

- TITLE: LAW AND POLITICS
- INSTRUCTOR: - Ross Lambertson
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- OFFICE HOURS - Dunlop House, Room 260. Hours from 1:30 to 3:00,
Monday, Tuesday, and Thursday; also by appointment.
- DESCRIPTION: - This course introduces students to the study of law and
politics, with a strong emphasis on human rights. It examines
the history of human rights in Canada, shows how that history
led to the creation of the Charter, and critically examines that
document.
- OBJECTIVES: - Becoming acquainted with certain basic facts, events,
theories, and arguments in this field.
- Improving skills in reading, analysis, explanation, and
criticism.
- TEXTBOOK: - "Law and Politics - 2003" - a collection of readings for sale
in the College bookstore. (This may not be available until the
second week of classes.)
- EVALUATION:
- | | | |
|----|--|-----|
| a. | Three tests - | 60% |
| b. | One essay - | 40% |
| c. | Class participation -- can be used to adjust a final
grade <u>upwards</u> by one or two percent | |

TENTATIVE TIME-TABLE

Week 1

Tuesday Jan 7 First class - Course introduction.
Thursday Jan 9 Lesson 1 - Yates and Yates, "Introduction to law" (in "Law and Politics - 2002").

Week 2

Tuesday Jan 14 Lesson 2 - Yates and Yates, "Constitutional law."
Thursday Jan 16 Lesson 3 - Greene, "Setting the Stage: Civil Rights in Canada and the Pre-Charter Era."

Week 3

Tuesday Jan 21 Lesson 4 - Greene, "Setting the Stage" (cont.)
Thursday Jan 23 Lesson 5 - Backhouse, "Viola Desmond's Challenge to Racial Segregation."

Week 4

Tuesday Jan 28 Lesson 6 - Brian Howe, "The Evolution of Human Rights Policy."
Thursday Jan 30 Lesson 7 - Lambertson, "The Dresden Story."

Week 5

Tuesday Feb 4 Review - pretest
Thursday Feb 6 TEST #1 - Lessons 1-7

Week 6

Tuesday Feb 11 Lesson 8 - Lesson 8 - Dyck, "Civil Liberties and the Charter."
Thursday Feb 13 NO CLASS - reading break

Week 7

Tuesday Feb 18 Lesson 9 - Antidiscrimination cases I - notes to be handed out.
Thursday Feb 20 Lesson 10 - Antidiscrimination cases II - notes to be handed out.

Week 8

Tuesday Feb 25 Lesson 11 - Charter cases I - notes to be handed out.
Thursday Feb 27 Lesson 12 - Charter cases II - notes to be handed out.

Week 9

Tuesday Mar 4 Lesson 13 - Charter cases III - notes to be handed out.
Thursday Mar 6 Lesson 14 - Morton and Knopff, "Introduction" and "What's Wrong with the Charter Revolution....?"
ESSAY DUE - 5:00 P.M.

Week 10

Tuesday Mar 11 Lesson 15 - Mandel, "The Charter and Democracy."
Thursday Mar 13 Lesson 16 - Aboriginal Rights cases I - notes to be handed out.

Week 11

Tuesday Mar 18 Review - pretest
Thursday Mar 20 TEST #2 - Lessons 8 to 13 (only)

Week 12

Tuesday Mar 25 Lesson 17 - Aboriginal Rights cases II - notes to be handed out.
Thursday Mar 27 Lesson 18 - Flanagan, "In Search of Property."

Week 13

Tuesday Apr 1 Lesson 19 - Cairns, "The Choice Revisited."
Thursday Apr 3 Lesson 20 - McCormick, "The Outsider," and "The Supreme Court ... New Millennium"
ESSAY REWRITE DUE - 5:00 PM

Week 14

Tuesday Apr 8 Review - pretest
Thursday Apr 10 TEST #3 - Lessons 14 to 20
CLASSES

- Students are expected to read the material before the lectures so they will be ready to ask and answer questions.

- As much as possible, the classes should be a dialogue between the instructor and the students, with the instructor helping the students understand the readings, and responding to questions and arguments.

