

# LAW & JUSTICE

## Department of Law and Politics

### FACULTY

#### ASSISTANT PROFESSOR(S)

K. De Luca, B.A. (Hons), LL.B. (Toronto), M.A., M.Phil., Ph.D. (Columbia);  
J. Hermida, B.A. (Hons), LL.B. (Buenos Aires), LL.M. (McGill), D.C.L. (McGill), Ph.D. (UCC, Cordoba);  
D. Kennedy, B.A. (Brandon), J.D. (Toronto), LL.M. (Victoria), S.J.D. in process (Toronto)

#### ADJUNCT PROFESSOR(S)

C. B. Willson, B.A. (Toronto), LL.B. (Western Ontario), LL.M. (London School of Economics and Political Science) of the Ontario Bar

#### SESSIONAL FACULTY

M. Atkin, B.A. (Carleton), M.L.I.S. (McGill), Ph.D. (McGill);  
J. Broadbent, B.A. (Hons) (York), LL.B. (Queen's) of the Ontario Bar;  
A. Fabiano, B.A. (Hons), B.Ed., M.A. (Windsor);  
J. D. Greco, A.A. (Port Huron), B.A., LL.B., J.D. (Detroit), LL.B. (Osgoode Hall), Provincial Court Judge for Sault Ste. Marie (retired);  
N. Komsa, B.A. (Western Ontario), LL.B. (Ottawa) of the Ontario Bar;  
M. Varpio, B.A. (Hons) (Western Ontario), LL.B. (Toronto), M.B.A. (Western Ontario) of the Ontario Bar

#### PROFESSOR(S) EMERITUS

J. T. Ross, B.A. (Hons) (Carleton), M.A. (Toronto)

### DEGREE REQUIREMENTS:

#### LAW AND JUSTICE DEGREE REQUIREMENTS

Please refer to the general regulations pertaining to academic programs.

#### BACHELOR OF ARTS (General) Single Major LAW AND JUSTICE

##### First Year

- JURI 1105\*
- 24 additional credits, of which 6 must be from Group I (Humanities) and 6 from Group III (Sciences)

##### Second and Third Years

- JURI 2106/2107\*
- 24 additional credits from the Law and Justice approved course list (normally 2000 or 3000 level)
- 30 elective credits, which may include additional courses from the Law and Justice approved course list

\*Minimum grade of 60% required.

#### BACHELOR OF ARTS (General) Combined Major LAW AND JUSTICE

Please refer to the general regulations pertaining to combined majors. A combined major in the three-year B.A. program requires 30 credits in each of two disciplines. The Law and Justice requirements for a combined major are:

##### First Year

- JURI 1105\*

##### Second and Third Years

- JURI 2106/2107\*
- 18 additional credits from the Law and Justice approved course list (normally 2000 or 3000 level)

\*Minimum grade of 60% required.

#### BACHELOR OF ARTS (Honours) Single Major LAW AND JUSTICE

##### First Year

- JURI 1105\*
- 24 additional credits, of which 6 must be from Group I (Humanities) and 6 from Group III (Sciences)

##### Second, Third and Fourth Years

- JURI 2106\*/2107\*, 2136\*, 2426 \*
- 6 credits JURI 3000 series (JURI 3136 recommended)
- 18 additional credits from the Law and Justice Approved Course List from 4000 series
- 18 additional credits from the Law and Justice Approved Course List
- 36 elective credits (which may include additional credits from the Law and Justice Approved Course list)

\*Minimum grade of 60% required.

#### BACHELOR OF ARTS (Honours) Combined Major LAW AND JUSTICE

##### First Year

- JURI 1105\*
- 24 additional credits, of which 6 must be from Group I (Humanities) and 6 credits from Group III (Sciences)

##### Second Year

- JURI 2106/2107\*, 2136\*, 2426\*
- 18 elective credits (including credits toward second major)

##### Third Year

- 6 credit electives from the Law & Justice Approved Course List
- 6 credits JURI 3000 series
- 18 elective credits (including credits toward second specialization)

##### Fourth Year

- 12 credits, 4000 series, from the Law and Justice Approved Course List
- 18 elective credits (including credits toward second specialization)

\*Minimum grade of 60% required.

