

LGST 230 The Canadian Legal System



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Topic outline

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The Canadian Legal System

Welcome to Legal Studies 230: The Canadian Legal System. This course is designed primarily for students who are interested in learning more about Canada's legal system, its history and development, and trends in Canadian law.

Course objectives

After completing this course you should be able to:

- describe the major elements of Canada's legal system including courts, judges, lawyers, administrative tribunals and alternative dispute resolution
- identify and describe Canada's constitutional laws, and explain how they affect Canadian society
- explain the differences between common law and civil law systems
- apply accepted principles when reading and interpreting the written law of Canada
- describe some leading theories of law and explain how they affect the application of the law
- identify some challenges facing Canada's legal system and trends in the administration of justice

Information

[LGST 230 Course Information \(Outline, Evaluation, Study Schedule\)](#)

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[Course Syllabus](#)

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- LGST 230: The Canadian Legal System
- LGST 249: Legal Literacy
- LGST 331: Administrative Law
- LGST 369: Commercial Law (Revision 6)
- LGST 369: Commercial Law (Revision 7)
- LGST 390: Women, Equality and the Law
- LGST 430: The Canadian Legal System
- LGST 482: Jurisprudence
- All courses ...

- Athabasca University Student Manual
- Student Handbook
- All Legal Studies Courses
- Copyright and Credit Information

Communication

- Internal Mail to and from your Tutor
- Course Discussion
- Course News and Announcements

Resources

- Course Readings from the Digital Reading Room (AU Library)
- Legal Dictionary
- Legal Studies Research Guide
- AU Write Site (writing help)
- Website Orientation (Moodle)

Assignment Instructions and Drop Boxes

- General instructions for assignments
 - Assignment 1 (after Unit 1, 10%)
 - Assignment 2 (after Unit 2, 10%)
 - Assignment 3 (after Unit 4, 10%)
 - Assignment 4 (after Unit 6, 10%)
 - Assignment 5 (after Unit 7, 10%)

Study Materials - Units 1 to 8

- | | | |
|---|--|--------------------------|
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What is law? | <input type="checkbox"/> |
| 2 | Unit 2 Study Guide
Sources and Application of Canadian Law | <input type="checkbox"/> |
| 3 | Unit 3 Study Guide
Canadian Constitutional Law | <input type="checkbox"/> |
| 4 | Unit 4 Study Guide
Rights and Freedoms in Canada | <input type="checkbox"/> |
| 5 | Unit 5 Study Guide
The Canadian Court System | <input type="checkbox"/> |

6 Unit 6 Study Guide

 [Judges and Lawyers](#)



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Legal Study 230

The Canadian Legal System


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Study Guide

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Learning Objectives

After completing this unit, you should be able to

- describe the fundamental elements of the Canadian legal system.
- discuss the role of law in responding to social change or transformation.
- identify and explain a theoretical framework to legal analysis.

Legal Study 230

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Study Guide

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Role of Law

Robert Latimer (PHOTO CREDIT: The Canadian Press/Geoff Howe)

Chapter One of the textbook introduces the famous case of Robert Latimer, who was convicted of manslaughter in the death of his disabled daughter. The Latimer case was chosen to help broaden your understanding of the role law plays in society. Before reading about each of the traditional and contemporary theories of law described in the chapter, consider what you thought about that case when you first heard of it. Did you think:

- Mr. Latimer broke an existing law and should be punished severely for his crime, regardless of the circumstances, or
- Because he broke the law, Mr. Latimer should be convicted, but, since the circumstances were sympathetic, the sentence should be light, or
- Mr. Latimer was justified in what he did because the law was out-of-date, unsympathetic and needed to be changed anyway?

How you feel about the decision in the *Latimer* case will likely relate to your perspective on the role of law in society. Is that role to enforce the rules and provide predictability in all circumstances? Is it to ensure a safe and peaceful society in which people's rights are respected? Does the same law apply to everyone, regardless of their circumstances? Is the role of law to lead or to follow public opinion on difficult issues? Would your opinion about the role of law change if, instead of the sympathetic facts in the *Latimer* case, the case had been about tax evasion?

Whatever your personal opinion on the role that law should play in our lives, it is important to understand that the people who make, enforce and interpret the law bring different perspectives about the role that law plays in society. Further, their perspectives could change depending on the nature of the issue that is before them. The foundations of some of these varied perspectives will be explored in the next section of this unit.

