

DR 503/LAW 372 A01
Public Policy, Law and Dispute Resolution

Fridays 9am to 12pm
Fraser Building, Room TBA
09/2010 to 12/2010

Course Instructor: Dr. Richard Veerapen

drv8@uvic.ca

250-590-0827

Office to be announced

Office Hours to be announced

Dr Veerapen is a former neurosurgeon who practiced medicine in the UK and Malaysia for 27 years before moving to Victoria, BC. He holds British law degrees and the MA in Dispute Resolution, UVic.

His current teaching includes tutoring at the UBC-Island Medical Program, UVic (Doctor, Patient and Society - DPAS420), and Health Care Law (HADM400) online at Athabasca University.

His current academic interests are related to the development of conflict management systems in healthcare institutions, informed consent processes, and the links between the quality of consent and the risk of conflict in patient-physician relationships.

Dr Veerapen's professional experience in Canada includes several years as the Director of Health Services of Tsawout First Nation in Saanichton, BC. This position also carried responsibility for overseeing social development programs, community medical services planning, and the creation of partnerships with off-reserve service providers.

DR 503 Calendar Description

Examines a range of contemporary issues of governance. Focuses on the interaction of legislative, judicial, and administrative institutions and processes as they respond to such pressures as the demand for enhanced representation; public participation and direct democracy; access to justice and alternative dispute resolution; aboriginal self government; fiscal restraint; public accountability; and ethics. Note: Credit will be granted for only one of DR503, LAW 372 (1.5 units).

Methodology

Seminar-style discussions and lectures, as well as student participation and group activities. Expert guests may also be invited.

Appendix A

Expectations and evaluation criteria for the research paper (60%), critical reading response (30%), class participation, attendance, and reading questions (10%); and academic integrity.

Week One (September 10th)

Introductions

Anatomy of Public Policy, Law, and Dispute Resolution

Note: This class will be led by Dr. Greg Cran, Associate Professor and Director of Business Development at Royal Roads University (former Director of RRU's School of Peace and Conflict Management). Dr. Cran's bio can be found at: <http://www.royalroads.ca/about-rru/the-university/staff-faculty-bios/c/Cran-Greg.htm>

Required Reading:

Grzybowski, Alex and Stephen Owen. *Good Governance and Conflict Management : A Framework for Conflict Analysis and Resolution*. Victoria: Institute for Dispute Resolution, 2001. [Available at the Faculty of Law (Fraser Building), Room 125.]

Pirie, Andrew. *Alternative Dispute Resolution: Skills, Science, and the Law*. Toronto: Irwin Law, 2000. 1-33; 34-52. Available at:
<http://site.ebrary.com.ezproxy.library.uvic.ca/lib/uvic/docDetail.action?docID=10225595>.

Optional Readings:

Tidwell, Allan. *Conflict Resolved?* London: Continuum, 1998. 1-17.

Yarn, Douglas H., ed. *Dictionary of Conflict Resolution*. San Francisco: Jossey-Bass, 1999. 113-121.

Week Two (September 17th)

Issues in Restorative Justice

Note: This class will be led by Dr. Tara Ney, Assistant Professor at the UVic School of Public Administration and course instructor for the Master of Arts in Dispute Resolution program at UVic. Dr. Ney's bio can be found at: <http://publicadmin.uvic.ca/aboutUs/staffPersonal/ney.php#3>

Required Reading :

Braithwaite, John. "A Future Where Punishment is Marginalized: Realistic or Utopian?" *UCLA Law Review* 46, no.1 (1999): 1727-1750.

Hudson, Barbara. "Restorative Justice: The Challenge of Sexual and Racial Violence." *Journal of Law and Society* 25, no.2 (1998): 237-256.

McCold, Paul and Ted Wachtel. "In Pursuit of a Paradigm: A Theory of Restorative Justice." Paper presented at the XIII World Congress of Criminology, Rio de Janeiro, Brazil, August 10-15, 2003. Available at: <http://www.realjustice.org/articles.html?articleId=424>.

Schmidt, Rosemarie and Jennifer Newcombe. "Engaging Citizen Participation in Restorative Justice." *Interaction* 16, no.1 (2002): 12-13.

Optional Readings:

BC Ministry of Public Safety and Solicitor General. *Community Accountability Programs*. Burnaby: Ministry of Public Safety and Solicitor General, 2004. Available at: <http://www.pssg.gov.bc.ca/crimeprevention/justice/docs/CAPInformationPackage.pdf>

Cormier, Robert B. "Restorative Justice: Directions and Principles - Developments in Canada." Paper presented at the 11th Session of the Commission on Crime Prevention and Criminal Justice, Vienna, Austria, April 16-25, 2002. Available at: <http://dsp-psd.pwgsc.gc.ca/Collection/JS42-107-2002E.pdf>

Daly, Kathleen and Julie Stubbs. "Feminist Theory, Feminist and Anti-Racist Politics, and Restorative Justice." In *Handbook of Restorative Justice*, edited by Gerry Johnstone and Daniel W. Van Ness, 149-169. Oregon: Willan Publishing, 2007.

Daly, Kathleen. "Sexual Assault and Restorative Justice." Paper presented at the Restorative Justice and Family Violence Conference, Canberra, Australia, July 2000. Available at: http://aegir-4.itc.griffith.edu.au/_data/assets/pdf_file/0006/50289/kdpaper11.pdf

Gabbay, Zvi D. "Justifying Restorative Justice: A Theoretical Justification for the Use of Restorative Justice Practices." *Journal of Dispute Resolution* 2 (2005): 349-397. Available at: <http://www.realjustice.org/articles.html?articleId=548>

Katz, Joanne and Gene Bonham, Jr. "Restorative Justice in Canada and the United States: A Comparative Analysis." *Journal of the Institute of Justice and International Studies* 6 (2006): 187-196.

Nowrojee, Binaifer. "Making the Invisible War Crime Visible: Post-Conflict Justice for Sierra Leone's Rape Victims." *Harvard Human Rights Journal* 18 (2005): 85-105.

Roach, Kent. "The Institutionalization of Restorative Justice in Canada: Effective Reform or Limited and Limiting Add-On?" In *Institutionalizing Restorative Justice*, edited by Ivo Aertsen, Tom Daems and Luc Robert, 167-193. Cullompton: Willan Publishing, 2006.

Savarese, Josephine. "Gladue Was a Woman: The Importance of Gender in Restorative-Based Sentencing." In *New Directions in Restorative Justice: Issues, Practice, Evaluation*, edited by Elizabeth Elliot and Robert M. Gordon, 134-149. Cullompton: Willan Publishing, 2005.

United Nations Office of Drugs and Crime's Criminal Justice Reform Unit. *Handbook on Restorative Justice Programmes*. New York: UN, 2006. 13-29; 59-70. Available at: <http://www.realjustice.org/articles.html?articleId=547>.

Walgrave, Lode. "Integrating Criminal Justice and Restorative Justice." In *Handbook of Restorative Justice*, edited by Gerry Johnstone and Daniel W. Wan Ness, 559-579. Cullompton: Willan Publishing, 2006.

Week Three (September 24th)

Reforming Representative Government Direct Democracy

Required Reading:

- Donovan, Todd, and Jeffrey A. Karp. "Popular Support for Direct Democracy." *Party Politics* 12, no.5 (2006): 671-681.
- Hunt, Wayne. "Bridging the Democratic Divide – Creating a Sense of Civic Engagement." *Policy Options* (October 2004): 43-47. Available at: <http://www.irpp.org/po/archive/oct04/hunt.pdf>
- Mendelsohn, Matthew and Andrew Parkin. "Introducing Direct Democracy in Canada." *Choices* (June 2001): 1-40. Available at: <http://www.irpp.org/choices/archive/vol7no5.pdf>.
- Milke, Mark. "Real Electoral Reform." *Fraser Forum* (September 2009): 10-13. Available at: <http://www.fraserinstitute.org/WorkArea/DownloadAsset.aspx?id=3539>
- Pal, Michael and Sujit Choudhry. "Is Every Ballot Equal? Visible-Minority Vote Dilution in Canada." *IRPP Choices* 13, no.1 (2007): 1-32. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=958057.
- Pilon, Dennis. BC Referendum May Be Last Chance for Electoral Reform. *CCPA Monitor* 15, no.10 (2009): 40-42.
- Thomson, Patrick and James Maunder. "Electoral Reform in BC: So Near and Yet So Far." *Options Politiques* (October 2005): 72-76. Available at: <http://www.irpp.org/po/archive/oct05/thomson.pdf>.

Optional Readings:

- "Making Ballot Initiatives Work: Some Assembly Required." *Harvard Law Review* 123, no.4 (2010): 959-980.
- Barczak, Monica. "Representation by Consultation? The Rise of Direct Democracy in Latin America." *Latin American Politics and Society* 43, no.3 (2001): 37-60.
- British Columbia Citizens Assembly on Electoral Reform. Making Every Vote Count: The Case for Electoral Reform in British Columbia. Victoria: BC Citizens Assembly, 2004. Available at: http://www.citizensassembly.bc.ca/resources/final_report.pdf.
- Harris, Mike and Preston Manning. *Rebalanced and Revitalized: A Canada Strong and Free*. Montreal: The Fraser Institute, 2006. 23-40; 43-62. Available at: <http://www.fraserinstitute.org/publicationdisplay.aspx?id=13340&terms=Harris%2c+Mike++preston+manning>.
- Kulicki, Michael. "Canada and Proportional Representation: The Rhetoric of Voting Reform Versus the Reality of Representative Democracy." In *Student Essay Contest 2008 Best Essays: Should Canadians Switch to a System of Proportional Representation?*, 8-10. Calgary: Canada West Foundation, 2009. Available at: http://www.sfu.ca/uploads/page/04/Essay_Contest_2008_.pdf.

- Milner, Henry. "Are Young Canadians Becoming Political Dropouts? A Comparative Perspective" *Choices* 11, no.3 (2005): 1-28. Available at: <http://www.irpp.org/choices/archive/vol11no3.pdf>.
- Milner, Henry. "First Past the Post? Progress Report on Electoral Reform Initiatives in Canadian Provinces." *Policy Matters* 5, no.9 (2004): 1-36. Available at: <http://www.irpp.org/pm/archive/pmvol5no9.pdf>.
- Sharp, Mathew. "Shared Destiny: A Common Sense Approach to Strengthening Canada through Proportional Representation." In *Student Essay Contest 2008 Best Essays: Should Canadians Switch to a System of Proportional Representation?*, 5-7. Calgary: Canada West Foundation, 2009. Available at: http://www.sfu.ca/uploads/page/04/Essay_Contest_2008_.pdf.
- Gordon, Larry. *Citizen Engagement in Voting System Reform: A Plan for 21st Century Democratic Renewal in Canada*. Toronto: Law Commission of Canada, 2002. Available at: http://dsp-psd.pwgsc.gc.ca/collection_2007/lcc-cdc/JL2-34-2002E.pdf.
- Heller, Patrick. "Moving the State: The Politics of Democratic Decentralization in Kerala, South Africa and Porto Alegre." *Politics and Society* 29, no.1 (2001): 131-163.
- Johnston, W. A., Harvey Krahn, and Trevor Harrison. "Democracy, Political Institutions, and Trust: The limits of current electoral reform proposals." *The Canadian Journal of Sociology* 31, no.2 (2006): 165-182.
- Phillips, Susan. "The Intersection of Governance and Citizenship in Canada: Not Quite the Third Way." *IRPP Policy Matters* 7, no.4 (2006): 1-36. Available at: <http://www.irpp.org/pm/archive/pmvol7no4.pdf>.

Week Four (October 1st)

Making and Implementing Public Policy

Required Reading:

Treasury Board of Canada Secretariat. "Policy-Making Process." Government of Canada. Available at <http://www.tbs-sct.gc.ca/fcer-cfre/ir-ri/ppsc-pfpc/ppsc-pfpc07-eng.asp>.

Bezanson, Kate and Ellen Carter. *Public Policy and Social Reproduction: Gendering Social Capital*. Ottawa: Status of Women Canada, 2006. 1-27. 2006. Available at: http://dsp-psd.pwgsc.gc.ca/collection_2007/swc-cfc/SW21-151-2006E.pdf.

Cran, Gregory J. *Negotiating Buck Naked: Doukhobor, Public Policy, and Conflict Resolution*. Vancouver: UBC Press, 2006. Chapter 1-2. [Electronic resource (e-book) available through the search page of the McPherson Library.]

Optional Readings:

Anderson Court Reporting. *Making Public Policy Work*. Alexandria, Virginia: The Brookings Institute, 2007. 1-70. Available at: <http://www.brookings.edu/comm/events/20070301.pdf>.

Brunner, Ronald D., Toddi A. Steelman, Lindy Coe-Juell, Christina M. Crowley, Christine M. Edwards, and Donna W. Tucker. *Adaptive Governance: Integrating Science, Policy, and Decision Making*. New York: Columbia University Press, 2005.

Gaudet, Stephanie. "Social Participation through the Life-Course: Theoretical and Empirical Tool for Social Policy Development." *Horizons* 9, no.3 (2007): 3-8. Available at: http://policyresearch.gc.ca/doclib/Horizons_V9N3_e.pdf.

