



LAW & SOCIETY PROGRAM  
DEPARTMENT OF SOCIOLOGY  
FACULTY OF ARTS

**LWSO 415**  
**SOCIO-LEGAL ISSUES IN CONTEMPORARY**  
**LIBERAL SOCIETIES**  
**Winter 2018**

---

INSTRUCTOR: Dr. Kirsten Kramar  
OFFICE: Social Science 920  
EMAIL: [kirsten.kramar@ucalgary.ca](mailto:kirsten.kramar@ucalgary.ca)  
OFFICE HOURS: By appointment  
DAY/TIME: T/TH 11:00 – 12:15  
LOCATION: AD 142

D2L NAME: *Socio-Legal Issues in Contemporary Liberal Societies*

**COURSE CALENDAR DESCRIPTION:**

An examination of the ways in which fundamental premises of legal liberalism, such as fairness, recognition, equality, and individual liberty, intersect with each other and with other key social values and premises. Contemporary challenges that may be explored in this course include freedom of expression and censorship, human rights codes, and campus codes of conduct, sexual misconduct allegations, and diversity and religious freedom in the context of multiculturalism.

**Readings:**

Kipnis, Laura. 2017. *Unwanted Advances: Sexual Paranoia Comes to Campus*, Harper Collins Publishers Inc.

(The book is available as an e-book here:

<https://www.harpercollins.com/9780062657886/unwanted-advances>)

You may also pick up the book at the University of Calgary bookstore (it is published in softcover as of January 2018) or you can order it through an online retailer such as Indigo or Amazon here: <https://www.amazon.com/Unwanted-Advances-Sexual-Paranoia-Campus/dp/0062657860>

Or here: <https://www.chapters.indigo.ca/en-ca/home/search/?keywords=Unwanted%20advances#internal=1&page=0&pid=978006265786&sortDirection=&sortKey=>

Most readings for the course are posted on the course website in D2L. **See the tentative reading schedule below.**

**Assessment Components:**

Formal evaluation in this course will consist of 1 mid-term test (30%), 1 book review of *Unwanted Advances* by Laura Kipnis, 2017 (30%) and 1 Final Exam (cumulative) worth 40%.

**Date, time and location (may be subject to change with advance notice):**

Mid-term Test: February 27, 2018

Critical Book Review: April 5, 2018

Final Exam: TBA

**Mid-term Test (30%):**

All testing is done in class, is closed book, invigilated. The tests will consist of mixed multiple-choice questions and short-answer questions based on lecture materials and assigned readings. You will have 75 minutes

**Critical Book Review/Article Critique (30%):**

Information on how to properly write a critical book review is posted in D2L and can also be found here: <http://advice.writing.utoronto.ca/types-of-writing/book-review/> and here: <https://www.ucalgary.ca/ssc/files/ssc/critique-or-reviews-of-research-articles-academic-genre.pdf>

**Final Examination**

**Value:** 40%

**Date, time and location:** As scheduled by the Registrar

**Length:** Two hours

**Type:** Closed-book, invigilated

**Description:** Essay questions and short answer.

**The following letter grades will be assigned to the corresponding numerical scores:**

Final Percentage Score	Letter Grade
97-100	A+
90-96	A
85-89	A-
81-84	B+
78-80	B
75-77	B-
70-74	C+
65-69	C
60-64	C-
55-59	D+
50-55	D
≤49.9	F

A+ grade: *Exceptional Performance*. An A+ grade indicates near perfect performance on multiple choice and short answer exams. For research papers/essays/course projects/presentations, an A+ grade is awarded for exceptional work deserving of special recognition and is therefore not a common grade.

A, A - Range: *Excellent Performance*. Superior understanding of course material. Written work is very strong in terms of critical and original thinking, content, organization, and the expression of ideas, and demonstrates student's thorough knowledge of subject matter.

B Range: *Good Performance*. Above average understanding of course material. Written work shows evidence of critical thinking and attention to organization and editing but could be improved in form and/or content.

C Range: *Satisfactory Performance*. Adequate understanding of course material. Knowledge of basic concepts and terminology is demonstrated. Written work is satisfactory and meets essential requirements but could be improved significantly in form and content. Note: All prerequisites for courses offered by the Faculty of Arts must be met with a minimum grade of C - .

