

Course Outline

COURSE:	LAWS 2501 B – Law, State and Constitution
TERM:	Fall 2022
PREREQUISITES:	1.0 credit from LAWS 1001 and LAWS 1002, or PAPM 1001 and PSCI 2003
CLASS:	Day & Time: Lectures will be pre-recorded and made available for review each Monday of the week of the course and will remain available for review at your convenience thereafter.
	Room: Please check Carleton Central for current Class Schedule
	This course is an asynchronous online offering through Brightspace
INSTRUCTOR:	Nick E. Milanovic
CONTACT:	Office: By appointment using Zoom
	Office Hrs.: By appointment only
	Telephone:
	Email: Brightspace email only

CALENDAR COURSE DESCRIPTION

Law relating to the state, society, and the constitution, with a focus on the historical framework, federalism, and constitutional reform in Canada.

COURSE DESCRIPTION

We will review the role of the state, examining the Constitution with an emphasis on the federal system, its interpretation, change, and reform. Among other things, we will look closely at the text of the Constitution, the social forces responsible for its creation, and several early legal decisions responsible for its initial application. As well, we will review modern Supreme Court rulings that deal with key areas of the Constitution to understand how that document has evolved as Canada has matured as a country.

This course is an asynchronous online course where the instructor and students share information, ideas, and learning experiences in a virtual course space. Asynchronous courses do not have live, scheduled lectures online. However, students are expected to remain up to

date with the deadlines and due dates provided by the instructor. These courses require high-speed Internet access and a computer. Students should read the assigned materials before viewing the relevant class as the readings will serve as a departure point for the topics discussed each lecture. For more, please refer to the public schedule on Carleton Central.

REQUIRED TEXTS

Nick E. Milanovic, ed., *Introduction to Public Law: Readings on the Law, State, and Constitution* (Concord: Captus Press, 2015). This textbook is available in the campus bookstore and may also be purchased through the Carleton University Bookstore website: <https://www.bkstr.com/carletonstore/home>)

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.

- (a) Four quizzes on the readings (**held Sept. 30, Oct. 21, Nov. 18, Dec. 2**) each quiz is about 10 minutes and they are worth 5 % each for a total of **20 %**
- (b) Essay (**due on or before Nov. 11, 2022**), topics to be announced in class) **40%**
- (c) Final Exam (**during Dec. 10 – 22, 2022**) formally scheduled, up to 2 hours in length, open book) **40%**

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

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

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).

Late penalties are 4% per day up to a maximum of 7 days without extension. Beyond that period without the permission of the instructor the student will receive zero on the assignment.

SCHEDULE

The topics below generally correspond to the headings in the Table of Contents of the required textbook. The assigned readings are to be read before the relevant class. The date at the left side below indicates the Monday of each week of the course and videos are generally released on Mondays. "Ch." indicates the corresponding chapter(s) of the reading to be completed prior to viewing the video lecture. No requirement exists to view videos on release day.

1.	September 07	Introduction *Note: Sept. 5 – Statutory Holiday Fall classes begin Sept. 7, 2022	No Reading
2.	September 12	Law and Public Law	Ch. 1
3.	September 19	The Constitution	Ch. 2 & Ch. 8
4.	September 26	The Constitution Act, 1867 * Reminder Reading Quiz #1 on Sept. 30, 2022	Ch. 3
5.	October 03	The Judiciary	Ch. 4
6.	October 10	JCPC Early Decisions *Note: October 10 Statutory holiday	Ch. 5 & Ch. 6
7.	October 17	POGG, Trade & Commerce * Reminder Reading Quiz #2 on Oct. 21, 2022 *Note: October 24 – 28 Fall Break, no classes.	Ch. 7
8.	October 31	Constitution Act, 1982 and After	Ch. 9
9.	November 07	Constitution Act 1982, Specific Aspects *Please note: Essay due Nov. 11, 2022	Ch. 10
10.	November 14	Formal & Informal Constitutional Change * Reminder Reading Quiz #3 on Nov. 18, 2022	Ch. 11
11.	November 21	Secession, Unity, and the Future	Ch. 12
12.	November 28	Review & Recap * Reminder Reading Quiz #4 on Dec. 2, 2022 *Note: Dec. 9 Fall term ends	No Reading

***Note: Dec. 10 – 22 Formally scheduled exam period**

Fall 2022 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/</i>	
September 7, 2022	Fall term begins.
September 20, 2022	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
October 10, 2022	Statutory holiday. University closed.
October 24-28, 2022	Fall break, no classes.
November 25, 2022	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in fall term or fall/winter undergraduate courses, before the official December final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
December 9, 2022	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule (fall and fall/winter courses only).
	Last day for final take-home examinations to be assigned, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar. Last day for handing in term work and the last day that can be specified by a course instructor as a due date for term work for full and late fall courses.
December 10-22, 2022	Final examinations in fall courses and mid-term examinations in fall/winter courses will be held.

University and Departmental Policies

DEPARTMENT POLICIES AND REGULATIONS

Please review the following webpage to ensure that your practices meet our Department's expectations, particularly regarding standard departmental protocols and academic integrity requirements: <https://carleton.ca/law/student-experience-resources/>.

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/>.

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

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 [click here](#).

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). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (if applicable).

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 where 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/equity/sexual-assault-support-services>

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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

COVID Update

It is important to remember that COVID is still present in Ottawa. The situation can change at any time and the risks of new variants and outbreaks are very real. There are [a number of actions you can take](#) to lower your risk and the risk you pose to those around you including being vaccinated, wearing a mask, staying home when you're sick, washing your hands and maintaining proper respiratory and cough etiquette.

Feeling sick? Remaining vigilant and not attending work or school when sick or with symptoms is critically important. If you feel ill or exhibit COVID-19 symptoms do not come to class or campus. If you feel ill or exhibit symptoms while on campus or in class, please leave campus immediately. In all situations, you must follow Carleton's [symptom reporting protocols](#).

Masks: Carleton has paused the [COVID-19 Mask Policy](#), but continues to strongly recommend masking when indoors, particularly if physical distancing cannot be maintained. It may become necessary to quickly reinstate the mask requirement if pandemic circumstances were to change.

Vaccines: Further, while proof of vaccination is no longer required as of May 1 to attend campus or in-person activity, it may become necessary for the University to bring back proof of vaccination requirements on short notice if the situation and public health advice changes. Students are strongly encouraged to get a full course of vaccination, including booster doses as soon as they are eligible, and submit their booster dose information in [cuScreen](#) as soon as possible. Please note that Carleton cannot guarantee that it will be able to offer virtual or hybrid learning options for those who are unable to attend the campus.

All members of the Carleton community are required to follow requirements and guidelines regarding health and safety which may change from time to time. For the most recent information about Carleton's COVID-19 response and health and safety requirements please see the [University's COVID-19 website](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca.