

# Legal Studies

This section presents the requirements for programs in:

- M.A. Legal Studies
- M.A. Legal Studies with Collaborative Specialization in African Studies
- Ph.D. Legal Studies
- Ph.D. Legal Studies with Collaborative Specialization in Political Economy

## Program Requirements

### M.A. Legal Studies (5.0 credits)

#### Requirements - Thesis option (5.0 credits)

<b>1. 2.0 credits in LAWS</b>	2.0
<b>2. 1.0 credit in:</b>	1.0
LAWS 5000 [0.5] Theories of Law and Social Transformation	
LAWS 5001 [0.5] Legal Method and Social Inquiry	
<b>3. 2.0 credits in:</b>	2.0
LAWS 5909 [2.0] M.A. Thesis	
<b>Total Credits</b>	<b>5.0</b>

#### Requirements - Research essay option (5.0 credits)

<b>1. 3.0 credits in LAWS</b>	3.0
<b>2. 1.0 credit in:</b>	1.0
LAWS 5000 [0.5] Theories of Law and Social Transformation	
LAWS 5001 [0.5] Legal Method and Social Inquiry	
<b>3. 1.0 credit in:</b>	1.0
LAWS 5908 [1.0] M.A. Research Essay	
<b>Total Credits</b>	<b>5.0</b>

#### Requirements - Course option (5.0 credits)

<b>1. 4.0 credits in LAWS</b>	4.0
<b>2. 1.0 credits in:</b>	1.0
LAWS 5000 [0.5] Theories of Law and Social Transformation	
LAWS 5001 [0.5] Legal Method and Social Inquiry	
<b>Total Credits</b>	<b>5.0</b>

### Selection of Courses in Related Disciplines

In addition to the graduate courses offered by the Department of Law and Legal Studies, 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: Economics, Geography, History, Indigenous and Canadian Studies, International Affairs, Journalism and Communication, Political Science, Psychology, Public Administration, Sociology and Anthropology, Social Work.

### M.A. Legal Studies with Collaborative Specialization in African Studies (5.0 credits)

#### Requirements - Thesis pathway

<b>1. 0.5 credit in:</b>	0.5
AFRI 5000 [0.5] African Studies as a Discipline: Historical and Current Perspectives	
<b>2. 1.0 credit in:</b>	1.0
LAWS 5000 [0.5] Theories of Law and Social Transformation	
LAWS 5001 [0.5] Legal Method and Social Inquiry	
<b>3. 0.0 credit in:</b>	
AFRI 5800 [0.0] Scholarly Preparation in African Studies	
<b>4. 1.5 credits in LAWS<sup>1</sup></b>	1.5
<b>5. 2.0 credits in:</b>	2.0
LAWS 5909 [2.0] M.A. Thesis (which includes an oral examination) <sup>2</sup>	
<b>Total Credits</b>	<b>5.0</b>

#### Requirements - Research essay pathway (5.0 credits)

<b>1. 0.5 credit in:</b>	0.5
AFRI 5000 [0.5] African Studies as a Discipline: Historical and Current Perspectives	
<b>2. 0.0 credit in:</b>	0.0
AFRI 5800 [0.0] Scholarly Preparation in African Studies	
<b>3. 1.0 credit in:</b>	1.0
LAWS 5000 [0.5] Theories of Law and Social Transformation	
LAWS 5001 [0.5] Legal Method and Social Inquiry	
<b>4. 2.5 credits in LAWS<sup>1</sup></b>	2.5
<b>5. 1.0 credit in:</b>	1.0
LAWS 5908 [1.0] M.A. Research Essay <sup>2</sup>	
<b>Total Credits</b>	<b>5.0</b>

<sup>1</sup> Students are encouraged to take 0.5 credit in a related discipline, in consultation with the supervisor of graduate studies.

<sup>2</sup> 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 and Legal Studies. 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.

