

Course Outline

COURSE:	LAWS 3509 – The Charter of Rights Topics
TERM:	Winter 2022
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: Thursday 8:35AM – 11:35AM (EST)
Room:	This course is offered online using a hybrid approach for content delivery.
	This course features asynchronous lectures recorded and uploaded to Brightspace every Tuesday morning at 6:00AM EST.
	Students have the choice of participating either through synchronous discussions occurring over Zoom at the scheduled class time or asynchronous discussion forums on Brightspace.
INSTRUCTOR:	Garrett Lecoq (He/Him pronouns)
CONTACT:	Office Hours: Office hours will take place, <u>by appointment</u>, over Zoom.
	Email: garrettlecoq@cmail.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

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. This course explores contemporary topics and controversies from interdisciplinary perspectives emphasizing nuanced legal, social, and political implications brought about by the *Charter*.

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 the *Charter* as an interdisciplinary

document, this course investigates how the *Charter* can be understood to benefit some to the detriment of others.

This course follows a lecture format with a heavy emphasis on readings, writing, and student engagement with sophisticated theoretical and legal concepts.

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 integrating law and critical social/political/legal theory.

REQUIRED TEXTS

All required readings will be posted on [Brightspace](#) or can be accessed via the [MacOdrum Library](#).

SUPPLEMENTARY TEXTS

[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*, 6th ed \(Toronto: Irwin Law 2017\).](#)

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

[The Canadian Guide to Uniform Legal Citation](#), 9th 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:

Active Engagement

Participation

15%

(Synchronous or Asynchronous)

Reading Reflections	30%	
Reading Reflection #1 (Weeks 2, 3, 4, or 5)		<u>Must submit by Monday February 7th</u>
Reading Reflection #2 (Weeks 6, 7, 8, or 9)		<u>Must submit by Monday March 14th</u>
Reading Reflection #3 (Weeks 10, 11, or 12)		<u>Must submit by Monday April 4th</u>
	<u>/45%</u>	
<u>Research Paper</u>		
Abstract	5%	<u>Due Friday February 18th</u>
Legal Summary	15%	<u>Due Monday March 14th</u>
Final Paper	35%	<u>Due Tuesday April 12th</u>
	<u>/55%</u>	

Active Engagement

Your Active Engagement evaluation is broken down into participation (15%), and the best two of your three reading reflections (30%).

Participation (15%)

Participation is mandatory for this class but can be obtained through either attending synchronous discussion groups on Zoom during the scheduled class time or asynchronously participating in the online discussion on Brightspace. Synchronous discussion groups are informal, prioritizing the topics of the week. Asynchronous participation includes engaging and responding to prompts for the week as found in the lecture. You can mix and match these throughout the term as best suits your commitments/capacity.

Reading Reflections (30%)

The reading reflections are structured to facilitate your active engagement in course readings and lectures throughout the course. **Reading Reflections ensure you are doing the readings prior to the lecture going live and the class discussion to help build your analytical and reading comprehension skills of complex theoretical and legal arguments.** Additionally, the reading reflections provide early feedback on your writing for the Research Paper components.

Most of your Reading Reflections should be based on analyzing and critically reflecting upon that week's topic, with no more than 30% consisting of a summary of the materials from the week.

You may choose which weeks you reflect for each of the three reflections; however, they are due at 11:45PM the Monday before the corresponding lecture goes live (Tuesday 6:00AM EST). If you submit a reflection after the lecture has gone live it will not be accepted. No exceptions.

For extra clarity: you can elect to do Reading Reflection #1 on the topics for Week 2, Week 3, Week 4, or Week 5, and would be due at 11:45PM EST on Monday January 17th, Monday January 24th, Monday January 31st, or Monday February 7th respectively.

You must complete Reading Reflection 1 by Monday February 7th, Reading Reflection 2 by Monday March 7th, and Reading Reflection 3 by Monday April 4th. **I would however heavily encourage you to look at your schedules and aim for weeks where the topic is of interest or you have more time to focus on these assignments.**

I will drop your **lowest** grade of your three Reading Reflections. This means that while each is worth 15%, only your two best grades will count towards your grade.

Research Paper

The Research Paper is broken down into three components: an abstract (5%), a legal summary (15%), and a final paper (35%). Topics will be assigned by the Instructor. *Note: if you wish to select your own topic for your research paper you must consult with and get the approval of the Instructor.*

Abstract (5%)

The abstract should neatly summarize a legal issue, some of its social, political, or cultural implications as understood through a prospective theoretical orientation, and roughly outline the tentative thesis of your research paper.

Legal Summary (15%)

The legal summary should build upon the abstract to summarize the legal issues of your topic in more detail, specifically as they pertain to the *Charter*.

Final Research Paper (35%)

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

Formatting and Submission Requirements

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 assignments must include a bibliography of all sources used. Your name and the assignment should be in the file name when submitting to Brightspace. 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 Brightspace by 11:45 PM on the days listed. If you do not have a copy of Microsoft Word, all Carleton students are eligible for a free copy of Microsoft Office at the following link: <https://carleton.ca/its/help-centre/get-microsoft-office-for-students/>

Note: If you submit your paper in .pages or .pdf format it will not be considered submitted and you will receive a late penalty until you submit your paper in .doc or .docx format. No exceptions.

Also note: It is students' responsibility to ensure any file uploaded to Brightspace is not corrupt. Not meeting these requirements will result in late penalties until your assignment has been submitted. No exceptions.

Also note: Screenshots of when you last edited a file are not sufficient evidence to illustrate an accident in uploading your assignment. It is your responsibility to verify all documents you upload to Brightspace are the correct versions. No exceptions.

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. No exceptions.

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 Brightspace. If you have any questions or concerns, feel free to ask over email or in class. Other important dates for the semester can be found below:

Winter 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>	
January 5, 2022	University Reopens.
January 10, 2022	Winter term classes begin.
January 31, 2022	Last day for withdrawal from winter term and winter portion of fall/winter courses with full fee adjustment. Withdrawals after this date will result in a permanent notation of WDN on the official transcript.
February 18, 2022	April examination schedule available online.
February 21, 2022	Statutory holiday. University closed.

February 22-25, 2022	Winter break, no classes.
March 29, 2022	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade before the official examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar).
April 12, 2022	Winter Term Ends. Last day of fall/winter and winter term classes.

University and Departmental Policies

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/>.

For the purposes of this class, self-plagiarism is an instance of plagiarism. Self-plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work for your previous classes as original in this class. Self-plagiarism includes reproducing or paraphrasing portions of your own published or unpublished material, regardless of the source, and presenting these as unique for the purpose of this class without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of yours may be drawn from include but are not limited to: books, articles, papers, literature reviews, 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.

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/student-experience-resources/>.

COVID-19 PREVENTION MEASURES

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the CUScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

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 will be provided to students who compete or perform at the national or international level. 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: <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/>.