

Course Outline

COURSE NUMBER AND TITLE:	LAWS 2502 D	Law, State and Citizen
TERM:	Winter 2013	
LECTURES:	Day & Time:	Thursdays 6:05 - 8:55 p.m.
	Room:	Please check with Carleton Central for current room location.
INSTRUCTOR:	David Dwoskin	
CONTACT:	Office:	B 442 LA (Loeb)
	Office hours:	By appointment only
	(613) 236-9442	During business hours
	E-mail:	ddwoskin@lmrlawyers.com

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.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 “supreme 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

April 13- 27, 2013

3 hours

Multiple-choice and short answer question(s)

CLASS SCHEDULE AND READINGS - WINTER TERM

Lecture No	Date	Lecture Topic and Readings	
1	Jan 10	Law, State, Social Goals and Techniques	Chapter 1
2	Jan 17	Administrative Law Structure & Action	Chapter 2
3	Jan 24	Non-Judicial & Judicial Control	Chapter 3
4	Jan 31	Judicial Review and Procedural Control	Chapter 4
5	Feb 7	Substantive Review	Chapter 5
6	Feb 14	Theory, Problems, and Review	Chapter 6
7	Feb 21 Feb 28	<u>WINTER BREAK</u> Basic Values and Their Protection	Chapter 7
8	Mar 7	Scope of the Charter	Chapter 8
9	Mar 14	Fundamental Freedoms & Justice	Chapter 9
10	Mar 21	Equality	Chapter 10
11	Mar 28	Group Rights	Chapter 11
12	Apr 4	Public International Law	Chapter 12
13	Apr 11	Review Class	
EXAM	TBA		