

<b>Course</b>	LAWS 3908 Approaches in Legal Studies II
<b>Term</b>	Fall 2010
<b>Instructor</b>	Craig McFarlane
<b>Office</b>	C476 Loeb (Monday and Tuesday), A701 Loeb (Thursday)
<b>Office Hours</b>	Monday 5:00-5:45, Tuesday 5:00-5:45, and Thursday 10:30-11:15
<b>Email</b>	teaching@theoria.ca
<b>Course Meets</b>	Tuesday 6:05-8:55
<b>Prerequisites</b>	Either LAWS 2908 or LAWS 3907 and third-year Honours standing

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## Accommodations

Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see [http://www.carleton.ca/pmc/students/accom\\_policy.html](http://www.carleton.ca/pmc/students/accom_policy.html). For religious and pregnancy accommodations, please contact Equity Services, ext. 5622.

## Calendar Description

Advanced approaches to interdisciplinary research and analysis in law and legal studies. Emphasis on the important role of theory. Approaches considered will vary by section, and may include theoretical, quantitative, qualitative, literary, or historical approaches.

## Course Overview

The goal of this course is to study how theoretical debates inform interdisciplinary research in legal studies by examining a current and substantive area of research. The substantive topic for this semester concerns the relation of animals to the law. Animals have historically been a neglected area of research in the social sciences and humanities, but it is quickly gaining in popularity, seeing growth in legal practice (“animal law”), non-governmental organizations (Humane Society of the United States, People for the Ethical Treatment of Animals, Canadian Federation of Humane Societies), and in academic (“human/animal relations,” “human/non-human relations,” “animal studies,” and “critical animal studies”) settings. While animals are present in one way or another in nearly all aspects of social life, their use and treatment remains heavily unregulated, which presents significant risks to humans, animals and the environment. This course will examine the moral and philosophical theories underpinning this interest in animals as well as look at a number of issues, such as agriculture and consumption, research, cruelty, pets. No particular moral view of the use or treatment of animals on the part of students is presupposed or expected.

## Required Texts

All readings are available on WebCT in PDF.

## Evaluation

Assignments are due at the start of class the date they are due. Any assignments submitted after the start of class or to the drop box will be deemed late. Late assignments are penalized one grade point per day late (e.g., an assignment two days late which merits a grade of A- will be given a grade of B). Extensions will not be granted under any circumstance. Please note that the book review, final paper proposal, and the final paper must be completed in order to pass this course; i.e., failure to submit all three assignments will result in a mark of FND. Plagiarism will not be tolerated and will result in the matter being referred to the Dean of the Faculty of Public Affairs and will most likely result in a failure on the assignment, if not also the course. There are no exceptions to any of these policies. While all grades are subject to approval by the Chair of the Department of Law and the Dean of the Faculty of Public Affairs, provisional marks will be posted to WebCT as they become available.

## Participation (10%) Ongoing

Marks for participation are contingent upon attendance (which will be taken at the beginning and ending of class; i.e., you must arrive on time and remain for the duration of the class). That is, you must be in attendance in order to participate, however, attendance does not imply participation. As a result, the highest participation mark you can receive is indexed to the number of classes you attend according to the following scheme: Student attended 75% of the classes, thus the highest participation mark the student can receive is 7.5/10 even if the student actively participated in all those classes. Participation means having arrived for class prepared (read the assigned readings more than once; attempted to understand the readings; developed questions about the readings), raising questions and points in class, and responding to questions posed by other students and the instructor. Students are also encouraged to make use of the “discussion board” on WebCT.

## Reading Summaries (15%) Ongoing

Students must submit a short summary (one page; 250 words) of the readings for each week. Summaries should clearly indicate what was read, what it argued, how it made the argument, and any comments or questions you had about the readings. Summaries are marked as follows: 1.5 for an “excellent” summary, 1 point for a “good” summary, 0.5 for an “acceptable” summary, and 0 for an “unacceptable” summary. Reading summaries must be submitted at the start of class; late assignments will not be accepted. I will make every effort to return summaries one week after submission.

## **Book Review (25%) Due October 26, 2010**

Students are to write a substantial review (1500-2000 words) of a recently published (between 2005 and 2010) book addressing the themes and issues raised in this course, but which is itself not an assigned reading. A list of suggested books has been posted to WebCT; students are encouraged, but not required, to select from this list. Should students decide to select a book not on this list, approval is required (i.e., most “popular” works are not permitted, such as books by Cesar Millan). Students are responsible for obtaining books on their own. I will make every effort to return book reviews two weeks after submission. This assignment must be completed in order to pass the course.