Hahn, Robert W. and Paul C. Tetlock. "Using Information Markets to Improve Public Decision Making." *Harvard Journal of Law and Public Policy* 29, no.1 (2005-2006): 213-289. Available at http://www.law.harvard.edu/students/orgs/jlpp/Vol29_No1_Hahn_Tetlock.pdf

Hill, Michael and Peter Hupe. *Implementing Public Policy: An Introduction to the Study of Operational Governance*, 2nd ed. SAGE: Los Angeles: SAGE, 2009. 41-56.

Prince, Michael J. "Canadian Federalism and Disability Policy Making." *Canadian Journal of Political Science* 34, no.4 (2001): 791-817.

Riskin, Leonard L. "The Contemplative Lawyer: On the Potential Contributions of Mindfulness Meditation to Law Students, Lawyers, and their Clients." *Harvard Negotiation Law Review* 7, no.1 (2002): 1-66.

Schon, Donald and Martin Rein. *Frame Reflection: Toward the Resolution of Intractable Policy Controversies*. New York: Basic Books, 1994. Chapter 1-2.

Smith, Ralph. *Lessons from the National Homelessness Initiative*. Ottawa: Canada School of Public Service, 2004. Available at: <http://dsp-psd.pwgsc.gc.ca/Collection/SC103-2-2004E.pdf>.

Wharf, Brian and Brad McKenzie. *Connecting Policy to Practice in the Human Services*. Don Mills, Ontario: Oxford University Press, 2004. 1-80.

Week Five (October 8th)

Issues in Public Policy Decision Making: Public Sector Ethics, Privacy Legislation, and Social Media

Required Reading:

Grey, Sam. Tattoos on our Digital Skin: Anonymity, Privacy and Accountability in Cyberspace. *Hermes VI* (2005): 29-40.

Her Majesty the Queen in Right of Canada. *Who is Responsible? Summary*. Ottawa: Publishing and Depository Services, 2005. 5-9; 15-32. Available at:
http://epe.lac-bac.gc.ca/100/206/301/pco-bcp/commissions/sponsorship-ef/06-03-06/www.gomery.ca/en/phase1report/summary/es_full_v01.pdf.

Latham, Robert, Carl Butzer, and Jeremy Brown. Legal Implications of User-Generated Content: YouTube, MySpace, Facebook. *Intellectual Property & Technology Law Journal* 20, no.5 (2008): 1-11. Available at: <http://images.jw.com/com/publications/939.pdf>

Saner, Marc and Cornelius von Baeyer. *Public Service Ethics in the New Millennium: The Evolving Canadian System (Policy Brief No.2)*. Ottawa: Institute on Governance, 2005. 1-6. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1555805.

Smith, Joanna. "Canada Wins Facebook Fight: Website Agrees to Give Its Users More Power Over How They Share Personal Information." *The Toronto Star*, August 28, 2009, A04. Available at: <http://find.galegroup.com.ezproxy.library.uvic.ca/gtx/infomark.do?&contentSet=IAC-Documents&type=retrieve&tabID=T004&prodId=CPI&docId=CJ206788202&source=gale&srcprod=CPI&userGroupName=uvictoria&version=1.0>.

Zussman, David. "How to Restore Ethics to Government." *Ottawa Citizen*, June 3, 2002. Available at: <http://ws161574.websoon.com/common/assets/publications/en/how%20to%20restore%20ethics%20to%20government.pdf>.

Zussman, David. "The Quest for Error-Free Government." *Ottawa Citizen*, November 7, 2005, Citizen Special, Final Edition, A15.

Optional Readings:

Department of Justice. Privacy Act (R.S. 1985, c P-21). Government of Canada. Available at: <http://laws.justice.gc.ca/PDF/Statute/P/P-21.pdf>.

Hammond, Anne-Marie G. "How do you Write 'Yes'? A Study on the Effectiveness of Online Dispute Resolution." *Conflict Resolution Quarterly* 20, no.3 (2003): 261-286.

Holmes, Nancy. *Canada's Federal Privacy Laws*. Ottawa: Parliamentary Information and Research Service, 2008. 1-12. Available at: <http://www2.parl.gc.ca/content/LOP/ResearchPublications/prb0744-e.pdf>

Landgraf, Greg. "Library of Congress to Archive Twitter." *American Libraries* 41, no.6/7 (2010): 24-25.

Mendel, Toby. *Freedom of Information as an Internationally Protected Human Right*. London: Article 19, 2003. Available at: <http://www.article19.org/pdfs/publications/foi-as-an-international-right.pdf>.

Nye, Joseph S. Jr. "Interdependence, Globalization, and the information Age." In *Understanding International Conflicts: An Introduction to Theory and History*. Don Mills, Ontario: Addison Wesley Longman Inc., 2000. 197-204.

Office of the Conflict of Interest and Ethics Commissioner. "Conflict of Interest Act." Government of Canada. Available at: <http://ciec-ccie.gc.ca/Default.aspx?pid=12&lang=en>.

Treasury Board of Canada Secretariat. "Values and Ethics Codes for the Public Service." Government of Canada. Available at:
http://www.tbs-sct.gc.ca/pubs_pol/hrpubs/tb_851/vec-cve-eng.asp.

Weeks, Carly. "Government Balks, Opens up Talks on Internet Privacy." *Ottawa Citizen*, September 13, 2007. Available at:
<http://www.canada.com/ottawacitizen/news/story.html?id=a464026a-8d5d-4344-be8c-f078e86654c1>.

Woodcock, Jody. *Leveraging Social Media to Engage the Public in Homeland Security*. Monterey, California: Naval Postgraduate School, 2009.

Young, Margaret. *Conflict of Interest Codes for Parliamentarians: A Long Road*. Ottawa: Library of Parliament, 2006. 1-8. Available at:
<http://site.ebrary.com.ezproxy.library.uvic.ca/lib/uvic/docDetail.action?docID=10168251&p00=margaret%20young>.

Week Six (October 15th)

Collaborative Decision-Making

Note: This class will be led by Dr. Greg Cran, Associate Professor and Director of Business Development at Royal Roads University (former Director of RRU's School of Peace and Conflict Management). Dr. Cran's bio can be found at: <http://www.royalroads.ca/about-rru/the-university/staff-faculty-bios/c/Cran-Greg.htm>

Required Reading:

Abelson, Julia, Francois-Pierre Gauvin, Mary Pat MacKinnon, and Judy Watling. *Primer on Public Involvement*. Toronto: Health Council of Canada, 2006. 19-27. Available at: <http://www.cprn.org/doc.cfm?doc=1519&l=en>.

Department of Justice. "Policy Statement and Guidelines for Public Participation." Government of Canada. Available at: <http://canada.justice.gc.ca/eng/cons/pol.html>.

