

MELP NOTICE
FOR
COURSE SELECTION 1999-2000

CERTIFICATE IN
MARINE LAW

To all faculty and to students registered for the MELP Certificate in Marine Law.

From Moira McConnell, Director MELP 1998-1999.

PLEASE NOTE THAT:

The certificate requirements state that one of the two electives to be taken in addition to the two required course, must be either Maritime Law and Policy, Ocean Law and Policy, or the Law of Marine Environmental Policy.

We are not always able to offer all MELP electives every year which may mean that one or all the "mandatory" electives is not offered (the case in 1999/2000). The Studies Committee has agreed that the Director of MELP can approve a replacement of any of these by any of the other listed electives which are offered, eg. Oil and Gas, Fisheries, Coastal Zone Management or through a DRP. In addition a course listed for the Environmental Certificate, such as international Environmental Law, may also be acceptable.

For Environmental Law Certificate students Environmental II is offered next year but not Business and Environment. In the event that that Env. II does not fit a student's schedule then he or she may get permission for a DRP or a substitution from the other electives.

It should be noted that a DRP (Directed Research Paper) also requires approval of the proposal by the Studies Committee.



Dalhousie University

Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

**THE MARINE AND ENVIRONMENTAL LAW PROGRAMME
of Dalhousie Law School is beginning a new
TOPICAL SEMINAR SERIES for the academic year 1997-98.**

The subject matter of the first seminar is certainly topical and also very significant for the livelihoods of many maritimers. Dr. Jeff Hutchings and Prof. Phillip Saunders will discuss the "Interaction of Fisheries Science, Management and Policy." Detailed arrangements for the seminar on Wednesday, September 17, 1997 are on the attached notice.

You may also wish to make a note in your calendar that our second seminar will take place on Tuesday, October 21, 1997 at 12:30 p.m. At a joint meeting with the Canadian Bar Association-Environmental Law Section, Paul Gavrel, Legal Counsel to Environment Canada will discuss "How the Federal Role in Environmental Law is Being Transformed." Details will follow.

You are cordially invited to attend these seminars and to bring your colleagues/students along too. I look forward to welcoming you to our first meeting on Wednesday, September 17.

Hugh M. Kindred
Director, MELP

September 3, 1997

**Marine and Environmental Law Programme
Topical Seminar Series**

**“Interaction of Fisheries Science,
Management and Policy”**

Come and hear:

