used to illustrate themes.

**LAWS 5008 [0.5 credit]****Consuming Passions: The Regulation of Consumption, Appearance and Sexuality**

Examines rise of consumption and private pleasures and their regulation and self-regulation. Social history of regulation of two fields of consumption: surfaces of the person: personal appearance, in particular of dress, the body, sexuality; and intakes of the body, focusing on food, alcohol, drugs.

Also listed as SOCI 5204.

**LAWS 5100 [0.5 credit]****Advanced Problems in Legal Philosophy**

Studies in legal theory and analyses of law advanced by Hart, Dworkin, and others, and legal concepts: for example, principles, rights, duties, liability, etc. Precise course content will vary from year to year and will be announced at the beginning of the term.

Also listed as PHIL 5100.

Prerequisite(s): either LAWS 3105 or LAWS 3101 (PHIL 3101) and LAWS 3102 (PHIL 3102), or permission of the Department.

**LAWS 5200 [0.5 credit]****International Economic Law: Regulation of Trade and Investment**

Study of regulation of international economic activity. Discussion of relevant international institutions, legal aspects of integration, governmental regulation of trade and investment.

Also listed as INAF 5507.

Prerequisite(s): Open only to students in their master's year who have not studied international economic law.

**LAWS 5302 [0.5 credit]****Feminism, Law and Social Transformation**

Exploration of nature and possibilities of feminist engagement with law. Policies and strategies of law reform and/or social transformation formulated and evaluated through application of theoretical frameworks to particular topics. Significance of Canadian Charter of Rights and Freedoms and human rights legislation is examined.

**LAWS 5305 [0.5 credit]****Crime, Social Change and Criminal Law Reform**

Examination of the ideological and practical consequences of criminal law reform and policy initiatives undertaken by the state. Specific reform proposals examined to illustrate possible alternate responses to social problems and the varying effects of these responses.

**LAWS 5306 [0.5 credit]****Police and Capital**

The idea of 'police' as a general historical project aimed at the fabrication of social order and the development of liberal philosophy, political economy and security. Contemporary public and private security provision considered in light of commodification, class conflict, and risk thinking.

Also listed as SOCI 5305.

**LAWS 5500 [0.5 credit]****The Canadian Constitution**

Familiarizes students with terminology, principles, and doctrines of judicial interpretation of Constitution Acts 1867-1982 and other constitutional statutes. Emphasis on division of legislative powers in the Canadian federation. Prerequisite(s): open only to graduate students in their master's year who have not previously studied Canadian constitutional law.

**LAWS 5603 [0.5 credit]****International Law: Theory and Practice**

Examines various theoretical perspectives on international law and locates role international law plays in the international system. Topics include basis, creation and sources of international law, international dispute resolution, and international law and world order transformation.

Also listed as INAF 5505.

**LAWS 5900 [0.5 credit]****Tutorials/Directed Readings in Law**

Tutorials or reading courses on selected topics may be arranged with the permission of the supervisor of graduate studies and the approval of the supervising faculty member.

**LAWS 5901 [0.5 credit]****Tutorial/Directed Readings in Law**

Tutorials or reading courses on selected topics may be arranged with the permission of the supervisor of graduate studies and the approval of the supervising faculty member.

**LAWS 5903 [0.5 credit]****Contemporary Topics in Legal Studies**

A research seminar which explores a selected topic from current debates in legal studies. Students should check with the Department regarding the topic offered.

**LAWS 5904 [0.5 credit]****Contemporary Topics in Legal Studies**

A research seminar which explores a selected topic from current debates in legal studies.

**LAWS 5908 [1.0 credit]****M.A. Research Essay****LAWS 5909 [2.0 credits]****M.A. Thesis****LAWS 6000 [0.5 credit]****Doctoral Seminar in Legal Studies**

Analysis of the major themes, approaches and literature in contemporary legal and social theory.

**LAWS 6001 [0.5 credit]****Proseminar in Legal Studies**

A seminar which meets every two weeks throughout the academic year. Based on presentations of papers and works in progress by faculty, students and invited guests, as well as assigned readings on issues that deal with current research in legal studies.

**LAWS 6002 [0.5 credit]****Law, Regulation and Governance**

Historical and contemporary roles of law and regulation in processes, practices and discourses of governance. Law and state; domestic and global governance; diversity of law-governance relationships; law as a constituent force, enforcement mechanism and a distinctive product of governance.

**LAWS 6003 [0.5 credit]****Human Rights, Citizenship and Global Justice**

The implications of law in selected issues involving human rights, citizenship and global justice. Topics may include justification and legitimation of human rights, contemporary citizenship, struggles for global justice, recognition and democracy, and post-nationalism and global economic regulation.

**LAWS 6004 [0.5 credit]****Crime, Law, and Security**

Contemporary debates around crime, criminal justice and security as mediated through law. The interrelationship between the politics, process and reform of criminal justice in a socio-legal context.

**LAWS 6010 [0.5 credit]****Directed Readings in Legal Studies**

Advanced directed readings in selected areas of legal studies, involving presentation of papers as the basis for discussion with the course instructor.

**LAWS 6095 [1.0 credit]****Field Comprehensive**

The field comprehensive examination will focus on the relevant theoretical and/or methodological issues related to the field of study. The examination can take a variety of forms and will be decided by the supervisory committee in consultation with the student. The form of the exam will be in accordance with departmental policy.

**LAWS 6096 [1.0 credit]****Thesis Proposal**

The thesis proposal must be written after the completion of the other course requirements, and normally will be completed by the end of the second year of doctoral study. The proposal is defended at an oral examination conducted by the supervisory committee. Evaluation is on the basis of Pass/Fail.

**LAWS 6909 [5.5 credits]****Ph. D. Thesis**

**Summer session:** some of the courses listed in this Calendar are offered during the summer. Hours and scheduling for summer session courses will differ significantly from those reported in the fall/winter Calendar. To determine the scheduling and hours for summer session classes, consult the class schedule at [central.carleton.ca](http://central.carleton.ca)

Not all courses listed are offered in a given year. For an up-to-date statement of course offerings for the current session and to determine the term of offering, consult the class schedule at [central.carleton.ca](http://central.carleton.ca)