

Course Outline

COURSE:	Law, State and Citizen: LAWS 2502 A		
TERM:	Winter 2026		
PREREQUISITES:	Prerequisite(s): 1.0 credit from LAWS 1001 and LAWS 1002 or PAPM 1001 and PSCI 2003.		
CLASS:	Day & Time:	Thursdays 2:35–5:25pm	
	Room:	Please check Carleton Central for current Class Schedule In-person, weekly	
INSTRUCTOR:	Prof. Philip Kaisary		
CONTACT:	Office	C574 Loeb Building	
	Hrs:	TBC	
	Telephone:	X.4181	
	Email:	philip.kaisary@carleton.ca	
BRIGHTSPACE:	To follow		

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

This course examines the relationship between law, the state, and the citizen in Canada through a critical and historical lens. We will explore how Canadian legal and constitutional structures—especially the Charter of Rights and Freedoms—mediate relations of power, property, and inequality. Topics include state formation, liberal legality, neoliberal governance, rights discourse, extraction and energy, and First Nations Law and Community in Canada.

LEARNING OUTCOMES

The core objective of the course is the development of an introductory, but nevertheless critical, understanding of: (1) the Charter (including its potential and limitations as an instrument for social justice projects) and, (2) the Canadian state and its relationship to settler colonialism, the energy sector, democracy and finance, and indigenous peoples.

REQUIRED TEXTS

1. Joel Bakan, *Just Words: Constitutional Rights and Social Wrongs*, (University of Toronto Press, 2012).

<https://utppublishing.com/doi/book/10.3138/9781487516550>

\$34.95. Available from Octopus Books in Ottawa, the Carleton Campus Store, and the University of Toronto Press online bookstore, among other booksellers.

2. Heather Whiteside and Stephen McBride (eds.), *The Canadian State* (Fernwood Publishing, 2025).

<https://fernwoodpublishing.ca/book/the-canadian-state>

\$46.75 including a 15% discount. Order *The Canadian State* directly from the Fernwood website to receive 15% off. Click the **Are you a student?** button on the left side of the screen in the **Shop Direct** section. Then fill in the short form with the requested information including our course name (LAWS 2502: Law, State, and Citizen) and my name (Philip Kaisary) as the instructor. This will generate a discount code that you can use at the checkout.

Almost all the readings for Parts 1 and 2 of the course will come from these two books which are required purchases. Additional readings will be provided as PDFs via the course Brightspace page and the Library's online course reserves system.

Costs of Educational Material

Joel Bakan, *Just Words: Constitutional Rights and Social Wrongs*, (University of Toronto Press, 2012).

<https://utppublishing.com/doi/book/10.3138/9781487516550>

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SUPPLEMENTARY TEXTS

Gerald Graff and Cathy Birkenstein, *They Say/I Say: The Moves that Matter in Academic Writing*, (3rd ed. Norton, 2014).

This supplementary text (which is available through the Library) contains a wealth of invaluable advice on academic essay writing that will be helpful for the midterm and the final exam both of which are essay exams.

EVALUATION

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.

Attendance: 10%

To be assessed by class attendance record

Midterm: 25%

The mid-term assessment will take place in week 5 on **February 5** during our regularly scheduled class time, and it will be open book. It will comprise two mini essays to be written in 60 minutes. Students must work alone. Further information will be provided closer to the time.

Reading response test: 25%

The reading response test will take place in week 10 on **March 19** during our regularly scheduled class time, and it will be open book. It will comprise a short reflective essay to be written in 60 minutes. Students must work alone. Further information will be provided closer to the time.

Final exam: 40%

Two essays to be written in a 2-hour, in-person, closed book exam. You will choose from a list of essay questions to be provided. The exam will be scheduled in the university examination period of **April 11–23** (inclusive).

All components must be successfully completed in order to get a passing grade.

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

The granting of extensions is at the discretion of the instructor, who will confirm whether an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office. Full details and instructions can be found here: <https://carleton.ca/registrar/academic-consideration-policy/>.

