

**Course Outline**

**COURSE:** LAWS 3503B Equality and Discrimination

**TERM:** Winter 2011

**PREREQUISITES:** One of LAWS 2004 [1.0] (no longer offered), LAWS 2301, LAWS 2302, LAWS 2005[1.0] (no longer offered) LAWS 2501, LAWS 2502 or LAWS 2105 or permission of the Department

**CLASS:**           **Day & Time:** Tuesday, 2:30 - 5:30  
                          **Room:** Please check Carleton Central for current room location

**INSTRUCTOR:** Diana Majury  
**(CONTRACT)**

**CONTACT:**           **Office:** D389 Loeb Building  
                          **Telephone:** 613-520-2600 ext 8863  
                          **Email:** diana\_majury@carleton.ca

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"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](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 **November 15, 2010 for Fall exams and March 12, 2011 for Winter exams**. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**COURSE DESCRIPTION**

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

## **TEXTS**

### **REQUIRED READING**

*Materials on Equality and Anti-Discrimination Law*, compiled by D. Majury, 2011. 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.

### **REFERENCES:**

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

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

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

### **COURSE SCHEDULE**

A topic and reading assignment schedule will be handed out separately at the beginning of the term.

### **EVALUATION**

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

Students must complete all three evaluation units in order to meet the course requirements and be eligible to pass the course.

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

You are to submit discussion papers on 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 the papers 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: March 29, 2011

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 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 – March 29, 2011.

Due date: must be handed in to the Law Department office (C473 Loeb Building) no later than 3:30 pm, April 22, 2011.

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. You could pick an issue or theme that runs through the course material and address it in one of these alternative formats. In order to do the alternative, you will need to write a project the proposal and have it approved by me in writing – any time before March 29.

Due date: must be handed in to the Law Department office (C473 Loeb Building) no later than 3:30 pm, April 22, 2011.