

York University
AP/PPAS 2200 3.0 W Section M : Communities and Public Law
Winter 2021 (No Prerequisite)
T 11:30-14:30
Location: Zoom on Course Webpage

Course Director: Khashayar Hooshiyar
Virtual Office Location: Zoom Video Conferencing
Office Hours: T & R 16:00-17:00
Email: khoosh@yorku.ca

- This is a remote course and all course lectures, activities, and assignments can be found on Moodle.
- For this course, regular updates to the course on eClass will happen on: FRIDAYS

Course webpage: TBA

Technical requirements for taking the course: In order to fully participate in this course, students will be required to take part in video conferencing and will also appear on video (e.g., for tutorial/seminar discussion, group work, assignment submission, etc). In addition to stable, higher-speed Internet connection, students will need access to a computer with webcam and microphone OR a smart device (iPhone is fine) with these features.

To determine Internet connection and speed, there are online tests, such as [Speedtest](#), that can be run.

IMPORTANT. You must **sign in with your YorkU** email account to be allowed to join the live session.

As the instructor, I use eClass to create lessons, teach lessons, manage course content, and interact online with students. Students use eClass to review their course syllabi, attend online lectures, participate in class discussions, submit assignments, take tests, and interact with course instructors, and other students.

Organization of the course:

The course will consist of lectures, interactive discussion of the readings, and occasional audio-visual presentations.

Live sessions will be recorded and made available for students viewing upon approval by the instructor (e.g., international students, students with competing obligations, etc.)

There will also be opportunities for students to participate asynchronously. Please visit the course page on eClass for further information.

To facilitate a more effective online learning experience, lectures will be broken into 25 to 30-minute segments. After each segment, there will be opportunities for a short break followed by a few minutes of interactive activities such as Q & A.

Students shall note the following:

- Zoom is hosted on servers in the U.S. This includes recordings done through Zoom.
- If you have privacy concerns about your data, provide only your first name or a nickname when you join a session.
- The system is configured in a way that all participants are automatically notified when a session is being recorded. In other words, a session cannot be recorded without you knowing about it.

Technology requirements and FAQs for Moodle can be found here
<https://www.yorku.ca/moodle/students/faq/index.html>

Here are some useful links for student computing information:

Support & Resources: <https://www.yorku.ca/laps/support/>
Zoom@YorkU User Reference Guide: <https://uit.yorku.ca/wp-content/uploads/sites/3/2012/02/Zoom@YorkU-User-Reference-Guide.pdf>
eLearning: <https://currentstudents.yorku.ca/technology-protocol-for-students>
Student Guide to eLearning at York University:
<https://teachingcommons.yorku.ca/resources/elearning/>

Virtual office hours:

Zoom: Each week I hold **2 hours of virtual office hours:** T & R 16:00-17:00
I am available for Zoom conferencing with students during this time to discuss any questions or concerns you may have. **Please wait in the waiting room on entry** to be called. Office hours are first come first served.

Email: I respond to email daily between 12:00-12:30 pm Monday-Friday (excluding holidays). Any emails sent after 12:00 pm will be responded to the next day. Emails sent after 12:00 pm Friday will receive a response Monday morning between 12:00 and 12:30 pm. I respond to every single email sent. Every email always gets a response.

- In general, questions about substantive issues and course material must be asked during office hours. When communicating with the instructor via email, please provide your details: if you do not include your name, student number

and course name or number, I may not know who you are. Put the course # in the subject area of your email.

Course description:

This introductory course (1) introduces students to the Canadian legal system and the major components of public law, and (2) examines the relationship between communities and the fundamental principles underpinning administrative law, constitutional law and criminal law.

