

POLS*3140
The Charter of Rights and Freedoms (Section 01)

UNIVERSITY OF GUELPH
Department of Political Science
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Course Description:

The introduction of the 1982 *Canadian Charter of Rights and Freedoms* has changed the Canadian political landscape dramatically. This course will introduce students to the political implications of the Charter through a combination of historical material, judicial decisions, and scholarly debates. The early weeks of the course will situate the Charter in its historical context, exploring the debates surrounding Patriation and the effect of the Charter on society. The course will then shift to judicial decisions themselves, as students will become familiar with the development of judicial decision-making over the past three decades, and examine how the Supreme Court of Canada has shaped public policy in the post-Charter era. The course will conclude by moving from the courts to other political institutions, exploring the Charter's continuing influence on executives, legislatures, bureaucrats, electoral politics, interest groups, and broader society at large.

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 the *Canadian Charter of Rights and Freedoms*. Students should be familiar with the historical development of the Charter, including the reasons for its successful entrenchment, its influence and popularity, and its continued significance in shaping public policy. Finally, students should be able to effectively communicate, in both oral and written form, how the Charter has changed the way Canadians govern and are governed, particularly with respect to the “judicialization of politics” and the “politicization of the judiciary.”

Course Requirements:

Case Brief Assignment	15%
Midterm	25%
Final Paper	30%
Final Exam	30%

Required Texts:

Thomas MJ Bateman, Janet L Hiebert, Rainer Knopff, and Peter H Russell. 2017. *The Court and the Charter: Leading Cases*. 2nd edition. Toronto: Emond Montgomery Press. [BHKR]

Additional readings, including articles, chapters, and online commentaries, will be on CourseLink.