Grzybowski, Alex and Stephen Owen. *Good Governance and Conflict Management : A Framework for Conflict Analysis and Resolution*. Victoria: Institute for Dispute Resolution, 2001. 7-41. [Available at the Faculty of Law (Fraser Building), Room 125.]

Kaul, Inge, Isabelle Grunberg, and Marc A. Stern. "The Prisoner's Dilemma." In *Defining Global Public Goods*, 7-8. New York: Oxford University Press, 1999.

Sierz, Aleks. "Augusto Boal and the Theatre of the Oppressed." *Red Pepper*, March 1995. Available at <http://www.toplab.org/boalint.htm>.

Optional Readings:

Abelson, Julia and Francois-Pierre Gauvin. "Engaging Citizens: One Route to Health Care Accountability." *Health Care Accountability Papers 2* (2004): 1-63. Available at: http://www.cprn.org/documents/28104_en.pdf.

Fisher, Roger and William Ury. *Getting to Yes: Negotiating Agreement without Giving In*. Toronto: Penguin, 1991. 1-14; 40-55.

Phillips, Susan and Michael Orsini. *Mapping the Links: Citizen Involvement in Policy Processes*. Ottawa: Canadian Policy Research Networks, 2002. Available at: <http://www.cprn.org/doc.cfm?doc=169&l=en>.

Schon, Donald and Martin Rein. "Rationality, Reframing, and Frame Reflection" In *Frame Reflection: Toward the Resolution of Intractable Policy Controversies*. New York: Basic Books, 1994.

Various authors. *The Ethical Spectacle* [special issue on the Prisoner's Dilemma] 1, no.9 (2005). Available at: <http://www.spectacle.org/995/>

Week Seven (October 22nd)

State Restrictions of Religious Expression: Rights, Privileges, Interests, and Obligations

Required Reading:

- Bakht, Natasha. "Were Muslim Barbarians Really Knocking on the Gates of Ontario? The religious Arbitration Controversy - Another Perspective." *Ottawa Law Review* 40th Anniversary Issue (2005): 67-82. Available at:
http://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID1121790_code998346.pdf?abstractid=1121790&rulid=14060840&mirid=1
- Fadel, Mohammad. "Public Reason as a Strategy for Principled Reconciliation: The Case of Islamic Law and International Human Rights." *Chicago Journal of International Law* 8, no.1 (2008): 1-20. Available at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=981777.
- Patrick, Jeremy J. "Church, State, and Charter: Canada's Hidden Establishment Clause." *Tulsa Journal of Comparative and International Law* 14, no.1 (2006): 25-52. Available at:
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1121938.
- Wiles, Ellen. "Headscarves, Human Rights, and Harmonious Multicultural Society: Implications of the French Ban for Interpretations of Equality." *Law and Society Review* 41, no.3 (2007): 699-736. Available at: <http://onlinelibrary.wiley.com.ezproxy.library.uvic.ca/doi/10.1111/j.1540-5893.2007.00318.x/pdf>.

Optional Readings:

- Ahdar, Rex, and Ian Leigh. *Religious Freedom in the Liberal State*. Oxford: Oxford University Press, 2005.
- Bakht, Natasha. "Family Arbitration Using Sharia Law: Examining Ontario's Arbitration Act and its Impact on Women." *Muslim World Journal of Human Rights* 1, no.1 (2004): 1-26. Available at:
<http://www.bepress.com/mwjhr/vol1/iss1/art7/>.
- Boyd, Marion. *Dispute Resolution in Family Law: Protecting Choice, Promoting Inclusion*. Toronto: Ministry of the Attorney General, 2004. Available at:
<http://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/boyd/fullreport.pdf>.
- Fielding, Alex. "When Rights Collide: Liberalism, Pluralism and Freedom of Religion in Canada." *Appeal* 13 (2008): 28-50.
- Moore, David H. "Religious Freedom and Doctrines of Reluctance in Post-Charter Canada." *Brigham Young University Law Review* 1996, no.4 (1996): 1087-1140.
- Ogilvie, Margaret H. "And Then There Was One: Freedom of Religion in Canada – The Incredible Shrinking Concept." *Ecclesiastical Law Journal* 10 (2008): 197-204.

- Shachar, Ayelet. "Privatizing Diversity: A Cautionary Tale from Religious Arbitration in Family Law." *Theoretical Inquiries in Law* 9, no.2 (2008): 573-607. Available at: http://papers.ssrn.com/sol3/Delivery.cfm/SSRN_ID1151234_code231025.pdf?abstractid=1151234&ruuid=14060933&mirid=1.
- Shariff, Saheen. "Balancing Competing Rights: A Stakeholder Model for Democratic Schools." *Canadian Journal of Education* 29, no.2 (2006): 476-496.
- Sinclair, Madeleine. "Freedom of Religion in Canada and France: Implications for Citizenship and Judgment." *Dalhousie Journal of Legal Studies* 15 (2006): 39-68.
- Young, Michael K. "Religious Liberties and Religious Tolerance: An Agenda for the Future." *Brigham Young University Law Review* 1996, no.4 (1996): 973-988.
- Zine, Jasmin. "Creating a Critical Faith-Centered Space for Antiracist Feminism: Reflections of a Muslim Scholar-Activist Author." *Journal of Feminist Studies in Religion* 20, no.2 (Fall 2004): 167-187. Available at: http://www.interfaithjustpeace.org/pdf/zine_antiracist_feminism.pdf.

Week Eight (October 29th)

Aboriginal-Settler Relationships

Required Reading:

Alcantara, Christopher. "To Treaty or Not to Treaty? Aboriginal Peoples and Comprehensive Land Claims Negotiations in Canada." *Publius* 38, no.2 (2007): 343-369.

Alfred, Taiaiake and Corntassel, Jeff. "Being Indigenous: Resurgences against Contemporary Colonialism." *Government and Opposition* 40, no.4 (2005): 597-618. Available at: <http://web.uvic.ca/igov/uploads/pdf/Being%20Indigenous%20GOOP.pdf>.

Boldt, Menno. "Policy." In *Surviving as Indians - The Challenge of Self-Government*, 65-116. Toronto: University of Toronto Press, 1993. Available at: <http://books.google.ca/books?id=LdGSS0HZhKgC&lpg=PP1&dq=%22Surviving%20as%20Indians%20-%20The%20Challenge%20of%20Self-Government%22&pg=PA116#v=onepage&q&f=false>

Shuswap Nation Tribal Council. "Letter Presented to Sir Wilfrid Laurier, August 25, 1910." The Northern Shuswap Treaty Society. Available at: <http://www.nstq.org/nsts/memorialtosirwilfridlaurier.htm>.