### Ph.D. Legal Studies (4.5 credits)

#### Requirements:

<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. 2.0 credits in:</b>	2.0
LAWS 6095 [1.0] Field Comprehensive	

LAWS 6096 [1.0]	Thesis Proposal	
<b>4. 1.5 credits in</b>	approved courses, at least 0.5 of which must be chosen from	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. 0.0 credits in:**

LAWS 6909 [0.0]	Ph. D. Thesis (must be successfully defended at an oral examination.)	
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**Total Credits** **4.5**

**Ph.D. Legal Studies with Collaborative Specialization in Political Economy (4.5 credits)**

**Requirements:**

**1. 0.5 credit in:** 0.5

LAWS 6000 [0.5]	Doctoral Seminar in Legal Studies	
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**2. 0.5 credit in:** 0.5

LAWS 6001 [0.5]	Proseminar in Legal Studies	
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**4. 2.0 credits in:** 2.0

LAWS 6095 [1.0]	Field Comprehensive	
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LAWS 6096 [1.0]	Thesis Proposal	
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**5. 0.5 credit from:** 0.5

LAWS 6002 [0.5]	Law, Regulation and Governance	
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LAWS 6003 [0.5]	Human Rights, Citizenship and Global Justice	
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LAWS 6004 [0.5]	Crime, Law, and Security	
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**6. 0.5 credit in:** 0.5

PECO 6000 [0.5]	Political Economy: Core Concepts	
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**7. 0.5 credit in:** 0.5

A relevant political economy course from the approved list

**8. 0.0 credits in:** 0.0

LAWS 6909 [0.0]	Ph. D. Thesis (In the specialization. Must be successfully defended at an oral examination.)	
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**Total Credits** **4.5**

LAWS 6909 [0.0]	Ph. D. Thesis (In the specialization. Must be successfully defended at an oral examination.)	
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**Total Credits** **4.5**

**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 Satisfactory/Unsatisfactory. 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.

**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 and Legal Studies, 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>.

**Regulations**

See the General Regulations section of this Calendar.

**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.

### **Regulations**

See the General Regulations 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 - M.A.**

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>

### **Admission - Ph.D.**

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.

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

Note: some graduate courses may also be open to interested fourth-year students with permission of the Department.

#### **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]****Legal Theory and Contemporary Issues**

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**

Drawing on contemporary cases and/or historical contexts to explore limits and impact of feminist legal engagement. Race, class, disability, sexuality and other social categories and changing feminist conceptions of law and sites of legal relations, politics and activism: the meaning of social transformation.

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

Political, practical and ideological dimensions of criminal law reform and activism undertaken by individuals, groups and the state to achieve social transformation. Reform initiatives are considered in relation to their effects on race, class, gender, sexuality, disability and other sites of difference and discrimination.

**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**

Legal principles governing international relations; emphasis on different theoretical, historical and political perspectives, such as Natural Law, Positivism, Critical Legal Studies, TWAIL, Feminism, Marxism. Specific case studies or topics are examined to critically interrogate the foundations and practices of international law.

Also listed as INAF 5505.

**LAWS 5662 [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.

Also offered, with different requirements as appropriate, as LAWS 6002, for which additional credit is precluded.

**LAWS 5663 [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.

Also offered with different requirements where appropriate, as LAWS 6003, for which additional credit is precluded.

**LAWS 5664 [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.

Also offered as LAWS 6004, with different requirements where appropriate, for which additional credit is precluded.

**LAWS 5700 [0.5 credit]****Theories of Conflict Resolution**

An introduction to the field of conflict studies, negotiation and mediation theory including: analyzing and resolving conflict, negotiation styles, orientations and models of mediation, alternative dispute resolution, building consensus, current issues and trends in the field of conflict studies.

