

## **Law, State, & Citizen** **Class 1 - Lecture**

### **Law, State, and Citizen Introduction**

- This lecture is to go through the outline of the course and the requirements.
- Courses were recorded in Winter 2021 semester, so disregard the dates mentioned within the lecture. Do NOT get confused with the dates mentioned in lectures.
- Taught by video lectures with accompanying PowerPoints added to Brightspace.
- Lectures will be posted Mondays and Wednesdays at 9:00AM.

#### **What is Law, State and Citizen?:**

- An interdisciplinary introduction to the laws governing the relationships between the state and its citizens in a Canadian context.
- Will address some of the key theories, values and challenges associated with this relationship.
- Throughout the video lectures, the role and limits of the law and the courts will be discussed from legal, theoretical, political, and historical perspectives.
  - We start with theoretical part, lectures 2 & 3 will focus on the theoretical chapters in the textbook.
- At the end of the course, students should be able to:
  1. Demonstrate an introductory level of knowledge of key theories, questions, and debates on topics covered in the course.
  2. Identify basic legal issues, rules, and questions in relation to the assigned readings.
  3. Critically reflect on the theoretical, political, and historical context in which the charter and the courts operate.
    - This is a law in context course! It's about thinking through legal materials, questions, and discords in relation to multiple contexts...etc political or historical.
  4. Construct arguments in support of particular positions related to the course topics, and show an awareness of alternative views to these positions.

#### **TA Allocation:**

You are allocated to your TA based on your last name.

Last name: Abbasi to Hudson

- TA: Bridgett Desjardins
- [bridgettedesjardins@cmail.carleton.ca](mailto:bridgettedesjardins@cmail.carleton.ca)

Last name: Huntley to Mwambi

- TA: Riley Black
- [RileyBlack@cmail.carleton.ca](mailto:RileyBlack@cmail.carleton.ca)

Last name: Napier to Yace

- TA: Donatella Petit
- [donatellapetitti@cmail.carleton.ca](mailto:donatellapetitti@cmail.carleton.ca)

Engagement TA:

- Shelley Page
- [shelleypage@cmail.carleton.ca](mailto:shelleypage@cmail.carleton.ca)

- Shelley will email to let you know due dates, and ensure you approach the course in a structured way.
  - She will keep you on track and guide you through the materials.

- We are spacing out the materials, to make it more organized so you will not cram everything in on the last week.

If TA's schedule conflicts with your other commitments, you can go to another TA's offices hours, but as a courtesy email your original TA to let them know, and the TA who's offices hours you will attend.

The Prof is available via zoom meeting - just email him.

### **Reading Responses:**

Due: May 14, May 21, May 28, June 11 (Four total).

- Marked on a pass or fail basis. They are worth 5% each.
- Submitted on Brightspace.
- If first reading response is due on May 14th, Look at class syllabus up to the 14th, only the first two chapters have been read up until then. Therefore do your reading response on class 1 OR 2's readings.
- Each response should clearly identify (in the title) which reading is being responded to; for example: "Response to Milanovich Chapter 1, Reading (e): Marx."
  - Title is key, put your name on the top of document, you do not need a title page. Must identify which reading and who it is.
- Designed to keep you engaged with the course materials throughout the semester.
- 2 pages, double-spaced in 12pt. Times New Roman.
- Provide a commentary on a single aspect of that weeks assigned reading.
  - What was being conveyed, elaborated, or argued?
  - Why did you find it interesting or provocative?
  - Did you agree or disagree? Why?
  - What are the implications of what was being conveyed, elaborated, or argued?
- Should rely on your own reading, thinking, and analysis, not on outside research.
  - No need to provide a bibliography, list of references, footnotes/citations.
  - However, be sure to NOT plagiarise.
    - Don't just copy out of the textbook.

Rely on your own brain, answer what you think. If you don't understand the reading, say that! Its ok. You can ask questions in your commentary, "if the author means this, than that". You must think critically about your response.

