University of Toronto
Major Modification Proposal – Type C: Combined Program

Program Proposed:
Please specify exactly which programs will be combined
Juris Doctor and Masters in History

Department(s) / Unit(s) involved:
Faculty of Law and Department of History

Faculty(s) / Academic Division(s):
Law and Arts and Science

Faculty / Academic Division Contact:
Sara Faherty

Department / Unit Contact:
Sara Faherty

Anticipated start date of new program:
Fall Term, 2015

Version Date:
November 26, 2011

1 Executive Summary
The Faculty of Law and the Department of History propose a combined degree program
designed for students interested in the intersection of law and history, allowing students the opportunity to
engage in an interdisciplinary exploration of the similarities and differences between these fields of study.
There are strong cohorts of faculty members in both units that work in law and history. Approximately
ten percent of the incoming law class have undergraduate degrees in history, and there is enormous
potential for important scholarship that addresses legal issues and historical factors. The combination of
the analytical rigor of legal studies and the methodological richness of historical scholarship will allow
students trained in both to produce significant academic work.

2 Program Rationale
The JD/MA (History) program will allow students the opportunity to engage in an
interdisciplinary exploration of both fields of study, completing both degrees in three years.
There is a strong nexus between law and history: legal scholars are interested in the historical
context of legislative and common law decisions; at the same time historians study both the
development of legal systems over time, and the interactions between laws and society. The
connections between law and political, economic and social institutions cannot be numbered.
The combined program will allow students to develop expertise in historical methodologies and
intensify their exposure to historic factors. At the same time they will immerse themselves in legal
analytic practices, enhancing their understanding of the legal context of historic
developments.

Offering student the opportunity to earn a JD/MA in History will be consistent with the
University’s mission to attract students with high abilities and aspirations. The program will
take advantage of two of the Universities programs to create a third, specific field of study that
will broaden the University’s range of disciplines. A flourishing JD/MA in History program will
foster the development of a precise set of research skills and expertise allowing students to
produce significant research.

Western University offers a JD/MA (History) program that is structurally similar to the one
proposed here. It, too, allows students to complete both degrees in three years. Students at Western complete the first year of law school study, and then are required to take 2.0 history courses. (http://history.uwo.ca/graduate/program_information/combined_jdma_program.html). Other Ontario law faculties feature legal and historical studies, although they do not offer a combined degree. For example, York University’s Osgoode Law Faculty is home to eminent legal historians, Philip Girard and Douglas C. Hay. Under Areas of Graduate Study, in the subgroup of Law and Theoretical Perspectives, Queen’s University Faculty of law lists Law and History among other topics.

New York University offers a JD/MA in History that can be completed in three years. (http://history.as.nyu.edu/object/history.1315.grad.progreq.dual). So does the University of Virginia School of Law (http://www.law.virginia.edu/html/academics/history.htm). Boston University’s JD/MA in History program take three years to complete, although that program requires students to take six courses in the history department, rather than the four proposed here. (http://www.bu.edu/academics/law/programs/jdma-history/). Stanford University offers a JD/MA in History that is meant to prepare students to pursue a JD/PhD and ultimately pursue an academic career. (https://www.law.stanford.edu/degrees/joint-degrees/law-and-history).

Harvard Law School has a Law and History Program of Study within its three year JD program. (http://www.law.harvard.edu/academics/degrees/jd/pos/law-and-history/index.html). Yale Law School runs a Legal History Forum, which is a faculty workshop in which faculty and students discuss the works-in-progress presented by junior and senior scholars. (http://www.law.yale.edu/intellectuallife/legalhistoryforum.htm)

### 3 Need and Demand

This will be a small, but steady program. Approximately twenty students per year enter the Law School with a history background. This three-year program will allow students to complete both degrees in the same amount of time it takes to complete law alone. We anticipate students will choose this path for a number of different reasons. First, students with a strong interest in history background may want to concentrate on legal history courses because those courses most interest them. Others may be contemplating an academic career and want the graduate degree as an additional credential. Finally, students who plan to enter the legal profession may find that the additional degree distinguishes them, and gives them an advantage in the employment market.

