
COURSE:	LAWS 3500A – Constitutional Law
TERM:	Fall 2017
PREREQUISITE(S):	LAWS 2501 or PSCI 2003.
CLASS:	Day & Time: Wednesday, 6:05 – 8:55 p.m.
	Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Dr. Roger R. Rickwood, LL.M., LL.B.
CONTACT:	Office: B442 – Contract Instructors’ Office, Loeb Building
	Office Hrs: Wednesdays - 4:00 – 5:30 p.m.
	Telephone: 613-520-2600
	Email: roger.rickwood@carleton.ca OR rogerrickwood@aol.com
	cuLearn Website: For announcements & background documents as well as
	any other required readings
	Dept. Website: www.carleton.ca/law

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: 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://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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website (www.carleton.ca/pmc) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>.

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/>

Student Services: The Centre for Student Academic Support (CSAS) is a centralized collection of learning support services designed to help students achieve their goals and improve their learning both inside and outside the classroom. CSAS offers academic assistance with course content, academic writing and skills development. Visit CSAS on the 4th floor of MacOdrum Library or online at carleton.ca/csas

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/>

OFFICIAL COURSE DESCRIPTION**LAWS 3500 – Constitutional Law**

An investigation of the Canadian constitution. Sovereignty, the nature and units of executive, legislative, and judicial power in Canada as interpreted by the courts. The distribution of powers under the Canadian constitution, including an investigation of contemporary problems of federalism. Problems of judicial review.

OVERALL COURSE INVESTIGATION ROUTE MAP

LAWS 3500 is an advanced constitutional law course. Students are expected to have completed the prerequisite courses of either LAWS 2501 – Law, State and the Constitution or PSCI 2003 – Canadian Political Institutions to have a basic understanding of the Canadian constitutional system. The course builds on the basic elements of written and unwritten Canadian constitutional law as set out in LAWS 2501 and PSCI 2003. Using the underlying historical framework developed in LAWS 2502 and PSCI 2003, this course focuses more heavily on fundamental legal principles that guide the interpretation and application of constitutional provisions in legal practice. LAWS 3500 is more heavily case-based than the courses below and seeks to mainly explain the Canadian Constitution by looking at decisions of the Judicial Committee of the Privy Council (U.K.), The Supreme Court of Canada, and the various courts and tribunals below. Not all court decisions or lack of them can be explained by legal factors, so political and sociological theory must be used to explain change or lack of it.

Our investigation will be divided into two parts. In the first part, which covers most of the Chapters from 1 to 13 and chapter 26 in Macklem's *Canadian Constitutional Law, 5th edition*, we will examine the sources and nature of the Constitution, the concept of federalism, the division of powers, the division of legislative powers and the evolution of procedures to amend the constitution and establish Canadian sovereignty

from Britain. In the second part, we will cover most of chapters from 14 to 25 in Macklem's text. We will explore the rights and freedoms protected by the common law, organic statutes, the *Canadian Charter Rights and Freedoms*, the *Rights of the Aboriginal Peoples of Canada* in Part II, section 35 of the *Constitution Act, 1982*, the *Constitution Act, 1867*, and international treaties and conventions.

We will investigate the various legal, administrative and political remedies that can be used to defend government actions and individual and group rights.

The Macklem text is supplemented by the Dodek text, *The Canadian Constitution*. It contains an easily accessible copy of the *Constitution Acts 1867 and 1982* so you can read sections referenced to in the Maklem text. There is also in Dodek a short glossary of legal terms used in Maklem's text.

DEFINITION AND PURPOSE OF CONSTITUTIONAL LAW AS USED IN THIS COURSE

LAWS 3500 – Constitutional Law is about describing, understanding and explaining the relationships between the building blocks of politics and law and their impact on political life in Canada. This web of relationships between politics and law in the Canadian political community constitutes the form of our Canadian political regime and sets out the underlying political principles that provide the legitimate basis for our form of government. These underlying political principles provide a set of rules that authoritatively establish both the structure and the fundamental operational codes by which we govern our country. These political institutions and interconnecting relationships have an inner logic that ties them all together to form a coherent whole that has a core continuity over time despite conflicts and incremental and peripheral changes. Political scientists and lawyers call this set of authoritative structural rules and fundamental operational codes a constitution, regardless of whether it is written or unwritten or a combination of both. In modern times, political power inside a constitutional political regime is understood to consist of three types: **legislative, executive and judicial**. Some political philosophers have argued that the institutions performing these powers should ideally operate separately and independently from each other. However, the reality is that such institutions in a stable democratic state are always linked together and the issue is not separation but reasonable synchronization and a degree of individual autonomy.