Optional Readings:

Alfred, Taiaiake. "Colonialism and State Dependency." *Journal of Aboriginal Health* 5, no.2 (2009): 42-60. Available at: [http://web.uvic.ca/igov/uploads/pdf/Colonialism%20and%20State%20Dependency%20NAHO%20\(Alfred\).pdf](http://web.uvic.ca/igov/uploads/pdf/Colonialism%20and%20State%20Dependency%20NAHO%20(Alfred).pdf).

Berger, Thomas. "Native Claims and the Rule of Law." In *A Long and Terrible Shadow: White Values, Native Rights in the Americas, 1492-1992*, 140-156. Vancouver: Douglas & McIntyre, 1991.

Isaac, Thomas. "Individual versus Collective Rights: Aboriginal People and the Significance of Thomas v. Norris." *Manitoba Law Journal* 21, no.3 (1992): 618-630.

Jones, Joseph. "BC Authorities Snatch Three-Day-Old Indigenous Baby." *Vancouver Media Co Op*. Available at: <http://vancouver.mediacoop.ca/story/bc-authorities-s snatch-three-day-old-indigenous-baby/4303>.

Law Commission of Canada. *Transforming Relationships Through Participatory Justice*. Ottawa: Law Commission of Canada, 2003. 15-87; 135-154. Available at: <http://dsp-psd.pwgsc.gc.ca/Collection/JL2-22-2003E.pdf>

MacGinty, Roger. "Indigenous Peace-Making Versus the Liberal Peace." *Cooperation and Conflict* 43, no.2 (2008): 139-163.

Molloy, Tom. "A Testament to Good Faith: The Process and Structure of the Nisga'a Negotiations." *International Journal on Minority and Group Rights* 11, no.3 (2004):251-258.

- Oman, Natalie. "Paths to Intercultural Understanding: Feasting, Shared Horizons, and Unforced Consensus." In *Intercultural Dispute Resolution in Aboriginal Contexts*, edited by Catherine Bell and David Kahane, 70-93. Vancouver: UBC Press, 2004. Available at:
<http://books.google.ca/books?id=zImslPevSEOC&lpg=PP1&ots=xOVHw7-VI&dq=%22Intercultural%20Dispute%20Resolution%20in%20Aboriginal%20Contexts%22&pg=PA93#v=onepage&q&f=false>
- Schon, Donald and Martin Rein. *Frame Reflection: Toward the Resolution of Intractable Policy Controversies*. New York: Basic Books, 1994. 91-128; 165-187.
- Schuurman, Hedda. "The Concept of Community and the Challenge of Self-Government." In *Aboriginal Autonomy and Development*, edited by Colin Scott, 379-397. Vancouver: UBC Press. 2001.
- Tanner, Adrian. "The Double Bind of Aboriginal Self-Government." In *Aboriginal Autonomy and Development*, edited by Colin Scott, 396-414. Vancouver: UBC Press, 2001.
- Tully, James. "Reconsidering the BC Treaty Process." In *Speaking Truth to Power: A Treaty Forum*. Vancouver: Law Commission of Canada, 1999. 3-17. Available at:
<http://dsp-psd.pwgsc.gc.ca/Collection/JL2-12-2000E.pdf>.

Week Nine (November 5th)

Residential Schools, Reconciliation, and Reparations

Required Reading:

“Apology and Reconciliation: A Timeline of Events.” In *Response, Responsibility, and Renewal: Canada’s Truth and Reconciliation Journey*, edited by Gregory Younging, Jonathan Dewar, and Mike DeGagne, 176-177. Ottawa: Aboriginal Healing Foundation, 2009. Available at: <http://www.ahf.ca/downloads/trc2.pdf>.

Atkinson, Judy. “Voices in the Wilderness: Restoring Justice to Traumatized Peoples.” *University of New South Wales Law Journal* 25, no.1 (2002): 233-241. Available at: <http://www.austlii.edu.au/au/journals/UNSWLJ/2002/15.html>.

Chrisjohn, Roland D. *et al.* “Genocide and Indian Residential Schooling: The Past is Present.” In *Canada and International Humanitarian Law: Peacekeeping and War Crimes in the Modern Era*, edited by Ann Griffiths and Richard D. Wiggers, 229-266. Halifax: Dalhousie University Press, 2002. Available at: http://www.nativestudies.org/native_pdf/pastispresent.pdf.

Llewellyn, Jennifer. “Dealing with the Legacy of Native Residential School Abuse in Canada: Litigation, ADR, and Restorative Justice.” *University of Toronto Law Journal* 52, no.3 (2002):253-300. Available at: <http://www.jstor.org.ezproxy.library.uvic.ca/stable/825996?cookieSet=1>

Napoleon, Val. “Who Gets to Say What Happened? Reconciliation Issues for the Gitksan.” In *Intercultural Dispute Resolution in Aboriginal Contexts*, edited by Catherine Bell and David Kahane, 176-195. Vancouver, British Columbia, Canada: UBC Press, 2004.

Waziyatawin. “You Can’t Un-Ring a Bell: Demonstrating Contrition through Action.” In *Response, Responsibility, and Renewal: Canada’s Truth and Reconciliation Journey*, edited by Gregory Younging, Jonathan Dewar, and Mike DeGagne, 193-199. Ottawa: Aboriginal Healing Foundation, 2009. Available at: <http://www.ahf.ca/downloads/trc2.pdf>.

Optional Readings:

Assembly of First Nations. “Mandate for the Truth and Reconciliation Commission.” 2002. 12. Available at: http://www.residentialschoolsettlement.ca/SCHEDULE_N.pdf.

Breton, Denise C. “Decolonizing Restorative Justice.” In *Unsettling Ourselves: Reflections and Resources for Deconstructing Colonial Mentality*, 177-191. Saint Paul: Unsettling Minnesota, 2009. Available at: http://go2.wordpress.com/?id=725X1342&site=unsettlingminnesota.wordpress.com&url=http%3A%2F%2Funsettlingminnesota.files.wordpress.com%2F2009%2F11%2Fum_sourcebook_jan10_revision.pdf&sref=http%3A%2F%2Funsettlingminnesota.org%2Fsourcebook%2F.

Castellano, Marlene Brant. “A Holistic Approach to Reconciliation: Insights from Research of the Aboriginal Healing Foundation”. In *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, edited by Marlene Brant Castellano, Linda Archibald and Mike DeGagné, 383–400. Ottawa: Aboriginal Healing Foundation. Available at: <http://www.ahf.ca/downloads/truth-to-reconciliation.pdf>.