(42 credits required in combined major)

**CERTIFICATE IN LAW AND JUSTICE**

The 30 credit certificate program is designed to meet the needs of those with a desire to broaden their knowledge of the law at work in society, as well as law enforcement officers and government supervisory personnel working for the federal or provincial governments in parole or aftercare services. It allows a part-time student to pursue university-level upgrading without a commitment to a three-year or 90-credit program. A student in the program could, however, continue in a B.A. program without the need to repeat courses successfully completed.

The certificate program is open to full-time and part-time students in Science, professional programs, and students in Arts, who are not Law and Justice majors, as well as graduates who wish to undertake additional study in the field of Law and Justice.

The certificate program comprises JURI 1105, 2106/2107 and 18 additional credits at the 2000 or 3000 level from the Law and Justice approved course list.

**HONOURS DIPLOMA**

Admission to the Honours Diploma program will require the successful completion of a general three-year degree in Law & Justice with at least a 70% average in all Law & Justice courses required for the degree. An overall average of 70% or greater is required to obtain the Honours Diploma. Please contact the Office of the Registrar for more information.

**MINOR IN LAW AND JUSTICE**

A minor in Law and Justice is available to students who are qualifying for a degree program. In all cases, students will be expected to respect all course prerequisite requirements.

The minor in Law and Justice consists of the following:

- JURI 1105 Introduction to Legal Studies
- JURI 2106 Introduction to Private Law
- OR**
- JURI 2107 Canadian Political and Legal Institutions

JURI 2426 The Nature of Legal Authority  
3 credits from JURI 3000 series  
9 additional credits from the Law and Justice Approved Course List

More information on minors is available in Chapter Three: Academic Policies, Procedures and Regulations.

**LAW AND JUSTICE APPROVED COURSE LIST**

See course descriptions for all prerequisites. Prerequisites for non-JURI courses on the following list are waived for Law & Justice students, except PSYC 3606/3607 (PSYC 1106/1107 required) and PSYC 4026/4207 (PSYC 1106/1107 & 3606/3607 required). Students may not take 2000- or 3000-series courses from this list before 2nd year (completion of 30 credits) nor 4000-series courses before 3rd year (completion of 60 credits). Where prerequisites are waived, students are responsible for any other work necessary to meet course requirements.

Admission to 3000-series JURI courses is normally limited to 3rd -year students. Permission of the instructor and the department chair is required for admission to any 4000-series courses on this list. Although students with 70% may be admitted to these courses in 3rd year, they are not normally admitted before 4th year or without an appropriate background for the course.

*Students may not retain credit for more than one of POLI 2126, PSYC 2126 or SOCI 2126, STAT 2126. Students may not retain credit for more than one of NATI 3105, POLI 3105, JURI 3106/3107, POLI 3106/3107, or ANIS 3006/ANIS 3007.*

- ANIS 3006 Government Acts and Policies
- ANIS 3007 Treaties
- CESD 3216 CESD and the Law
- JURI 2136 Introduction to Interpersonal Dispute Resolution
- JURI 2306 Commercial Law
- JURI 2316 Environmental Law
- JURI 2426 The Nature of Legal Authority
- JURI 2506 Property Law
- JURI 2996 Legal Research Methods
- JURI 3106 Indian Law and Policy in Canada
- JURI 3107 Treaty Relations
- JURI 3126 Theories of Judicial Decision Making
- JURI 3136 The Adversary System and its Critique
- JURI 3206 Introduction to Criminal Law and Procedure
- JURI 3216 Themes in Criminal Law
- JURI 3226 United States: Law and Politics
- JURI 3306 Legal Rights in Criminal Proceedings
- JURI 3506 Legal Regulation of Close Adult Relationships
- JURI 3606 Legal Regulations of Parent-Child Relationships
- JURI 3616 Labour Law
- JURI 3626 Labour Law and the Modern State
- JURI 3706 Rights and Law
- JURI 3906 Special Topics in Law & Justice I
- JURI 3907 Special Topics in Law & Justice II
- JURI 4026 Wicked Legal Systems
- JURI 4126 Legal Reasoning
- JURI 4206 Independent Studies I
- JURI 4207 Independent Studies II
- JURI 4236 Youth in Conflict with the Law
- JURI 4246 Women in Conflict with the Law
- JURI 4286 Judicial Institutions
- JURI 4315 International Law
- JURI 4316 International Law I: History and Theory of International Law
- JURI 4386 Great Trials
- JURI 4486 Legal Professions
- JURI 4716 Life and Death Decisions
- JURI 4726 Canadian Constitutional Law I: Constitutionalism and Federalism
- JURI 4727 Canadian Constitutional Law II: The Politics of the Canadian Charter of Rights