Canada now has a political regime or constitutional framework that is called a parliamentary democracy and we have both borrowed institutions from the United Kingdom (the Crown and representative responsible government) and the United States of America (federalism and an entrenched bill of rights) and developed some of our own (court references). In 1867, when the Dominion of Canada was given internal self-government within the British Empire, we had a parliamentary form of government but we were not a democracy as many groups of people within our country were excluded from participating in government (young and poor males, women and indigenous peoples). The country was run by a privileged Anglophone and Francophone elite, some say oligarchy, which manipulated all the structures with British government assistance to maintain a conservative yet growing economy to span the Dominion from sea to sea and remain independent from the USA. The idea of the Founding Fathers was to maintain a highly centralized form of federalism with only limited power assigned to the provinces and almost all political power assigned to the federal and provincial executives and legislatures with only a very limited role for the courts.

In fact, Canada in 1867 did not opt to establish a national supreme court but decided to continue instead the existing colonial court structure, now vested in the new provinces, with the highest court of appeal still the Empire's Judicial Committee of the Privy Council in London. Prudently, the founders did provide a specific constitutional power, S.101 in the written part of the *Canadian Constitution*, the *British North America Act, 1867*, to establish a general court of appeal and such other federal courts as proved necessary. The messy unworkability under the *BNA Act* of the federal government disallowing provincial legislation through federally appointed Lieutenants Governor in the provinces soon motivated the federal government to unilaterally pass a *Supreme Court Act* in 1875. This federal statute got around this problem by referring questionable provincial legislation to the Supreme Court of Canada as a less politically emotive non-binding reference case. With this legal diversionary device, the power of disallowance fell into disuse and, although it still legally exists, political convention prevents its use. This

is an example of unwritten conventions that distinguish our constitution from the American one and make a full understanding of our constitution impossible without knowing both the written and unwritten rules.

In 1867 and onwards courts in Canada conducted judicial inquiries, decided private and public law disputes and interpreted statutes. Constitutional review was restricted to division of power cases. Constitutional reviews over jurisdiction expanded as the initially passive provinces began to challenge federal jurisdiction on almost every front and found themselves a willing ally in the JCPC which radically reshaped the distribution of power in the Dominion but not the finances. This pattern essentially continued with a few exceptions after the *Statute of Westminster* was passed in 1931 and did not change significantly until the federal government ended appeals to the JCPC in 1949.

Issues of discrimination and abuses of human rights did come before the courts in Canada or the JCPC. It was not until the passage of the *Constitution Act 1982* when two sets of entrenched rights, the *Canadian Charter of Rights and Freedoms* and the *Rights of the Aboriginal Peoples of Canada* came into effect, that marginalized groups could get the courts to disallow legislation that offended these entrenched rights. Disentangling the Canadian state from the jurisdiction of the UK Parliament also allowed an expansion of judicial power although the resulting judicial formulae in reference cases did not satisfy Quebec and many indigenous peoples.

This course describes the evolution of the Canadian constitutional regime from 1867 noting the changing relative power of the executive, legislative and judicial actors and seeks to demonstrate that the courts have grown to exert great political power in the governance of this country, especially when politicians will not act or cannot act, such as on the issue of abortion. Interest groups have developed to utilize these new 1982 review mechanisms to use the courts to challenge government policies and laws to the extent that some commentators declare that we have “judicialized politics” and deprived political majorities in Parliament and the Legislatures of their democratic right to govern. We will assess the legitimacy of these claims and note existing limitations on judicial power. Courts still show deference to parliamentary supremacy in deciding constitutional issues because courts generally know their limitations as non-elected officials with limited operational government expertise. However, they do strike down under s.52 and s.24(1) federal and provincial legislation. You will have the opportunity to explore such contested issues in case studies and presentations. Serious questions of judicial accountability still persist and the course will explore various reforms that might change the balance.