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4 Program Description

Students complete the first year of the J.D. program (registered full-time at the Faculty of Law) and then complete two "combined" years. In the upper two years, the student shall register and shall meet all the respective degree requirements in both the J.D. Program (as a full time student) and in the School of Graduate Studies through the M.A. Program in the Department of History (as a full-time student). As a combined degree, the J.D. and M.A. (History) are awarded simultaneously. Students must, therefore, have satisfied both the J.D. and the M.A. (History) requirements before either degree may be conferred. The structure and requirements of this program are as follows:

1. In the first year of the program students complete all first year courses at the Faculty of Law.

2. During the second and third years of the program students must successfully complete a total of four graduate half courses (2FCE) in the history department.

Of these 2 FCEs, students must successfully complete:

- Required: HIS1997H: The Practice of History. Students must take this course in the fall term of the second year of their program.
- 3 additional graduate half courses or their equivalent in the Department of History.

In addition, students must successfully complete 48 credits at the Faculty of Law. Of these 48 Law credits, students must successfully complete a course in law with significant historical content. Such courses may include:

- LAW214: Legal Archaeology: Studies in Cases in Context (3 credits)
- LAW354: Canadian Legal History Seminar (3 credits)
- LAW509: History of Crime and Punishment (3 credits)
- LAW220: Principle and Policy in Contract Law (3 credits)
- LAW540: History and Theory of the Common Law (3 credits)

In addition, students must successfully complete a JD Directed Research project (at least 3 credits) or complete an MA 2000 essay in the Department of History on a topic related to law and history, to be approved by the Combined Program Director. Students must meet the department of history’s language requirements (an examination in French or other second language). Further, students must satisfy all the requirements of the JD program.

5 Admission Requirements

Students must be independently admitted into each faculty before they are entered into the combined degree program. They will need to meet Law’s November 1 deadline and History’s January 15 deadline. Since the first year of the consists entirely of law courses, we will allow students in the process of completing their first year at Law to be eligible to apply to History before January 15, and, if their History application is accepted, be entered into the combined degree program at the end of their first year of law.
6 Program Requirements

JD/MA (History)

Degree Programs in the Combination
Law—Juris Doctor
History—Master of Arts

Overview
The JD/MA (History) program is a three-year combined degree program offered by the Faculty of Law and the Department of History, Faculty of Arts and Sciences. The program is designed for students interested in the intersection of law and history, allowing students the opportunity to engage in an interdisciplinary exploration of the similarities and differences between these fields of study. Students interested in this program should contact the Admissions Office, Faculty of Law, and the graduate office, Department of History.

To apply to the JD Program at the Faculty of Law, see Application Procedure for the JD Program on this Web site. For more information about this combined program, contact:

Faculty of Law, University of Toronto
Admissions Office
University of Toronto
84 Queen's Park
Toronto, Ontario M5S 2C5
Canada

Web: https://www.law.utoronto.ca/
E-mail: law.admissions@utoronto.ca
Telephone: (416) 978-3716
Fax: (416) 978-7899

Department of History, University of Toronto
Graduate Admissions
Room 2074, Sidney Smith Hall
100 St George Street
Toronto, Ontario M5S 3G3
Canada

Web: http://history.utoronto.ca/graduate/
E-mail: hisgradi@chass.utoronto.ca
Telephone: 416-978-3363
Fax: (416) 978-7899

Minimum Admission Requirements
Applicants must apply to both degree programs as specified in the admission requirements.
**Program Requirements**

Applicants admitted to both programs will, upon request, be admitted to the Combined Degree Program. Students complete the first year of the J.D. program (registered full-time at the Faculty of Law) and then complete two "combined" years. In the upper two years, the student shall register and shall meet all the respective degree requirements in both the J.D. Program (as a full time student) and in the School of Graduate Studies through the M.A. Program in the Department of History (as a full-time student). As a combined degree, the J.D. and M.A. (History) are awarded simultaneously. Students must, therefore, have satisfied both the J.D. and the M.A. (History) requirements before either degree may be conferred. The structure and requirements of this program are as follows:

**Path to Completion**

**Year 1:** In the first year of the program students complete all first year courses at the Faculty of Law. Students will be registered (full time) in the Faculty of Law.

