

Course Outline

COURSE:	LAWS 2005 D & V - Public Law
PREREQUISITES:	Either LAWS 1000 or PSCI 1000, or the combination of PSCI 1001 and PSCI 1002, or second year status or higher in the Bachelor of Public Affairs and Policy Management Program
TERM:	Fall/Winter 2007-08
CLASS: Day & Time:	Thursday 6:05 p.m. - 8:55 p.m.
Room:	624 SA (Southam Hall)
BROADCAST: Day & Time:	Friday 9:00 a.m.
INSTRUCTOR:	Bahaa I. Sunallah
CONTACT: Office:	Contract Instructor's Office, 4th floor LA (Loeb) – Room C476 LA
Office Hrs:	By appointment
Email:	bsunalla@connect.carleton.ca

Students with disabilities needing academic accommodations in this course are required to contact a coordinator at the Paul Menton Centre to complete the necessary *letters of accommodation*. The student must then make an appointment to discuss their needs with the instructor at least two weeks prior to the first class or ITV test. This is to ensure sufficient time is available to make the necessary accommodation arrangement. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations and March 14, 2008, for April examinations. With regard to accommodations for religious obligations and pregnancy, please see <http://www.carleton.ca/law/accommodations.htm>.

1. OBJECT AND SCOPE

This course will study public law as it relates to 1) the state and its relationship to other legal persons; 2) basic principles of constitutional law, administrative law and selected areas; 3) special features and problems of public law; 4) implications of the expanded new role of modern governments; and 5) legal and alternative processes.

2. CLASS FORMAT

Lectures 3 hours a week.

3. READINGS

(a) Required readings

The two LAWS 2005 sourcebooks described below; class emails (ensure that you can be reached at your email address @connect.carleton.ca); class handouts made available at WebCT; and as assigned. (The sourcebooks are available in the Carleton Bookstore; earlier editions are outdated.)

First term: the LAWS 2005 first term Sourcebook: D.W. Elliott, ed., *Introduction to Public Law: Sourcebook*, 7th ed., (North York, Captus Press, 2007); and

Second term: the LAWS 2005 second term sourcebook: D.W. Elliott, *Introduction to Public Law: Readings on the State, the Administrative Process, and Basic Values*, 6th ed., (North York, Captus Press, 2007).

(b) Optional Readings

Please note that these optional readings do NOT need to be purchased.

- 1) LAWS 2005 Reserved Readings (under LAWS 2005A, David Elliott), main Library;
- 2) *Bibliography of Sourcebook*, footnote and endnote readings of both sourcebooks;
- 3) Hogg, Peter W., *Constitutional Law of Canada*, 2007 Student Edition. (Scarborough: Carswell, 2007);
- 4) Monahan, Patrick J., *Constitutional Law*, 3rd ed. (Toronto: Irwin Law, 2006); and
- 5) Other optional readings available at the Carleton Bookstore (under LAWS 2005A, David Elliott).

4. EVALUATION

<i>First Term Midterm</i>	20%
Saturday October 20 th , 2007, 1:00 p.m. to 3:00 p.m.	
<i>First Term Examination</i>	30%
December, 2007, formally scheduled, first term's work; and	
<i>Final Examination</i>	50%
April, 2008, formally scheduled, second term's work.	

* A note about Evaluation and deferred FINAL examination:

Please refer to the Undergraduate Calendar 2007/2008, section 2.0 "Course Evaluation" for information about course evaluation and in particular see section 2.5 "Deferred Final Examination".

Section 2.5 b), at page 45 of the Undergraduate Calendar, reads in part:

2.5 Deferred Final Examinations**b) ...**

The granting of a deferral also requires that the student has performed satisfactorily in the course according to the evaluation scheme established in the Course Outline, excluding the final examination for which deferral privileges are requested. Reasons for denial of a deferral may include, among other conditions, a failure to (i) achieve a minimum score in the course before the final examination; (ii) attend a minimum number of classes; (iii) successfully complete a specific task (e.g. term paper, critical report, group project, computer or other assignment); (iv) complete laboratory work; (v) successfully complete one or more midterms; or (vi) meet other reasonable conditions of successful performance.

5. WebCT

In WebCT, sections D & V will be using the Fall term version of the course for the entire year. You can hide the Winter version from your *My WebCT* page in the following manner:

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Hiding a course in the *My WebCT* Course List channel:

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- Log into WebCT 6
- Find the 'Course List' channel (it's the centre channel)
- Click the 'Edit Course List' icon (it's the pencil like icon in the upper right corner of the channel)
- Put a checkmark beside the Winter version of the course

- Click the 'Hide' button
- Click the *My WebCT* tab (upper left) to get back

6. CLASS SCHEDULE

The class topics correspond to the Table of Contents of each of the two LAWS 2005 sourcebooks. The readings are to be read before the relevant class. The number at the left side indicates the CUTV week of the course in the relevant term. "Ch." indicates the corresponding chapter number of the required readings in the relevant (first term or second term) sourcebook. Please note that some of the readings may be omitted and these will be announced, in advance, in the lectures and/or WebCT and/or your email address @connect.carleton.ca.

First Term: 2007

FP.	SEP	06	Law and Public Law	Ch. 1	
F1.	SEP	13	The Constitution	Ch. 2	
F2.	SEP	20	<i>Constitution Act, 1867</i>	Ch. 3	
F3.	SEP	27	The Judiciary	Ch. 4	
F4.	OCT	04	The Judicial Committee and Early Federalism	Ch. 5	
F5.	OCT	11	SCC: POGG, Trade and Commerce, and Criminal Law	Ch. 6	
*	OCT	18	NO CLASS		
F6.	OCT	20	MIDTERM EXAM for Sections D & V *Saturday October 20th, 2007 1:00 p.m. to 3:00 p.m.		
F7.	OCT	25	Overlap and Cooperative Federalism	Ch. 7	
F8.	NOV	01	The Legislative and Executive Branches	Ch. 8	
F9.	NOV	08	<i>Constitution Act, 1982: Prologue & General Aspects</i>	Ch. 9	
F10.	NOV	15	The <i>Constitution Act, 1982: Specific Aspects</i>	Ch. 10	
F11.	NOV	22	Formal and Informal Constitutional Changes	Ch. 11	
F12.	NOV	29	Secession, Unity, and the Future / Review		Ch. 12

Second Term: 2008 (Winter Break: Feb. 18-22)

W1.	JAN	10	Law, State, and Social Goals and Techniques	Ch. 1	
W2.	JAN	17	Administrative Law Structure and Action	Ch. 2	
W3.	JAN	24	Non-Judicial and Judicial Control		Ch. 3
W4.	JAN	31	Judicial Review and Procedural Control	Ch. 4	
W5.	FEB	07	Substantive Review	Ch. 5	
W6.	FEB	14	Theory, Problems, and Reform	Ch. 6	
W7.	FEB	28	Basic Values and Their Protection	Ch. 7	
W8.	MAR	06	Scope and Interpretation of the <i>Charter</i>	Ch. 8	
W9.	MAR	13	Fundamental Freedoms and Fundamental Justice	Ch. 9	
W10.	MAR	20	Equality	Ch. 10	
W11.	MAR	27	Group Rights	Ch. 11	
W12.	APR	03	Public International Law / Review	Ch. 12	

7. DEPARTMENTAL POLICY AND PROCEDURE

For further instructions as to prerequisites, assignments, and grading, etc., see Department of Law, *Policy and Procedure Statement* attached to this outline and the relevant pages of the Undergraduate Calendar.