

POLI 1301 YA
INTRODUCTION TO LAW
Fall Term 2019

Monday & Wednesday: 10:00am to 11:30am
Room: RC – 1003

Professor: Dr. Toby Rollo
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Office Hours: Friday 11:00am to 2:00pm

1. Course Description

In the first semester of this year long course, we will explore some of the main theories of law and punishment that inform contemporary legal practice. Topics will include the question of where law derives its authority, when and why subjects of law are obligated to obey or disobey, and what function law plays in modern society. Students will become familiar with the main traditions of legal thought, how they developed, and the major problems and critiques that affect those traditions. Exploration of these foundations in western legal thought will orient students to better understand the tensions that exist in contemporary law enforcement (policing), jurisprudence (courts), and penology (the study of punishment) especially in the context of Canada.

2. Format

Weekly lectures will focus on identified topics. Lectures complement assigned readings and are not summaries. Students must do the assigned reading prior to the lecture. Students are responsible for lecture material, required readings, films and other material covered in class.

3. Course Materials

REQUIRED BOOK (available from the book store)

Tebbit, M. (2007). *Philosophy of Law: An Introduction*. New York: Routledge.

4. Course Requirements

1. Participation (30% of first term mark): Students who attend and participate have an opportunity to earn up to 30% for their time and effort.

2. Mid-Term Paper (30% of first term mark): A short paper analysis due in class Monday, October 21. Must be roughly 4-5 pages in length, not including title page, bibliography, etc. (approx. 1,000-1,250 words). I will provide detailed instructions for this assignment on a separate document to be uploaded to D2L.

3. Mid-Term Exam (40% of first term mark): An exam will be conducted in class on Wednesday, November 27. You will have the duration of the class to complete it. It will test you on the materials covered in the course up to the time of the exam. It will be a closed book exam consisting of a mixed bag of multiple choice and short answer questions.

5. E-mail

E-mail will be answered within two business days. Do not submit any class assignments by e-mail, unless instructed to do so. Please use e-mail only for quick queries and to set up appointments out of regularly scheduled office hours.

I welcome e-mail queries and comments. All students are required to have a valid Lakehead e-mail address. It is your responsibility to maintain your e-mail address in good working order. The University expects you to correspond with me through your official e-mail address, and not through a commercial e-mail account.

Failure to receive important class announcements and messages from me because of a faulty e-mail account (for example, an account which screens out my e-mails as junk mail; bounced messages because of overloaded caches) are not legitimate excuses.

Forwarding your Lakehead email to a Hotmail, Gmail, Yahoo or other type of e-mail account is not advisable. In some cases, messages from your Lakehead addresses sent to Hotmail, Gmail or Yahoo accounts are filtered as junk mail, which means that e-mails from me may end up in your spam or junk mail folder.

6. Accessibility

Students with diverse learning styles and needs are welcome in this course. In particular, if you have a disability/health consideration that may require

accommodations, please feel free to approach me, and/or Accessibility Services. The sooner you let us know your needs the quicker we can assist you in achieving your learning goals in this course.

7. Essays

You are to complete two essays, one in first section, and one in the second. The goal of each essay is to provide a clear, concise response (argument) to the research question backed by rational consideration of the evidence.

Summarize your response (argument) in a sentence or two – the thesis statement – and appear in the first paragraph of your essay. Be explicit. The reader should be clear on what you are arguing. Assume an educated reader. Do not spend more than a few paragraphs providing background information. Focus on providing information that advances your argument. While the balance of the paper will defend your argument, you should also acknowledge counterarguments and seek to demonstrate that your argument is superior.

8. Formatting bibliographies, references

The written assignments will all be double-spaced in 12pt Times New Roman font with standard margins. Essays should be free of spelling and grammatical errors. They must include appropriate citations and complete bibliography.

Include a title page with your name, the date, the course number, and my name.

In completing the written assignments, students must cite all facts and figures that are not common knowledge and must cite all ideas that are borrowed from other authors. Students must use a recognized standard format correctly in their bibliographies, references, and footnotes. Failure to do so will result in substantial penalty in calculating your assignment grade.

The University takes instructional offences (including plagiarism) very seriously. Please make sure that you are familiar with the regulations regarding instructional offences. Also, it is not acceptable to submit the same assignment in two different courses.

9. Late Penalties

Assignments are due on the dates specified in the course outline. Late papers will be subject to a penalty of 2% a day including weekends. Assignments will not be accepted two weeks after the due date.

No retroactive extensions will be permitted. Exceptions will be made only in those cases of special circumstances, (e.g. illness, bereavement) and where the student has verifiable documentation.

10. Class Schedule

Week One: What is the Law?

Wednesday, September 4

No Readings

Week Two: Morality, Justice, and Natural Law

Monday, September 9

Philosophy of Law, pp. 3-19

Wednesday, September 11

TBD

Week Three: From Common Law to Positivism

Monday, September 16

Philosophy of Law, pp. 20-34

Wednesday, September 18

Philosophy of Law, pp. 35-45

Week Four: Legal Theory and the Nazi Legality Problem

Monday, September 23

Philosophy of Law, pp. 46-60

Wednesday, September 25

TBD

Week Five: Legal Realism

Monday, September 30

Philosophy of Law, pp. 61-78

Wednesday, October 2

Philosophy of Law, pp. 79-98

Week Six: Radical Challenges to Mainstream Theory

Monday, October 7

Philosophy of Law, pp. 99-117

Wednesday, October 9

No Class. Stay at home and watch: *Introduction to the History of Anarchism*

https://www.youtube.com/watch?v=OJ_qg23orFM

Week 7: Reading Week: NO CLASSES!!

Monday, October 14

Wednesday, October 16

Week Eight: Obedience and Disobedience

Monday, October 21

Philosophy of Law, pp. 121-143

~ **Mid-Term Essay Due** ~

Wednesday, October 23

TBD

Week Nine: Legal and Moral Rights

Monday, October 28

Philosophy of Law, pp. 144-161

Wednesday, October 30

Philosophy of Law, pp. 162-174

Week Ten: Radical Critiques of Liberal Theories of Law

Monday, November 4

Philosophy of Law, pp. 175-189

Wednesday, November 6

TBD

[November 8th = Last day to drop course]

Week Eleven: Guilty Minds & Unlawful Killing

Monday, November 11

Philosophy of Law, pp. 193-212

Wednesday, November 13

Philosophy of Law, pp. 213-230

Week Twelve: Theories of Punishment

Monday, November 18

Philosophy of Law, pp. 231-241

Wednesday, November 20

Philosophy of Law, pp. 242-262

Week Thirteen: Radical Perspectives on Crime and Punishment

Monday, November 25

Philosophy of Law, pp. 263-279

November 27

~ In-class Mid-Term Exam ~