D range: *Marginally meets standards*. Minimal understanding of subject matter. Written work is marginally acceptable and meets basic requirements but requires substantial improvements in form and content. Student has not mastered course material at a level sufficient for advancement into more senior courses in the same or related subjects.

F grade: *Course standards not met*. Inadequate understanding of subject matter. Written work does not meet basic requirements. Student has not demonstrated knowledge of course material at a level sufficient for course credit.

### Course Objectives

The purpose of this course is to engage with contemporary socio-legal issues. We will be examining the current debates in liberalism around the following topics: freedom of expression

and censorship on university campuses, human rights codes, sexual harassment and violence, multiculturalism, religious freedom, diversity, and identity politics.

Through the process of our collaborative engagement with legal theories, academic arguments, and case law, both student and teacher embark on a voyage of intellectual experimentation, dialogue and discovery. Thus, our objective is shared: the outcomes unpredictable. My ambition is to contribute to your development as ‘engaged citizens’ by deepening your liberal arts education during lectures, assigned readings, critical reflection, and discussions about the socio-political arguments that underpin law and policy aimed at transforming social relations.

### **RIGHTS, RESPONSIBILITIES AND CLASSROOM POLICIES:**

This section of LWSO 415 is a lecture-based course. I do not provide students with power-point slides or copies of my lecture notes. The research demonstrates that Power point makes you stupid. Here’s a link that explains why:

<https://www.theguardian.com/commentisfree/2015/sep/23/powerpoint-thought-students-bullet-points-information>

And here is another one (this one is funny):

<https://thesmartset.com/powerpoint-makes-us-stupid/>

Attendance is not mandatory. However, students who do not attend the lectures will be ill-prepared for the exams. In the past, students who did not attend lectures did very poorly in the course. Students should expect to spend at least two hours preparing for each class session by reading the assigned materials. All materials are required readings. Depending on the quality of the class notes taken, students may expect to spend another two to four hours preparing for each of the tests and then again for the final examination.

### **Other Expectations:**

Students are expected to arrive on time and having already read the readings for the week. The course moves quickly through a great deal of complex material and debates.

To ensure the best learning environment for all students, students are asked to avoid use of laptops and other electronic note-taking devices in this course. Students who require the use of electronic devices for academic accommodation purposes are exempt from this policy. Please be considerate of others and switch off all cell phones when you enter the classroom. Sending/receiving texts and browsing the Web is extremely disruptive to others and will not be tolerated. Please no eating during class. Please see associated subsection entitled “Laptopistan” below for guidelines in place for the use of laptops in the classroom.

Feel free to contact me or your teaching assistant over email at any time. Please put your course number – LWSO 415 – in your email’s subject line. Emails will be answered within one business day. We do not answer emails over the weekend. Please take that into account when emailing us questions pertaining assignments or exams. If you have a course-related question, please check the course outline first. Also, unless otherwise instructed, please e-mail me for administrative purposes only, for example to set up an appointment. Please do not use e-mail as

a replacement for an office visit, if there is something you want to discuss.

Continued enrolment in this course indicates full agreement with the conditions, content, and expectations outlined in this syllabus. Please bring any concerns or questions about the contents of this syllabus to my attention as soon as possible. This syllabus will be discussed, and opportunities for questions provided, during the first day of class. I am also available during the term during office hours to clarify any questions regarding this syllabus, including due dates, course content and reading and research requirements.

As with most courses in law & society, this course deals with controversial contemporary socio-legal issues upon which there is often contentious debate and disagreement. Topics we cover may include: legal approaches to allegations of sexual misconduct, legal rules regarding freedom of expression and censorship, laws guaranteeing religious freedom in the context of diversity/multiculturalism. These issues are examined in relation to the contemporary debates in liberal society specifically around the role of law in relation to liberal values such as freedom, diversity and equality and the various efforts introduced in law and policy to achieve those valued goals.

### **Grade Reappraisal**

Within two weeks of the date the exam/assignment is returned, students seeking reappraisal of examinations or assignments must submit a written response to the instructor explaining the basis for reconsideration of one's mark (why you believe an error in grading has been made). The instructor will reconsider the grade assigned and will then book a time with the student to discuss his or her work and rationale. I am more than willing to formally or informally review grades assigned and have no particular desire to give anyone a bad grade. It should be noted that a reconsidered mark may be raised, lowered, or remain the same. This policy pertains less to those courses in which the method of evaluation involves multiple choice testing.