If you quote, refer to the person or put it in brackets. Writing needs to flow, can not be notes or bullet points.

#### 1. SCOPE:

- You can make the scope of your reading responses very narrow if you wish (e.g. you could focus on one aspect of one letter reading - for example, you could focus of the subsection, "Citizen Control and the State" (p.2) or reading 1(a).
- Or you could be broader and focus on the whole of an individual letter reading: 1(a), 1(b), 1(c), etc.. Either approach is satisfactory and one is not better than the other.

#### 2. STRUCTURE: POINT - EVIDENCE - EXPLAIN ("PEE"):

- Make your point, provide evidence (a brief quote or paraphrase), then explain how the evidence supports your point.
  - Foundation of good academic writing.
  - "I think the author is saying this", than use evidence "Marx talks about ... and suggests...." Than you must explain why it links to what you think.

#### 3. QUOTATIONS: DIRECT QUOTATIONS CAN BE VERY HELPFUL:

- Explain what you want me to see in the quote (PEE).
- Keep any quotes fairly short.
- Don't let the quote "speak for itself".
- Quotes are good for explaining.

4. The reading responses provide an excellent opportunity for you to practice and develop your writing skills in advance of the mid-term.

### **Mid-Term:**

- Due Friday June 4th by 11:55pm.
- Open book (Take home mid-term).
- Short-answer and essay questions.
- Worth 35% of your final grade.
- The mid-term question paper will be available to download from the Brightspace course website on Thursday June 3rd at 12:00pm (Midday).
- The provision of just under 36 hours to complete the midterm accommodates students who may have other exams and external commitments during this period, and to allow all students adequate time to think about the questions, write thoughtful and legible answers, and proof-read their work.
- You are not expected to use all of this time, and students who have prepared in advance should be able to complete the assessment in 2 to 3 hours.

Mid-term is challenging but in a fair way. It should not scare you. Challenges you to think critically.

### **Final Exam:**

- Not written yet.
- 2 hours long.
- Online.
- During the examination period of June 21 - 27, 2021.
  - We do not know the date yet.
- The exam will comprise multiple choice questions.
- To see if you have grasped the key components of the course.

### **Required Texts/Materials:**

- Nick E. Milanovic (ed.), *Introduction to Public Law: Readings on the Law, State, and Citizen* (Captus Press, 2015).
  - May be purchased through the Carleton University Bookstore website: <https://www.bkstr.com/carletonstore/home>
  - E-copy available direct from Captus.
- Further required readings and cases will be uploaded to the course website on bright space or identified as available online.

### **A Few Notes on the Milanovic Textbook:**

- How to use the textbook: (ix)
  - Be critical and analytical.
    - It helps you develop your thoughts for reading responses.
- Four key points:
  1. Look for underlying frameworks.
    - What kind of reading is this? What are the assumptions that the author is making? What is the frame that this text has been written ? Is it a text that can be understood around the debates around the charter in its early years? Does the text speak to 19th century thinking.
  2. Pay attention to context.
    - When legal question arises, how does the author respond?
  3. Look for themes and patterns (commonalties and discrepancies).
    - Always look for the things readings have in common with each other. These readings by different theorists, what do they have in common and what do they disagree on?
    - What informs the agreement or disagreements to get to their conclusions?
  4. Look for values and preferences.
    - All law is human process, law is not like studying geology, law is all contested categories. Law is determined in different contexts. How we thought of law is different from the 19th century to the early 20th century.
    - All law is human process.

Monday, May 10th, 2021

- 'Law', 'state', and 'citizen' are all contested, not innate and settled upon.

**Next:**

- Video lecture 2:
  - Available from Wednesday May 12th at 9:00am
  - "Theories of Law and the State - part 1 of 2".
  - Required reading: Milanovich, chapter 1.
  - (Reading available via ARES for next two readings)