UNIVERSITY COLLEGE OF THE FRASER VALLEY

COURSE INFORMATION

DISCIPLINE/DEPARTMENT: Philosophy and Politics **IMPLEMENTATION DATE**: January 2000

Revised: _____

POSC 335	Civil Liberties and the Charter in Canada	3
SUBJECT/NUMBER OF COURSE	**DESCRIPTIVE TITLE**	**UCFV CREDITS**

CALENDAR DESCRIPTION: A study of the relationship between the government and individual liberty in Canada. The focus is upon the Canadian Charter of Rights and Freedoms and its interpretation by our judiciary. Examination of the issues of equality before the law, freedom of speech, freedom of religion, hate literature and obscenity. Consideration of the rights of incarcerated individuals and the rights of individuals designated as mentally disordered.

RATIONALE: Would allow Arts students, Political Science students and students in the Philosophy and Politics Minor to study civil liberties and the Charter of Rights and Freedoms.

COURSE PREREQUISITES: 45 credits from Arts, Science or Applied programs, including POSC 110

COURSE COREQUISITES: None

HOURS PER TERM FOR EACH STUDENT	**Lecture**	**15**	**hrs**	**Student Directed Learning**	**15**	**hrs**
	Laboratory		**hrs**			
	Seminar	**15**	**hrs**	**Other - specify:**		
	Field Experience		**hrs**	_____		**hrs**
				TOTAL	**45**	**HRS**

MAXIMUM ENROLMENT: 25

Is transfer credit requested? **9** **Yes** **:** **No**

AUTHORIZATION SIGNATURES:

Course Designer(s): Scott Fast **Chairperson**: _____

Curriculum Committee (E. Davis)

Department Head: _____ **Dean**: _____

Jeffrey Morgan J.D. Tunstall

PAC: Approval in Principle _____ **PAC: Final Approval**: December 16, 1998

(Date) **(Date)**

OUTLN95/01/dd

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SYNONYMOUS COURSES:

(a) replaces N/A
(course #)

(b) cannot take CRIM 335 for further credit
(course #)

SUPPLIES/MATERIALS:

None

TEXTBOOKS, REFERENCES, MATERIALS (List reading resources elsewhere)

Readings will vary from section to section, but will include a variety of sources:
1. Christopher P. Manfredi, Judicial Power and The Charter, M & S
2. John Stuart Mill, On Liberty, Penguin Books
3. Bayard Ressor, The Canadian Constitution in Historical Perspective, Prentice Hall
4. Criminology 335 Course Package - Volume I
5. Criminology 335 Course Package - Volume II
6. Criminology 335 Course Package - Volume III

OBJECTIVES:

1. to introduce students to the consideration of civil liberties and the Charter in Canada
2. to teach students the main themes of judicial interpretation of Canada's Charter of Rights and Freedoms
3. to teach students how to read Charter case law
4. to introduce students to the consideration of the role of law and judicial process in Canada

METHODS:

Lectures, discussion seminars, class presentations.

STUDENT EVALUATION PROCEDURE:

The procedure will vary, but a typical distribution is:

Take-home exam 1	30% (given out week #4; due week #5)
Class presentation	15%
Case analysis	15%
Final exam (in class)	40%

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COURSE CONTENT

Course content will vary, but a sample offering would be:

Week 1	Introduction to the course
Week 2	"Liberty" and Positive Civil Rights Required Reading: J.S. Mill, On Liberty
Week 3	Constitutional Traditions and Civil Rights Required Reading: Manfredi, Chapter 1
Week 4	The Canadian Constitutional Tradition and Civil Rights Required Reading: Ressor, pgs. 204-251 Take Home Exam Out
Week 5	Dimensions and Theories of Judicial Interpretation Take Home Exam Due Required Reading: Manfredi, Chapter 2
Week 6	The Structure of the Charter of Rights and Freedoms Required Reading: Charter of Rights and Freedoms Required Reading: Ressor, pgs. 285-295; 377-382 Required Reading: Assigned Cases
Week 7	Fundamental Freedoms Required Reading: Ressor, pgs. 295-315 Required Reading: Manfredi, Chapter 3 Required Reading: Assigned Cases
Week 8	Legal Rights I: Fundamental Justice Required Reading: Ressor, pgs. 315-325 Required Reading: Manfredi, Chapter 4 to page 104 Required Reading: Assigned Cases
Week 9	Legal Rights II: Procedure Required Reading: Ressor, pgs. 326-351 Required Reading: Manfredi, pgs. 104-111 Required Reading: Assigned Cases
Week 10	Legal Rights III: Enforcement Required Reading: Ressor, pgs. 367-372 Required Reading: Manfredi, pgs. 111-119 Required Reading: Assigned Cases

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COURSE CONTENT (contd.)

Week 11 Equality Rights: Precedents and Remedies
Required Reading: Ressor, pgs. 351-358
Required Reading: Manfredi, Chapters 5 & 6
Required Reading: Assigned Cases

Week 12 Language and Aboriginal Rights
Required Reading: Ressor, pgs. 358-367; 382-386
Required Reading: Assigned Cases

Week 13 Application of the Charter
Required Reading: Ressor, pgs. 367-382
Required Reading: Manfredi, Chapter 7 and Conclusion
Required Reading: Assigned Cases