- Chapman, Audrey R. "Truth Commissions as Instruments of Forgiveness and Reconciliation." In *Forgiveness and Reconciliation*, edited by Raymon G. Helmick, S. J. and Rodney L. Petersen, 257-277. Philadelphia: Templeton Foundation Press, 2001.
- Desmet, Ellen. "The UN Basic Principles and Guidelines on the Right to a Remedy and Reparation: A Landmark or Window-Dressing? An Analysis with Special Attention to the Situation of Indigenous Peoples." *South African Journal on Human Rights* 24, no.1 (2008): 71-103.
- Hizkias, Assefa. "The Meaning of Reconciliation." In *People Building Peace*. 37-45. Utrecht, Netherlands. 1999. Available at: http://www.gppac.net/documents/pbp/part1/2_reconc.htm
- INAC. "Indian Residential Schools Settlement Agreement." Government of Canada. Available at: <http://www.ainc-inac.gc.ca/ai/rqpi/sa/index-eng.asp>.
- Law Commission of Canada and the Minister of Public Works and Government Services. "Restoring Dignity: Responding to Child Abuse in Canadian Institutions - Executive Summary." Government of Canada. Available at: <http://dalspace.library.dal.ca/bitstream/handle/10222/10277/Restoring%20Dignity%20Summary%20EN.pdf?sequence=4>
- Llewellyn, Jennifer. "Bridging the Gap between Truth and Reconciliation: Restorative Justice and the Indian Residential Schools Truth and Reconciliation Commission". In *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, edited by Marlene Brant Castellano, Linda Archibald and Mike DeGagné, 183 - 201. Ottawa: Aboriginal Healing Foundation, 2008. Available at: <http://www.ahf.ca/downloads/truth-to-reconciliation.pdf>.
- McKay, Stan. 2008. "Expanding the Dialogue on Truth and Reconciliation - In a Good Way". In *From Truth to Reconciliation: Transforming the Legacy of Residential Schools*, edited by Marlene Brant Castellano, Linda Archibald and Mike DeGagné, 101-115. Ottawa: Aboriginal Healing Foundation, 2008. Available at: <http://www.ahf.ca/downloads/truth-to-reconciliation.pdf>.
- Ministry of Aboriginal Relations and Reconciliation. "A New Relationship with First Nations and Aboriginal People." Government of Canada. Available at: http://www.gov.bc.ca/arr/newrelationship/down/2006_newrelationship_web.pdf.
- Treasury Board of Canada. "Indian Residential Schools Resolution Canada: Analysis of Program Activities by Strategic Outcome." Government of Canada. Available at: <http://www.tbs-sct.gc.ca/dpr-rmr/2007-2008/inst/ira/ira02-eng.asp>.

Week Ten (November 12th)

Reading Break

Week Eleven (November 19th)

Meaningful Apologies (with a Focus on the Health Care Context)

Required Reading:

- Coicaud, Jean-Marc and Jibecke Jonsson. "Elements of a Roadmap for a Politics of Apology." In *The Age of Apology: Facing up to the Past*, edited by Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner, 77-91. Philadelphia: Penn Press, 2007. Available at: <http://books.google.ca/books?id=pPXpiXQ45osC&lpg=PA77&ots=JCQCY05EkM&dq=Elements%20of%20a%20Roadmap%20for%20a%20Politics%20of%20Apology&pg=PA91#v=onepage&q&f=false>
- Dresser, Rebecca. "The Limits of Apology Laws." *Hastings Center Report* 38, no.3 (2008): 6-7.
- James, Matt. "Wrestling with the Past: Apologies, Quasi-Apologies, and Non-Apologies in Canada." In *The Age of Apology: Facing up to the Past*, edited by Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner, 137-153. Philadelphia: Penn Press, 2007.
- McDonnell, William M. and Elisabeth Guenther. "Do State Laws Make It Easier to Say 'I'm Sorry?'" *Annals of Internal Medicine* 149, no.11 (2008): 811.
- Office of the Ombudsman British Columbia. "The Power of an Apology: Removing the Legal Barriers." *Special Report No.27* (2006): 1-24. Available at: [http://www.ombudsman.bc.ca/images/resources/reports/Special Reports/Special%20Report%20No%20-%2027.pdf](http://www.ombudsman.bc.ca/images/resources/reports/Special%20Reports/Special%20Report%20No%20-%2027.pdf).
- Thompson, Janna. "The Apology Paradox." *The Philosophical Quarterly* 50, no.201 (2002): 470-475.
- Waite, Michael. "To Tell the Truth: The Ethical and Legal Implications of Disclosure of Medical Error." *Health Law Journal* 13 (2005): 1-33.

Optional Readings:

- Barr, Graham A.B. "Disingenuous or Novel? An Examination of Apology Legislation in Canada." Master's Thesis, University of Toronto, 2009. Available at: https://tspace.library.utoronto.ca/bitstream/1807/18157/6/Barr_Graham_AB_200911_LLM_thesis.pdf
- Chrisjohn, Roland and Tanya Wasacase. "Half Truth and Whole Lies: Rhetoric in the 'Apology' and the Truth and Reconciliation Commission." In *Response, Responsibility, and Renewal: Canada's Truth and Reconciliation Journey*, edited by Gregory Youngjing, Jonathan Dewar, and Mike DeGagne, 219-229. Ottawa: Aboriginal Healing Foundation, 2009. Available at: <http://www.ahf.ca/downloads/trc2.pdf>.
- Davenport, Ashley A. "Forgive and Forget: Recognition of Error and Use of Apology as Preemptive Steps to ADR or Litigation in Medical Malpractice Cases." In *Pepperdine Dispute Resolution Law Journal* 6, no.1 (2006): 81-108.
- Foong, Deanna. "A Discussion of Apology and Its Use in Alternative Dispute Resolution (Australia)." *Australasian Dispute Resolution Journal* 18, no.2 (2007): 73-83.
- Isaacs, William. *Dialogue and the Art of Thinking Together*. New York: Random House, 1999. 177-232.

Jesson, Lucinda and Peter Knapp. "My Lawyer Told Me to Say I'm Sorry: Lawyers, Doctors, and Medical Apologies." *William Mitchell Law Review* 35, no.2 (2009): 1410-1452.

Levinson, Wendy and Thomas Gallagher. "Disclosing Medical Errors to Patients: A Status Report in 2007." *Canadian Medical Association Journal* 177, no.3 (2007): 265-267.

MacDonald, Noni and Amir Attaran. "Medical Errors, Apologies and Apology Laws." *Canadian Medical Association Journal* 180, no.1 (2009): 11.

Pavlick, Donna L. "Apology and Mediation: The Horse and Carriage of the 21st Century." *Ohio State Journal on Dispute Resolution* 18, no.3 (2003):829-866.

Petrucci, Carrie J. "Apology in the Criminal Justice Setting: Evidence for Including Apology as an Additional Component in the Legal System." *Behavioral Sciences and the Law* 20 (2002): 337-362.