Course objectives and learning outcomes:

As a result of participating in this course—that is, successfully completing all reading, writing, and assignments, participating regularly in class discussion, and reflecting actively on the subject matter at hand—students will be able to:

- Gain knowledge of the basic concepts, principles, and components of public law and their historical and theoretical origins.
- Understand different areas of public law and their purpose and significance in the Canadian context.
- Articulate and explain notions of justice and fairness from a Canadian legal perspective.
- To explain the relationship between racism, discrimination, and public law.
- Obtain the necessary knowledge and skills to critically analyze the ways in which public law affects the life of individuals, groups, and communities in Canada.
- To identify problem areas in the interactions of public law and communities in Canada and try to come up with solutions to improve rights and justice for disadvantaged communities and groups.

Course readings

1. Barbara Perry, *Diversity, Crime and Justice in Canada*, 2016
 - The book is available for purchase from the York University Bookstore website and will be mailed to you free of charge.
 - You can also purchase or rent the digital version of the book from the following online store:
<https://redshelf.com/book/526822/>
I personally recommend this if you haven't already purchased the hardcopy of the book. **The book price is in USD.**

In addition to Perry's text, there will be a few more required readings which are available through the internet free of charge. These readings are identified in the weekly readings and discussion schedule.

Evaluation

	Weight	Length	Format & instructions	Due Date
Attendance, Participation	15 %	1. Class participation 2. Lecture/reading responses: More information on course webpage		
Paper	35%	6-7 pages	Instructions on course webpage	March 30
Mid-term exam	20%		Format: Identifications & short answer essay questions. More information on course webpage	March 2
Final Exam	30%		Format: Identifications & short answer essay questions. More information on course webpage	During the official exam period

Grading, Assignment Submission, Lateness Penalties and Missed Tests

Grading: The grading scheme for the course conforms to the 9-point grading system used in undergraduate programs at York (e.g., A+ = 9, A = 8, B+ = 7, C+ = 5, etc.). Assignments and tests* will bear either a letter grade designation or a corresponding number grade (e.g. A+ = 90 to 100, A = 80 to 89, B+ = 75 to 79, etc.)

(For a full description of York grading system see the York University Undergraduate Calendar - <http://calendars.registrar.yorku.ca/2010-2011/academic/index.htm>)

Assignment Submission: Proper academic performance depends on students doing their work not only well, but on time. Accordingly, assignments for this course must be received on the due date specified for the assignment. Assignments are to be handed in electronically through eClass.

- Your term paper should be accompanied by an assessment of the originality of the text issued by www.turnitin.com

To promote academic integrity in this course, students will be normally required to submit their written assignments to Turnitin (via eClass) for a review of textual similarity and the detection of possible plagiarism. In so doing, students will allow their material to be included as source documents in the Turnitin.com reference database, where they will be used only for the purpose of detecting plagiarism. The terms that apply to the University's use of the Turnitin service are described on the Turnitin.com website.

- Instruction on how to submit your paper to **Turnitin** can be found at: <http://www.yorku.ca/moodle/students/documentation/turnitin.html>
- Instruction on how to submit your paper to **Turnitin** can be found at: <http://www.yorku.ca/moodle/students/documentation/turnitin.html>

Lateness Penalty: Assignments received later than the due date will be penalized at 3% per day (including weekends). Assignments later than 7 days past the deadline will not be graded. Exceptions to the lateness penalty for valid reasons such as illness, compassionate grounds, etc., may be entertained but will require compelling reasons.

Missed Tests and Late Assignments: Students with compelling reasons for missing a course test or a late submission of an assignment may request accommodation from the instructor.

- In order **to be eligible for a make-up**, students who missed their exams must provide compelling reason for their inability to write the exam on its originally scheduled date.

