

Course Outline

COURSE: LAWS 4006A - Religion and State in Canada

TERM: Fall 2014

PREREQUISITES: LAWS 1000

CLASS: **Day & Time:** Thursdays 8:30-11:30AM
 Room: Please check with Carleton Central for current room location

INSTRUCTOR: Stephen Waxman
(CONTRACT)

CONTACT:
 Office Hrs: By Appointment
 Telephone: 613-286-2788
 Email: Stephen.h.waxman@gmail.com

Academic Accommodations

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance

compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:
<http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

COURSE DESCRIPTION

The course has various goals. The first is to broaden the understanding of the religion and state divisions within Canadian public Life today .The next goal is to study some of the public law dimensions of contemporary religions and state relations after the Charter.

REQUIRED TEXTS

M.H.Oglivie, **Religious Institutions and the Law in Canada**, 3rd ed. (Toronto: Irwin Law 2010). Available in CU Bookstore.

Other course materials are either placed on reserve at the MacOdrum Library and in the Law Resource Centre or are to be found in the law reports and law journals to which reference is made in the Syllabus which follows.

EVALUATION

(All components must be completed in order to get a passing grade)

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

1.Class Participation-20%

2.Class Presentation-30%

3.Essay -50%

Essays may be submitted in print any time prior to the final submission date which is December 4th.

SCHEDULE

1. Sept 4 –Introduction;
2. Sept 11-Chapter 1-Overview of Theories about the Relationship of Church and State;
3. Sept 18-Chapter 2-A History of Law and Religious Institutions in Canada;
4. Sept 25-Chapter 3-Religious Institutions in Canada;
5. Oct 02- Chapter 4-Constitutional Fundamentals;
6. Oct 09- Chapter 5-Criminal Law;

7. Oct 16- Chapter 6-Public Order;
8. Oct 23- Chapter 7-Evidence;
9. Oct 30- No Class-School Break;
10. Nov 06- Chapter 8-Religious Organizations;
11. Nov 13- Chapter 9-Discipline in Religious Institutions;
12. Nov 20- Chapter 10-Education; Chapter11-Family Law;
13. Nov 27- Chapter 12-Health;
14. Dec 04- Chapter 13-Sabbath Observance and Employment Accommodations.

Essay / Research Paper (50% of Final Mark)

Students will write an essay on a topic agreed upon by the instructor. The instructor will discuss in class a range of possible essay topics. The paper, worth 50% of the final mark, will be between 25 to 30 pages (double spaced) The paper must be handed to your instructor by the end of the term, December 4th. The marking of the assignments will be in letter grades. Late assignments will be penalized at the rate of ½ full letter grade per day (e.g. original mark B: one day late B-, two days late C etc.). The paper should include a cover sheet, which should include the title of your paper, your name and student number. Please ensure that your paper is securely fastened. Do not use paper clip. Do not use plastic or other covers. Quality of expression is essential. Care must be taken to ensure proper spelling, grammar and style, as each will be taken into account in assigning a mark. Use headings for each section of your paper. Include a table of contents, with page numbers, for each section of your paper. The title should accurately reflect the subject matter of your paper. The introduction should include a position statement which is then explored in the paper. The introduction should define your topic and indicate the problem to be addressed. The body of the paper should include analysis, and demonstrate that you have done research and reading including course materials and other publications. Possible reform options should be explored. A conclusion which concisely and cogently summarizes your discussion is invaluable. Proper footnoting and bibliography are required. You may use any commonly accepted style.

Note that there are Instructional Offences: Assignments must be original. It is an instructional offence for any student to copy the work of another student or to submit work that is not his or her own. In relying on the ideas of others, it is important to acknowledge that you are doing so. This does not apply merely when you are paraphrasing or quoting the work of an author, but also when you are using your own words to describe the ideas of others. The onus is on each student to retain a copy of her or his assignment until the graded assignment is returned. This will avoid the risk of an assignment being lost.

Class Presentation-30% of the Final Grade

This presentation is to be based on the essay topic the student has chosen and should be 30 minutes in length. The student must be prepared to address any questions posed as a result of the presentation.

Class Participation-20% of the Final Grade

This mark is based on several components including attendance (limited to a maximum of 10marks), as well as class participation and participation in the presentations made by other students in the class.