GENERAL INSTRUCTIONAL GOALS AND UNDERSTANDINGS

LAWS 3500 – Constitutional Law has three instructional goals:

- a) To understand written and unwritten provisions and processes of the Constitution of Canada in the context of the Canadian political regime;
- b) To understand the Constitution is based on the four general principles of federalism: democracy; constitutionalism, rule of law; protection of minorities;
- c) To understand that Canada is a federal state; a constitutional monarchy; has responsible and representative government; rule of law and judicial review; guarantees of individual and group rights; A constitutional amendment process

Using the methodological lens of neoinstitutionalism, we examine the roles of executives, legislators and judges in the governmental process in Canada under six constitutional frameworks since the *Royal Proclamation of 1763*, through the *British North American Act, 1867* (now *Constitution Act, 1867* and *Constitution Act, 1982*) to the present as Canada evolved from a colony to independence. We examine the evolution of Canadian constitutional laws and conventions and the attempts to perfect them through reforms and litigation. While wider political initiatives are assessed in constitutional developments, an equal focus of this course is on the role that the courts have come to play in the governmental process, particularly in relation to decisions regarding the division of powers between the federal and provincial governments as well as fundamental legal rights. This was not the situation in 1763 and thereafter, but has developed in stages to where one cannot accurately describe, understand or explain the Canadian political regime without reference to judicial process and power.

Attention will be paid to constitutional interpretation, the politics of the judicial process, and the relations between law, public policy and administration. After briefly noting administrative law-type judicial review, the course focuses on constitutional judicial review, based first on division of powers and then on the basic civil liberties and human rights.

The inclusion of the *CCRF and Aboriginal Rights* parts into the *Constitution Act, 1982* expanded judicial review in this area but limited parliamentary sovereignty once shared between the Parliament of Canada and the provincial Legislatures. The expanded scope for judges and extra-parliamentary interest groups to shape Canadian law can conflict with democratic majoritarian values enforced by parliamentary supremacy. Early constitutional developments ignored poor white males, women and indigenous peoples. There were incremental improvements after WW1. However, the patterns of Anglo and Franco white male elite domination persisted. Wider participation came in 1982 forcing legal changes and radical adjustment of a governance model based on elite accommodation among federal and provincial politicians and dominant ethnic groups.

As the constitutional process is ongoing, forecasting techniques to assess current actions and proposals to reform the Constitution through formal amendment and informal changes need to be examined. Can the proposed reforms meet both the demands of marginalized groups and indigenous peoples which were opened up by the 1982 changes while still maintaining Canadian unity and effective state operations? Competing principles of legal interpretation and jurisprudence as well as theories of federalism (centralized vs. decentralized) and fundamental rights will be discussed.

Take note of how the terms the “Canadian Constitution” and the “Constitution of Canada” are used in this course. Before 1982, these two terms were largely coterminous. Since 1982 the term the “Canadian Constitution” has come to refer to the written and unwritten portions of the law governing the operation of the Canadian constitutional process, i.e. royal prerogatives, black letter statutes, court decisions and unwritten informal political conventions viewed as binding on all political actors. The term the “Constitution of Canada” has been more narrowly defined by the SCC as to what is considered written legal constitutional (i.e. enforceable by a court) law as set out in s.52 of the *Constitution Act, 1982* in black letter law statutes, regulations, royal prerogatives and court decisions. However, the terms are frequently intermixed.

