



ST. JEROME'S UNIVERSITY

St. Jerome's University in the University of Waterloo

Department of Sociology and Legal Studies

LS 402 Winter 2021

Legal Authority and Subjectivity

REMOTE INSTRUCTION

INSTRUCTOR INFORMATION

Instructor: Susan Dianne Brophy, PhD

Email: susan.brophy@uwaterloo.ca

Contact:
➤ for general questions: 'Ask the Prof' discussion board and/or 'Meet-ups'
➤ for personal communication: email
➤ for longer discussions involving sensitive info: video by appointment

COURSE DESCRIPTION

This senior seminar explores the relation between those who make or administer law and select legal subjects whose lives and identities are shaped by law. As we study specific perspectives, students will debate and assess topics spanning such disciplines as psychology, sociology, history, humanities, cultural studies, political science, and criminology.

COURSE OBJECTIVES

Given that this is a senior seminar, the first objective is to encourage students to take ownership of the course. The professor guides this journey through discussion prompts and feedback, but the students themselves are responsible for setting the tone and tempo of the course. The second objective, related to the first, is to foster an environment of respectful and knowledgeable critique, which is essential to effective scholarly debate. This means that students must be exceptionally well-prepared to demonstrate critical reading and thinking skills. This is why participation is mandatory, not optional, in the remote version of the course.

REQUIRED TEXTS

[See the 'Announcements' section on LEARN]

COURSE REQUIREMENTS AND ASSESSMENT

<i>Participation + Short Essays</i>			
Requirement	Description	Schedule	Values
Participation	<i>Participation in LEARN discussions</i> - posted 1 st SUN of every new unit - rubric on LEARN - show reading comprehension - engage peers and ideas - essay preparation	<i>Unlocked WED to FRI</i> W2 & W3 W6 & W7 W10 & W11	25% (6 x 4.16%)
Short Essays	<i>Written analysis of readings</i> - 5 pages min, 8 pages max - prompts posted the first SUN of every new unit (W1, W5, W9) - rubric on LEARN - engage with authors' ideas - critical analysis	<i>SAT 11:59pm</i> W4: FEB 6 W8: MAR 13 W12: APR 10	75% (3 x 25%)

COURSE SCHEDULE

<p>COURSE THEME</p> <p>Legal Authority and the Construction of Governable Subjects</p>

UNIT I Feudalism and Capitalism (1300s-1700s)	
Jan 10 – 16 WEEK 1 <i>WELCOME & OVERVIEW</i> <i>pre-recorded</i>	Karl Marx (1868) <i>Capital Vol 1</i> , pp. 359-360 - Chapter 26: The Secret of Primitive Accumulation Silvia Federici (2004) <i>Caliban and the Witch</i> , pp. 11-50 - Introduction - All the World Needs a Jolt
Jan 17 – 23 WEEK 2 <i>W2 DISCUSSION</i> <i>participate on LEARN</i>	Silvia Federici (2004) <i>Caliban and the Witch</i> , pp. 61-155 - The Accumulation of Labor and the Degradation of Women - The Great Caliban

<p>Jan 24 – 30 WEEK 3</p> <p><i>W3 DISCUSSION</i> <i>participate on LEARN</i></p>	<p>Silvia Federici (2004) <i>Caliban and the Witch</i>, pp. 163-239</p> <ul style="list-style-type: none"> - The Great Witch-Hunt in Europe - Colonization and Christianization
<p>Jan 31 – Feb 6 WEEK 4</p> <p><i>MEET-UP #1</i> <i>WED FEB 3, 1pm-2pm</i> <i>live on BONGO</i></p> <p><i>ESSAY #1 DUE</i> <i>FEB 6 11:59pm</i></p>	<p>Encarnación Gutiérrez Rodríguez (2018) ‘The Coloniality of Migration and the “Refugee Crisis”’ in <i>Refuge</i>, pp. 16-25</p>
<p>UNIT II</p> <p>Colonialism and Revolution (1600s-1800s)</p>	
<p>Feb 7 – 12 WEEK 5</p>	<p>Karl Marx (1868) <i>Capital Vol 1</i>, pp. 361-365</p> <ul style="list-style-type: none"> - Chapter 27: Expropriation of the Agricultural Population from the Land <p>CLR James (1938) <i>The Black Jacobins: Toussaint L’Ouverture and the San Domingo Revolution</i>, pp. 3-84</p> <p>*content warning: author uses offensive terms*</p> <ul style="list-style-type: none"> - Prologue - The Property - The Owners - Parliament and Property
<p>Feb 21 – 27 WEEK 6</p> <p><i>W6 DISCUSSION</i> <i>participate on LEARN</i></p>	<p>CLR James (1938) <i>The Black Jacobins: Toussaint L’Ouverture and the San Domingo Revolution</i>, pp. 85-223</p> <p>*content warning: author uses offensive terms*</p> <ul style="list-style-type: none"> - The San Domingo Masses Begin - And the Paris Masses Complete - The Rise of Toussaint - The Mulattoes Try and Fail - The White Slave-Owners Again - The Expulsion of the British
<p>Feb 28 – Mar 6 WEEK 7</p> <p><i>W7 DISCUSSION</i> <i>participate on LEARN</i></p>	<p>CLR James (1938) <i>The Black Jacobins: Toussaint L’Ouverture and the San Domingo Revolution</i>, pp. 224-378</p> <p>*content warning: author uses offensive terms*</p> <ul style="list-style-type: none"> - Toussaint Seizes the Power - The Black Consul - The Bourgeoisie Prepares to Restore Slavery