EMAILING ME

Please email me only from your Carleton email account. Emails from personal accounts often end up in my junk or spam folders. I try to respond to email within two business days (Saturdays, Sundays, and public holidays are not business days). **Please include a clear subject line, the course code, your first and last name, and your student number. Please keep your email to the matter at hand and offer a courteous salutation (“Dear Philip” is perfectly fine).** The CUOL best-practices for emailing your instructor is a useful document:

<https://carleton.ca/online/online-learning-resources/emailing-your-instructor/>

SCHEDULE

LAWS 2502 Course Overview		
January 8	Class One	<i>Introduction</i>
January 15	Class Two	<i>Challenging Times and Colonial Continuities</i>
January 22	Class Three	<i>Extraction and Energy</i>
January 29	Class Four	<i>Democracy vs Finance</i>
February 5	Class Five	<i>In class, Blue-book style mid-term</i>
February 12	Class Six	<i>The Charter and a Guest Talk from Career Services</i>
February 16–20, 2026: Winter break, no classes		
February 26	Class Seven	<i>Bakan on the Charter</i>
March 5	Class Eight	NO CLASS THIS WEEK: CONTINUE READING BAKAN
March 12	Class Nine	<i>Bakan on the Charter (cont.)</i>
March 19	Class Ten	<i>In class reading response test and Indigeneity I: Resurgence and Red Power</i>
March 26	Class Eleven	<i>Indigeneity II: Growing Political Community</i>
April 2	Class Twelve	<i>Revision Lecture</i>
April 11–23: Final exam. Date and time TBC. Examinations are normally held all seven days of the week		

Week 1: Introduction**Part I: A Multidimensional Consideration of the Canadian State****Week 2: Challenging Times and Colonial Continuities**

Required:

“The Canadian State in Changing and Challenging Times” and “The Settler Colonial State,” in *The Canadian State* edited by Heather Whiteside and Stephen McBride (2025): 1–15 and 34–51.

This week, Carleton Professor, Dr. Justin Paulson, Director of the Institute of Political Economy and Associate Professor of Sociology will deliver an in-class guest lecture.

Week 3: Extraction and Energy

Required:

“The Extractive State” and “The Energy State” in *The Canadian State* edited by Heather Whiteside and Stephen McBride (2025): 52–70 and 71–93.

Week 4: Democracy vs Finance

Required:

“The Democratic State” and “The Financial State” in *The Canadian State* edited by Heather Whiteside and Stephen McBride (2025): 152–168, 169–187.

Week 5: In class, Blue-book style mid-term**Part II: The Canadian Charter of Rights and Freedoms**

(In this second part of the course we will read Joel Bakan’s *Just Words: Constitutional Rights and Social Wrongs* in its entirety.)

Week 6: The Charter and a Guest Talk from Career Services

(A) Your Career Starts Now! (for 1st and 2nd year classes) (45 mins – 1 hr; starts at 2:35pm)

(B) The Charter as Ideology: Promise and Contradiction (second half of the class)

Required:

The Canadian Charter of Rights and Freedoms, Part I of the *Constitution Act, 1982*, being Schedule B to the *Canada Act 1982 (UK)*, 1982, c 11.

Adam Dodek, “Glossary” and “Short History of the Canadian Constitution” in: *The Canadian Constitution*, (Dundurn, 2013): 13–34.

Further (optional):

Patrick J. Monahan, “The Canadian Charter of Rights and Freedoms”, in *Constitutional Law* (3rd Ed.) (Irwin Law, (2006): 385–438.

Peter H. Russell, “The Charter and Canadian Democracy” in: *Contested Constitutionalism: Reflections*

on the Canadian Charter of Rights and Freedoms, edited by James B. Kelly and Christopher P. Manfredi, (UBC Press, 2009): 287–306.

Week 7: Bakan on the Charter (1): Constitutional Interpretation and Judicial Review

Required:

Bakan, Introduction and Part 1: 3-11 and 15–42.

Week 8: NO CLASS THIS WEEK: CONTINUE READING BAKAN

Required:

Read all of Part 2: 45–100.

Week 9: Bakan on the Charter (2): Equality, Liberalism, Freedom, Power

Bakan on the Charter (3): Judges, Ideology, Rights, and Social Rights

Required:

All of Parts 2 and 3 + the Conclusion: 103–152

Part III: Indigeneity: First Nations Law and Community in Canada

Week 10: In class reading response test and Indigeneity I: Resurgence and Red Power

Required:

John Borrows, “With or Without You: First Nations Law in Canada,” in: *Recovering Canada: The Resurgence of Indigenous Law* (University of Toronto Press, 2002): 10–23.

