
COURSE:	LAWS 3503 A - Equality and Discrimination
TERM:	Summer 2010
PREREQUISITES:	One of LAWS 2004 [1.0], LAWS 2005 [1.0], or LAWS 2105
CLASS:	Monday and Wednesday 4:35-5:35 pm
Room:	Please check with Carleton Central for current room location
INSTRUCTOR: (Contract)	Nick E. Milanovic
CONTACT:	Office: C476 LA (Loeb Bldg.)
Office Hrs:	By appointment
Telephone:	613-520-2600 x. 3693
Email:	Web CT email

"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://www.carleton.ca/pmc/students/accom_policy.html . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by **June 11, 2010 for June exams and July 30, 2010 for August exams**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.carleton.ca/equity

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COURSE DESCRIPTION

This course examines issues of discrimination in Canadian society and explores different ways of thinking about and responding to inequality. The goal of this course is to provide a basic understanding of the principal laws relating to equality and discrimination in Canada and to encourage critical and creative thinking about the role of law in furthering or inhibiting equality and in responding to issues of discrimination. An underlying theme of this course will consider whether our current legal approaches to matters of discrimination effectively promote equality among all members of Canadian society. Through academic articles, case-law and personal accounts, we will look at the history of discrimination in Canada, the legal meaning(s) of equality and discrimination, and present day experiences of discrimination and inequality. We will also 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 these statutes, looking at both their potential and their limitations.

REQUIRED READING:

Materials on Equality and Anti-Discrimination Law, compiled by N. Milanovic, 2008. The course pack can be purchased at Octopus Books, 116 Third Avenue (just off Bank Street in the Glebe). The materials are not available anywhere else. Additional required readings may be assigned as the course progresses and placed on reserve in the MacOdrum Library.

As noted above, the focus of this course is an exploration of theories, issues and cases concerning discrimination and equality law in Canadian society. There is a heavy reading load and there is a focus on classroom discussion. **You are expected to have read all of the material assigned for each class and to come to class prepared to discuss the readings.**

REFERENCES:

The *Ontario Human Rights Code*, Available on line at
<http://www.ohrc.on.ca/english/code/index.shtml>

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

The *Canadian Bill of Rights*, available at
<http://www.efc.ca/pages/law/canada/BillofRights.html>

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

EVALUATION: (All components must be completed in order to pass this course)

- 1) **50% - Analytical Essay** – A twelve (12) to fifteen (15) page essay **will be due June 21, 2010**. You will be presented in class with three (3) written essay questions that ask you to consider and evaluate a human rights issue. You are to select one question and write a paper that should be from twelve (12) to fifteen (15) pages long. The essay must also be double spaced, on one side of the page, and word processed in 12 point font.

In the analytical essay, you are to discuss and respond to the question posed by conducting your own research and in part by relying upon any relevant readings and classroom discussion that pertains to your topic. In the paper, you are expected to refer to and partially integrate the relevant readings in your answer to the essay question. The essay questions are intended to spark your engagement with a human rights topic and to start you on a path that you then creatively and critically make your own – i.e. the questions are a starting point but not the end point for your papers. **Remember, your essays are not intended to simply be a summary of the readings or of the class discussions.** Where possible, you should try to look for themes or recurring issues and incorporate those matters into your paper rather than simply discussing each article or case separately.

- 2) **50% Final examination** – There will be a final examination in the regularly scheduled examination schedule. The examination will be three (3) hours in length and will consist of multiple choice questions that require you to recall key information and to apply the concepts learned in class to factual situations. Among other things, this exam will require students to place the concept learned in class into a 'real life' factual situation in order to identify the correct answer. It will be a closed book examination and will cover the material discussed in the course lectures and assigned readings.

Please note: essays must be handed in on time and at the location specified by the instructor.

Any essay, due to be handed in during class, which is handed in after class will be treated as **LATE**. An **Extension without penalty** can only be obtained in extreme cases (e.g. death of a loved one, illness or disability etc.) with appropriate supporting documentation (e.g. doctor's note, coroner's certificate, etc.). **LATE ASSIGNMENTS will be penalized by deducting four (4) percent for each day or part day it is late up to a maximum of seven (7) days.** Any assignment or essay submitted beyond seven (7) days late without a valid excuse will automatically be failed. To be eligible to pass this course students must complete all components of the evaluation scheme noted herein, including any essay that will be marked as a failure because of lateness.

Departmental Policy and Procedure: For further instructions regarding prerequisites, assignments, and grading, etc., please consult the Department of Law's Policy and Procedure Statement and the relevant pages of the Undergraduate Calendar.

READING LIST

<u>Date</u>	<u>Topic</u>	<u>Assignment</u>
1. May 10	Introduction: Equality & Discrimination Law	No reading
2. May 12	Acknowledging Inequality	Chapter I
3. May 17	Conceptualizing Equality & Rights	Chapter II
4. May 19	Human Rights & the Charter	Chapter III
5. May 24	Statutory Holiday	No Reading
6. May 26	Understanding Inequality & Discrimination	Chapter IV pp. 1-58
7. May 31	Understanding Inequality & Discrimination	Chapter IV pp. 59-105
8. June 2	Grounds of Discrimination	Chapter V pp. 1-41
9. June 7	Grounds of Discrimination	Chapter V pp. 42-88
10. June 9	Duty to Accommodate	No reading
11. June 14	Affirmative Action & Other Controversies	Chapter IV
12. June 16	Review & Recap	No reading
13. June 21	Paper Due	No reading