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|-------------|---|
| JURI 4736   | Canadian Constitutional Law III: Aboriginal and Treaty Rights                               |
| JURI 4816   | Selected Topics in Law and Justice I  |
| JURI 4826   | Selected Topics in Law and Justice II   |
| JURI 4836   | Selected Topics in Law and Justice III  |
| JURI 4846   | Selected Topics in Law and Justice IV   |
| JURI 4856   | Selected Topics in Law and Justice V  |
| JURI 4866   | Selected Topics in Law and Justice VI   |
| JURI 4985   | Honours Essay   |
| NATI 3105   | Canadian Law, Politics and Aboriginal People  |
| NATI 3116   | Aboriginal People and the Criminal Justice System   |
| NATI 3117   | Social Policy and Family Law with Native People   |
| PHIL 2505   | Critical Thinking and Argumentation   |
| PHIL 2575   | Philosophy of Law   |
| POLI 2706   | Identity and Culture in Canada  |
| POLI 2707   | Canadian Political and Legal Institutions   |
| POLI 3106   | Indian Law and Policy in Canada   |
| POLI 3107   | Treaty Relations  |
| POLI 4316   | International Law I: History and Theory of International Law                                |
| POLI 4726   | Canadian Constitutional Law I: Constitutionalism and Federalism                             |
| POLI 4727   | Canadian Constitutional Law II: The Politics of the Canadian Charter of Rights and Freedoms |
| POLI 4736   | Canadian Constitutional Law III: Aboriginal and Treaty Rights                               |
| PSYC 3606   | Psychopathology I   |
| PSYC 3607   | Psychopathology II  |
| PSYC 4026   | Forensic Psychology   |
| PSYC 4027   | The Psychology of Criminal Conduct  |
| SOCI 2086   | Crime and Punishment I: Explanations of Crime   |
| SOCI 2087   | Crime and Punishment II: Police, Courts, Prisons, and Rehabilitation                        |
| SOCI 3086   | Sociology of Law  |
| SOCI 3307   | Social Problems: Legal Issues   |
| SOCI 4286 E | Youth and the Law   |
| SOCI 4287 E | The Family, State & the Law   |
| STAT 2126 E | Introduction to Statistics  |

ANIS = Anishinaabemowin (Ojibwe) & Indigenous Studies

CESD = Community Economic and Social Development

CLAS = Classical Studies

NATI = Native Studies

PHIL = Philosophy

POLI = Political Science

PSYC = Psychology

SOCI = Sociology

STAT = Statistics

## LAW AND JUSTICE COURSE DESCRIPTIONS

### JURI 1105 Introduction to Legal Studies

This course will introduce students to the basic concepts necessary to the understanding of a critical study of law and the legal system. Topics to be covered will include the nature and function of law, legal reasoning, the origins and fundamental principles of Canadian common and civil law systems and the relationship of law to other disciplines such as economics, history, philosophy, politics, and sociology. (LEC 3) (6 cr)

### JURI 2106 Introduction to Private Law

This course will introduce students to private law principles, focusing on the law as a facilitator and regulator of relationships between individuals - including contractual relationships, property relationships, and personal injury claims - as well as the origins and functioning of common law. *Prerequisite: JURI 1105 with 60%. (LEC 3) (3 cr)*