## **Proposal for Final Paper (10%) Due November 16, 2010**

The proposal leads up to the final paper. Accordingly, the proposal presents the background of the final paper. The proposal must clearly identify the topic being studied (e.g., companion animals), the particular focus within the topic (e.g., should people be allowed to own pets as property?), and the major sources you will be drawing on (presented in the form of an annotated bibliography). You cannot submit a final paper until your proposal has been approved. Proposals can be submitted at any time, however, they should be submitted no later than November 16. This assignment must be submitted in order to pass this course.

## **Final Paper (40%) Due December 6, 2010**

Students are required to submit a substantial final paper (4000 words) of original research, which clearly identifies the topic, the “question” you are seeking to answer, and, of course, the answer you are providing to the question. In addition to arguing their own position, students should also critically engage with competing positions, clearly explaining why they are not adequate. Papers must be written in standard English, with proper citations and a bibliography. Any recognized style (APA, MLA, Chicago, etc) is acceptable. A final paper cannot be submitted without prior approval of the proposal. This assignment must be submitted in order to pass this course.

## **Course Schedule**

### **September 14 Introduction**

No assigned readings

### **September 21 What is an Animal?**

Ingold, Tim. “Introduction.” In *What is an Animal?*, edited by Tim Ingold, 1-16. London: Unwin Hyman, 1988.

### **September 28 The Domination of Animals**

White Jr., Lynn. “The Historical Roots of Our Ecological Crisis.” *Science* 155, no. 3767 (1967): 1203-07.

Welbourn, F.B. "Man's Dominion." *Theology* 78 (1975): 561-8.

### **October 5 The Sociology of Humans and Animals**

Franklin, Adrian. *Animals and Modern Culture: A Sociology of Human-Animal Relations in Modernity*. London: Sage, 1999. [Chapter 2]

### **October 12 Animal Welfare**

Singer, Peter. *Animal Liberation*. 2<sup>nd</sup> ed. New York: HarperCollins, 2002. [Chapter 1]

Farm Animal Welfare Council. "Five Freedoms."

Documentary: "No Country for Animals"

### **October 19 Animal Rights**

Francione, Gary. "Animals—Property Or Persons?" In *Animals as Persons: Essays on the Abolition of Animal Exploitation*, 25-66. New York: Columbia UP, 2008.

Francione, Gary. "Six Principles of the Abolitionist Approach to Animal Rights."

### **October 26 Animals as Food**

Book review assignment due at start of class.

Singer, Peter. *Animal Liberation*. 2<sup>nd</sup> ed. New York: HarperCollins, 2002. [Chapter 3]

Pollan, Michael. 2002. "An Animal's Place."

Stănescu, Vasile. "'Green' Eggs and Ham? The Myth of Sustainable Meat and the Danger of the Local." *Journal for Critical Animal Studies* 8, no. 1/2 (2010): 8-32.

Documentary: "Food Inc."

### **November 2 Animals as Pets**

Tuan, Yi-Fu. *Dominance & Affection: The Making of Pets*. New Haven: Yale UP, 1984. [Chapter 6]

Ferguson, Kennan. "I ♥ My Dog." *Political Theory* 32, no. 3 (2004): 373-95.

Documentary: "Pedigree Dogs Exposed"

### **November 9 Animal Abuse**

Ritvo, Harriet. *The Animal Estate: The English and Other Creatures in the Victorian Age*. Cambridge, MA: Harvard UP, 1987. [Chapter 3]

Ontario Society for the Prevention of Cruelty to Animals Act, R.S.O. 1990, c. O.36

Criminal Code of Canada, R.S., 1985, c. C-46, §§444-7

### **November 16 Animals in Research**

Proposal for final paper due at start of class.

Cohen, Carl. "In Defense of the Use of Animals." In *The Animal Rights Debate*, edited by Carl Cohen and Tom Regan, 3-123. Lanham, MD: Rowman & Littlefield, 2001. [11-6, 69-83]

Regan, Tom. *Empty Cages: Facing the Challenge of Animal Rights*. Lanham, MA: Rowman & Littlefield, 2003. [Chapter 10]

Physician's Committee for Responsible Medicine. "PCRM Position Paper on Animal Research."

Canadian Council on Animal Care. "Replacement, Reduction, Refinement: Good Animal Practice in Science."

Animals for Research Act, R.S.O. 1990, c. A.22

### **November 23 Punishing Animals**

Girgen, Jen. "The Historical and Contemporary Prosecution and Punishment of Animals." *Animal Law 9* (2003): 97-133.

Darnton, Robert. "Workers Revolt: The Great Cat Massacre of the Rue Saint-Séverin." In *The Great Cat Massacre and Other Episodes in French Cultural History*, 75-104. New York: Basic, 1984.

Dog Owners' Liability Act, R.S.O. 1990, c. D.16

### **November 30 Catch-Up/To Be Determined**

To be determined.

**December 6 Final papers due (submit to Department of Law drop box by 4:00PM)**