LEARNED COURSE OUTCOMES

By the course’s end, students, applying the above knowledge sets, techniques and methodologies, will:

1. Understand the concept of public law and where constitutional law fits within the legal field.
2. Understand the purposes of a constitution and where the Constitution of Canada fits within a universal classification of types of constitutions.
3. Be able to describe and explain the functions of the basic institutions, conventions and processes of the Constitution and their interrelationships in the context of the Canadian political regime.
4. Be able to describe, understand and explain the evolution of the Canadian constitutional system from historical, legal, political, economic and sociological perspectives.
5. Be able, as a citizen or policy analyst, to analyse complex law and constitutional problems and issues from a variety of philosophical and theoretical perspectives and identify optional solutions as well as justify and prioritize recommended choices.
6. Master the technical skills of legal case briefing and analysis
7. Understand the legal and political complexities and difficulties of engaging in constitutional reform within the Canadian state and be able to advocate for critical and necessary changes.
8. Understand issues from a variety of philosophical and theoretical perspectives and identify optional solutions as well as justify and prioritize recommended choices.
9. Master the technical skills of legal case briefing and analysis.
10. Understand the legal and political complexities and difficulties of engaging in constitutional reform within the Canadian state and be able to advocate for critical and necessary changes

REQUIRED TEXTS

Macklem, Patrick, *et al*, *Canadian Constitutional Law*, 5th edition (Toronto: Emond Publishing, 2017), hardback (Available at Carleton University Bookstore). There are 4 chapters: chapters 12, 13, 24 and 26 on line at <http://emond.ca/canadian-constitutional-law-5th-edition.html> . The text is available as an Ebook for one year at the same website.

Dodek, Adam, *The Canadian Constitution*, 2nd edition, (Toronto: Dundurn Press, 2016), paperback (Available at Carleton University Bookstore) Ebook available from Publisher.

United Nations General Assembly, *Universal Declaration of Human Rights*, Resolution 1948 available on line at <http://www.un.org/en/universal-declaration-human-rights/index.html>

Canadian Bill of Rights, RSC 1985 Appendix III, on line at Justice Canada website at <http://laws.justice.gc.ca/eng/acts/C-12.3/>

Royal Proclamation of 1763 (UK), at Justice Canada website at <https://www.collectionscanada.gc.ca/publications/002/015002-2010-e.html>

United Nations Declaration on the Rights of Indigenous Peoples, U.N.G.A. resolution, October 2007 on UN site at <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>

Required Case for Case Commentary (Due 27th September, 2017)

Henrietta Muir Edwards v. Canada (A.G.) (the “Person’s” case), [1930] 1 D.L.R.98 (J.C.P.C.:18 October 1929), [1930] A.C. 124 (J.C.P.C.). The J.C.P.C. decision written by Lord Sankey and overturned the unanimous S.C.C. decision. The case had been referred to the S.C.C. by Governor in Council, October 19, 1927. See *Reference re: Meaning of the Word “Persons” in s.24 of the BNA Act*, [1928] S.C.R. 276 – In Macklem text at pages 37-45.

RECOMMENDED TEXT

Monahan and Byron Shaw, *The Canadian Constitution* 4th edition (Toronto: Irwin Law Inc., 2015), paper. The book contains Constitution Act 1867 to 1982 at p.539ff. Available at Carleton University bookstore.

COURSE FORMAT

- Lectures and in-class discussions, simulations, case studies, group presentations, readings, role playing
- Three hours a week
- In-class registration taken

EVALUATION

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.

Final exam period is December 10-22, 2017

Case Commentary	15% - Due September 27, 2017 (2% penalty for submissions after due date)
Mid-term Exam (2 hours) (closed book)	25% - October 11, 2017
Group Presentation	20% - During weeks 6-13)
Final examination (2 hours) (closed book)	30%- (TBA in examination period December 10-22, 2017)
Class/lecture participation	10%- (in-class registration taken)

Attendance & Class Participation (Total course mark value 10%)

ALL STUDENTS are required to sign the register at every class. Your participation mark is based in part on attendance and in part on active participation in class discussions. Explanation of your absence for medical and compassionate reasons will be considered in adjusting the registration record. Excuses that you did not know there is a sign-in registration will not be accepted. ATTENDING AN IN-CLASS EXAM WILL NOT BE CONSIDERED ATTENDANCE FOR PURPOSES OF THE PARTICIPATION MARK.

Case Commentary – Due September 27th (Total course mark value 15%)

Students are required to produce a case commentary on *Henrietta Muir Edwards v. Canada (A.G.)* (The “Persons” case). This should be in hard copy, 5 to 10 pages double-spaced, following the Case Analysis Guidelines (on cuLearn).