Vines, P. "The Power of Apology: Mercy, Forgiveness or Corrective Justice in the Civil Liability Arena?" *Public Space: The Journal of Law and Social Justice* 1, no.1 (2007): 1-51.

Wei, Marilyn. "Doctors, Apologies, and the Law: An Analysis and Critique of Apology Laws." *Journal of Health Law* 40, no.1 (2007): 107-159.

Week Twelve (November 26th)

Designing Dispute Resolution Systems

Required Reading:

Alberstein, Michal. "Forms of Mediation and Law: Cultures of Dispute Resolution." *Dispute Resolution*. 2006-2007. 321-375. Available at:
<http://www.heinonline.org/HOL/Page?handle=hein.journals/ohjdpr22&id=1&size=2&collection=journals&index=journals/ohjdpr#329>.

Macfarlane, Julie. "Designing and Evaluating Dispute Resolution Systems and Processes." In *Dispute Resolution: Readings and Case Studies*, 2nd edition. Toronto: Emond Montgomery, 2003. 709-738; 747-772; 785-788; 791-799; 808-811.

Optional Readings:

Bingham, Lisa Blomgren. "Designing Justice: Legal Institutions and Other Systems for Managing Conflict." *Ohio State Journal on Dispute Resolution* 24, no.1 (2008): 1-51.

Hamilton, Michael and Dominic Bryan. "Deepening Democracy? Dispute System Design and the Mediation of Contested Parades in Northern Ireland." *Ohio State Journal on Dispute Resolution* 22 no.1 (2006): 133-87.

Harrison, Tyler R. (2003). "Victims, Targets, Protectors, and Destroyers: Using Disputant Accounts to Develop a Grounded Taxonomy of Disputant Orientations." *Conflict Resolution Quarterly* 20, no.3 (2003); 261-286.

Lebaron, Michelle and Venashri Pillay. "A Map Through Rough Terrain: A Guide for Intercultural Conflict Resolution." In *Conflict Across Cultures: A Unique Experience of Bridging Differences*, 137-181. Boston: Intercultural Press, 2006.

Walker, Polly O. "Decolonizing Conflict Resolution: Addressing the Ontological Violence of Westernization." *American Indian Quarterly* 28, no.3/4 (2004): 527-548.

Wenona, Victor. *Alternative Dispute Resolution (ADR) in Aboriginal Contexts: A Critical Review*. Ottawa: Canadian Human Rights Commission, 2007. 1-41. Available at:
<http://site.ebrary.com/lib/uvic/docDetail.action?docID=10197947&p00=wenona%20victor%20%2B2007>.

Week Thirteen (December 3rd)

Final Class: Course Review & Closing Remarks

Appendix A
Expectations and Evaluation Criteria
Academic Integrity

	WEIGHTING	DUE DATE
Critical reading response	30%	• beginning of the selected class
Major research paper	60%	• 1-page outline due October 1 st at noon • final paper due December 10 th at noon
Attendance & participation	10%	• 2 questions due in each class

CRITICAL READING RESPONSE (worth 30 marks)

You will submit a 10-15 page critical response to the readings assigned for any one week of your choice (excluding weeks 1, 12, and 13). You must engage with *all* of the required readings for that week; you may choose to bring in *some* or *all* of the optional readings, or even use relevant sources from outside of the syllabus. You may not write a critical reading response on the same topic as your final research paper. These are not summaries, reviews, or opinion pieces – your work should relate the assigned readings to the course themes, critically evaluate the points being made, and discuss how each author’s work either reinforces or challenges the work of his/her peers. You may want to mount an argument for or against a particular position, and use the assigned readings to flesh out your case. Bringing in outside material to address conceptual or practical gaps in the week’s readings will garner additional marks, since it involves independent research, but these sources must be properly integrated into your argument. Critical reading responses must be submitted at the beginning of the class on that topic – absolutely no late submissions will be permitted. If you miss the deadline for submission, you will have to write a new critical reading response, on a different topic, in an upcoming week.

MAJOR RESEARCH PAPER (worth 60 marks)

You will complete a major research paper, 25-30 pages in length, on a topic to be agreed upon with the course instructor. The paper should involve a significant amount of research on the topic you have chosen and it should demonstrate your ability to conduct research using both primary and secondary sources. Your research should use current sources wherever possible. The final paper must be well documented with footnotes and must include a bibliography of all the materials that you cite in the body of your paper. The work should demonstrate that you have acquired a thorough grasp of the subject area that you have chosen. It should also demonstrate your ability to think critically about your topic and to relate it to the course theme (the intersection or tension between law, public policy, and dispute resolution). Papers must be argumentative, rather than expository; for example, you should identify problems or uncertainties in your chosen area, analyze their impact, make suggestions for change, and/or relate your topic to larger theoretical principles. A one-page outline of your proposed research paper topic is due at 12:00 pm on October 1, 2010. The final research paper is due at 12:00 pm on December 10, 2010.

ATTENDANCE & PARTICIPATION (worth 10 marks)

It is expected that you will come to class having read the material, and that you will be prepared to discuss it with comments, points of interest, ideas of how the readings may relate to or be considered in light of other course materials, ideas about the theoretical or practical relevance of the work, etc. In addition, you are required to hand in two (2) questions on the week's required readings at the beginning of each class. These must be submitted in hard copy, typed, with your name at the top of the page. You may not submit your questions in advance, either in hard copy or electronically. Please bring an additional copy of your questions for your own use, since you may be called on to provoke discussion. Failure to submit questions will correlate with an absence from class (i.e. the questions are used to register your attendance each week, as well as contributing to your participation grade). Questions will be evaluated based on their relevance and content. While it is acknowledged that students will have legitimate reasons for missing an occasional class, you are asked to do so as little as possible.

GUIDELINES FOR FORMATTING & SUBMITTING WRITTEN WORK

All written work submitted for this course must utilize the Chicago 'note' style of referencing (the footnoting citation style, not parenthetical referencing). Lines should be 1.5 spaced, with 1-inch margins all around, and the font used must be 11-point Times New Roman. A bibliography must be included at the end of your paper, on a separate page. Do not include material in your bibliography that you did not cite in the body of your work.

Papers are to be handed in, in hard copy, at the School of Public Administration General Office (Room A302, Human and Social Development Building). Late papers will be penalized ten percentage points per day, including weekends and holidays. Fax or email transmittal of assignments is not permitted. Extensions will only be granted in exceptional circumstances.

ACADEMIC INTEGRITY POLICY

Academic integrity is expected of all participants in the University Community. It is a serious academic offence to engage in plagiarism or other forms of academic dishonesty or to assist others in doing so. Students should familiarize themselves with the Academic Regulations of the University of Victoria Regarding Academic Integrity that are set out in the University Graduate calendar, at <http://web.uvic.ca/calendar2010/GRAD/FARe/Acln.html>.