Further (optional):

Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*, (University of Minnesota Press, 2014): 25–49.

Week 11: Indigeneity II: Growing Political Community

Aaron Mills, “Rooted Constitutionalism: Growing Political Community,” in: *Resurgence and Reconciliation: Indigenous-Settler Relations and Earth Teachings* edited by Michael Asch, John Borrows and James Tully, (University of Toronto Press, 2018): 133–173.

Week 12: Revision lecture

ARTIFICIAL INTELLIGENCE (AI) POLICY

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 academic integrity violation, and the student will be referred to the academic integrity office for disciplinary action.

Furthermore, this course does not employ AI resources or tools in class, and I strongly recommend that you do not rely on AI resources or tools in your independent studying. Tempting as it might be, do not use AI to produce summaries of the course readings and then read those summaries instead of doing the readings yourself. The course readings are supposed to be challenging: the process of reading and rereading them to make sense of them can be a struggle, but this process of struggle is fundamental to developing a mastery of the course materials. Or, to put it another way, you can hire someone to lift weights for you, but that defeats the point. The value lies in the struggle itself. By completing the assigned readings without the assistance of AI tools, you will be improving your capacity to concentrate, to reason, and to absorb complex materials, thereby enriching your learning and skill development in the course.

The potentially detrimental cognitive impacts of AI-use is currently a major focus of research globally. A central concern is that “offloading” reading and writing and other research and knowledge production activities to AI tools will result in [learning loss, the inhibition of critical thinking, and the diminishment of problem-solving capabilities](#). The preprint of a [recent study](#) titled, “Your Brain on ChatGPT,” led by a researcher at the [MIT Media Lab](#), found that, in a four-month study, participants who used LLM (large language model) AI resources when essay-writing, exhibited weaker neural network connectivity during the task in comparison to study participants who did not use LLM resources. LLM users also self-reported less “ownership” over their essays and struggled to accurately quote their own work. This and other studies highlight that while LLMs offer immediate convenience, that convenience may come with significant cognitive costs.

Furthermore, the negative impacts of AI [extend beyond the realm of teaching and learning](#). For a useful infographic that summarizes the varied array of harms that come with AI, please click [here](#). For a useful explainer specifically on AI’s environmental impact, please click [here](#). In sum, it is uncontroversial to state that the dangers of AI are multiple and profound. A world dominated by Big Tech AI corporations is a world in which tremendous power, wealth, and influence is concentrated in the hands of an oligarchic elite motivated to act only in their own interests. The global dominance of Big Tech and AI presents fundamental challenges to progressive political projects of all kinds, is incompatible with democracy, and threatens to undermine shared understandings foundational to being in common and social relations. This course aims to foster various types of thinking that will aid efforts to better understand these and other challenges. This course thus aspires to offer visions and resources that might ultimately be useful for the task of progressive social transformation.

Permissibility of submitting substantially the same piece of work more than once for academic credit.

Not permitted.

Policy on Classroom Recording

Students are prohibited from recording class sessions and are also prohibited from the distribution of class recordings.

Winter 2026 Sessional Dates and University Closures	
<i>Please find a full list of important academic dates on the calendar website:</i> https://calendar.carleton.ca/academicyear/	
January 5, 2026	Winter term begins.
January 16, 2026	Last day for registration and course changes (including auditing) for Winter courses.
January 31, 2026	Last day to withdraw from full winter courses and the winter portion of fall/winter courses with a full fee adjustment.
February 16, 2026	Statutory holiday. University closed.
February 16-20, 2026	Winter break. No classes.
March 15, 2026	Last day for academic withdrawal from Winter courses.
	Last day to request Formal Examination Accommodations for April full winter, late winter, and fall/winter final examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
March 25, 2026	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.
April 3, 2026	Statutory holiday. University closed.
April 8, 2026	Winter term ends.
	Last day of winter and fall/winter classes.
	Classes follow a Friday schedule.
	Last day for take home examinations to be assigned.
April 9-10, 2026	No classes or examinations take place.

April 11-23, 2026	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
April 23, 2026	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

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 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](#).