- The purpose of the classes will be: to explain the more difficult concepts; to look at things from other perspectives; to bring things up to date; to express disagreement with the textbook; to give students a chance to ask questions; to give students a chance to disagree

TESTS

VALUE - there are three multiple-choice tests, each worth 20%.

DATE - See the timetable on page 2.

CONTENT - The tests will be based upon the “Key Terms” listed in the “Lesson Notes” (handed out at the course progresses and also placed on reserve in the College library), and any other materials handed out.

FORMAT - The multiple-choice tests will be done on special answer sheets (supplied by your instructor), which are marked by a computer. Please bring a soft-lead pencil and an eraser.

AFTER - After each test you will be given the answers so that you will know immediately how well you have done. After the computer has marked the tests the grades will be posted outside your instructor's door. Since the computer is not infallible, please check to ensure that you have been given the grade that you deserve.

MISSED TESTS - You are expected to write your tests at the scheduled times and place. A student will not be permitted to write at another time unless he/she has a reasonable excuse involving events beyond his/her control, such as illness, a death in the family, etc.
- Should you miss a test, and have a reasonable excuse, please consult with your instructor in order to arrange a make-up test. This should normally be done within one week of missing your test.
- A make-up test will normally not be a multiple-choice test, but will consist of a number of “Key Terms” that have to be defined and/or explained.

ESSAYS

VALUE - One essay, worth 40% of your final grade.

DUE - See the time-table in this course outline (including date for rewrite). Either hand it in personally, or slip it under your instructor's office door -- Dunlop 260.

WARNING: Any work handed in late without a written explanation of a reasonable excuse (i.e. illness, a death in the family, etc.) will be penalized.

TOPIC - "Civil Liberties -- Canada's Drug Laws." See the guidelines in the partial time-table handed out at the beginning of the term.

FORMAT - all essays must be at least from four to eight typewritten pages, double-spaced, written in #12 font, preferable Times New Roman. Number your pages, and provide **footnotes** when you summarize and explain any material; also provide a **bibliography**. (Use the same style as the reading "Introduction to Basic Concepts -- 2002-3," and refer if necessary to "Political Science Papers -- Guide to Footnotes and Bibliography," which is on reserve in the Camosun Library in this course's binder).

- please do NOT place essays in a clear plastic binder with a detachable spine. The pages should be stapled together, with a title page which includes your name.

HELP - you may consult with your instructor before writing an essay, and bring a summary or a rough draft.

REWRITE - you may rewrite the paper if you are not satisfied with your mark. This version should be marked "REWRITE" and stapled to the original version. Note that you will not receive a better mark unless you pay attention to most or all of the critical comments on your first draft. However, you will certainly not lose points by attempting a rewrite; the higher of the two marks will be used to compute your final grade.

EVALUATION

Your written work will be graded as follows:

“A” level work (95-100% = A+ / 90-100% = A / 85-89% = A-)

1. AMOUNT OF WORK/RESEARCH - 8.5 to 10
 - the work is long enough (close to the maximum) and
 - it deals with all the prescribed reading materials (and additional research, if called for).
2. PRESENTATION (ORGANIZATION, GRAMMAR, SPELLING, PUNCTUATION, SYNTAX, FOOTNOTES, BIBLIOGRAPHY) - 8.5 to 10
 - the work is free or nearly free of elementary errors in spelling, punctuation, etc.,
 - the work is well organized, and
 - there are adequate footnotes, and a bibliography done according to the instructions.
3. UNDERSTANDING (BASED ON WHAT YOU SHOW ME) - 8.5 to 10
 - the student has demonstrated a superior understanding of all the prescribed materials.
4. IDEAS (INCLUDING CRITICAL ANALYSIS) - 8.5 to 10
 - the student has developed superior ideas.

“B” level work (84-80% = B+ / 75-79% = B / 70-74% = B-)

1. AMOUNT OF WORK/RESEARCH - 7 to 8
 - the work is not quite maximum length, or
 - the work deals with not quite enough of the prescribed reading materials.
2. PRESENTATION (ORGANIZATION, GRAMMAR, SPELLING, PUNCTUATION, SYNTAX, FOOTNOTES, BIBLIOGRAPHY) - 7 to 8
 - the work is at a high level, but there are still some errors in spelling, punctuation, etc., or
 - the work is well organized, but could be better, or
 - there are adequate footnotes, and a bibliography done according to the instructions, but they have not been done quite correctly.
3. UNDERSTANDING (BASED ON WHAT YOU SHOW ME) - 7 to 8
 - the student has demonstrated a high level of understanding of all the prescribed materials, but it could be better.
4. IDEAS (INCLUDING CRITICAL ANALYSIS) - 7 to 8
 - the student has developed some ideas that, although not yet superior, are at a high level.

