

Canada Abroad – 3331G
Course Outline – Winter 2015

Course Instructor and Location:

Instructor: Rob Leone

Office Hours: Thursday – 14h30 to 15h30 (please e-mail for an appointment)

Office: SSC 4140

Telephone: 519-661-2111 ext. 84929

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Web site: www.robleone.com

Lectures: Wednesday 15h30 to 17h20

Classroom: SSC-2036

Course Overview & Learning Objectives:

Present in Canadian democracy is the separation of executive, legislative, and judicial branches which provide the foundation for the long-lasting democratic state in which we live. While students of Canadian politics will have been informed about the presence of all three of these branches, in this course our primary focus will be on the judicial branch and how the other branches intersect with it.

The courts play an important role in our democratic system. In addition to dealing with matters we may be accustomed to hearing about, namely criminal and civil matters that are heavily discussed in the media and a part of popular culture, our foray into the courts will pertain to how judges are the arbiters of constitutional disputes. These disputes boil down to federalist complaints (arguments between jurisdictions in Canada) and rights (arguments between people and their government). We will examine both of these ideas in this course.

By the end of the course, students will meet the following learning objectives:

- Acquire knowledge of major theories and concepts in the following three themes: Citizens and Democracy, Multilevel governance, and Justice and the Law
- Apply knowledge of key political institutions, actors and ideologies to analysis of political issues in research papers and presentations
- Demonstrate an understanding of Canadian political systems
- Discuss the research and knowledge in Political Science is informed by research in other Social Sciences
- Demonstrate an awareness of how power, culture and history condition/ influence knowledge formation in Political Science
- Recognize the limits of students' own political knowledge, in light of exposure to information, concepts, theories and experience
- Recognize the ambiguity and uncertainty of Political Science; and understand the ubiquitous and controversial nature of politics
- Be able to situate knowledge historically and contextually
- Be able to assess evidence critically

- Communicate in a variety of formats, including written and verbal (position papers, reports and research papers)
- Communicate in an analytic and clear fashion
- Demonstrate well developed, independent information literacy and research skills
- Use organizational skills that contribute to scholarly and personal independence
- Work effectively with others, demonstrating the skills of giving feedback to peers , responding to feedback, and resolving conflict and use of active listening

Course Format

- A. Each class will be devoted to exploring the course material in detail by answering critical questions on different issues associated with the judiciary and the constitution.

Assessment of Learning

Participation:	20%
Judicial Decision Assignment:	30%
Final Exam:	50%

Expectations:

Students are expected to attend lectures, read the required readings, and complete all of their assignments to the best of their ability, on time, and honestly. The principles of Western's policy on academic integrity will be strictly enforced. Students should be aware of what constitutes a breach of academic honesty, and they should also be aware of other aspects of appropriate student conduct. It is expected that students attend every seminar, preferably on time.

Students who cannot complete any of the course requirements due to medical illness or bereavement are expected to follow university policies as early as possible. Students should be aware of the rules for acceptable practices in this regard.

Participation:

Regular attendance is critical for achieving success in the class and ensuring an overall valuable experience in the course. Students are expected to be prepared for the class and to have completed their required readings before arriving to class. The students will also have opportunities to engage in discussions of a given week's topic(s). Course lectures and reading materials are designed to complement one another. Regular attendance of classes is essential for a successful completion of the course. This is worth 20% of your mark.

Writing a Supreme Court Judicial Decision:

One of the focuses of this course is to get students acquainted with reading and analyzing court decisions. We will spend a good deal of time reviewing case law throughout the different course themes.

In groups of no more than nine students, students will simulate a Supreme Court decision-making process. Students will be assigned one case to analyze, and they will need to render a decision on it. This will be a collaborative exercise and teamwork is necessary for success. As students may well learn, during the course of reading these cases, there are majority opinions (which represent the ruling) and minority reports are also filed. It will be up to your group to decide what you will write and how many will support either side of the debate.

Once groups have been determined by the end of the third week, you will be assigned your case. Final submissions of your report will be **due on Wednesday, April 1st, 2015**. During that class, each group will summarize their findings of the majority report and the minority report issues. There are no extensions. This project is worth 30% of your mark.

Final Exam:

Final exam will be scheduled by the Registrar's office during the university's examination period. The exam will cover the entire course, and an exam review period will take place on the last day of class.

Required Textbooks:

- Elliott, David. 2007. *Introduction to Public Law: Sourcebook* 7e. Toronto: Captus Press.
- Other readings may be assigned as required.

Schedule of Lectures:

Week	Date	Title of Lecture	Assigned Reading
Week 1	January 7	Introduction to the Course	None assigned
Week 2	January 14	Elements of Public Law	Chapter 1
Week 3	January 21	Elements of the Constitution	Chapter 2
Week 4	January 28	Origins of Constitution Act, 1867	Chapter 3
Week 5	February 4	The Judiciary	Chapter 4
Week 6	February 11	JCPC and Early Federalism	Chapter 5
Week 7	February 25	POGG and Trade and Commerce	Chapter 6
Week 8	March 4	Overlap and Cooperative Federalism	Chapter 7
Week 9	March 11	Legislative and Executive Branches	Chapter 8
Week 10	March 18	Constitution Act, 1982	Chapter 9 and 10
Week 11	March 25	Constitutional Change	Chapter 11 and 12
Week 12	April 1	Presentations	None Assigned
Week 13	April 8	Exam Review	None Assigned

APPENDIX TO UNDERGRADUATE COURSE OUTLINES DEPARTMENT OF POLITICAL SCIENCE

Prerequisite checking - the student's responsibility

"Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites."