Group Presentations (Total course mark value 20%)

“In class” presentations will be done by groups of students in the classes after the mid-term test using concepts and specific cases or groups of cases set out in the texts. Presentations will normally be done based on the specific reading topics for the selected week. However, this can be modified to focus on some more specific subject. Presentations can also be done on specific organizations that are active in constitutional advocacy.

The same mark will be given for all members of a group. Students failing to attend their group presentation must present appropriate documentation for their absence.

There are 6 presentation days. Dates and topics are assigned on a first come basis. If you do not know anybody in the class, I will assign you to a group or help you form one. Teams should be composed of 3-4 members.

Students requiring computerized equipment and other audio visual materials for their presentations should notify the instructor in advance. Each group is required to provide the course instructor with a copy of their Power Point slides and also with an *aide memoire* of at least one page in length summarizing the presentation at the time of the presentation. The groups are to provide the instructor with an electronic copy of their power points and/or and the instructor will post the power points to cuLearn. **Key content points in presentations will be tested in the final day test. Failure to provide the instructor with the electronic copy of the power points and/or aide memoire means no grade will be entered for the members of the group.** Presentations should be at least 20 minutes long. If there are extra presenters in a group, it will need to be longer. Marks are awarded on content (60%), presentation style (20%) and engagement (20%) of the other students in discussions, simulations or game exercises (Jeopardy, Who Wants to Be a Millionaire etc.). A schedule of presentations will be drawn up on a first-come first-served basis. So identify your topic and the members of your group in writing to the instructor as soon as possible. Students are free to handout sample illustrative materials to assist their student colleagues to understand content and processes. Students can use formats, such as panel discussions, news and talk shows, tribunal and court case proceedings, simulations and debates as well as videos from You Tube and Media outlets. The whole time of a group presentation cannot be used up in a game show format activity or activities. Nominal candy rewards to elicit audience participation and the use of stage props and costumes can sometimes enhance class presentations. Respect for participant viewpoints different from your own and use of limited preambles to questions is encouraged.

N.B. I want to reiterate here the Carleton University Academic Integrity Policy with respect to the “Unauthorized Resubmission of Work. A student shall not submit substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the second submission occurs. Minor modifications and amendments to an essay or paper, such as changes in phraseology, do not constitute a significant and acceptable reworking of an assignment.” This policy applies to all aspects of your work, including the group presentation.

SCHEDULE

- Sept. 6
Week 1
- Introduction and Overview**
- i) Welcome activities
 - ii) Course outline & Evaluation Scheme
 - iii) Definition and Purposes of a Constitution
 - iv) Sources and Elements of the Canadian Constitution
 - v) Judicial Review and Constitutional Interpretation
 - vi) Explanation of Case Commentary on *Edwards v. Canada (1929)*(JCP) –
Due 27 September, 2017
- Macklem, Chapters 1 & 2
 - Dodek, Chapters 1 & 2
 - Henrietta Muir Edwards v. Canada (AG)*(1929)(JCPC) in Macklem pp. 37-45
 - R. Rickwood, “Case Analysis Writing Guidelines: Briefing the Facts, Analysing Issues, Laws, Reasons and Decision-making involved and offering Opinion(s) on Significance. (on cuLearn – LAWS 3500)
- Sept. 13
Week 2
- Overview and Structure of the *British North America Act, 1867***
- Macklem, Chapter 3
 - Dodek, Chapter 3
 - Greene & Rickwood, “Highlights of the Canadian Constitution” (Handout)
 - Power Points on political conventions on cuLearn site
- Sept. 19
- LAST DAY TO REGISTER/CHANGE COURSES OR SECTIONS**
- Sept. 20
Week 3
- Early Canadian Federalism, the Rise of Provincial Resistance and the JCPC**
- Macklem, Chapters 4 & 5
- Sept. 27
Week 4
- War, Economic Regulation, Depression, Growth of Canadian Autonomy and the Birth of Co-operative Federalism**
- Macklem, Chapters 6 & 7
 - Dodek, Chapters 4 & 5
- Peace, Order and Good Government since the 1930s**
- Macklem, Chapter 9
- Case Commentary on Edwards due September 27th in hard copy – 2% penalty per day thereafter**

