

Course Outline

COURSE:	LAWS 2501 B – Law, State, and Constitution
TERM:	WINTER 2020
PREREQUISITES:	LAWS 1001, LAWS 1002, PSCI 1100, PSCI 1200, or PAPM 1000 (1.0)
CLASS:	Day & Time: Tuesdays 6:05 pm - 8:55 pm Room: Please check with Carleton Central for current room location
INSTRUCTOR: (CONTRACT)	Nick E. Milanovic
CONTACT:	Office: B442 Loeb Building (Contract Instructor's Office) Office Hrs: By appointment only Email: cuLearn 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 in order to understand how that document has evolved as Canada has matured as a country.

This class will be delivered on the basis of interactive lectures. Students will be expected to regularly attend classes; attempt to answer questions put to them and discuss the topics under consideration in a respectful and courteous manner. Students should read the assigned materials before attending 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*

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.

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

- (a) Essay (**due on or before March. 17, 2020** topics to be announced in class) 50%
- (b) Final Exam (**April 13 – 25, 2020** formally scheduled, 3 hours in length, closed book, 50% format will include multiple choice questions.)

SCHEDULE

The topics below generally correspond to the headings in the Table of Contents at the beginning of the required textbook. The assigned readings are to be read before the relevant class. The date at the left side of the outline below indicates the Tuesday of each week of the course “Ch.” indicates the corresponding chapter(s) of the assigned reading to be completed prior to the lecture delivered each week.

1.	January 07	Introduction *Note: January 6 Winter term begins	No Reading
2.	January 14	Law and Public Law	Ch. 1
3.	January 21	The Constitution	Ch. 2 & Ch. 8
4.	January 28	The Constitution Act, 1867	Ch. 3
5.	February 04	The Judiciary	Ch. 4
6.	February 11	JCPC Early Decisions *Note: February 17 Statutory holiday *Note: February 17 – 21 Winter Break, no classes.	Ch. 5 & Ch. 6
7.	February 25	POGG, Trade & Commerce	Ch. 7
8.	March 03	Constitution Act, 1982 and After	Ch. 9
9.	March 10	Constitution Act 1982, Specific Aspects	Ch. 10
10.	March 17	Formal & Informal Constitutional Changes *Please note: Essay due today March 17, 2020	Ch. 11
11.	March 24	Secession, Unity, and the Future	Ch. 12
12.	March 31`	Review & Recap *Note: April 7 Winter term ends * Note: April 13 – 25 Formally scheduled exam period	No Reading

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 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.

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