The rules regarding proper use and citation of primary and secondary sources and what constitutes improper use of sources, are not always well-known by students. If you have any doubts in this regard, please discuss them with the instructor. Note that multiple submissions of your own work is an academic offence unless you have obtained the express prior permission of the instructor. This means that you are not allowed to submit the same work for academic credit in more than one course, regardless of whether or not the other course is at this university or at another (previous) academic institution. Note that similar issues arise regarding the use of research and writing that has been undertaken or completed in an employment or other non-academic context. Students should consult their instructor for permission in such cases.

Plagiarism and other forms of academic dishonesty may lead to disciplinary proceedings and, depending on the circumstances, may result in the imposition of academic penalties ranging from a reprimand, loss of credit for a course, an "F" grade, or temporary or permanent suspension from the Faculty or the University.

UVic Faculty of Graduate Studies - Grading Scale			
Grade	Grade Point Value	Description	Achievement of Assignment Objectives
A+	9	Exceptional work	Technically flawless and original work demonstrating insight, understanding and independent application or extension of course expectations; often publishable
A	8	Outstanding work	Demonstrates a very high level of integration of material demonstrating insight, understanding and independent application or extension of course expectations
A-	7	Excellent work	Represents a high level of integration, comprehensiveness and complexity, as well as mastery of relevant techniques/concepts
B+	6	Very good work	Represents a satisfactory level of integration, comprehensiveness, and complexity; demonstrates a sound level of analysis with no major weaknesses
B	5	Acceptable work that fulfills the expectations of the course	Represents a satisfactory level of integration of key concepts/procedures. However, comprehensiveness or technical skills may be lacking
B-	4	Unacceptable work revealing some deficiencies in knowledge, understanding or techniques	Represents an unacceptable level of integration, comprehensiveness and complexity. Mastery of some relevant techniques or concepts lacking. Every grade of 4.0 (B-) or lower in a course taken for credit in the Faculty of Graduate Studies must be reviewed by the supervisory committee of the student and a recommendation made to the Dean of Graduate Studies. Such students will not be allowed to register in the next session until approved to do so by the Dean.
C+	3		
C	2		
D	1		
F	0	Failing grade.	Unsatisfactory performance. Wrote final examination and completed course requirements.
<p>Students in the Faculty of Graduate Studies must achieve a grade point average of at least 5.0 (B) for every session in which they are registered. Individual departments or schools may set higher standards. Students with a sessional or cumulative average below 5.0 will not be allowed to register in the next session until their academic performance has been reviewed by their supervisory committee and continuation in the Faculty of Graduate Studies is approved by the Dean. Some academic units may employ a percentage system for evaluating student's work.</p>			
Other Failing or Temporary Grades			
N	0	Did not write examination or otherwise complete course requirements by the end of term or session. This grade is intended to be final.	
COM	N/A	Used only for 0 unit courses and other graduate courses designated by the Senate. Such courses are identified in the course listings	
INC		Incomplete (requires "Request for Extension of Grade" form). Used for those graduate credit courses designated by the Senate and identified in the course listings; also used, with Dean's permission, for those graduate credit courses with regular grading (A to F, including N) which are not complete by the end of the term or session due to exceptional circumstances beyond the control of the instructor or student. INC must be replaced by a final grade not later than the end of the next term.	
INP	N/A	In Progress. Used only for work terms; dissertations; theses; projects; comprehensive examinations and seminars offered on the same basis as dissertations or theses and designated by Senate (identified in the course listings). In the case of work terms, a final grade must replace INP within two months of the end of term. For dissertations, theses, designated seminars, projects and comprehensives, a final grade must replace INP by the end of the program. If the student does not complete the degree requirements within the time limit for the degree, the final grades will be N.	
CIC	N/A	Co-op Interrupted Course. Temporary grade. See Co-op Regulations.	
CTN	N/A	The CTN designation will appear on student transcripts at mid-point through the course or at the end of the first academic term (Sept-Dec). On completion of the course, the CTN designation will remain on the transcript for the first term and a final grade will be noted for the second academic term (Jan-April).	

UVic Undergraduate Grading – Faculty of Law students		
Passing Grades	GPA Value	Description
A+ A A-	9 8 7	Exceptional, outstanding and excellent performance. Normally achieved by a minority of students. These grades indicate a student who is self-initiating, exceeds expectation and has an insightful grasp of the subject matter.
B+ B B-	6 5 4	Very good, good and solid performance. Normally achieved by the largest number of students. These grades indicate a good grasp of the subject matter or excellent grasp in one area balanced with satisfactory grasp in the other area.
C+ C	3 2	Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.
D	1	Marginal Performance. A student receiving this grade demonstrated a superficial grasp of the subject matter.
COM	Excluded Grade	Complete (pass). Used only for 0-unit courses and those credit courses designated by the Senate. Such courses are identified in the course listings.
Failing Grades	GPA Value	Description
E	0	Conditional supplemental.
F	0	Unsatisfactory performance. Wrote final examination and completed course requirements; no supplemental.
N	0	Did not write examination or complete course requirements by the end of term or session; no supplemental.
N/X	Excluded Grade	Did not complete course requirements by the end of the term; no supplemental. Used only for co-op work terms and for courses designated by Senate. Such courses are identified in the course listings. The grade is EXCLUDED from the calculation of all grade point averages.
F/X	Excluded Grade	Unsatisfactory performance. Completed course requirements; no supplemental. Used only for co-op work terms and for courses designated by Senate. Such courses are identified in the course listings. The grade is EXCLUDED from the calculation of all grade point averages.
Temporary Grades	GPA Value	Description
INC	N/A	Incomplete. Used only for those credit courses designated by the Senate, to be replaced with a final grade by June 1. Such courses are identified in the course listings.
DEF	N/A	Deferred status granted. Used only when deferred status has been granted because of illness, an accident or family affliction. See Deferred Status .
UNK	N/A	Unknown. Used when grade is unknown.
INP	N/A	In Progress. Used only for courses designated by Senate, to be replaced with a final grade by the end of the next Winter Session or, in the case of TIED courses, by the end of the subsequent term. If the student fails to complete the second course of a TIED course sequence, then the final grade will be N. TIED courses are identified in the calendar.
CIC	N/A	Co-op Interrupted Course. See Co-op Regulations (14).
CTN	N/A	The CTN designation will appear on student transcripts at mid-point through the course or at the end of the first academic term (Sept-Dec). On completion of the course, the designation will be replaced with a final grade.
Grade		Note
AEG	N/A	Aegrotat. Transcript notation accompanying a letter grade, assigned where documented illness or similar affliction affected the student's performance or prevented completion of all course work.

For details, see: <http://web.uvic.ca/calendar2010/FACS/UnIn/UARE/Grad.html>