- Sept. 30 **LAST DAY TO WITHDRAW FROM COURSE WITH FULL FEE ADJUSTMENT**
- Oct. 4
Week 5 **Origins, Structure and Specific Aspects of the *Canada Act 1982 (UK)***
 -Macklem, Chapter 7 and the on-line chapter 26 at <http://emond.ca/canadian-constitutional-law-5th-edition.html>
 -Dodek, Chapter 6
 -*Constitution Act, 1982* – handout – on cuLearn
 -Constitutional Amendment Diagram - handout
- Oct. 6 **DECEMBER EXAMINATION SCHEDULE AVAILABLE ON LINE**
- Oct. 9 **THANKSGIVING STATUTORY HOLIDAY – UNIVERSITY CLOSED – NO CLASS – NO OFFICE HOURS**
- Oct. 11
Week 6 **MID-TERM EXAM**
 50% quiz & 50% essay - closed book - 2 hours
 Value: 25%
 Based on all materials, lectures and discussions since September 6th.
- Oct. 18
Week 7 **From Parliamentary Supremacy to Constitutional Supremacy: The Impact of the *Charter* and the Challenge of Multiculturalism**
 -Macklem, Chapters, 1, 16, 17, 18 & 25
 -Oakes test under S.1 *CCRF* – on cuLearn
 -R. Rickwood – note on constitutional interpretation – handout
- Oct. 23-27 **FALL BREAK – NO CLASS – NO OFFICE HOURS**
- Nov. 1
Week 8 - **Canadian Charter of Rights and Freedoms**
 - **Fundamental Freedoms**
 - **Democratic Rights**
 - **Mobility Rights**
 Macklem, Chapter 19 (Freedom of Religion) – *CCRF* – s. 2(a)
 Chapter 20 (Freedom of Expression) – *CCRF* – s. 2(b)
 Chapter 21 (Freedom of Association) – *CCRF* s. 2(d)
 -*Constitution Act 1982* - cuLearn
 -Democratic rights – handout
 -Mobility rights – handout
 -*R. v. Sauve* (SCC) - handout
- Nov. 8
Week 9 **Charter and Legal Rights – Section 7**
 -Macklem, Chapter 22
- Nov. 10 **CLASS PRESENTATION**
LAST DATE TO REQUEST FORMAL EXAM ACCOMMODATIONS FOR DECEMBER EXAMINATIONS TO THE PAUL MENTON CENTRE.

- Nov. 15
Week 10 **Charter and S.15 Equality Rights**
-Macklem, Chapter 23
CLASS PRESENTATION
- Nov. 22
Week 11 **Charter and Language Rights – s. 16 to 23**
-Macklem, Chapter 24, (on line at <http://emond.ca/downloads/constitutional5-24-online.pdf>)
CLASS PRESENTATION
- Nov. 29
Week 12 **Aboriginal Peoples and the Constitution**
-Macklem, Chapter 14
-*United Nations Declaration on the Rights of Indigenous Peoples*, U.N.G.A. resolution, October 2007 on UN site at <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>
CLASS PRESENTATION
- Dec. 6 **Amending the Constitution and the Role of the Judiciary: Democratic Deficit Reconsidered**
-Macklem, Chapter 26 – on line at (<http://emond.ca/downloads/constitutional5-24-online.pdf>) and Chapter 13
CLASS PRESENTATION
- Dec. 8 FALL TERM ENDS
LAST DAY FOR ACADEMIC WITHDRAWAL FROM FALL TERM COURSE
LAST DAY FOR HANDING IN TERM WORK
- Dec. 10-22 **FINAL EXAMINATION PERIOD**
FINAL EXAM – DATE TBA (Date available on-line Oct. 6)
- Dec. 25-Jan. 1 **UNIVERSITY CLOSED.**
- Jan. 19-21
and 26-28 **FALL TERM DEFERRED FINAL EXAMINATIONS TO BE HELD**