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<b>COURSE:</b>	<b>LAWS 3509 – The Charter of Rights Topics</b>
<b>TERM:</b>	<b>Winter 2021</b>
<b>PREREQUISITES:</b>	<b>0.5 Credit from LAWS 2105, LAWS 2201, LAWS 2302, LAWS 2502 and 0.5 credit in LAWS at the 2000 level.</b>
<b>CLASS:</b>	<b>Day &amp; Time: Monday 6:05PM – 8:55P</b>
	<b>Room: All Courses in the Winter 2021 term are offered online. A hybrid approach will be used for content delivery. Asynchronous lectures will be recorded and uploaded to CULearn. Synchronous discussions will happen over Big Blue Button on CULearn. Asynchronous discussion forums are available on CULearn.</b>
<b>INSTRUCTOR: (CONTRACT)</b>	<b>Garrett Lecoq (He/him pronouns)</b>
<b>CONTACT:</b>	<b>Office Hours: Office hours will take place on Fridays from 3:00 – 4:00 or by appointment over Zoom.</b>
	<b>Email: <a href="mailto:garrettlecoq@cmail.carleton.ca">garrettlecoq@cmail.carleton.ca</a></b>

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### **CALENDAR COURSE DESCRIPTION**

Selected issues in the Canadian Charter of Rights and Freedoms. The topics of this course may vary from year to year and are announced in advance of registration.

### **COURSE DESCRIPTION**

This course explores contemporary topics under the *Canadian Charter of Rights and Freedoms* utilizing critical socio-legal theory

The *Canadian Charter of Rights and Freedoms* is an iconic document impacting the legal, social, political, and cultural fabrics of Canada. Deemed as the supreme law of the land, the *Charter* has a variety of influences on our daily lives beyond the written language of the law. Unpacking both the history and processes surrounding the *Charter*, this course explores how the *Charter* may be perceived as both a provider of rights and freedoms and a tool of regulation and control over Canadian's lives. Examining this precarious relationship of the *Charter*, this course investigates how the *Charter* can be understood to benefit some and be detrimental to others.

This course examines how the *Charter* is interpreted by and between the executive, legislative, and judicial branches of the state, and the impacts this brings to bear upon Canadians. The goal of the class is to illustrate the merits of socio-legal research by examining monumental *Charter*

debates through a critical perspective, garnering an understanding of the complicated nuances surrounding the *Charter* cases.

This course will feature asynchronous recorded lectures and brief synchronous discussion periods during the allocated course time on Big Blue Button. There will be an emphasis on reflecting and analyzing the topics we discuss throughout the course and the methods of evaluation. Staying up to date on the readings and lectures is necessary due to subsequent weeks building upon ideas established in earlier ones.

### **LEARNING OBJECTIVES**

This course has four main learning objectives:

- 1) To help develop a comprehensive understanding of how the *Charter* emerges and operates in Canada.
- 2) To demonstrate the interdisciplinary nature of the *Charter* as it encompasses legal, social, political implications.
- 3) To engage with contemporary (and controversial) topics such as medical assistance in dying, safe consumption sites, bans on religious symbols, indigenous self-government, privacy in the digital era, rights to housing, and criminal procedure.
- 4) To foster students' ability to execute a research paper equally drawing upon law and critical social/political/legal theory.

### **REQUIRED TEXTS**

All required readings will be posted on CULearn or can be accessed via the library.

### **SUPPLEMENTARY TEXTS**

While there are no required texts for this class, the following books are encouraged texts to aid in unpacking some of the complex topics discussed in the course and to aid in proper citation in your assignments.

Booth, Wayne et al., *The Craft of Research: Fourth Edition* (Chicago: University of Chicago Press, 2016).

King, Stephen, *On Writing* (New York: Scribner, 2000).

McCormick, Peter J. *The End of the Charter Revolution: Looking Back from the New Normal* (Toronto: University of Toronto Press, 2015).

Robert J. Sharpe & Kent Roach, *The Charter of Rights and Freedoms*, 6<sup>th</sup> ed (Toronto: Irwin Law 2017)

Strunk, William, *The Elements of Style* (Vancouver: Spectrum Ink Canada, 2018).

*The Canadian Guide to Uniform Legal Citation*, 9<sup>th</sup> ed (Toronto: Thomson Carswell 2018).