“C” level work (65-69% = C+ / 60-64% = C)

1. AMOUNT OF WORK/RESEARCH - 6 to 6.5 out of 10

- the work is satisfactory, but fairly short, or
- the work does not really cover enough of the required readings.

2. PRESENTATION (ORGANIZATION, GRAMMAR, SPELLING, PUNCTUATION, SYNTAX, FOOTNOTES, BIBLIOGRAPHY - 6 to 6.5 out of 10

- the work is satisfactory, but has too many elementary errors in spelling, punctuation, etc.,
- or
- the student misuses the apostrophe, or
- the work is not well organized, or
- there are few footnotes and bibliography; or they are not done correctly.

3. UNDERSTANDING (WHAT YOU SHOW ME) - 6 to 6.5 out of 10

- this work shows a satisfactory understanding of the material, but not much more than this; it is sometimes not clear or just plain wrong, or leaves out some important points.

4. IDEAS (INCLUDING CRITICAL ANALYSIS) - 6 to 6.5 out of 10

- the student has tried to develop some ideas, but they are not well-reasoned and/or they are not based on correct information.

“D” level work (50-59%)

1. AMOUNT OF WORK/RESEARCH - 5 to 5.5 out of 10

- the work is unsatisfactory, it is below minimum length, or
- the work shows inadequate use of the mandatory readings

2. PRESENTATION (ORGANIZATION, GRAMMAR, SPELLING, PUNCTUATION, SYNTAX, FOOTNOTES, BIBLIOGRAPHY - 5 to 5.5 out of 10

- the work is unsatisfactory; it is full of elementary errors, or
- it is very poorly organized.

3. UNDERSTANDING (WHAT YOU SHOW ME) - 5 to 5.5 out of 10

- the work is unsatisfactory; the student has misunderstood several major points, or
- has omitted several major points.

4. IDEAS (INCLUDING CRITICAL ANALYSIS)- 5 to 5.5 out of 10

- the student has made almost no attempt to develop ideas, or the ideas are inadequate.

“F” level work (below 50%)

1. AMOUNT OF WORK/RESEARCH - less than 5 out of 10

- the paper is below minimum length, or
- the paper deals with less than half of the mandatory material.

2. PRESENTATION (ORGANIZATION, GRAMMAR, SPELLING, PUNCTUATION, SYNTAX, FOOTNOTES, BIBLIOGRAPHY - less than 5 out of 10

- there are so many elementary errors that this is unacceptable, or
- the student has committed an act of plagiarism or quasi-plagiarism.

3. UNDERSTANDING (WHAT YOU SHOW ME) - less than 5 out of 10

- this shows no real understanding of the main points.

4. IDEAS (INCLUDING CRITICAL ANALYSIS) - less than 5 out of 10

- there is no attempt to develop any ideas.

All grades

5. FINAL GRADE: _____ out of 40.

- The FINAL GRADE is not an average of the four grades. It primarily based on the lowest grade of the first three criteria, multiplied by 4. (Your grade for “Ideas” will also be taken into consideration, although primarily for papers which are B+ or A level.)

- Your instructor sees the term papers as involving a set of hurdles, each of which is equally important. To receive a passing grade you must pass each one of these hurdles, to receive an “A” you must do first-rate work at each level, to get a “B” you must do at least second-rate work at each level, and so forth. This is not the usual way of marking papers, but it can be defended on the basis that each student can rewrite his/her paper for a higher grade, and in doing so can concentrate upon improvements where they are most needed.

- Your paper should be a very carefully written draft, representing your best effort without detailed help from the instructor. When you get it back, you will receive comments about how to improve it, and you can decide whether or not you want to put in the extra work required to raise your grade. The process of writing a paper for this course should, therefore, be seen as involving an extended conversation between your instructor and yourself.