**LAWS 5701 [0.5 credit]****Introduction to Conflict Resolution and Mediation**

Introduction to the practice of negotiation and mediation including: contextualizing conflict resolution, understanding how to negotiate and mediate, determining the role of the negotiator/ mediator, reviewing the current state of mediation and conflict resolution, and understanding the importance of a theory-informed practice.

Includes: Experiential Learning Activity

**LAWS 5702 [0.5 credit]****Advanced Conflict Resolution and Mediation**

Building upon the theory and skills of conflict resolution and mediation introduced in LAWS 5701. Students will learn to convene a mediation, analyze the level of conflict, design a conflict resolution process, co-mediate, and facilitate a multi-party problem solving session.

Includes: Experiential Learning Activity

Prerequisite(s): LAWS 5701.

**LAWS 5703 [0.5 credit]****Organizational Conflict and System Design**

Students will learn to apply conceptual frameworks to the diagnosis and assessment of organizational conflict, develop and implement appropriate intervention programs and strategies, and design conflict management systems for organizations.

Includes: Experiential Learning Activity

**LAWS 5704 [0.5 credit]****Multi-Party, Multi-Issue Conflict Resolution and Consensus Building**

Using case studies where mediators have successfully assisted competing interest groups in finding mutual-gains resolutions to conflicts, students will expand upon their personal skills of crisis intervention, group facilitation, assisted negotiation, dispute resolution process design and coaching.

Includes: Experiential Learning Activity

Prerequisite(s): LAWS 5701 and LAWS 5702 or equivalent.

**LAWS 5705 [0.5 credit]****Mediation in Family Matters**

Students will examine family dynamics and family conflict and explore conflict within intact families as well as conflict that arises when parties separate. The practical aspects of mediation such as ethics, professional standards and screening, as well as intake and outcome documents will be discussed.

Includes: Experiential Learning Activity

**LAWS 5706 [0.5 credit]****Special Topics in Conflict Resolution**

Topics of contemporary controversy relating to conflict and dispute resolution. Topics vary from year to year and may include bargaining, negotiation, legal issues, restorative justice, and international issues.

Includes: Experiential Learning Activity

Prerequisite(s): LAWS 5700 or LAWS 5701 or permission of the department.

**LAWS 5708 [0.5 credit]****Applied Research Project**

Independent research in the theory and practice of conflict analysis, prevention or intervention, including system design, process intervention, and evaluation. The project must represent the candidate's independent study after being admitted to the program. Previous work may be used only as introductory or background material.

Includes: Experiential Learning Activity

Prerequisite(s): LAWS 5700, LAWS 5701, LAWS 5702, LAWS 5703, LAWS 5704.

**LAWS 5709 [0.5 credit]****Skills Assessment**

An evaluation of a student's readiness to mediate disputes through a simulated mediation. Students are prepared by way of practice sessions and debriefings. Must be completed within one year after completion of course work.

Includes: Experiential Learning Activity

Prerequisite(s): Completion of three credits in Graduate Diploma in Conflict Resolution courses.

**LAWS 5710 [0.5 credit]****Directed Readings in Conflict and Dispute Resolution**

A reading course on selected topics may be arranged with the permission of the GDCR Director.

Includes: Experiential Learning Activity

Prerequisite(s): LAWS 5700 and LAWS 5701, written acceptance by a faculty member, and permission of the Department.

**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**

Includes: Experiential Learning Activity

**LAWS 5909 [2.0 credits]****M.A. Thesis**

Includes: Experiential Learning Activity

**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.

Also offered as LAWS 5662, with different requirements where appropriate, for which additional credit is precluded.

**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.

Also offered as LAWS 5663, with different requirements where appropriate, for which additional credit is precluded.

**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.

Also offered as LAWS 5664, with different requirements where appropriate, for which additional credit is precluded.

**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 is written after completion of the other course requirements, and is normally completed by the end of the second year of doctoral study. The proposal is defended at an oral examination conducted by the supervisory committee. Graded Sat/Uns.

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

Includes: Experiential Learning Activity