

Course Outline

COURSE:	LAWS 3500
TERM:	Winter 2012
PREREQUISITES:	LAWS 2005 [1.0] (no longer offered) or LAWS 2501 or PSCI 2003.
CLASS:	Day & Time: Monday 18:05 – 20:55 Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Bahaa I. Sunallah, of the Ontario Bar (Contract Instructor)
CONTACT:	Office: LA B442 Office Hrs: By Appointment Email: bahaa_sunallah@carleton.ca

"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://www2.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 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

An investigation of the Canadian Constitution, sovereignty, the nature and units of executive, legislative, and judicial power in Canada as interpreted by the courts. We will also study the distribution of powers under the Canadian Constitution, including an investigation of contemporary issues of federalism and judicial review.

REQUIRED TEXTS

J.E. Magnet, Constitutional Law of Canada, Cases, Notes and Materials, Volume 1 – 9th Edition (Edmonton: Juriliber, 2007).

SUPPLEMENTARY TEXTS

Additional readings will be assigned from time to time and will be placed on reserve at the library.

EVALUATION

(All components must be completed in order to get a passing grade)

Mid-term Exam (30%)

2.0 hours open book exam.

Final Exam (60%)

3.0 hours open book exam, during the University's final examination period.

Class Participation (10%)

Based on participation in class discussions and attendance.

IMPORTANT NOTES

1. Pertinent dates and holidays can be found on page 8 in the 2011-2012 Undergraduate Calendar and at the following site: <http://www4.carleton.ca/calendars/ugrad/current/pdf/>

2. Re Examination Regulations - Paragraph 2.4, p. 40

3. Re Final/Deferred Final Examinations - Paragraph 2.5, p. 40-41

Please note specifically pg. 40-41, 2.5 Deferred Final Examinations, paragraph 4:

"...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..."

SCHEDULE**DRAFT READING LIST****PART 1: SOURCES OF CONSTITUTIONAL LAW**

1. Introduction
2. Constitutional Theory and Principle
3. Constitutional Convention

PART 2: FEDERALISM

1. General Characteristics
2. Characteristics of Canadian Federalism

PART 3: INTERGOVERNMENTAL COOPERATION

1. General
2. Delegation
3. Agreements

PART 4: KEY CONCEPTS IN CONSTITUTIONAL LAW

1. Supremacy of the Constitution
2. The Rule of Law
3. Government Officials
4. Separation of Powers

PART 5: JUDICIAL POWER AND INDEPENDENCE

1. Judicial Review and the Legitimacy Debate
2. Status of Constitutional Review
3. Interpretation of s. 96
4. Judicial Independence

PART 6: DIVISION OF LEGISLATIVE POWERS

1. Property and Civil Rights
2. Residuary and Emergency Powers
3. Trade and Commerce
4. Taxation
5. Criminal Law
6. Transportation and Communication

PART 7: ABORIGINAL PEOPLES

1. Introduction
2. Aboriginal Rights