### **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.

Evaluation for this course is as follows:

<u>Active Engagement</u>		
Participation (Live or CULearn Forum)	15%	
Reading Reflections	30%	(Drop your lowest Reading Reflection grade)
Reading Reflection #1		<b><u>Must submit by Sunday January 31<sup>st</sup></u></b>
Reading Reflection #2		<b><u>Must submit by Sunday March 7<sup>th</sup></u></b>
Reading Reflection #3		<b><u>Must submit by Sunday April 4<sup>th</sup></u></b>
	<b>/45%</b>	
<u>Research Paper</u>		
Abstract	5%	<b><u>Due Friday February 12<sup>th</sup></u></b>
Legal Summary	15%	<b><u>Due Monday March 15<sup>th</sup></u></b>
Final Paper	35%	<b><u>Due Wednesday April 14<sup>th</sup></u></b>
	<b>/55%</b>	

### Participation

Participation is mandatory for this class but can be obtained through either attending synchronous discussion groups or participating in online discussion. Synchronous seminars will be informal and prioritize discussing the topics of the week. For students preferring to participate asynchronously, the Instructor will post prompts each week on CULearn to facilitate your engagement with the materials discussed that week.

### Reading Reflections

The reading reflections are structured to facilitate your active engagement in doing the readings as the course progresses. **You can choose which weeks you would like to submit a reflection for, but they are due the night before the corresponding lecture and discussion group. Summarizing the readings should not exceed 30% of your responses. The majority of these should be based on analyzing and critically reflecting upon that week's topic.**

You must complete your first reading reflection by Sunday January 31<sup>st</sup>, your second by Sunday March 7<sup>th</sup>, and your third by Sunday April 5<sup>th</sup>. I will drop your **lowest** grade of your three Reading Reflections. This means that while each is worth 15%, only your two best will count towards your grade.

Your Reading Reflections are ways to ensure you are doing the readings prior to the lecture materials and to engage your analysis and reflection before participating in class discussing. Additionally, the reading reflections will provide early feedback to help you in your analysis for the research paper.

### Research Paper

The research paper is broken down into three components: an abstract (5%), a legal summary (15%), and a final paper (35%).

The abstract should neatly summarize a legal issue, some of its social, political, or cultural implications, a prospective theoretical orientation in which to understand its implications beyond doctrinal law, and outline your tentative thesis for your research paper.

The legal summary should build upon the abstract to more thoroughly summarize the legal issues in question as they pertain to the *Canadian Charter of Rights and Freedoms* of your selected paper topic.

The final paper builds upon these two components and incorporates them with (critical) theoretical analysis to articulate an interdisciplinary understanding of the *Charter* and its impacts.

### Formatting and Submission

Please ensure your assignments use a serif font (such as Arial, Times New Roman, or Calibri) in size 12 font with standard 1-inch margins. All of your assignments should include a bibliography of all sources used. Your name and the assignment should be in the file name when submitting to CULearn. For example: "GLEcoq Reading Reflection 1", "GLEcoq Abstract", or "GLEcoq Legal Summary", etc.

**All assignments must be uploaded and submitted, in a .doc or .docx format, on CULearn by 11:30 PM on the days listed. It is also students' responsibility to ensure any file uploaded to CULearn is not corrupt. Not meeting these requirements will result in your assignment being deemed late. No exceptions.**

All students at Carleton are eligible for a free copy of Microsoft Office at the following link: <https://carleton.ca/its/ms-offer-students/>

### **LATE PENALTIES AND REQUESTS FOR EXTENSIONS**

**Late assignments will be penalized 3% per day including weekends and holidays. Assignments submitted more than 10 days late will receive a grade of 0. There will be no make-up or extra assignments.**

The granting of extensions is determined by the instructor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

**Extensions for longer than 7 days will normally not be granted.** In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

### **SCHEDULE**

The complete reading and lecture topic schedule is available on CULearn. **If you have any questions or concerns, feel free to ask. Other important dates for the semester include:**

**January 11<sup>th</sup>, 2021**

**Classes Begin**

**February 15, 2021**

**Statutory Holiday, University Closed**

**February 15 – 19, 2021****April 14<sup>th</sup>, 2021****April 16<sup>th</sup> – 27<sup>th</sup>, 2021****Winter Break, No Classes****Winter Term Ends****Formally Scheduled Final Exams**

## **ACADEMIC ACCOMMODATIONS**

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows: <https://carleton.ca/equity/wp-content/uploads/Student-Guide-to-Academic-Accommodation.pdf>

### **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 Department of Equity and Inclusive Communities (EIC): <https://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 Department of Equity and Inclusive Communities (EIC): <https://carleton.ca/equity/>

### **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](mailto: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) <https://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: <https://carleton.ca/registrar/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: <https://carleton.ca/studentssupport/svpolicy/>

### **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: <https://students.carleton.ca/services/accommodation/>

### **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: <https://carleton.ca/law/current-students/>