

Foundations of Canadian Law

Syllabus:

1. Basic Theories of Law; Racism & the Law

Positivism and Natural Law

Feminist Perspectives on Law

Critical Legal Studies

Law and Economics

2. Indigenous Peoples and the Law

Required Readings Aboriginal Rights and Title

Indigenous Self-Government Aspirations

The Modern Treaty-Making Process

3. Sources of Canadian Law

The Common Law and Civil Law Traditions

- Reception of European Law
- Bijuralism
- Common Law Method: Precedent and Equity

Statutory Law

International Law

4. Fundamental Principles of the Canadian Legal System

The Constitution of Canada

Principles Underpinning

Public Law

- Rule of Law
- Constitutional Supremacy
- Parliamentary Sovereignty

- Federalism
- Separation of Powers
- Judicial Independence (Overview)

Constitutional Amendment

5. Parliament and its Components

The Monarch and Governor General

Senate

House of Commons

6. Functions of Parliament

Summoning

Prorogation

Dissolution

Key Actors

Parliamentary Procedure and Law-Making

7. The Executive and its Functions

The Functions of the Executive

Sources of Executive Power

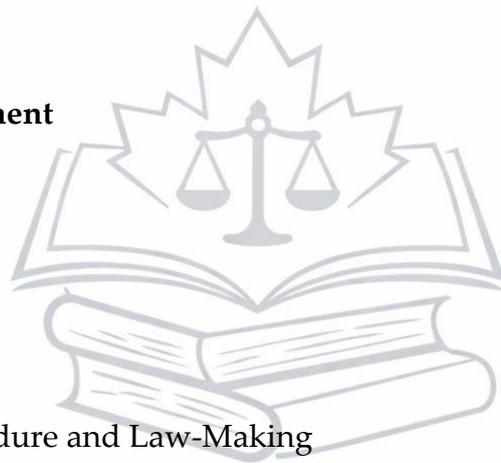
Executive Institutions and the Political Executive

8. The Courts and the Judiciary

Structure of the Canadian Court System

Judicial Appointments

Judicial Independence



9. Statutory Interpretation

Approaches to Interpretation

The Modern Approach to Interpretation

10. Constraints on Legislative and Administrative Action

Judicial Review in a Democratic Society

Judicial Review of Administrative Action