	- The War of Independence
<p>Mar 7 – 13 WEEK 8</p> <p><i>MEET-UP #2</i> <i>WED MAR 10, 1pm-2pm</i> <i>live on BONGO</i></p> <p><i>ESSAY #2 DUE</i> <i>MAR 13 11:59pm</i></p>	<p>Nicholas Mirzoeff (2018) 'It's Not the Anthropocene, It's the White Supremacy Scene; or, The Geological Color Line' in <i>After Extinction</i>, pp. 123-144</p>
<p>UNIT III</p> <p>Liberalism and Fascism (1800s-2000s)</p>	
<p>Mar 14 – 20 WEEK 9</p>	<p>Walter Benjamin (1921) 'Critique of Violence', pp. 236-252</p> <p>Giorgio Agamben (1995) <i>Homo Sacer</i>, pp. 1-28</p> <ul style="list-style-type: none"> - Introduction - The Paradox of Sovereignty - 'Nomos Basileus'
<p>Mar 21 – 27 WEEK 10</p> <p><i>W10 DISCUSSION</i> <i>participate on LEARN</i></p>	<p>Giorgio Agamben (1995) <i>Homo Sacer</i>, pp. 29-68</p> <ul style="list-style-type: none"> - Form of Law - Threshold - Homo Sacer - The Ambivalence of the Sacred - Sacred Life - 'Vitae Necisque Potestas' - Sovereign Body and Sacred Body - The Ban and the Wolf - Threshold
<p>Mar 28 – Apr 3 WEEK 11</p> <p><i>W11 DISCUSSION</i> <i>participate on LEARN</i></p>	<p>Giorgio Agamben (1995) <i>Homo Sacer</i>, pp. 69-105</p> <ul style="list-style-type: none"> - The Politicization of Life - Biopolitics and the Rights of Man - Life That Does Not Deserve to Live - 'Politics, or Giving form to the Life of a People' - VP - Politicizing Death - The Camp as the 'Nomos' of the Modern - Threshold

<p>Apr 4 – 10 WEEK 12</p> <p>MEET-UP #3 WED APR 7, 1pm-2pm live on BONGO</p> <p>ESSAY #3 DUE APR 10 11:59pm</p>	<p>Daiva Stasiulis (2020) 'Elimi(Nation): Canada's "Post-Settler" Embrace of Disposable Migrant Labour' in <i>Studies in Social Justice</i>, pp. 22-49</p>
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SUBMISSION AND RETURN OF ASSIGNMENTS

- Submit electronic copies of Short Essays via DropBox on LEARN.
- Submissions will be automatically time-stamped.
- Essays will be graded within two weeks of the date of submission.
- Comments and grades will be posted on LEARN.

LATE ASSIGNMENTS

PARTICIPATION AND ESSAYS #1 and #2

- **No extensions will be granted for Participation or Essay #1 and Essay #2.**
- If a student misses a week, email the professor as soon as possible to see if you are eligible of an accommodation (see 'Accommodations Policy' below).
- **After** receiving approval for an accommodation from the professor, the student and professor will agree to the following terms:
 - **Participation:** grade value for next Participation will be doubled
for example: if the student misses Participation requirements for W2, then that grade value will carry-over to W3, so the W3 Participation will be worth 8.32% (4.16% + 4.16%)
 - **Essays #1 and #2:** grade value *and* length of next essay will be doubled
for example: if the student misses Essay #1, then that grade value and minimum page requirements will carry-over to Essay #2, so the Essay #2 will be worth 50% (25% + 25%) and the minimum page requirement will be 10 (5 + 5) with a maximum of 16 pages – the same applies to Essay #2 (carries over to Essay #3)

ESSAY #3

- If Essay #3 is submitted late, it will receive a 5% per day penalty.
for example: if the student submits an Essay #3 and it is assessed at 85%, it will fall to 80% if it was submitted late by one day, 75% for two days, and 70% for three (etc.).
- Late penalties will be waived if the student consults the professor and receives an accommodation (see 'Accommodations Policy' below).

