Course description

The course focuses on the Charter of Rights and Freedoms. The objective of the course is to evaluate the political significance of the Charter. Specifically, we will examine the impact of the Charter on political culture, the development of public policy and the relationship between political and judicial actors. The course relies heavily on relevant cases of the Supreme Court of Canada.

This is not a lecture-based course. This is a seminar. Students are expected to come to class prepared to participate and actively engage in class discussion.

Required reading

- The decisions of the Supreme Court of Canada we examine are online at [http://scc.lexum.org/en/index.html](http://scc.lexum.org/en/index.html), where they can be accessed by year or name.
- Required readings listed throughout the course are available on-line and/or Blackboard.

Course evaluation

- **Grading**
  - Case/article synopsis: 20 per cent
  - Mid-term test: 25 per cent
  - Take home exam: 30 per cent
  - Final Exam: 25 per cent

- **Case/article synopsis**
  During the term each student will present a synopsis of either a case heard by the Supreme Court of Canada or an article from the required readings. The article synopses should focus on the main themes and perspectives put forward by the authors. Case discussions will follow the format provided by MacIvor (p. xi of the text). Presentations are to be no longer than 20 minutes and will conclude with three questions to stimulate class discussion and debate.
• Mid-term test
Approximately halfway into the course there will be an in-class test that evaluates your understanding of the material to date. You will have an hour-and-a-half to complete the test. The mid-term will take place on February 13.

• Take home exam
Students will be given 48 hours to respond to a question that focuses on one of the major themes of the course.
Submission guidelines for take home exams: students are required to email their response to the take home exam question to the course instructor. Late assignments will be penalized at a rate of 2 per cent per day, including weekends.

  WEEKDAY TAKE HOME: March 6-8
  WEEKEND TAKE HOME: March 9-10

• Final exam
A final exam will take place during the last class and will focus on the major themes of the course. You will have three hours to complete the exam.

  To achieve a passing grade students must complete all four assignments.

Student Accessibility and Accommodation
Students may request accommodation as a result of barriers related to disability, religious obligation, or any characteristic under the Nova Scotia Human Rights Act. Students who require academic accommodation for either classroom participation or the writing of tests and exams should make their request to the Office of Student Accessibility & Accommodation (OSAA) prior to or at the outset of each academic term (with the exception of X/Y courses). Please see www.studentaccessibility.dal.ca for more information and to obtain the Request for Accommodation – Form A. A note taker may be required to assist a classmate. There is an honorarium of $75/course/term. If you are interested, please contact OSAA at 494-2836 for more information. Please note that your classroom may contain specialized accessible furniture and equipment. It is important that these items remain in the classroom so that students who require their usage will be able to participate in the class.

Academic Integrity and Plagiarism
All students in this class are to read and understand the policies on academic integrity and plagiarism referenced in the Policies and Student Resources sections of the academicintegrity.dal.ca website. Ignorance of such policies is no excuse for violations. Any paper submitted by a student at Dalhousie University may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the University, or even to the revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. At Dalhousie there are University Regulations which deal with plagiarism and, prior to submitting any paper in a course, students should read the Policy on Intellectual Honesty contained in the Calendar or on the Online Dalhousie website. The Senate has affirmed the right of any instructor to require that student papers be submitted in both written and computer-readable format, and to submit any paper to be checked electronically for originality.
Course Organization

Jan 9
Seminar 1: Organization
Introduction and review of the course outline.

Jan 16
Seminar 2: The Canadian Charter of Rights and Freedoms
- Chapters 1 and 2
  - Charter of Rights and Freedoms and Bill of Rights (found in text)

Jan 23
Seminar 3: The Courts and the Charter
- Chapters 3 and 4
  - Role of the Court
  - Canadian Judicial System

Jan 31
Seminar 4: The Scope of the bench
- Chapter 5
- Nadia Verrelli, “Reforming the SCC: Rethinking Legitimacy & the Appointment Process,” Institute of Intergovernmental Relations, School of Policy Studies, Queen’s University, SC Working Paper 2009 – 03.
- Lorne Sossin, “Should Canada Have a Representative Supreme Court?” Institute of Intergovernmental Relations, School of Policy Studies, Queen’s University, SC Working Paper 2009 – 07.

Supplemental Readings:

Feb 6
Seminar 5: the Reach of the Charter
- Chapters 6 and 7

Supplemental Readings:

Feb 13 MIDTERM
Seminar 6: The Charter and Interests
- Chapter 8
Feb 20

Seminar 7: Fundamental Freedoms
- Chapter 10
- R. v. N.S., 2012 SCC 72

Feb 27 BREAK

March 6

Seminar 8: Democratic Rights
- Chapter 11
- Sauvé v. Canada (Chief Electoral Officer), [2002] 3 S.C.R. 519

March 13

Seminar 9: Legal Rights
- Chapter 12
- Canada (Justice) v. Khadr [2008] SCC 28

March 20

Seminar 10: Equality Rights
- Chapter 13
- Corbiere v. Canada (Minister of Indian and Northern Affairs), [1999] 2 S.C.R. 203

March 27

Seminar 11:
- Chapter 14


Supplemental Readings:

April 3 IN-CLASS FINAL EXAM