

Course Outline Template

COURSE:	LAWS 2501 B – Law, State and Constitution
TERM:	Fall 2023
PREREQUISITES:	LAWS 1.0 credit from LAWS 1001 and LAWS 1002 or PAPM 1001 and PSCI 2003.
CLASS:	Day & Time: Lectures will be delivered in class each Monday of the week of the course at 8:35 am - 11:25 am.
	Room: Please check Carleton Central for current Class Schedule This course is presented live in class and is supported through Brightspace.
INSTRUCTOR:	Nick E. Milanovic
CONTACT:	Office: B 442 Loeb Building (Contract Instructor’s Office)
	Office Hrs: By appointment only in office or via Zoom
	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.

Students should read the assigned materials before attending the relevant class as the readings will serve as a departure point for the topics discussed in each lecture. For more, please refer to the public schedule at 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>

This core “course text” (as it is referenced on the weekly reading schedule) is available directly from the publisher, Captus Press, as an ebook. See the following link for more information (<http://www.captus.com/information/ebook.htm>).

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 on Brightspace Sept. 29, Nov. 3, Nov. 24, Dec. 8**) each quiz is about 10 minutes and are worth 5 % each for a total of **20 %**
- (b) Essay (**due via Brightspace on or before Nov. 17, 2023**, topics to be announced in class) **40%**
- (c) Final Exam (**during Dec. 10 – 22, 2023** formally scheduled, up to 2 hours in length on Brightspace, 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 on the left side below indicates the Monday of each week of the course slides are generally released. "Ch." indicates the corresponding chapter(s) of the reading to be completed prior to attending the lecture.

1.	September 11	Introduction & Law and Public Law *Note: Sept. 4 – Statutory Holiday *Fall classes begin Sept. 6, 2023	Ch. 1
2.	September 18	The Constitution	Ch. 2 & Ch. 8
3.	September 25	The Constitution Act, 1867 * Reminder Reading Quiz #1 on Sept. 29, 2023	Ch. 3
4.	October 2	The Judiciary *Note: October 09 Statutory holiday	Ch. 4
5.	October 16	JCPC Early Decisions *Note: October 23 – 27 Fall Break, no classes.	Ch. 5 & Ch. 6
6.	October 30	POGG, Trade & Commerce * Reminder Reading Quiz #2 on Nov. 3, 2023	Ch. 7
7.	November 06	Constitution Act, 1982 and After	Ch. 9
8.	November 13	Constitution Act 1982, Specific Aspects *Please note: Essay due Nov. 17, 2023	Ch. 10
9.	November 20	Formal & Informal Constitutional Change * Reminder Reading Quiz #3 on Nov. 24, 2023	Ch. 11
10.	November 27	Secession, Unity, and the Future	Ch. 12
11.	December 4	Review & Recap * Reminder Reading Quiz #4 on Dec. 8, 2023 *Note: Dec. 8 Fall term ends	No Reading

Fall 2023 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 6, 2023	Fall term begins.
September 19, 2023	Last day for registration and course changes (including auditing) in fall and fall/winter courses.
September 30, 2023	Last day to withdraw from full fall and fall/winter courses with a full fee adjustment.
October 9, 2023	Statutory holiday. University closed.
October 23-27, 2023	Fall break, no classes.
November 15, 2023	Last day for academic withdrawal from full fall courses.
November 24, 2023	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 8, 2023	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	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 that can be specified by an instructor as a due date for term work for full and late fall courses.
	Last day for receipt of applications for undergraduate degree program transfers for winter term.
December 10-22, 2023	Final examinations in full fall and late fall courses and mid-term examinations in fall/winter courses will be held. Examinations are normally held all seven days of the week.

December 22, 2023

All final take-home examinations are due on this day, 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.

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 that can be found at:

<https://carleton.ca/equity/contact/form-pregnancy-accommodation/>

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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>

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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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/>.