### JURI 2107 Canadian Political and Legal Institutions

This course examines the major legal, constitutional, political, judicial and bureaucratic institutions of Canada, including, but not limited to federalism, Parliamentary supremacy, Parliament, the Constitution, constitutionalism, political parties, judicial independence and the electoral system. This course is well suited for students who have a general interest in Canadian Law and Politics and for those wishing to specialize in Canadian Law and Politics. *Students may not retain credit for both JURI 2107 and POLI 2707. (LEC 3) (3 cr)*

### JURI 2136 Introduction to Interpersonal Dispute Resolution

This course explores the central role that conflict plays in society, along with the wide variety of legal and quasi-legal disputing processes that have been devised to deal with it through time and across cultures. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

### JURI 2306 Commercial Law

This course examines the legal rights and duties of buyers, sellers, employers and employees in Canadian law. Topics discussed will include contracts, insurance, negotiable instruments, business forms, property and credit. *Prerequisite: JURI 1105 or admission to year 2 of the B.B.A. program. Students may not retain credit for more than one of COMM 4715, 4716; JURI 3200, 2207, ADMN 1306, 2306 and JURI 2306. (LEC 3) (3 cr)*

### JURI 2316 Environmental Law

Analyzes Canadian environmental law through a study of federal and provincial statutes, and jurisprudence. Topics include: federal and provincial jurisdiction; the implications of the Charter; the interaction of federal and provincial statutes; the economic and political factors affecting the decision to prosecute for environmental infractions; and the adequacy of the current legal protection of the environment as reflected in cases applying environmental statutes. *Prerequisite: JURI 1105. Students may not retain credit for both JURI 4306 and 2316. (LEC 3) (3 cr)*

### JURI 2426 The Nature of Legal Authority

This course will examine the nature of legal authority through a study of classical and contemporary jurisprudence. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

### JURI 2506 Property Law

Examines theories, forms and regulation of property. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

### JURI 2996 Legal Research Methods

This course provides students with a foundation for conducting legal research. Students will locate and analyze primary and secondary legal materials. At the end of the course, students will have experience locating, tracing, and effectively utilizing legislation, cases, government documents, treaties and land claims information, as well as relevant literature for their own research. (LEC 3) (3 cr)

**JURI 3106 Indian Law and Policy in Canada**

This course examines Indian law and policy and its continued effects on all Anishinaabe peoples and Canadian/Anishinaabe relations. In particular, Anishinaabe law and governance, the Indian Act, Provincial and Federal policy and current efforts in constitutionalism are discussed. This course provides a foundation essential to the study of Aboriginal rights in Canada. *Students may not retain credit for more than one of JURI 3106, POLI 3106, and POLI 3105. Prerequisite: one of JURI 2136, POLI 2706, POLI 2707/ JURI 2107 or permission of the instructor. (SEM 3) (3 cr)*

**JURI 3107 Treaty Relations**

This course explores the legal and political implications of treaty relations among all Anishinaabe peoples, and Anishinaabe peoples and Canadians. International treaties between Anishinaabe peoples, the two row wampum belt, the Royal Proclamation and later Anishinaabe/settler treaties will be examined, with an emphasis on the Anishinaabe treaty making tradition. This course provides a foundation essential to the study of treaty rights in Canada. *Students may not retain credit for more than one of JURI 3107, POLI 3107, and POLI 3105. Prerequisite: one of JURI 2136, POLI 2706, POLI 2707/JURI 2107 or permission of the instructor. (SEM 3) (3 cr)*

**JURI 3126 Theories of Judicial Decision Making**

This course will consider theoretical perspectives on the process of judicial decision-making and its implications for the policy and law making role of judges. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

**JURI 3206 Introduction to Criminal Law and Procedure**

This course looks at the theoretical foundations of criminal responsibility of both adults and young offenders, as well as basic criminal procedure. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

**JURI 3216 Themes in Criminal Law**

This course will consider aspects of the criminal justice system as they affect both adult and young offenders. Topics covered in this course may include Charter rights of accused and convicted persons, concepts of punishment, and the goals of sentencing. *Prerequisite: JURI 3206. Students who have taken JURI 3306 may not take JURI 3216 for credit. (LEC 3) (3 cr)*

