

Course Outline

COURSE:	LAWS 2502 C and V – Law, State and Citizen
TERM:	WINTER 2019
PREREQUISITES:	1.0 credit from LAWS 1001, LAWS 1002 (Formerly LAWS 1000 no longer offered) PSCI 1100, PSCI 1200, or PAPM 1000
CLASS:	Day & Time: Mondays from 6:05 pm to 8:55 pm Room: For students in the C section: Southam Hall 624 For students in the V section: the course is taught online
INSTRUCTOR:	Dr Sean Richmond
CONTACT:	Office: D483 Loeb Building Office Hrs: By appointment only Telephone: 613-520-2600 x. 2082 Email: sean.richmond@carleton.ca

Please use your Carleton account for all email communication. Note that questions will not be answered on the weekends, or 24 hours before the mid-term and the final exam date. Students are warmly encouraged to consult with the professor and Teaching Assistants during regular business hours, and well in advance of the mid-term and final exam.

COURSE DESCRIPTION

This course provides an interdisciplinary introduction to the laws governing the relationship between the state and its citizens in a Canadian context. It will address some of the key theories, values and challenges associated with this relationship, and examine core topics such as the Charter of Rights and Freedoms, theories of the state, administrative law, and public international law. Throughout the lectures, the role and limits of the law and the courts will be discussed from a legal, political and historical perspective. Practice problems and short video clips will also be employed to help students critically analyze and apply what they are learning to the real world of Canadian law and politics. Respectful and thoughtful class discussion will be encouraged throughout the term.

Guest speakers from government and non-governmental organizations have been invited to provide additional insight on important issues such as human rights and judicial review. They will also discuss potential volunteer and employment opportunities, to inspire students to think about their broader career objectives.

At the end of the course, students should be able to: 1) demonstrate an introductory level of knowledge of the key theories, values and challenges that are discussed; 2) identify basic legal issues and apply relevant rules to the case studies and challenges that they encounter in and outside of the class; 3) critically reflect on the political and historical context in which the Charter and the courts operate; and 4) construct arguments in support of particular positions related to the course topics, and show an awareness of alternative views to these positions.

REQUIRED TEXTS

Nick E. Milanovic (Ed.), *Introduction to Public Law: Readings on the Law, State, and Citizen* (Captus Press, 2015).

This required textbook is available for purchase from the Carleton bookstore. It has also been placed on reserve at the university library.

In addition to this book, further required readings and cases will be uploaded to the course website on cuLearn, or identified as available online.

SUPPLEMENTARY TEXTS

For students seeking supplementary information and additional perspectives on the course topics, the following text is available for purchase from the Carleton bookstore. It has also been placed on reserve at the library.

Heather MacIvor. *Canadian Politics and Government in the Charter Era*, 2nd ed (Oxford University Press, 2013).

WEBSITE

Further course information, lecture summary slides, updates and other important materials will be posted on the course website on cuLearn. Announcements and grades will also be communicated this way. Students are strongly encouraged to regularly check the website.

Visit <https://culearn.carleton.ca>, and login using the same username and password that you use for your email or Connect accounts. You must be registered in the course to access the course website.

EVALUATION

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

Note: Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

Performance in the course will be evaluated as follows:

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| 1. | Take-home mid-term - due Friday February 15 at 11 am | 40% |
| 2. | Final exam - to be held during the final exam period | 60% |

Both evaluation components must be completed in order to be eligible to receive a passing grade.

Take-home mid-term: to help decrease the stress of mid-term writing and provide students with an opportunity to clearly and effectively demonstrate their understanding of the course material and learning aims, the mid-term assessment will be a take-home. It is worth 40% of the overall grade. It will be

available for download from the course website on Thursday February 14 at 11 am. It will be open book, and comprise short-answer and essay questions. Students will have 24 hours to complete their responses, and submit their finished document online by the deadline of Friday February 15 at 11 am. Word limits will be employed, and students must work alone. Further information will be provided closer to the time.

Absent prior approval or medical certification, mid-terms submitted past the due date **will not be accepted**. Instead, students who do not submit the mid-term will have their overall grade based on the final exam.

Final exam: the final exam is worth 60% of the overall grade. It will be 2 hours long, and held during the examination period of April 12 to 27. The exact date will be scheduled by Examination Services later in the term. The exam will be closed book, and will comprise multiple choice and short-answer questions.

Students will be responsible for all of the required readings, as well as the material covered by the lectures and guest speakers. Further information about the final exam will be provided later in the term.

SCHEDULE

Please note:

January 7 – Winter term begins

February 18 – Statutory holiday

February 18-22 – Winter Reading Break

April 9 – Winter term ends

Formally scheduled exam period April 12 – 27, 2019

Week 1: Monday January 7, 2019

Introduction: Course Overview, Evaluation and Key Concepts

Required reading: read the course syllabus

Week 2: Monday January 14

Theories of Law and the State – part 1 of 2

Required reading: Milanovic, chapter 1

Week 3: Monday January 21

Theories of Law and the State – part 2 of 2

Required reading: Milanovic, chapter 6

Week 4: Monday January 28

Administrative Law

Required reading: Milanovic, chapter 2

Week 5: Monday February 4

Basic Values and Their Protection

Required reading: Milanovic, chapter 7

Week 6: Monday February 11

Scope and Interpretation of the Charter

Required reading: Milanovic, chapter 8

*Note that the **take-home mid-term is due Friday February 15 at 11 am**

Week 7: the Reading Break is February 18 to 22
There are no classes this week

Week 8: Monday February 25

Fundamental Freedoms and Fundamental Justice
Required reading: Milanovic, chapter 9

Week 9: Monday March 4

Equality
Required reading: Milanovic, chapter 10

Week 10: Monday March 11

Group Rights
Required reading: Milanovic, chapter 11

Week 11: Monday March 18

International Law – part 1 of 2
Required reading: Milanovic, chapter 12

Week 12: Monday March 25

International Law – part 2 of 2
Required reading: will be posted on the course website

Week 13: Monday April 1

Case Study: National Security
Required reading: will be posted on the course website

Week 14: Monday April 8

Conclusion and Course Review
Required reading: review your notes

ACADEMIC ACCOMMODATIONS

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

Pregnancy obligation: Please contact 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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

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: carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf

Academic Accommodations for Students with Disabilities: If you have a documented disability requiring academic accommodations in this course, please contact The Paul Menton Centre (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 as soon as possible to ensure accommodation arrangements are made. Please consult the PMC Website for their deadline to request accommodations for the formally-scheduled exam (if applicable) www.carleton.ca/pmc

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's Academic Integrity Policy can be found at:
<http://carleton.ca/studentaffairs/academic-integrity/>

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit:
carleton.ca/sexual-violence-support

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

For more information on academic accommodation, please contact the departmental administrator or visit: students.carleton.ca/course-outline

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>