

Course Outline Template

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| COURSE: | LAWS 2501 C – Law, State and Constitution |
| TERM: | Winter 2024 |
| PREREQUISITES: | LAWS 1.0 credit from LAWS 1001 and LAWS 1002 or PAPM 1001 and PSCI 2003 |
| CLASS: | Day & Time: Lectures are pre-recorded and made available for review each Thursday of the week of the course and will remain available for review at your convenience thereafter for the term. |
| | Room: Please check Carleton Central for current Class Schedule This course is an asynchronous online offering through Brightspace. |
| INSTRUCTOR: | Nick E. Milanovic |
| CONTACT: | Office Hrs.: By appointment only in office or via Zoom |
| | 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 Jan. 25, Feb. 15, Mar. 14, Apr. 4**) each quiz is about 10 minutes and are worth 5 % each for a total of **20 %**
- (b) Essay (**due via Brightspace on or before March 21, 2024**, topics to be announced in class) **40%**
- (c) Final Exam (**during April 13 – 25, 2024** 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.

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| 1. | January 11 | Introduction & Law and Public Law | Ch. 1 |
| 2. | January 18 | The Constitution | Ch. 2 & Ch. 8 |
| 3. | January 25 | The Constitution Act, 1867 * Reminder Reading Quiz #1 on Jan. 25, 2024 | Ch. 3 |
| 4. | February 01 | The Judiciary | Ch. 4 |
| 5. | February 08 | JCPC Early Decisions | Ch. 5 & Ch. 6 |
| 6. | February 15 | POGG, Trade & Commerce * Reminder Reading Quiz #2 on Feb. 15, 2024 *Note: Feb.19 – 23 Winter Break, no classes. | Ch. 7 |
| 7. | February 29 | Constitution Act, 1982 and After | Ch. 9 |
| 8. | March 07 | Constitution Act 1982, Specific Aspects | Ch. 10 |
| 9. | March 14 | Formal & Informal Constitutional Change * Reminder Reading Quiz #3 on March. 14, 2024 | Ch. 11 |
| 10. | March 21 | Secession, Unity, and the Future *Please note: Essay due March 21, 2024 | Ch. 12 |
| 11. | March 28 | Review & Recap | No Reading |
| 12. | April 4 | Exam Review * Reminder Reading Quiz #4 on April 04, 2024 | No Reading |

| Winter 2024 Sessional Dates and University Closures | |
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| <i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/ | |
| January 8, 2024 | Winter term begins. |
| January 19, 2024 | Last day for registration and course changes (including auditing) in full winter and late winter courses. |
| January 31, 2024 | Last day to withdraw from full winter and the winter portion of fall/winter courses with a full fee adjustment. |
| February 19, 2024 | Statutory holiday. University closed. |
| February 19-23, 2024 | Winter break. No classes. |
| March 15, 2024 | Last day for academic withdrawal from full winter, late winter, and fall/winter courses. |
| March 27, 2024 | Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full winter term or fall/winter undergraduate courses, before the official April final examination period (see examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar). |
| March 29, 2024 | Statutory holiday. University closed. |
| April 10, 2024 | Winter term ends. |
| | Last day of full winter, late winter and fall/winter term classes. |
| | Classes follow a Friday schedule (full winter and later winter courses). |
| | 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 winter term and late winter courses. |
| | Last day for take home examinations to be assigned. |
| April 13-25, 2024 | Final examinations in full winter, late winter and fall/winter term courses will be held. Examinations are normally held all seven days of the week. |
| April 25, 2024 | 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 more details about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) 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, 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/>.