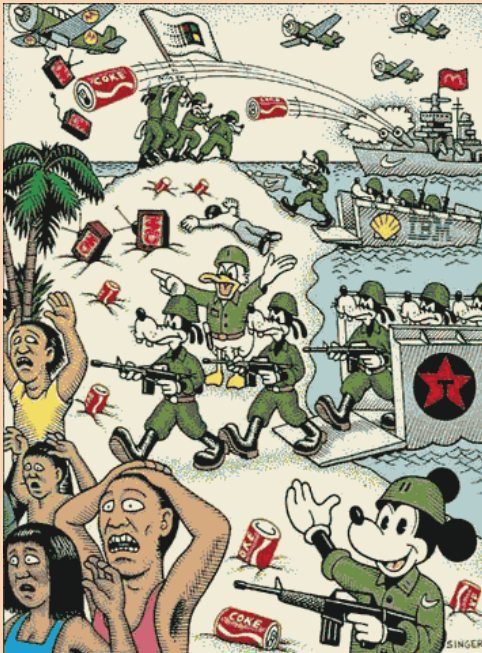


Class activities

Class 1 September 8: Introduction

- What do you think Comparative Law is about?
- Why is it relevant?
- Why do you need to study Comparative Law at the undergraduate level?
- Do you think you can apply what you learn in this course in your career after you graduate even if you do not work as a lawyer?
- How can you apply what you learn in this course to other courses here at Algoma University?
- Discuss one of the following cartoons:





Class 2 September 13: The Comparative Law Discipline

Draw a map of legal systems in the world. Be creative! Present it to the whole class.

Class 3: September 15: The Comparative Law Discipline

a. Identify the discipline in the following scenarios:

1. The United Nations Security Council issued a resolution allowing the invasion of Syria.
2. The Coca-Cola Company entered into an agreement with McDonalds Corporation for the sale of its products in Eastern Europe.
3. A passenger flying on Air Canada from Toronto to Prague had to connect in Frankfurt with a Lufthansa flight to go from Frankfurt to Prague. The flight from Toronto left 2 hours late; and the passenger missed the connection. He sues Air Canada.
4. The Canadian government commissioned a legal scholar a report on citizen's arrest laws in Europe and Latin America to change Canadian laws.
5. The International Criminal Court issued a warrant to prosecute Kadhafi, the Libyan leader.

b. Unification vs. Harmonization: Look for at least two examples of each.

c. Discuss and explain the following passages in your own words. Give specific examples

‘Globalisation’ can mean lots of different things. Glenn (2000: 47; 2004: 51) introduces the subject by saying that ‘[g]lobalization, or world domination, is usually thought of as a single process’, but immediately warns that ‘[t]he problem with this analysis of the state of the world is that there are a number of globalizations going on ... There is also, for example, globalization in the form of Islamization.’²¹ Especially from a North American perspective, it appears that globalization can easily be perceived as American domination of the world, a tempting thought for some, but what about all others?

From a Southern perspective, Doshi (2003: 352) warns: There is no signal globalization. There are several globalizations. Its *avatar* is plural, its processes are historical and its outcomes are varying. And, therefore, instead of calling it globalization, we should call it globalizations. Globalization, the world over, does not have a cakewalk. Challenges given to it are by no means ordinary. There is always a fear that the nation-state would lose its identity and importance. And, who knows, the state itself would die. There is yet another fear that the gap between the rich and the poor would increase. It is also argued that globalization is nothing short of a cultural bombardment on the developing countries by the western modernity – capitalism, industrialism and the nation-state system.

If globalization means increasing hybridization in locality-coloured and culture-specific forms worldwide, rather than uniformising homogenisation, lawyers need to be better

equipped to understand the manifold pluralities within and between legal systems as complex entities with ragged boundaries. It seems that a plurality-focused understanding of globalisation challenges legocentric Western laws and questions much of what Western culture and modernity claim to stand for. Eurocentric legal theories claim universal validity while representing only a shrinking part of global humanity. Since most thinking about globalisation is still inspired by the ‘civilising mission’ approach of the colonial period, huge mental barriers appear when people talk and write about this subject, particularly now linked to human rights (Caney and Jones, 2011).

Class 4: September 20: The Comparative Law Method

Apply the method to compare prostitution laws in Canada and France. You need to narrow down this broad topic for the purpose of your comparison. Focus your research on French law.

Classes 5 and 6: September 20 and 27: Civil Law

Read Franz Kafka’s *Before the Law*. It is widely available online. Discuss the following questions:

- Who is Franz Kafka? What was his education?
- What is the story about?
- What is your interpretation of the story?
- What is Kafka’s opinion about access to justice? What do you know about access to justice in the civil law world?
- What does the author want to show with this story? What purpose does he seek?
- What are the main symbols in the story? What do the gate, the gatekeeper, and the man symbolize?
- What would you have done if you were the man before the law?

Classes 7 and 8: September 29 and October 4: Foreign Legal Research

Class 9: October 6: Comparative Law in Action

- Choose a civil law jurisdiction and compare some aspects of its food laws to Canadian law.
- Choose two jurisdictions not analyzed in class and compare their labour laws.
- Find a video on YouTube –or a similar site- dealing with a legal problem in a foreign jurisdiction. Analyze the legal problem and compare it to Canadian law.

Classes 10 and 11: October 13 and 18: Aboriginal law

Discuss the following questions:

- Why was Potlatch forbidden?
- What is a solution proposed by one of the aboriginal leaders regarding the white man's laws and the Indian laws?
- Why was the Potlatch seen as a threat to European Canadians?
- What has the relationship between European Canadians and Native Canadians been?
- What is the aboriginal concept of property depicted in the documentary?
- What do you think about the Aboriginal claims over land?
- What is the value of Potlatch as a means of recording values, contracts and other legal issues?
- What are the problems of the trial of Aboriginal people depicted in the documentary?
- What sources of Aboriginal law are mentioned or shown in the documentary?

Classes 15 and 16: November 1 and 3: Common Law

Do a microcomparison of the following legal issues between the following common law jurisdictions. Prepare a short presentation.

- Canada and New Zealand: immigration of skilled workers and professionals
- Canada and Australia: marriage
- Canada and New York: divorce
- Canada and California: adoption
- Canada and England: sexual assault

Class 23: November 29: Law Reform

Write a private bill to reform an aspect of either criminal law or private law. For your project, do a Comparative Law analysis of at least two civil law jurisdictions.