



**CAMOSUN COLLEGE**  
**School of Arts & Science**  
**Department of Social Sciences**

**PSC-212-001**  
**Law and Politics**  
**Fall 2018**

## **COURSE OUTLINE**

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The course description is available on the web @ <http://camosun.ca/learn/calendar/current/web/psc.html>

Ω Please note: This outline will not be kept indefinitely. It is recommended students keep this outline for their records, especially to assist in transfer credit to post-secondary institutions.

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### **1. Instructor Information**

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|------------------|---------------------------------------|
| (a) Instructor   | Alison James                          |
| (b) Office hours | Thursdays 10-11 or by appointment     |
| (c) Location     | Paul 334                              |
| (d) Phone        | Please use e-mail <b>Alternative:</b> |
| (e) E-mail       | alisonj@camosun.bc.ca                 |
| (f) Website      |                                       |

### **2. Intended Learning Outcomes**

Upon completion of this course a student will be able to describe and explain (and in some cases critically assess):

1. The nature of law, its relationship to the political process, as well as the different kinds of law.
2. The judicial process, and the reasons why this is studied in political science.
3. The history of human rights leading up to the creation of the Charter, with special attention to the role of the judiciary and the major cases.
4. Anti-discrimination law, including the major cases in this field.
5. The law of the Charter, including the major cases in this field.
6. The major criticisms (from both left and right) of the Charter and of Charter decisions.

### **3. Required Materials**

- (a) MacIvor, Heather. Canadian Politics and Government in the Charter Era. Second Edition. Don Mills, Ont. Oxford University Press, 2013. Available at the campus bookstore.
- (b) Other readings are available online or will be provided via PDF or handout

## **4. Course Content and Schedule**

### **Sept 4 - Introduction**

No required readings

### **Sept 6- History of Law, Types of Laws**

**Reading:** *Sources of Law*: [http://www.cscja-acjcs.ca/sources\\_of\\_law-en.asp?l=4](http://www.cscja-acjcs.ca/sources_of_law-en.asp?l=4)  
*Criminal Law and Civil Law*: [http://www.cscja-acjcs.ca/criminal\\_civil\\_law-en.asp?l=4](http://www.cscja-acjcs.ca/criminal_civil_law-en.asp?l=4)  
*How the courts are organized*: <http://www.justice.gc.ca/eng/csj-sjc/ccs-ajc/02.html>

### **Sept 11- The Supreme Court of Canada (Structure)**

**Reading:** Maclvor, Chapter 3

Arvay, Joseph. "Why we need a constitutional challenge on judicial appointments":  
<http://www.theglobeandmail.com/globe-debate/why-we-need-a-constitutional-challenge-on-judicial-appointments/article25867097/>

### **ASSIGNMENT ONE DUE**

### **Sept 13- Supreme Court of Canada and Policy Capacity**

**Reading:** Maclvor, Chapter 5

### **Sept 18- Charter 101, What is the Charter?**

**Reading:** Maclvor, Chapter 1 pp. 7-20

### **Sept 20- Charter and Federalism, Division of Powers**

**Reading:** Maclvor, Chapter 9

### **Sept 25 - Origins and Development of the Charter**

**Reading:** Maclvor, Chapter 2

### **Sept 27- The Charter and the Courts**

**Reading:** Maclvor, Chapter 4

### **Oct 2-Parliament and the Courts**

**Reading:** Maclvor, Chapter 6

### **Oct 4-The Executive and the Courts**

**Reading:** Maclvor, Chapter 7

### **Oct 9- The Province and the Charter**

**Reading:** TBC

**Guest Speaker**

### **Oct 11- MIDTERM EXAM IN-CLASS**

### **Oct 16- Interest Groups**

**Reading:** Maclvor, Chapter 8

The Charter Revolution and the Court Party p. 631-639 at  
<http://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=1718&context=ohlj>

**Oct 18- Indigenous peoples and the law in Canada**  
**No readings**

**Oct 23- Indigenous peoples and the law in Canada**  
**Reading:**

EITHER Ladner, 2017 or Borrows, 2018 (you will be assigned one of the two)

**IN-CLASS EXERCISE: TEACH-IN**

**Oct 25-Fundamental Freedoms (Conscience, Religion, Expression)**

**Reading:** Maclvor, Chapter 10 (pp. 224-236)

**Oct 30-Fundamental Freedoms (Press, Peaceful Assembly, Association)**

**Reading:** Maclvor, Chapter 10 (pp. 236-249)

**Nov 1- Democratic Rights**

**Reading:** Maclvor, Chapter 11

**Nov 6- Legal Rights, Section 7**

**Reading:** Maclvor, Chapter 12 (pp. 267-278)

**PAPER PROPOSAL DUE IN-CLASS**

**Nov 8 IN CLASS EXERCISE – PHYSICIAN ASSISTED DEATH**

**Reading:** *to be assigned beforehand to groups*

*Topics will include Rodriguez case, Carter (BCSC, BCCA, and SCC), Bill C 14, Que: An act respecting end-of-life care*