**JURI 3226 United States: Law and Politics**

This course explores the US constitution and the political, legal, and social structure of the US federal government. It will examine the political parties and elections; the relations between the federal government and states, government and citizens, the role and structure of courts, and the rule of law. *Prerequisites: JURI 1105, or POLI 1006 or POLI 1007, or permission from the instructor. Students may not retain credit for more than one of JURI 3226, POLI 3226 and POLI 3225. (LEC 3) (3 cr)*

**JURI 3306 Legal Rights in Criminal Proceedings**

This course will focus on the rights of the suspect, the accused and the convicted person in the criminal justice system and how these rights are protected at common law, by statute and under the Canadian Charter of Rights and Freedoms. It will include a consideration of criminal procedure, the application of the Charter in criminal proceedings, police investigative procedures, the criminal trial, sentencing, and probation and parole. *Prerequisite: JURI 1105. Students who have taken JURI 3216 may not take JURI 3306 for credit. (LEC 3) (3 cr)*

**JURI 3506 Legal Regulation of Close Adult Relationships**

This course will look at the legal regulation of close adult personal relationships from a historical and theoretical perspective. *Students may not retain credit for both JURI 3505 and 3506. Prerequisite JURI 1105. (LEC 3) (3 cr)*

**JURI 3606 Legal Regulation of Parent-Child Relationships**

This course will look at how and why the law regulates parent-child relationships and the competing interests of parents, children and the state in such regulation. *Students may not retain credit for both JURI 3505 and 3606. Prerequisite: JURI 1105. (LEC 3) (3 cr)*

**JURI 3616 Labour Law**

Traces the evolution of employment and labour law in the context of the justification for modern labour legislation, industrial safety regulation and employment standards. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

**JURI 3706 Rights and Law**

Examines rights-oriented approaches to law. Topics may include: theoretical and historical foundations of rights-oriented approaches, the evolution of charters, declarations, and bills of right, and critiques of rights-oriented approaches. *Prerequisite: JURI 1105. (LEC 3) (3 cr)*

**JURI 3906 Special Topics in Law & Justice I**

The topic of the course will vary depending upon the faculty member offering the course. It will be based upon the specialization and research interests of the professor. *Prerequisite: JURI 2106/2107. (SEM 3) (3 cr)*

**JURI 3907 Special Topics in Law & Justice II**

The topic of the course will vary depending upon the faculty member offering the course. It will be based upon the specialization and research interests of the professor. *Prerequisite: JURI 2106/2107. (SEM 3) (3 cr)*

**JURI 4126 Legal Reasoning**

An advanced consideration of the appropriate roles of rationality and various types of logical inference in dispute resolution processes. *Restricted to 4th year Law & Justice students. Prerequisite: JURI 2106/2107, 2136, 2426, 3126 (min 60%) and permission of chair & instructor. (LEC 3) (3 cr)*

**JURI 4206 Independent Studies I**

An opportunity for qualified students to do special studies in the field of law and justice beyond or outside the regular course offerings in Law and Justice. A member of the program supervises the students' work. Written work and periodic discussions are required. *Prerequisite: JURI 1105, 2106/2107 & 2426 (min 60%) and permission of chair. (3 cr)*

**JURI 4207 Independent Studies II**

Same description as JURI 4206. *Prerequisite: JURI 1105, 2106/2107 (min 60%) and permission of chair. (3 cr)*

**JURI 4315 International Law**

Nature, origin, and development of International Law. Principles analyzed and illustrated with case studies. *Prerequisite: JURI 2106/2107 & 2426 and permission of the chair and instructor. Students may not retain credit for both JURI 4315 and POLI 4315. (SEM 3) (6 cr)*

**JURI 4316 International Law I: History and Theory of International Law**

This course examines the historical development and conceptual foundations of international law. Particular attention is paid to the role of natural law and positive law theories in the articulation of international legal authority, and to early modern legal and political developments in the context of the Reformation, state formation, and empire building. *Prerequisite: at least third-year standing in the POLI, JURI program(s) or permission of the instructor. Students may not retain credit for more than one of JURI 4316, POLI 4316, JURI 4315 and POLI 4315. (SEM 3) (3 cr)*