### **Technology Use**

Please note that the use of cell phones and laptops are to be avoided during lectures. Please be sure to mute your cell phone and use only in case of a family or related emergency. Please feel free to step outside class at any time to deal with a family or personal emergency. You will be asked to leave the classroom if you use technology other than for an approved purpose.

### **Laptopistan**

Research demonstrates that laptops used for note-taking interfere with learning. Using a pen and paper to take notes will increase your ability to understand and retain information from class lectures. More importantly, laptops are a kind of "second-hand smoke" for others. They have a negative effect on those exposed to others who are using them and multitasking. Here is a link to the research: <https://www.psychologytoday.com/blog/everybody-is-stupid-except-you/201305/close-laptop-in-class>

And another one:

<https://www.inc.com/james-sudakow/science-says-ditch-the-laptop-for-a-pen-and-paper-for-note-taking.html>

For those students who think they are smarter than the researchers, you may use your laptop so long as you sit in the back 2 right hand side rows of the classroom. Laptop use is banned in all other areas of my classroom. If these rows are full, you may not use your laptop. Get there early to secure a spot if necessary. Save yourself: turn off your wifi.

### **Email**

Feel free to contact me over email at any time. **Please put your course number and section in your email's subject line, and include a proper salutation, your full name, student ID, and a proper closing in the body of your email. All emails violating customary email conventions will be ignored.** All other emails will be answered within one to two business days. I do not answer emails over the weekend. Please take that into account when emailing me questions pertaining assignments or exams. If you have a course-related question, please check the course outline first. **Questions that can be answered by consulting the course outline will not be answered.** Also, please e-mail me for administrative purposes only, for example to set up an appointment. Please do not use e-mail as a replacement for an office visit, if there is something you want to discuss. **Questions about the course content and readings, concerns about grades, or any other personal issues should be dealt with in person during my office hours.**

### **Submitting Papers, Assignments**

1. The main Sociology Department office does not deal with any course-related matters. Please speak directly to your instructor.
2. **Protection of Privacy:** The Freedom of Information and Protection of Privacy (FOIPP) legislation does not allow students to retrieve any course material from public places. Anything that requires handing back will be returned directly during class or office hours. If students are unable to pick up their assignments from the instructor, they provide the instructor with a stamped, self-addressed envelope to be used for the return of the assignment.
3. Final grades are not posted by the Sociology Department. They are only available online.

### **Ethics in Research**

Students are advised that any research with human subjects – including any interviewing (even with friends and family), opinion polling, or unobtrusive observation – must have the approval of the Faculty Ethics Committee. In completing course requirements, students must not undertake any human subjects research without discussing their plans with the instructor, to determine if ethics approval is required.

### **Academic Misconduct**

Please refer to the website listed below for information on University of Calgary policies on Plagiarism/Cheating/Other Academic Misconduct:

<http://www.ucalgary.ca/pubs/calendar/current/k-5.html>

### **Deferrals**

When possible, please provide advance-notice if you are unable to write an exam or complete/turn-in assignments on time. All requests for deferral of a course component due to

health reasons must be accompanied by written documentation as outlined in the University Calendar and should be obtained while the student has the health issue rather than after recovery. Deferrals will be allowed in the following circumstances: illness, domestic affliction or religious conviction. Travel arrangements, misreading the syllabus, and scheduling conflicts with other classes or employment are not valid reasons for requesting a deferral. Deferrals will not be granted if it is determined that just cause is not shown by the student.

If you have missed a test for a legitimate reason, the instructor can require you to write a “make-up” test as close in time to the original test as possible or can choose to transfer the percentage weight to another course component. If the instructor schedules a “make-up” test for you, its date and location will be at the convenience of the Department of Sociology.

**Deferred Final Exam Form:** Please note that requests to defer a Registrar scheduled final exam are dealt with through the Registrar’s Office. Further information about deadlines, and where paperwork should be taken, is available on the form, which can be found at:

<https://www.ucalgary.ca/registrar/student-forms>

**Deferred Term Work Form:** Deferral of term work past the end of a term also requires a form to be filled out. It’s available at

[https://www.ucalgary.ca/registrar/files/registrar/deferred\\_termwork15\\_0.pdf](https://www.ucalgary.ca/registrar/files/registrar/deferred_termwork15_0.pdf)

Once an extension date has been agreed between instructor and student, the form should be taken to the Faculty of Arts Program Information Centre (SS 110) for approval by an Associate Dean (Students).