Other course policies

- It is the responsibility of the student to catch up on missed class notes.
- Students are expected to **attend all lectures**.
- Students are required to keep copies of all submitted assignments in case of the unlikely event that an assignment is lost.
- Students are expected to join live Zoom lectures on time and stay for the entire duration of class.
- **All students are expected to familiarize themselves with the following information:**
[Student Rights & Responsibilities](#)
[Academic Accommodation for Students with Disabilities](#)
[For more language on course information, please consult the University's [Important Course Information document](#).]
- **Policy on audio-visual recordings of live sessions on eClass:**
1) the recordings should be used for educational purposes only and as a means for enhancing accessibility; 2) students do not have permission to duplicate, copy and/or distribute the recordings outside of the class (these acts can violate not only copyright laws but also [FIPPA](#)); and 3) all recordings will be destroyed after the end of classes.
- **Academic honesty and integrity**
In this course, we strive to maintain academic integrity to the highest extent possible. Please familiarize yourself with the meaning of academic integrity by completing SPARK's [Academic Integrity module](#) at the beginning of the course. Breaches of academic integrity range from cheating to plagiarism (i.e., the improper crediting of another's work, the representation of another's ideas as your own, etc.). All instances of academic dishonesty in this course will be reported to the appropriate university authorities, and can be punishable according to the [Senate Policy on Academic Honesty](#).

Important Dates: <https://registrar.yorku.ca/enrol/dates/fw20>

Important: It is your responsibility as a student to ensure that you are available to sit for examinations during the entire exam period for the term corresponding to your

course. We strongly recommend that you do not make any travel arrangements prior to the end of the term's examination schedule.

Term paper

The final product has to demonstrate that you have seriously put an effort in doing all the previous writing phases. It should have a clearly enunciated thesis, cogently articulated intermediate units (where you develop your argument) and a final section.

Before handing the paper in, please re-read it and ask yourself some questions. Is my thesis clear? Do I provide evidence to support my main arguments or do I make unsubstantiated claims? Have I incorporated into the paper distinct points of view about the theme in question, pointing out their advantages and disadvantages? In making my main argument, am I showing that one can convincingly rule out alternative patterns of explanation? Last but not least, have I corrected any spelling or grammar mistakes?

The paper should have a maximum of seven double-spaced pages (**about 1750 words** + 12-point Times New Roman font). The bibliography is not included in the maximum of seven pages. Please number all the pages and make sure that a title page is included. Each paper must make use of a **five to eight academic sources** (which excludes those from the required readings). Your final paper must use as many relevant sources from the required readings as possible.

- Further details of the assignments and/or possible changes will be provided in class and posted to eClass as available.

Evaluation of the research paper

Assignments will be evaluated based upon three elements:

a) Presentation or style

- i. Clarity
- ii. Accuracy

b) Content or substance

- iii. Clearly articulated thesis
- iv. Coherence of the analysis (the paper taken as a whole)
- v. Depth of the analysis & critical thinking
- vi. Range of literature covered
- vii. Use of evidence to support main claims
- viii. Originality

c) Mechanics

- ix. Paragraphing
- x. Introduction and conclusion
- xi. Citation and bibliography – MLS or ASPA
- xii. Punctuation, grammar and spelling
- xiii. Structure and organization
- xiv. Sources: quality and quantity

Schedule of Readings and Activities

Jan 12	Introduction: Objectives, Structures and Syllabus
Jan 19	An Introduction to Law and Canada's Justice System
Required <ul style="list-style-type: none">• "The Canadian Legal System" (Available on the internet) http://www.justice.gc.ca/eng/csj-sjc/just/img/courten.pdf• Perry, Pp. 3-18	
Jan 26	The Development of Canada's Constitution: Rights, Freedoms, Law and the State
Required <ul style="list-style-type: none">• "Introduction to the Legal System" (Available on the internet) http://www.pearsoncanada.ca/media/highered-showcase/multi-product-showcase/yates-ch02.pdf <p>Recommended</p> <p>Yates and Bain, Introduction to Law in Canada, pp. 42-88 (Scott Library Reserves)</p>	
Feb 2	Administrative Law, Fairness and Justice: Implications for Communities
Required <ul style="list-style-type: none">• R. A. Macdonald, "Judicial Review and Procedural Fairness in Administrative Law" (Available on the internet) https://lawjournal.mcgill.ca/wp-content/uploads/pdf/1517455-macdonald.pdf• Charkaoui v. Canada (Available on the internet) https://www.canlii.org/en/ca/scc/doc/2007/2007scc9/2007scc9.pdf	