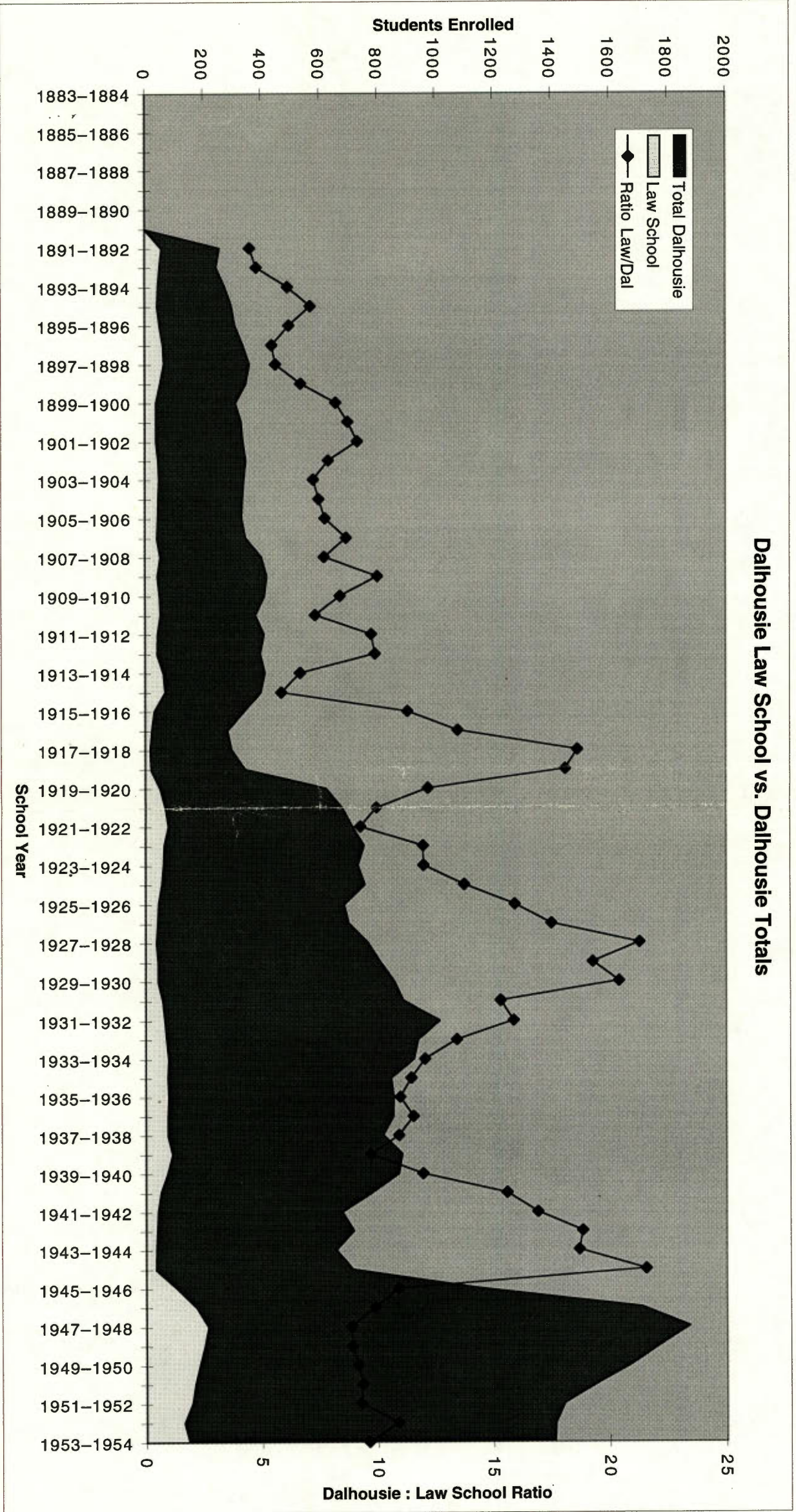
JEFF HUTCHINGS
DEPT. OF BIOLOGY
DALHOUSIE UNIVERSITY

and

PHILLIP SAUNDERS
MELP
DALHOUSIE UNIVERSITY

**On Wednesday, September 17, 1997 at 12:30
in the MacMechan Auditorium,
Killam Memorial Library
(corner of University and LeMarchant Streets)
(Bring your lunch if you wish)**

Dalhousie Law School vs. Dalhousie Totals





Dalhousie University

Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

January 21, 1992

Professor R.J.St. Macdonald
Faculty of Law
University of Toronto
78 Queen's Park
Toronto
Ontario
M5S 2C5

Dear Ronald:


Thank you for your letter of January 13th. I am indeed still teaching in the international law area. For the spring term, 1992, I am teaching a seminar in International Environmental Law and the materials used include handouts and "Readings in International Environmental Law" (compiled by D. VanderZwaag and A. Smillie 1990).

I do expect to be in Halifax for most of the coming summer and would really appreciate the chance to meet with you when you visit town. Could you let me know when you plan to visit?

Arctic research is still an area of interest and I would be glad to consult with you about particular topics.

Hope you are enjoying your sojourn at Toronto? We miss you very much!

Sincerely,


David VanderZwaag
Associate Professor of Law

DV/jd



FACULTY OF LAW,
UNIVERSITY OF TORONTO

78 Queen's Park
Toronto, Canada M5S 2C5
Tel: (416) 978-3725
Fax: (416) 978-7899 (Falconer)
(416) 978-2648 (Flavelle)

August 13, 1991

Professor Dawn Russell
Dalhousie Law School
Dalhousie University
6061 University Avenue
Halifax, Nova Scotia
B3H 4H9

Dear Dawn,

I was delighted, absolutely delighted, to receive your letter of July 3, 1991, and to learn by inference that you and the family are well and thriving and enjoying a splendid summer. I hope that there will be an opportunity to see you in the autumn, when I hope to be in town.

Thank you Dawn for your characteristic promptness and consideration in sending me the information that I requested. I will, if I may, keep in fairly close touch with you as this little project develops, a project in which you will figure very prominently.