### **Student Representation**

The 2017-18 Students’ Union VP Academic is Tina Miller ([suvpaca@ucalgary.ca](mailto:suvpaca@ucalgary.ca)).

For more information, and to contact other elected officials with the Student’s Union, please visit this link: <https://www.su.ucalgary.ca/about/who-we-are/elected-officials/>

You may also wish to contact the Student Ombudsperson for help with a variety of University-related matters: <http://www.ucalgary.ca/ombuds/contact>

### **Emergency Evacuations**

In the case of fire or other emergency evacuation of this classroom, please proceed to the assembly point at **Social Science – Food Court**. Please check these assembly point locations for all of your classes at :<http://www.ucalgary.ca/emergencyplan/assemblypoints>

### **Safewalk**

The University of Calgary provides a “safe walk” service to any location on Campus, including the LRT, parking lots, bus zones, and campus housing. For Campus Security/Safewalk call 220-5333. Campus Security can also be contacted from any of the “Help” phones located around Campus.

### **Academic Accommodation**

The student accommodation policy can be found at: [ucalgary.ca/access/accommodations/policy](http://ucalgary.ca/access/accommodations/policy).

Students needing an Accommodation because of a Disability or medical condition should communicate this need to Student Accessibility Services in accordance with the Procedure for Accommodations for Students with Disabilities [ucalgary.ca/policies/files/policies/student-accommodation-policy](http://ucalgary.ca/policies/files/policies/student-accommodation-policy).

Students needing an Accommodation based on a Protected Ground other than Disability, should communicate this need, preferably in writing, to the course instructor.

### **Tentative Course Schedule**

Our schedule and readings may be subject to change – announcements about changes to the course schedule are done in class. If you miss a class it is your responsibility to get up to date on the schedule and readings.

### **Part I – Civil Liberties and the Administrative State**

Week One (January 9 & 12): Is Administrative Law Unconstitutional?

Readings and Video Lecture: Philip Hamburger 2016 “Is Administrative Law Lawful”

Week Two (January 16 & 18): *Pridgen v. University of Calgary* 2010 ABQB

Readings posted on D2L

Week Three (January 23 & 25): Compelled Speech, Freedom of Speech and University Policy

Readings and Video: The Agenda with Steve Paikin: Genders, Rights and Freedom of Expression and associated readings.

Week Four (January 30 & February 1): Compelled Speech, Freedom of Speech and University Policy Continued

Readings: Bill C-16 and associated readings posted to D2L

Week Five (February 6 & 8): Multiculturalism/Diversity

Readings: Song, Sarah, "Multiculturalism", The Stanford Encyclopedia of Philosophy (Spring 2017 Edition), Edward N. Zalta (ed.). Posted under “Multiculturalism” in D2L

Week 6 (February 13 & 15): Multiculturalism/Diversity Continued

Readings: Law Society of Upper Canada Statement of Principles and associated readings on D2L

Week 7 (February 19-23) – Reading Week

Week 8 (February 27 & March 1): Identity Politics

Readings: Heyes, Cressida, "Identity Politics", The Stanford Encyclopedia of Philosophy (Summer 2016 Edition), Edward N. Zalta (ed). Posted on D2L

### **MIDTERM TEST – February 27, 2018**



Week 9 (March 6 & 9): Identity Politics Continued

Readings: “The End of Identity Liberalism” Mark Lilla (posted on D2L) and “Classroom Diversity and its Mentality of Taboo” Charles Gesheker (posted on D2L).

Week 10 (March 13 & 15): Evergreen College Affair

Readings: Readings posted under “Evergreen College Affair” in D2L

Video: Interview with Brett Weinstein posted to D2L

Week 11 (March 20 & 22): Evergreen College Affair Cont’d.

Readings posted on D2L

Week 12 (March 27 & 29): Sexual Harassment, Sexual Assault and Consent

Readings: Laura Kipnis *Unwanted Advances*

Discussion of Critical Book Review Assignment

Week 13 (April 3 & 5): Sexual Harassment, Sexual Assault, and Consent

Readings: Laura Kipnis *Unwanted Advances*

Additional readings posted on D2L

Book Review Assignment Due: April 5, 2018

Week 14 (April 10 & 12): Wrap Up and Review