Recommended

Yates and Bain, Introduction to Law in Canada, pp. 118-141 (Scott Library Reserves)

Feb 9

Conceptualizing and Theorizing Discrimination, Racism and Justice

Required

- Perry, Pp. 18-43
- Perry, Pp. 63-81

Recommended

Elizabeth Comack, "Theoretical approaches in the sociology of law" (in Locating Law, pp.18-24)

FEB 16 – NO CLASS

READING WEEK

Feb 23

From Naked Racism and Discrimination, to Anti-terror Legislations and Policies: Racialization and Criminalization of Immigrant Communities

Required

- Karim Ismaili, "Immigration, Immigrants, and the Shifting Dynamics of Social Exclusion," in Perry, Pp. 98-118
- Francois Crépeau and Delphine Nakache, "Controlling Irregular Migration in Canada: Reconciling Security Concerns with Human Rights Protections," vol. 12 no. 1 Choices February 2006. (Available on the internet)

<http://irpp.org/wp-content/uploads/assets/research/diversity-immigration-and-integration/new-research-article-4/vol12no1.pdf>

Recommended

Colleen Bell, "Subject to Exception: Security Certificates, National Security and Canada's Role in the War on Terror," Canadian Journal of Law & Society vol. 21 no. 1 (2006) 63-83.

MARCH 2

MID-TERM EXAM

March 9	The Criminal Justice System: An Introduction
<p>Required</p> <ul style="list-style-type: none"> • Perry, Pp. 43-63 • Perry, “Criminal Justice/Social Justice,” in Perry, Pp. 391-410. <p>** Browse through this: “Navigating the Canadian Criminal Justice System” http://crcvc.ca/docs/Navigating-the-Canadian-CJS.pdf</p> <p>Recommended</p> <p>Lisa Marie Jakubowski, “Racism, Ethnic Selectivity, and the Law.” In Locating t Law. Canadian Human Right Act http://laws.justice.gc.ca/en/H-6/index.html</p>	
March 12 - Last date to drop a course without receiving a grade	
March 16	Aboriginals, Colonialism and the Justice System: Oppression, Marginalization and Criminalization
<p>Video: The Canadian State and Aboriginals</p> <p>Required</p> <ul style="list-style-type: none"> • Jane Dickson – Gilmore, “Indigenous People in Canada: Culture, Colonialism, and Criminal Justice,” in Perry, Pp. 81-98. 	
March 23	“Visible Minorities” and Canada’s Justice System: Race, Class, Ethnicity and the Law
<p>Required</p> <ul style="list-style-type: none"> • Wortley and Owusu-Bempah, “Crime and Justice: The Experience of Black Canadians,” in Perry, Pp. 140-168. • Zong and Perry, “Chinese Immigrants in Canada and Social Injustice: From Overt to Covert Racial Discrimination,” in Perry, Pp. 118-140 	

Recommended

Perry and Alvi, "South Asians and Justice in Canada: Still in Search of Data." In Perry, Pp. 168-186

March 30 | **Law, Order and Minorities: Neoliberalism and Policing in the Charter Era**
****HAND IN YOUR PAPERS****

Video: Police and the issue of race

Required

- Bryan Hogeveen, "Zombies in Bel Air, Class and Marginalization in Canada," in Perry, pp. 211-23
- Todd Gordon, "Criminalization, Race and Neoliberal Order: Policing Immigrant Communities"
<http://spe.library.utoronto.ca/index.php/spe/article/download/6676/3677>

Recommended

James Kelly, "The Supreme Court and Police Conduct," In Governing with the Charter , Pp. 107-136

April 6 | **The Canadian Justice System and the Treatment of Non-racial /Ethnic Communities and Groups**

Required

- Gillian Balfour, "Prostituted, Policed, and Punished: Exploring the Victimization, Criminalization, and Incarceration of Women in Canada," in Perry, Pp. 234-256
- Ellen Faulkner, "Sexualities and Difference: The Victimization of Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ) People in Canada," in Perry, Pp. 256-285