**Year 2:** During the second year of the program students must successfully complete HIS1997H: The Practice of History. Students must take this course in the fall term of the second year of their program. Students will register for other history and law courses with the end of completing four graduate half courses and 48 credits in the Faculty of Law by the end of their third year. Students will be registered (full time) in the Faculty of Law, and (part-time) in the SGS.

**Year 3:** By the end of Year 3, students must have completed additional graduate half courses or their equivalent in the Department of History, for a total of four graduate half courses (2FCE) in the history department, including HIS1997H. In addition, during years two and three, students must successfully complete 48 credits at the Faculty of Law by the end of their third year. Students will be registered (full time) in the Faculty of Law, and (part-time) in the SGS.

Of these 48 Law credits, students must successfully complete at least one course in law with significant historical content. Such courses may include:

- LAW214: Legal Archaeology: Studies in Cases in Context (3 credits)
- LAW354: Canadian Legal History Seminar (3 credits)
- LAW509: History of Crime and Punishment (3 credits)
- LAW220: Principle and Policy in Contract Law (3 credits)
- LAW540: History and Theory of the Common Law (3 credits)

In addition, students must successfully complete a JD Directed Research project (at least 3 credits) or complete an MA 2000 essay in the Department of History on a topic related to law and history, to be approved by the Combined Program Director. Students must meet the department of history’s language requirements (an examination in French or other second language). Further, students must satisfy all the requirements of the JD program.

**Normal Program Length** – 6 sessions (full-time)

**Time Limit (for graduate program only)** – n/a.

**7 Consultation**

This combined degree program in law and history will benefit both the Faculty of Law and the Department of History. Students will learn the doctrine and the methodology of both fields of study, and will be distinguished in the professional and academic market by earning both
degrees. The calibre of students drawn to this small program will be high. While the numbers of students we expect will be small, and have virtually no impact on the finances of either department, we expect they will be a serious cadre of students who will raise the level of discourse in their classes, and bring the benefits of each field into the analysis of the other.

Several of the Law Faculty’s legal historians and the History Departments faculty who study legal issues have been discussing the possibility of a combined degree program for the better part of a year. On March 13, 2014, Professor and Department of History Chair Nicholas Terpstra met with Law Professors Angela Fernandez and Jim Phillips to discuss the matter, and to map out a consultation strategy. On March 19, 2014, Professor Terpstra discussed the possibility of a combined degree program with his colleagues at a departmental meeting. The History faculty were very enthusiastic, and discussed the possibility of both a Masters program and a JD/PhD combined program. Law Faculty members who voiced support for a combined JD/MA (History) program included Markus Dubber, Anver Emon, Mohammad Fadel, Martin Friedland, Simon Stern, David Schneiderman, Anna Su, and Stephan Waddams, in addition to Professors Fernandez and Phillips. Professor Terpstra got positive support for a combined program from History faculty members Lawrin Armstrong (Centre for Medieval Studies), Daniel Bender (UTSC), Laurie Bertram, Ritu Birla, Heidi Bohaker, Li Chen, Malavika Kasturi, Giulio Silano, Alison Smith, and Lucho van Isschot. Professors Fernandez, Schneiderman, and Su attended a Department of History meeting on September 17 to continue the discussion informally, and determine the next steps in the process. Interim Dean Jutta Brunnée asked Assistant Dean Sara Faherty to attend the History Department meeting in order Dean Mayo Moran and Interim Dean Jutta Brunnée have been supportive of this project since its inception. A subcommittee within the Department of History (Alison Smith, Steve Penfold, Jennifer Mori, and Nhung Tran) drafted a proposal. On November 7, 2014, it was approved by the Department’s Policy Committee. On November 12, 2014 it was approved by the Department as a whole. At a Faculty Council meeting on November 26, 2014, the Law Faculty approved this proposal for a combined degree program. On December 3, 2014, the Department of History approved the final version of the proposal for a combined degree program.

8 Resources
The small number of students this program anticipates should not have a measurable effect on resource allocation in either the Department of History or the Faculty of Law. Neither school is increasing the number of students admitted, so there are no issues around space, resources, and infrastructure. The numbers of faculty whose research interests include both law and history in both departments has made finding faculty supervisors very easy. Sufficient relevant course offerings already exist in both departments. Students will broaden their eligibility for financial support.

9 Governance Process

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