**JURI 4386 Great Trials**

This course examines some of Canada's and the world's best known trials, placing them in historical, social, religious and political context. *Prerequisite: JURI 2106/2107, 2136, 2426, 3126 (min 60%) and permission of chair and instructor. (LEC 3) (3 cr)*

**JURI 4486 Legal Professions**

The course is designed to give students a general understanding of the circumstances under which modern law firms function with reference to concepts like specialization, marginalization and stratification. Themes explored may include the impact an expansion of state structures had historically on the profession, the legal construction of gender and family, the relationship between the legal profession and the economy, the difference between professional ideas and professional reality, judges and the process of judicial selection, and the impact the growth of the modern law firm had on lawyers. *Prerequisite: JURI 2106/2107, 2136, 2426, 3126 (min 60%) & permission of chair and instructor. (LEC 3) (3 cr)*

**JURI 4726 Canadian Constitutional Law I: Constitutionalism and Federalism**

This course examines the development and interpretation of the 'common law constitution', the Constitution Act, 1867, and the Constitution Act, 1982. Particular attention is paid to the tradition of constitutionalism in British and Canadian politics and law, and to the transformations in constitutional thought required by written constitutions and by the division of powers between the federal and provincial governments. *Prerequisite: one of POLI 2706, POLI 2707/JURI 2107, or permission of the instructor. Students may not retain credit for more than one of JURI 4726, JURI 4725, POLI 4726 and POLI 4725. (SEM 3) (3 cr)*

**JURI 4727 Canadian Constitutional Law II: The Politics of the Canadian Charter of Rights and Freedoms**

This course examines the political and social impact of rights and freedoms in Canada and evaluates its overall effects on policymaking and the political process as well as on citizen's rights. The course begins with an examination of the pre-Charter history of civil rights and jurisprudence in Canada and proceeds to explore key Charter provisions and contemporary understandings and uses of rights and freedoms. Particular emphasis will be on Aboriginal Peoples, language and equality rights, and fundamental freedoms. *Prerequisite: one of POLI 2706, POLI 2707/JURI 2107 or permission of the instructor. Students may retain credit for one of JURI 4727, JURI 4725, POLI 4727, and POLI 4725 (SEM 3) (cr)*

**JURI 4736 Canadian Constitutional Law III: Aboriginal and Treaty Rights**

This course examines the theory, politics and jurisprudence of Canadian aboriginal and treaty rights. A thorough understanding of Canadian aboriginal rights is not possible without examining the politics surrounding the adoption of section 35 rights, the activism of Anishinabe communities and the impact of aboriginal and treaty rights on governmental decision and law making. *Prerequisite: one of POLI 2706, POLI 2707/JURI 2707, or permission of the instructor. Students may not retain credit for both JURI 4736 and POLI 4736. (SEM 3) (3 cr)*

**JURI 4816 Selected Topics in Law and Justice I**

The content varies from year to year, depending on which faculty member teaches the course. *Prerequisite: JURI 1105, 2106/2107 & 2426 (min 60%) & permission of chair and instructor. (LEC 3) (3 cr)*

**JURI 4826 Selected Topics in Law and Justice II**

Same description as JURI 4816. *Restricted to 4th year Law & Justice students. Prerequisite: JURI 1105, 2106/2107 & 2426 (min 60%) & permission of chair and instructor. (LEC 3) (3 cr)*

**JURI 4836 Selected Topics in Law and Justice III**

Same description as JURI 4816. *Restricted to 4th year Law & Justice students. Prerequisite: JURI 1105, 2106/2107 & 2426 (min 60%) & permission of chair and instructor. (LEC 3) (3 cr)*

**JURI 4846 Selected Topics in Law and Justice IV**

Same description as JURI 4816. *Restricted to 4th year Law & Justice students. Prerequisite: JURI 1105, 2106/2107 & 2426 (min 60%) & permission of chair and instructor. (LEC 3) (3 cr)*

**JURI 4985 Honours Essay**

Same as JURI 4206. *Restricted to 4th year Law and Justice students. Prerequisite: JURI 1105, 2106/2107, 2136 & 2426 (min 60%) & permission of chair and instructor. (6 cr)*