

Course Outline

COURSE: LAWS 3509 A –The Charter of Rights Topics

TERM: WINTER 2020

PREREQUISITES: 0.5 Credit from LAWS 2105, LAWS 2201, LAWS 2302, LAWS 2502 and 0.5 credit in LAWS at the 2000 level.

CLASS: **Day & Time:** Tuesday 6:05PM – 8:55PM
 Room: Please check Carleton Central for current room location

INSTRUCTOR: Garrett Lecoq (He/him pronouns)
(CONTRACT)

CONTACT: **Office:** B442 Loeb Building (Contract Instructor’s Office)
 Office Hrs: Thursday 4:00 – 5:00PM
 Please book an appointment via CULearn.
 Email: Garrett.Lecoq@carleton.ca

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 a socio-legal perspective.

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 Canadians’ 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 class seeks illustrates the merits of socio-legal research by examining some of these monumental *Charter* debates and to garner understanding of the complicated nuances surrounding the *Charter* including how the *Charter* is interpreted by and between the executive, legislative, and judicial branches of the state.

This course has three main learning outcomes:

- 1) To develop a comprehensive understanding of how the *Charter* emerges and operates in Canada.
- 2) To understand and 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 to name a few.
- 3) To illustrate the interdisciplinary nature of the *Charter* as it encompasses legal, social, political implications.

The broader goal of this course is to develop students' abilities to execute a research paper equally drawing upon law and social/political theory.

This course follows a lecture format with a heavy emphasis on class discussion and student participation. Course discussion is highly encouraged to engage and comprehend the sophisticated theoretical and substantive components covered each week. Staying up to date on the readings is necessary as the weeks build from one into the other.

REQUIRED TEXTS

All required readings will be posted on CULearn and can be accessed via the library at <https://carleton.ca/culearn/>.

SUPPLEMENTARY TEXTS

While there are no required texts for this class, the following are encouraged texts to aide in unpacking some of the complex topics we will discuss in the course:

The Canadian Guide to Uniform Legal Citation, 9th ed (Toronto: Thomson Carswell 2018).

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

Roger Cotterrell, *Law, Culture and Society: Legal Ideas in the Mirror of Social Theory* (New York: Routledge, 2016).

EVALUATION

Active Engagement

Participation and Attendance	15%	
Reading Reflection #1	10%	<u>Must submit by Monday January 27th</u>
Reading Reflection #2	10%	<u>Must submit by Monday February 24th</u>
Reading Reflection #3	10%	<u>Must submit by Monday March 30th</u>

Research Paper

Abstract	5%	<u>Due Monday February 3rd</u>
Legal Summary	20%	<u>Due Monday March 2nd</u>

Final Paper

30%

Due Tuesday April 7

All assignments must be **uploaded and submitted** on CULearn by 11:30 PM on the days listed. Documents uploaded as a draft **will be marked as late** until formally submitted.

Late assignments will be penalized 3% per day including weekends and holidays. Assignments submitted more than 7 days late will receive a grade of 0. There will be no make-up or extra assignments.

(All components must be submitted in order to receive a passing grade).

Attendance

Attendance is mandatory for this class. Similarly, participation is also a component of your grade. There is an expectation on you to come to class with questions, pertinent examples from the media, and to be an engaged participant in class discussions as they arise.

Reading Reflections

The reading reflections are structured to facilitate your active engagement in doing the readings as the course progresses. You can choose which week you would like to submit a reflection for, but they are due **the day before the corresponding lecture**.

You must complete your first reading reflection by January 27th, your second one by February 24th, and your final one by March 30th. This is to ensure you are doing the readings and to engage your analysis and reflection before discussing the topic in class. 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, a legal summary, and a final paper. The abstract should neatly summarize a legal issue, some of its social, political, or cultural implications, and outline a tentative thesis.

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*.

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.

Course Standing

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.

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 6: Winter term begins

February 17: Statutory holiday

February 17 – 21: Winter Break

April 7: Winter term ends

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 Equity Services website:

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