

COURSE OUTLINE

COURSE: LAWS 2502 C Law, State and Citizen

TERM: Winter 2012

PREREQUISITES: LAWS 1000

LECTURES: Day & Time: Wednesday, 6:05 - 8:55 p.m.
Room: Please check Carleton Central for current room location.

INSTRUCTOR: David Dwoskin

CONTACT: Office: B 442 LA (Loeb)
Office hours: By appointment only
Phone: (613) 236-9442 (During business hours)
E-mail: ddwoskin@lmrlawyers.com

Students with disabilities requiring academic accommodations in this course must contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary Letters of Accommodation. After registering with the PMC, make an appointment to meet and discuss your needs with me in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see: <http://www1.carleton.ca/pmc/students/accommodations/>. If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC for by 7 March 2012 for April exams. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

COURSE DESCRIPTION

This course will introduce students to the Constitution, specifically the *Charter*, and examine the relationship between the Citizen and the State, including how this relationship has changed since the introduction of the *Charter*. Case studies will provide recent examples of citizens challenging the state to enforce their rights.

The Constitution may be the Asupreme law of the land@ but this does not mean it is without controversy. The courts are continually interpreting and applying new meanings to the constitution as society evolves. The *Charter of Rights and Freedoms* is part of the Constitution and while being a relatively new addition, had changed the legal landscape of Canada.

Law, State and Citizen will examine the law relating to the state and its relationship to individuals and groups in society, with a focus on the administrative process, basic values and the *Charter*. The course will first consider the theories of the state and then move to an evaluation of administrative law including judicial review. Finally, we will study basic constitutional rights including the *Charter of Rights and Freedoms*, and conclude by examining core concepts of public international law.

CLASS FORMAT

Classes will consist mainly of lectures, although given the contentious nature of the material, questions and class discussion are welcome and encouraged. Students are expected to attend class regularly and to answer questions. Students must read the materials assigned before the relevant class.

REQUIRED TEXTS

D.W. Elliott - Introduction to Public Law: Readings on the State, the Administrative Process and Basic Values, 6th ed. Captus Press, 2007 - 978-1-55322-152-4

Additional readings as assigned by the Instructor or posted on WebCT.

EVALUATION

10% - Class participation

40% - Written Assignment

50% - Final Examination (3 hours)

TBA (during final examination period)

Multiple-choice and short answer question(s)

CLASS SCHEDULE AND READINGS

Lecture No	Date	Lecture Topic and Readings	
1	Jan 4	Law, State, Social Goals and Techniques	Chapter 1
2	Jan 11	Administrative Law Structure & Action	Chapter 2
3	Jan 18	Non-Judicial & Judicial Control	Chapter 3
4	Jan 25	Judicial Review and Procedural Control	Chapter 4
5	Feb 1	Substantive Review	Chapter 5
6	Feb 8	Theory, Problems, and Review	Chapter 6
7	Feb 15	Basic Values and Their Protection	Chapter 7
		WINTER BREAK	
8	Feb 29	Scope of the Charter	Chapter 8
9	Mar 7	Fundamental Freedoms & Justice	Chapter 9
10	Mar 14	Equality	Chapter 10
11	Mar 21	Group Rights	Chapter 11
12	Mar 28	Public International Law	Chapter 12
13	Apr 4	Review Class	
EXAM	TBA	April 2012	