ACCOMMODATIONS POLICY

- Accommodations will be considered if:
 - (a) you are ill and submit a *University of Waterloo Verification of Illness Form* to the course instructor as soon as possible;
 - (b) there was a death of a family member, which you can prove through official documentation (travel receipts will not suffice) submitted to the course instructor;
 - (c) due dates conflict with important dates on your religious calendar, and you have informed the course instructor of this fact in advance;
 - (d) you are [registered with AccessAbility Services](#) and can provide the course instructor with the relevant documentation.
- Familiarize yourself with the University of Waterloo's policies on what your responsibilities are in the event of a late or missed course requirement:
https://uwaterloo.ca/registrar/final-examinations/examination-regulations-and-related-matters#acc_illness
- Keep in mind the following regulations:

Students in on-campus courses [even if delivered remotely] who are ill and unable to meet assignment due dates or write a term test or final examination should seek medical treatment and provide confirmation of the illness to the instructor(s) within 48 hours by submitting a completed *UW Verification of Illness Form* to support requests for accommodation due to illness.

The *UW Verification of Illness Form* is normally the only acceptable medical documentation and is available on line at uwaterloo.ca/health-services/student-medical-clinic/services/verification-illness. Students who consult their physician or use the services of an off-campus walk-in clinic must provide this form to the attending physician for completion; doctors' notes and forms created by the physician or clinic are normally not acceptable.

CORRESPONDENCE POLICY

- Post general course related questions to 'Ask the Prof' on LEARN.
- Email is the best way to reach the professor for personal communication.
- Posts and emails will be answered within 24 hours, MON-FRI, 8:30am-4:30pm (except on holidays).

OTHER IMPORTANT INFORMATION

Academic Integrity: In order to maintain a culture of academic integrity, members of the University of Waterloo community are expected to promote honesty, trust, fairness, respect, and responsibility. [Check www.uwaterloo.ca/academicintegrity/ for more information.]

Grievance: A student who believes that a decision affecting some aspect of their university life has been unfair or unreasonable may have grounds for initiating a grievance. Read the St. Jerome's University Policy on Student Petitions and Grievances, www.sju.ca/sites/default/files/upload_file/PLCY_AOM_Student-Petitions-and-Grievances_20151211-SJUSCapproved.pdf. When in doubt, please be certain to contact the St. Jerome's Advising Specialist, Student Affairs Office, who will provide further assistance.

Discipline: A student is expected to know what constitutes academic integrity, to avoid committing an academic offence, and to take responsibility for their actions. [Check www.uwaterloo.ca/academicintegrity/ for more information.] A student who is unsure whether an action constitutes an offence, or who needs help in learning how to avoid offences (e.g., plagiarism, cheating) or about "rules" for group work/collaboration should seek guidance from the course instructor, academic advisor, or the Associate Dean. When misconduct has been found to have occurred, disciplinary penalties will be imposed under the St. Jerome's University Policy on Student Discipline, www.sju.ca/sites/default/files/PLCY_AOM_Student-Discipline_20131122-SJUSCapproved.pdf. For information on categories of offences and types of penalties, students should refer to University of Waterloo Policy 71, Student Discipline, www.adm.uwaterloo.ca/infosec/Policies/policy71.htm. For typical penalties, check the Guidelines for the Assessment of Penalties, www.adm.uwaterloo.ca/infosec/guidelines/penaltyguidelines.htm.

Appeals: A decision made or penalty imposed under the St. Jerome's University Policy on Student Petitions and Grievances (other than a petition) or the St. Jerome's University Policy on Student Discipline may be appealed if there is a ground. A student who believes they have a ground for an appeal should refer to the St. Jerome's University Policy on Student Appeals, www.sju.ca/sites/default/files/PLCY_AOM_Student-Appeals_20131122-SJUSCapproved.pdf.

Note for students with disabilities: AccessAbility Services, located in Needles Hall (Room 1401) at the University of Waterloo, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with AccessAbility Services at the beginning of each academic term, www.uwaterloo.ca/accessability-services/.