Essay course requirements

With the exception of 1000-level courses, most courses in the Department of Political Science are essay courses. Total written assignments (excluding examinations) will be at least 3,000 words in Politics 1020E, at least 5,000 words in a full course numbered 2000 or above, and at least 2,500 words in a half course numbered 2000 or above.

Use of Personal Response Systems ("Clickers")

"Personal Response Systems ("clickers") may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning.

Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else's clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence."

Security and Confidentiality of Student Work refer to current Western Academic Calendar (<http://www.westerncalendar.uwo.ca/>)

"Submitting or Returning Student Assignments, Tests and Exams - All student assignments, tests and exams will be handled in a secure and confidential manner. Particularly in this respect, leaving student work unattended in public areas for pickup is not permitted."

Duplication of work

Undergraduate students who submit similar assignments on closely related topics in two different courses must obtain the consent of both instructors prior to the submission of the assignment. If prior approval is not obtained, each instructor reserves the right not to accept the assignment.

Grade adjustments

In order to ensure that comparable standards are applied in political science courses, the Department may require instructors to adjust final marks to conform to Departmental guidelines.

Academic Offences

"Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site: <http://www.uwo.ca/univsec/handbook/appeals/scholoff.pdf> ."

Submission of Course Requirements

ESSAYS, ASSIGNMENTS, TAKE-HOME EXAMS MUST BE SUBMITTED ACCORDING TO PROCEDURES SPECIFIED BY YOUR INSTRUCTOR (I.E., IN CLASS, DURING OFFICE HOURS, TA'S OFFICE HOURS) OR UNDER THE INSTRUCTOR'S OFFICE DOOR.

THE MAIN OFFICE DOES NOT DATE-STAMP OR ACCEPT ANY OF THE ABOVE.

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. <http://www.uwo.ca/univsec/handbook/>

Students registered in Social Science should refer to <http://counselling.ssc.uwo.ca/> <http://counselling.ssc.uwo.ca/procedures/havingproblems.asp> for information on Medical Policy, Term Tests, Final Examinations, Late Assignments, Short Absences, Extended Absences, Documentation and other Academic Concerns. Non-Social Science students should refer to their home faculty's academic counselling office.

Plagiarism

"Plagiarism: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence." (see Scholastic Offence Policy in the Western Academic Calendar).

Plagiarism Checking: "All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>)."

Multiple-choice tests/exams: "Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating."

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. <http://www.uwo.ca/univsec/handbook/>

PLAGARISM*

In writing scholarly papers, you must keep firmly in mind the need to avoid plagiarism. Plagiarism is the unacknowledged borrowing of another writer's words or ideas. Different forms of writing require different types of acknowledgement. The following rules pertain to the acknowledgements necessary in academic papers.

A. In using another writer's words, you must both place the words in quotation marks and acknowledge that the words are those of another writer.

You are plagiarizing if you use a sequence of words, a sentence or a paragraph taken from other writers without acknowledging them to be theirs. Acknowledgement is indicated either by (1) mentioning the author and work from which the words are borrowed in the text of your paper; or by (2) placing a footnote number at the end of the quotation in your text, and including a correspondingly numbered footnote at the bottom of the page (or in a separate reference section at the end of your essay). This footnote should indicate author, title of the work, place and date of publication, and page number.

Method (2) given above is usually preferable for academic essays because it provides the reader with more information about your sources and leaves your text uncluttered with parenthetical and tangential references. In either case words taken from another author must be enclosed in quotation marks or set off from your text by single spacing and indentation in such a way that they cannot be mistaken for your own words. Note that you cannot avoid indicating quotation simply by changing a word or phrase in a sentence or paragraph which is not your own.

B. In adopting other writers' ideas, you must acknowledge that they are theirs.

You are plagiarizing if you adopt, summarize, or paraphrase other writers' trains of argument, ideas or sequences of ideas without acknowledging their authorship according to the method of acknowledgement given in 'A' above. Since the words are your own, they need not be enclosed in quotation marks. Be certain, however, that the words you use are entirely your own; where you must use words or phrases from your source, these should be enclosed in quotation marks, as in 'A' above.

Clearly, it is possible for you to formulate arguments or ideas independently of another writer who has expounded the same ideas, and whom you have not read. Where you got your ideas is the important consideration here. Do not be afraid to present an argument or idea without acknowledgement to another writer, if you have arrived at it entirely independently. Acknowledge it if you have derived it from a source outside your own thinking on the subject.

In short, use of acknowledgements and, when necessary, quotation marks is necessary to distinguish clearly between what is yours and what is not. Since the rules have been explained to you, if you fail to make this distinction your instructor very likely will do so for you, and they will be forced to regard your omission as intentional literary theft. Plagiarism is a serious offence which may result in a student's receiving an 'F' in a course or, in extreme cases in their suspension from the University.

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Adopted by the council of the Faculty of Social Science, October, 1970; approved by the Dept. of History

August 13, 1991

Accessibility at Western: Please contact poliscie@uwo.ca if you require any information in plain text format, or if any other accommodation can make the course material and/or physical space accessible to you.

SUPPORT SERVICES

Students who are in emotional/mental distress should refer to Mental Health@Western
<http://www.uwo.ca/uwocom/mentalhealth/> for a complete list of options about how to obtain help.