**Nov 13 – TBC**

**Reading:** TBC

**Nov 15- TBC**

**Reading:** TBC

**Nov 20- Final papers workshop in class**

**Nov 22 Equality Rights, Section 15.1**

**Reading:** Maclvor, Chapter 13 (pp. 302-321)

**Nov 22 Equality Rights pt 2: Affirmative Action, Overriding Rights and Freedoms, Same Sex Marriage**

**Reading:** Maclvor, Chapter 13 (pp. 321 – 329)

*Open Letter to The Hon. Stephen Harper from Law Professors Regarding Re-Opening Same-Sex Marriage:*

[http://www.law.utoronto.ca/documents/general/Cossman\\_openletter\\_Harper.pdf](http://www.law.utoronto.ca/documents/general/Cossman_openletter_Harper.pdf)

**Nov 29 -Remaining Sections of the Charter, Sections 16-28**

**Reading:** Maclvor, Chapter 14

## Dec 4: Wrap-up

Reading: None

**FINAL PAPER DUE IN-CLASS**

## Dec 6: Final exam review

Reading: None

### 5. Basis of Student Assessment (Weighting)

#1. Reading a court case assignment 5% due Sept. 11

#2. Midterm 20% Oct. 11

#3. Class Exercise: Teach-In 7.5% Oct. 18

#4. Major Paper proposal and preliminary bibliography 10% due Nov. 6

#5: Class Exercise: Physician Assisted Death 7.5% Nov. 8

#6. Major Paper 25% due Dec 4

#7. Final Exam 25% TBD

**Total 100%**

\* Late assignments will receive a penalty of 5% per day unless an extension has been granted.

### 6. Grading System

Standard Grading System (GPA)

Competency Based Grading System

### 7. College Supports, Services and Policies



#### Immediate, Urgent, or Emergency Support

If you or someone you know requires immediate, urgent, or emergency support (e.g. illness, injury, thoughts of suicide, sexual assault, etc.), **SEEK HELP**. Resource contacts @

<http://camosun.ca/about/mental-health/emergency.html> or <http://camosun.ca/services/sexual-violence/get-support.html#urgent>

#### College Services

Camosun offers a variety of health and academic support services, including counselling, dental, disability resource centre, help centre, learning skills, sexual violence support & education, library, and writing centre. For more information on each of these services, visit the **STUDENT SERVICES** link on the College website at <http://camosun.ca/>

#### College Policies

Camosun strives to provide clear, transparent, and easily accessible policies that exemplify the college's commitment to life-changing learning. It is the student's responsibility to become familiar with the content of College policies. Policies are available on the College website at <http://camosun.ca/about/policies/>. Education and academic policies include, but are not limited to, Academic Progress, Admission, Course Withdrawals, Standards for Awarding Credentials, Involuntary Health and Safety Leave of Absence, Prior Learning Assessment,

Medical/Compassionate Withdrawal, Sexual Violence and Misconduct, Student Ancillary Fees, Student Appeals, Student Conduct, and Student Penalties and Fines.

A. **GRADING SYSTEMS** <http://camosun.ca/about/policies/index.html>

The following two grading systems are used at Camosun College:

1. **Standard Grading System (GPA)**

Percentage	Grade	Description	Grade Point Equivalency
90-100	A+		9
85-89	A		8
80-84	A-		7
77-79	B+		6
73-76	B		5
70-72	B-		4
65-69	C+		3
60-64	C		2
50-59	D		1
0-49	F	Minimum level has not been achieved.	0

2. **Competency Based Grading System (Non GPA)**

This grading system is based on satisfactory acquisition of defined skills or successful completion of the course learning outcomes

Grade	Description
COM	The student has met the goals, criteria, or competencies established for this course, practicum or field placement.
DST	The student has met and exceeded, above and beyond expectation, the goals, criteria, or competencies established for this course, practicum or field placement.
NC	The student has not met the goals, criteria or competencies established for this course, practicum or field placement.

B. **Temporary Grades**

Temporary grades are assigned for specific circumstances and will convert to a final grade according to the grading scheme being used in the course. See Grading Policy at <http://camosun.ca/about/policies/index.html> for information on conversion to final grades, and for additional information on student record and transcript notations.

Temporary Grade	Description
I	<i>Incomplete:</i> A temporary grade assigned when the requirements of a course have not yet been completed due to hardship or extenuating circumstances, such as illness or death in the family.
IP	<i>In progress:</i> A temporary grade assigned for courses that are designed to have an anticipated enrollment that extends beyond one term. No more than two IP grades will be assigned for the same course.

CW	<i>Compulsory Withdrawal:</i> A temporary grade assigned by a Dean when an instructor, after documenting the prescriptive strategies applied and consulting with peers, deems that a student is unsafe to self or others and must be removed from the lab, practicum, worksite, or field placement.
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