

Course Outline

COURSE:	LAWS 2502 B - Law, State and Citizen
TERM:	Winter 2025
PREREQUISITES:	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 Tuesday 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 presented online asynchronously and is supported through Brightspace.
INSTRUCTOR:	Nick E. Milanovic
CONTACT:	Office Hrs: By appointment only on Zoom. TA contact information, when finalized, will be posted on the class Brightspace page. Telephone: Email:
BRIGHTSPACE:	Homepage - LAWS2502B Law State and Citizen (LEC) Winter 2025

CALENDAR COURSE DESCRIPTION

Law relating to the state and its relationship to individuals and groups in society, with a focus on the administrative process, basic values, and the Charter.

COURSE DESCRIPTION

Law, State and Citizen reviews the law relating to the state and its relationship to individuals and groups in society, with a focus on the administrative process, basic values, and the Charter. The course will first consider the theories of the state and then move to an evaluation of administrative law including judicial review. Finally, we will study basic constitutional rights including the Charter of Rights and Freedoms and conclude by examining core concepts of public international law. This course is an asynchronous online course where the instructor and

students share information, ideas, and learning experiences in a virtual course space. Asynchronous courses do not have live, scheduled lectures online. However, students are expected to remain up to date with the deadlines and due dates provided by the instructor. These courses require high-speed Internet access and a computer. Students should read the assigned materials before viewing 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 on Carleton Central.

LEARNING OUTCOMES

- a basic understanding of the history, structure, and functioning of Canada's Constitution, key conventions, the operation of core governing institutions and the interrelationship between the branches of government.
- a basic understanding of Canada's court/legal system including concepts such as judicial review and the application of the *Charter of Rights and Freedoms*
- Analytical reading and writing skills appropriate to legal studies at a second-year university level.
- Legal research, reasoning, and essay writing skills appropriate to legal studies at a second-year university level.

REQUIRED TEXTS

Nick E. Milanovic, ed., Introduction to Public Law: Readings on the Law, State, and Citizen (Concord: Captus Press, 2015) The textbook (softcover) is required and is priced at \$52.50 new.

Students can obtain the text at the University bookstore or order from the website (www.carletonshop.ca) and should receive the textbook within two business days (anywhere in Canada).

The text is also usually available in softcopy (often 'used' copies) from multiple used booksellers in Ottawa.

The course textbook is available directly from the publisher, *Captus Press*, as an eBook for \$39.75. 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.

Four Quizzes on the readings (held Jan. 29, Feb. 26, Mar. 26, April 02 about 10 minutes each on Brightspace) 20%

Essay (due on or before March 18, 2025, topics to be released on Brightspace a month before the deadline) 40%

Final Exam (During April 11-26, 2025, formally scheduled on Brightspace, up to 2 hours in length, 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 short-term extensions, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/academic-consideration-coursework-form/>.

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.

Final exam deferrals must be applied for at the Registrar's Office. Please view the following link for more information and how to apply for a deferral: <https://carleton.ca/registrar/deferral/>

For more information regarding academic consideration for short-term incapacitation (illness, injury, or extraordinary circumstances beyond a student's control), please visit the following link: <https://students.carleton.ca/course-outline/#academic-consideration-for-short-term-incapacitation>

Final Grade Approval

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

SCHEDULE

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

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|----------------|---|----------------------|
| 1. January 7 | Law, State, & Social Goals and Techniques | Ch. 1 (pp. 1-20) |
| 2. January 14 | Administrative Law Structure & Action | Ch. 2 (pp. 21-51) |
| 3. January 21 | Non-Judicial & Judicial Control | Ch. 3 (pp. 52-75) |
| 4. January 28 | Judicial Review and Procedural Control | Ch. 4 (pp. 76-98) |
| | *Reminder Reading Quiz 1 on Jan. 29, 2025. | |
| 5. February 04 | Substantive Review | Ch. 5 (pp. 99-107) |
| 6. February 11 | Theory, Problems, and Review | Ch. 6 (pp. 108-128) |
| | *Reminder Feb. 17-21, 2025, Winter break, no classes | |
| 7. February 25 | Basic Values and Their Protection | Ch. 7 (pp. 129-147) |
| | *Reminder Reading Quiz 2 on Feb. 26, 2025. | |
| 8. March 04 | Scope of the Charter | Ch. 8 (pp. 148-176) |
| 9. March 11 | Fundamental Justice & Equality | Ch. 9 (pp. 177-201) |
| 10. March 18 | Equality | Ch. 10 (pp. 202-232) |
| | *Reminder Essay due on or before March 18, 2025. | |
| 11. March 25 | Group Rights | Ch. 11 (pp. 233-258) |
| | *Reminder Reading Quiz 3 on March 26, 2025. | |
| 12. April 01 | Public International Law | Ch. 12 (pp. 260-294) |
| | *Reminder Reading Quiz on April 02, 2025. | |

Winter 2025 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 6, 2025	Winter term begins.
January 17, 2025	Last day for registration and course changes (including auditing) in winter courses.
January 31, 2025	Last day to withdraw from full winter courses and the winter portion of fall/winter courses with a full fee adjustment.
February 17-21, 2025	Winter break, no classes.
March 15, 2025	Last day for academic withdrawal from winter courses.
March 25, 2025	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in winter term or fall/winter undergraduate courses, before the official April final examination period.
April 8, 2025	Winter term ends.
	Last day of winter and fall/winter classes.
	Last day for final take-home examinations to be assigned.
April 9-10, 2025	No classes or examinations take place.
April 11-26, 2025	Final examinations in winter and fall/winter courses will be held.
April 18, 2025	Statutory holiday. University closed.
April 26, 2025	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.

POLICY ON PERMISSIBILITY OF SUBMITTING SAME WORK MORE THAN ONCE, PERMISSIBILITY OF GROUP OR COLLABORATIVE WORK, AND PERMISSIBILITY OF USING GENERATIVE AI

Students are strictly prohibited from submitting any work that has been previously submitted for academic credit in another course. Any such submission will result in a grade of 0, and the student will be referred to the university's academic integrity office for review. Re-using any portion of previous work, regardless of its extent, will be treated as a violation of academic integrity.

Students are not permitted to cooperate or collaborate on any academic assignments unless explicitly stated by the instructor. Any unauthorized collaboration will result in the assignment receiving a grade of 0 and the student being referred to the academic integrity office. This policy applies to all tests, exams, and individual assignments. Proofreading by others is not allowed.

The use of AI tools, such as ChatGPT, to produce any part of an assignment or test is strictly forbidden. Any use of AI for content creation, even for small edits, will result in an automatic grade of 0, and the student will be referred to the academic integrity office for disciplinary action.

UNIVERSITY AND DEPARTMENTAL POLICIES

PLAGIARISM

The University Academic Integrity Policy defines plagiarism as *“presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one’s own.”* This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another’s data or research findings without appropriate acknowledgement;

- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own; and
- failing to acknowledge sources through the use of proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a University student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources (on and off campus):

- <https://wellness.carleton.ca/get-help-now/>

Carleton Resources:

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources:

- Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>
- Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>
- Good2Talk: 1-866-925-5454, <https://good2talk.ca/>
- The Walk-In Counselling Clinic: <https://walkincounselling.com>

ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances, are outlined on the Academic Accommodations website (students.carleton.ca/course-outline).

You may need special arrangements to meet your academic obligations during the term. For an

accommodation request the processes are as follows.

Pregnancy Obligation and Family-Status Related Accommodations

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/>.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).