

2020-2021 Law courses for MA / LLM specialization in Political and Legal Thought **Departments: Law, Philosophy, and Political Studies**

Graduate students who are taking Law courses that are evaluated on the basis of an examination may write a paper or series of papers as an alternative form of evaluation and in satisfaction of course requirements. Students should consult with the course instructor before registering in a course to confirm details of course-specific requirements and discuss the course of evaluation with the instructor.

FALL and WINTER 2020-2021

LAW 692 / 693 Feminist Legal Studies Workshop (Kathy Lahey / Bitu Amani)
Location: TBD Day/Time: TBD

Graduate students must take both workshops in order to receive full credit (3 credits). Students will be enrolled as Audit in Law 692 (Fall) and Audit in Law 693 (Winter) and then enrolled in a Law Reading Course (Winter) for credit/grade recording.

The Feminist Legal Studies Workshops are designed to enable students to work closely with faculty in analyzing and discussing, with leading feminist theorists and scholars visiting Queens Faculty of Law, the topics of the speakers' papers.

FALL 2020

Law 907* / 516* Law and Sexuality (Lisa Kelly)
Location: REMOTE Day/Time: Wednesday 1:00pm-4:00pm

This course will examine sexual and reproductive rights, domestically and globally. The concept of sexual and reproductive rights cuts across many legal doctrines such as family law, property, health law, criminal law, immigration, human rights, and constitutional law. A fulsome account of sexual and reproductive justice includes access to fertility treatment, pre- and post-natal care, contraception, pregnancy termination, genetic counseling, quality childcare, and the freedom to choose when and how one participates in sexual activity and expresses one's sexual identity. Yet, in public and political discussions, especially those driven by domestic and global initiatives of the United States, attention is often focused primarily on abortion. This course will begin by asking why abortion occupies a central place in sexual and reproductive rights campaigns. We will examine how the 'reproductive justice' movement, a term popularized by American women of colour in the 1990s, has transformed reproductive advocacy by challenging the limits of law.

LAW 916* / 240* Colloquium in Legal and Political Thought (Grégoire Webber / Jean Thomas)
Location: REMOTE Day/Time: Monday 2:30pm-5:30pm

Departments of Philosophy (PHIL 809) and Political Studies (POLS 858) have different course codes

This Colloquium course explores new work in legal and political philosophy. Once every two weeks, a legal, moral, or political philosopher will present a paper falling within the general boundaries of the Colloquium's ambit. In alternate weeks, students will meet with the Colloquium convenors to prepare for the forthcoming session, examining the paper in depth.

WINTER 2021

Law 809* / 410* International Criminal Law (Darryl Robinson)
Location: Macdonald Hall, Rm 300 Day/Time: Thursday 1:00pm-4:00pm

This course explores the rapidly developing discipline of international criminal law (ICL), i.e. international efforts to prosecute individuals responsible for genocide, crimes against humanity and war crimes. We will examine: the major institutions, the politics that shaped them, and how they in turn shape politics; definitions of crimes; principles and defenses; issues of transitional justice, amnesties and truth and reconciliation; and the major controversies and perspectives on ICL. The course supplements traditional instruction methods with considerable emphasis on active and interactive learning. Accordingly, seminars will include lecture, interactive discussion, exercises and simulations.

Law 814* / 263* Jurisprudence (Les Green)
Location: Macdonald Hall, Rm 300 Day/Time: Monday 1:00pm-4:00pm

This course will be an introduction to philosophical study of the law. Subjects that will be discussed may include such things as the following: what law is; positivism and 'natural law'; the nature of legal authority and the obligation to obey the law; the rule of law; adjudication and interpretation; responsibility, liability, and punishment; legal rights; democracy, liberty, and

equality; economic approaches to law; critical and feminist approaches to law. No philosophical background or training is necessary.

Law 835* / 535* Equality Rights and the Charter (Beverley Baines)
Location: Macdonald Hall, Rm 300 Day/Time: Monday 10:00am-1:00pm

This seminar examines equality rights jurisprudence under the Charter by asking whether the new "competing rights" analysis advances or limits the rights of equality-seekers. Since women argued strenuously for enhanced equality rights during the debates leading up to the adoption of the Charter, many but not all of the cases we review will involve women whether as equality-seekers or as objects of state protection.

LAW 839* / 640* Law and Injustice (Ashwini Vasanthakumar)
Location: Macdonald Hall, Rm 400 Day/Time: Tuesday 2:30pm-5:30pm

This course explores the relationship between law and injustice, focusing in particular on theorising injustice, and especially those injustices that infect but do not originate in the law. Through readings in contemporary political and legal philosophy and political essays, we consider: different types of injustice, such as structural, historical, epistemic, and indigenous; duties to resist injustice for victims, bystanders, and beneficiaries; and forms of responding to injustice, including anger, civil and uncivil disobedience, and political violence.

Law 844* / 407* Criminal Law Theory (Benjamin Ewing)
Location: Macdonald Hall, Rm 300 Day/Time: Wednesday 1:00pm-4:00pm

Criminal law is among the most theoretically rich areas of law. It raises fundamental questions about human agency, moral responsibility, the rule of law, and the limits of legitimate state coercion. In this course we will study the theoretical underpinnings—conceptual, moral, and political—of both the institution of criminal justice as a whole and various criminal offences and defences. Potential topics include (but are not limited to): the justifying aims and moral limits of punishment; the criminal law's conception of moral responsibility; the limits of legitimate criminalization; punishment versus alternative modes of behavioural regulation; the theory of possessory offences, attempts, and hate crimes; the foundations of justification and excuse in general; and the structure of specific defences such as self-defence, provocation, duress, and entrapment.