

DCC2119 – Protection of Rights and Freedoms

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Winter Term

Course Description

This course is meant to introduce students to the language and philosophy of human rights, while facilitating reflection on whether rights and freedoms are truly enjoyed by all to whom they are promised. The course progresses from a discussion of the theoretical bases of rights and freedoms, to understanding the legal sources of rights and freedoms, to exploring how those rights and freedoms have been interpreted and enforced by the courts. The course surveys Canadian human rights laws and practice, while providing an introduction to some comparative international human rights instruments, standards, and case law.

Course Objectives

The purpose of this course is: to conceptualise rights and freedoms through their entrenchment in Canadian and international human rights treaties, conventions or covenants; to explore the role of the state in administering rights and freedoms; to discuss the accessibility of rights and freedoms in light of limitations and/or obstacles experienced by historically-disadvantaged groups; and to discuss the future of rights and freedoms in light of emerging issues and challenges.

Students will gain an understanding of the role of law in regulating human rights disputes and an understanding of human rights forums and processes. Students will gain an increased ability to critically analyze human rights theory, law and practice.

Teaching Methods

The course will be taught via lectures by the Instructor. Interactive class participation is expected. Students are expected to read the assigned readings in advance of each class. Students should come to class prepared to discuss the material in the readings. Some lectures will take more than one class (the one on the Charter for example is expected to take up to 3 classes).

While there might appear a lot of reading, I have trimmed it down and pin pointed specific paragraphs to read (where possible).

The subject matter of human rights is bound to be contentious. Debates and disagreements are a welcome part of the discussion, and indeed often help students to get a fuller appreciation of the issues involved. But at all times students should treat each other with mutual respect and with tolerance for divergent views.

Students should be aware of and follow the university rules on plagiarism and academic fraud.

Evaluation Method

A) Attendance (10%)

Attendance will be taken using a sign-up sheet during the year and marks will be given if the student was present at the majority of the classes. Students will not be penalized for absences that are justified by an email. An email to the professor from the student explaining the absence will be sufficient.

B) Class Participation (10%)

Students are expected to come to every class having read the assigned materials and to participate in class discussions. Class participation will be assessed through the session. Students must ensure to complete the required readings and arrive to class prepared to actively participate in the discussion. The mark will be assessed based on both the quality and quantity of the student's participation in that class, with particular attention paid to the extent to which the student has demonstrated meaningful engagement with and understanding of the assigned reading materials.

C) Writing of a first Case Brief (10%)

Students are expected to write a Case Summary (also called a Case Brief).

Students will be provided a list of cases from which to choose. One must be chosen from the list (or by the student if he/she so wishes). The student will write a (hopefully) one-page total (single-spaced, 12 pt Times New Roman font) summary and reflection of that case.

The format of the summary will be further explained at the beginning of the semester. The date to provide the summary will be selected in discussion with the students but should be done by the middle of the semester, by email. A second case brief will be due on the last day of the course, by email.

How to write a case summary will be explained during the first few classes. Do not hesitate to ask if you do not understand.

In the reflection portion, students should write about whether they agree or disagree with the decision-maker's reasoning in the case, and explain why or why not, highlighting any strong or weak points in the reasoning. They may also identify a different way of looking at the issue(s) in the case, relate the case to their own experiences or to other assigned readings, and discuss what they think the impacts or implications of the case are. The reflection should be written using proper sentence and paragraph structure. The reflection should be approx. 1-2 paragraphs.

Students are welcome to submit the assignment on an earlier date if they so desire.

D) Writing of a second Case Brief (20%)

Students will be expected to write a second Case Brief. One case must be chosen from the list (or by the student if he/she so wishes). The student will write a (hopefully) one-page total (single-spaced, 12 pt Times New Roman font) summary and reflection of that case.

This case brief will be due on the last day of the course, by email.

E) FINAL EXAM – 50%

The other method of evaluation will be in the form of a final exam, to take place on a date to be specified later. The format of the exam will be essay questions. Students may consult their reading materials and notes in completing the exam but it should be noted that students cannot use computers during the exams and therefore may need to print their notes and the powerpoint presentations. Strong answers to each of the exam questions will cite (where relevant to support the answer) various provisions of the human rights laws we've covered, cases and readings, issues covered in class discussion and guest lectures.

VERY IMPORTANT: University rules regarding plagiarism apply fully, and students must prepare and write their case summary, reflection, and exam without consultation with other students or any other third party.

Reading Material

All assigned readings are available online via the websites provided in the list of course readings below, or via online journals available to enrolled University of Ottawa students. To access journal articles while off campus, you must first sign into the University's network.

Students should request assistance from library staff should they experience any difficulty accessing the journal articles assigned.

The following websites can be of use as well:

CanLii: <https://www.canlii.org/en/>

Federal Justice Laws Website : <http://laws.justice.gc.ca/eng/>

Ontario Laws Website: <https://www.ontario.ca/laws>

SERVICES OFFERED TO STUDENTS:

- The University's SASS (Student Academic Success Service) offers a variety of services (<http://web.sass.uottawa.ca/>). Amongst others, it is host to the Academic Writing Help Centre (AWHC), (<http://www.sass.uottawa.ca/writing/>), located at 110, University Private.
- The Access Service provides individualized services to help handicapped students and those struggling learning disabilities. This service is also under the umbrella of the SASS (<http://www.sass.uottawa.ca/access/>)
- The Community Life Service also regularly publishes the list of academic and social activities taking place on campus (<http://www.communitylife.uottawa.ca/en/>).

STUDENTS IN NEED OF ACCOMMODATION SHOULD INFORM THE PROFESSOR AS SOON AS POSSIBLE SO THAT ARRANGEMENTS CAN BE MADE.

