
COURSE:	LAWS 3503B Equality and Discrimination
TERM:	Winter 2013
PREREQUISITES:	LAWS 2004 [1.0], LAWS 2005[1.0], LAWS 2105, LAWS 2302 or LAWS 2502 or permission of the Department
CLASS:	Day & Time: Tuesday 2:30 – 5:30 Room: Please check with Carleton Central for current room location
INSTRUCTOR:	Diana Majury
CONTACT:	Office: D386 Loeb Building Office Hrs: Monday 10:00 – 12:00 Telephone: 613 520-2600 ext. 8863 Email: Diana_majury@carleton.ca

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 AND OBJECTIVES

The course examines issues of discrimination in Canadian society and explores different ways of thinking about and responding to group-based inequalities. The first objective of this course is to provide a basic understanding of the principal laws relating to equality and human rights in Canada. The second objective is to provide

a good understanding of the complexities of discrimination and inequality as lived experiences. The third objective is to encourage critical and creative thinking about the role of law and the legal system in furthering/inhibiting equality and in responding to issues of discrimination.

Through academic articles and personal accounts, we will look at the history of discrimination in Canada, the meaning(s) of equality and discrimination, and present day experiences of discrimination and inequality. We will explore the “rights debates” and different theoretical approaches to the conceptualization of human rights protection. We will study human rights legislation and the Charter of Rights and Freedoms and cases decided under each, looking at both their potential and their limitations.

The focus of this course is an exploration of theories, issues and cases through discussion. There is a heavy reading load and, despite the size of the class, there is a major focus on discussion. You are expected to have read all of the material assigned for each class and to come to class prepared to discuss it.

The fourth objective of this course is assist students in developing their communication, writing and critical analysis skills. Class discussion, the response papers and the feedback provided are all opportunities to reflect on and improve in these important areas.

REQUIRED TEXTS

REQUIRED READING

Materials on Equality and Anti-Discrimination Law, compiled by D. Majury, 2012 The course pack will be available at Octopus Books, 116 Third Avenue (just off Bank Street in the Glebe). The materials are not available anywhere else.

REFERENCES:

The *Ontario Human Rights Code*, available on line at <http://www.ohrc.on.ca/en/resources/code>

The *Canada Human Rights Act*, available on line at <http://laws.justice.gc.ca/en/H-6/text.html>

The *Canadian Charter of Rights and Freedoms*, available on line at <http://laws.justice.gc.ca/en/charter>

PROFESSOR CONTACT

Please come to see me in person with your questions, concerns, comments – I love the one on one, in-person contact. If you cannot make it to my office hours – 10 to 12 on Mondays -- please make an appointment.

I will try to answer your emails within 24 hours except over weekends. If you do not hear back from me after 24 hours, please re-email me. Please email me directly to diana_majury@carleton.ca, not through webct.

I will use the course website to communicate outside of class. Therefore, it is important that you have access to Carleton Connect and **use a connect email address**. Students are responsible for checking the course page on WebCT and checking their WebCT email. To log into WebCT go to <https://webct.carleton.ca> and enter your username and password.

EVALUATION

NB: All components must be completed in order to get a passing grade

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| 1) Term assignments – 4 Discussion Papers -- 15% per paper
-- see below for description | 60% |
| 2) Class participation (self and professor evaluation)
-- see below for description | 10% |
| 3) Take home examination or creative alternative
-- see below for description | 30% |

1) **Discussion Papers** – 4 papers – 15% /paper

You are to submit discussion papers on a minimum of **four** (any four) of the seven chapters of the course materials.

You are expected to refer to and integrate **all** (or in a long chapter most) of the readings in the chapter in your discussion paper on that chapter. Where a chapter includes both **cases** and **articles**, you are expected to **discuss both** in your paper, using the articles to help you critically examine the cases. In addition to the readings, you are expected to integrate discussion of our class discussion on that chapter into your paper. One way that you might do this would be to write half to two-thirds of your paper based on your initial reading of the materials and your preparation for class and then complete the paper after class by commenting on your initial response to the readings – eg things you missed, other students' responses that differed from your own, contentious issues in class that you anticipated or did not anticipate. If you do this, please indicate which section was written before and which section after class.

The discussion papers are not intended to be a summary of the readings or of the class discussions. You are expected to engage with and respond to the issues that the materials raise. Where possible, you should try to look for themes or recurring issues within the section and discuss those as raised through the readings and classes rather than discuss each article or case separately. These papers provide an opportunity for you to think about, integrate and apply the readings.

Discussion questions on each week's readings will be posted in advance. You may use these as a guide to your discussion papers but the intention is not that in your paper you simply go through and "answer" the questions posed. The questions are intended to spark your critical

engagement with the readings, to start you on a path that you then make your own – ie the questions can be a starting point but not the end point for your papers. If you want to ignore the discussion questions altogether in your papers that is fine too but you should come to class prepared to discuss the questions.

Each paper should be from five to eight type written pages, double spaced. The paper is **due** in class the week immediately following the last class dealing with that chapter. Due dates are provided on the course schedule. If you wish to submit more than the required four papers, the best four marks will be applied to your final grade.

Late papers will be marked down one-half grade point (eg. B to B-) for each day they are late. A medical certificate or other appropriate documentation will be required to support any request for an extension.

2) Class participation

At the end of the course, you will be required to submit a short self evaluation of your own class participation throughout the course and provide yourself with a grade out of a total of 5. This will count as one half of your final participation grade. Your self evaluation should address the following:

1. degree and effectiveness of your preparation for class
2. assessment of your contributions in class, reflecting on issues of both quantity and quality
3. your sensitivity and responsiveness to class dynamics
4. a discussion of factors that helped or hindered you in your contributions.

I will be taking attendance in each class. You are expected to come to every class and should deduct marks for non-attendance. Please note that reading the assigned materials and attendance at class are necessary prerequisites for class participation, but do not themselves constitute participation. However, I do understand that there may be a number of legitimate reasons why a person does not feel able to speak out in class. The self evaluation provides both you and me with an opportunity to take these kinds of factors into consideration.

Due date: April 9, 2013 (Last Class)

The other half of your participation grade will be my grade on your self evaluation. In this, I will be looking at the accuracy of your assessment, given your record of attendance, my own perceptions of your participation in class, and the explanation and reflection you provide.

3) Take Home Examination or Creative Alternative

The **take home exam** will be handed out in the last class – April 9, 2013.

Due date: must be handed in to the Law Department office (C473 Loeb Building) no later than 3:30 pm, **April 27, 2013.**

For those of you who are tired of doing exams and are interested in a challenge, there is the option of a **creative alternative** – for example a play, a short story, a video, a research project, a scrap book. The purpose of the project would be to demonstrate that you have read

and engaged with the course materials – ie it serves the same purpose as the take home exam, just in a more creative format. You could pick an issue or theme that runs through the course material and address it in one of these alternative formats. You may do the alternative as a group project. NB: Any project that would involve research with human subjects would require ethics approval and would therefore not be appropriate for this assignment. In order to do the alternative, you will need to write a project proposal and have it **approved by me** in writing – **any time before April 9.**

Due date: must be handed in to the Law Department office (C473 Loeb Building) no later than 3:30 pm, **April 27, 2013.**

NB: Response papers and the take home examination are required to be handed in in hard copy form. Electronic copies will only be accepted in exceptional circumstances.

SCHEDULE

The reading assignment schedule will be handed out separately at the beginning of the term.