DEPARTMENT OF
POLITICAL SCIENCE

POLS*3130: Law, Politics, and the Judicial Process

Credit Weighting: 0.5 **Pre-/Co-Requisites:** 1 of POLS*2250, POLS*2300, POLS*2350 **Restrictions:**

INSTRUCTOR INFORMATION

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GENERAL DETAILS

This course is an introduction to law, politics and the judicial process in Canada. There will be an emphasis on the study of the judicial system as a branch of government and an exploration of the interaction between the judiciary, law, and the political process. The course will examine the organization of the judicial system, methods of selecting judges, judicial independence, the different actors that participate in the judicial process, and the processes by which courts hear and decide cases. The primary focus will be on public law in Canada, especially the Charter of Rights. This focus will be supplemented by comparisons with judicial processes in other countries.

By the end of this course, students should be able to identify and critically evaluate the relevant political and scholarly debates, past and present, that surround law, politics, and the judicial process in Canada. Students should be familiar with the historical development of Canadian judiciary and understand its growing influence on Canadian public policy. Finally, students should be able to effectively communicate, in both oral and written form, how the judiciary, and in particular the Supreme Court of Canada, affect the way Canada is governed.

LEARNING OBJECTIVES

This course will contribute to each of the Department of Political Science's five learning outcomes: Students will understand the basic institutions and processes of government in Canada in a comparative/global context, with emphasis on comparing the judiciary in Canada to the judiciary in other countries. Students will analyze and critically reflect on social and political trends using a diverse range of political science theoretical perspectives and frameworks, with an emphasis on institutional, behavioural, and attitudinal theories of judicial decision-making. Students will evaluate power relations in the Canadian context, by emphasizing the transformative change the Charter of Rights and Freedoms as placed on the judiciary vis-à-vis other governmental actors. Students will improve their ability to effectively communicate an argument, particularly in writing, through two written assignments that teaches them to apply theoretical evidence to ongoing judicial controversies. Finally, students will critically assess potential solutions to pressing political and socio-economic problems in Canada by exploring the continuing importance of the judicial role in influencing policy in a number of fields. This latter outcome will be especially present during the "in-class activity" portion of classes that involve ongoing judicial controversies.

METHOD OF ASSESSMENT

Briefing Note: 20%
Midterm: 20%
Final Paper: 30%
Final Exam: 30%

REQUIRED READING

F.L. Morton and Dave Snow, Law, Politics, and Judicial Process in Canada. 5th ed. (Calgary: University of Calgary Press, 2024).