There is one more bit of information that I require and that you might perhaps be good enough to provide at your convenience. In addition to the topics with which you are dealing in public international law I would like to know what main case books and text books you are using, bearing in mind that I am writing the Note in question for readers of the next century, who will be looking back and wanting to know about the materials that were used by the professors concerned. Could you keep a list of the principal references, e.g., Canadian, British, American, that you use in your courses? The same would apply to your course on Comparative Marine Law and Policy.

With personal good wishes,

I remain,

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RSJM/mys



Dalhousie University

Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

July 3, 1991

Professor R.St.J. Macdonald, O.C., Q.C., LL.D.
Faculty of Law
University of Toronto
78 Queen's Park
Toronto, ON M5S 2C5

Dear Professor Macdonald:

Re: The Teaching of International Law at Dalhousie

I am writing in response to your letter of June 17, 1991. Following is the information which you requested.

I have served on the Faculty of Law at Dalhousie University since July 1, 1987. I have taught only two courses in the field of international law.

During the academic years 1987-88, 1988-89, 1989-1990, I taught Comparative Marine Law and Policy, a three credit hour major paper course. The enrolment in this course was limited to 15 students. The course focused on international fishery regimes and dealt with the problems of fishery development and management in light of the new law of the sea, from national, regional and global perspectives. The approach I used was both comparative and interdisciplinary. The students were required to participate in a simulated negotiation exercise and to write a major paper.

During the academic year 1990-91, I taught the basic course in Public International Law. This course was concerned with the legal relations of states and the individuals who compose them. It explored the basis of the international legal system. The methods of international law creation and law enforcement were examined. The process of international adjudication and the relationship between international law and Canadian law were discussed. The application of substantive principles of international law in the fields of treaties, state responsibility, the use of force, jurisdiction over territory, persons and events, the law of the sea, and human rights were also discussed. Evaluation was by means of a 100 percent final exam due to the large number of students enrolled in the course. I expect to be teaching this course each year from now on.

I have enclosed my updated CV. I trust that you are well and I look forward to seeing you when you are in Halifax.

Yours sincerely,

Dawn Russell

Enclosure



FACULTY OF LAW,
UNIVERSITY OF TORONTO

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Toronto, Canada M5S 2C5
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(416) 978-2648 (Flavelle)

August 13, 1991

Ted L. McDorman
Associate Professor and
Associate, Centre for Asia-Pacific Initiatives
University of Victoria
P.O. Box 2400
Victoria, B.C.
V8W 3H7

Dear Ted,

Just a very brief note to thank you for your letter of July 11, 1991, together with the copy of your very impressive CV, to congratulate you on your remarkable record of publications, to say that I hope to be here to greet you in the fall of 1992 when you will be in Windsor, and also to let you know that I will, if I may, write back soon again for a little more information about your Dalhousie experience: I need exact dates and, as I will indicate in a later letter, the names of the topics and the major books that you dealt with.

I will also be back to you before long on the United Nations Decade for International Law, about which we would like to generate some discussion on the west coast possibly sponsored by your U.Vic. and UBC.

All the very best,

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RSJM/mys



UNIVERSITY OF VICTORIA

P.O. BOX 2400, VICTORIA, B.C., CANADA V8W 3H7
TELEPHONE (604) 721-8150, FAX (604) 477-7413

FACULTY OF LAW

July 11, 1991

Professor R. St. J. Macdonald
Faculty of Law
University of Toronto
78 Queen's Park
Toronto, Ontario
M5S 2C5

Dear Ronald:

In response to your letter of 17 June, I never taught international law at Dalhousie but I was involved in the ocean courses for several years. My recollection is that Norman Letalik and I co-taught Law of the Sea in the Fall of 1983 and 1984 and that Doug Johnston and I co-taught Comparative Marine Law and Policy in the spring of 1985. I was a part-time professor and adjunct 1983-1985, although I was with DOSP from 1980-1985. As requested I have attached an up-to-date CV.

It was nice to see you in Washington and hope I get the chance again before too long. In the Fall of 92 I will be on leave visiting Windsor (where a Dal LL.M. is now the Dean) and hope to get to Toronto on a regular basis.

Yours sincerely,

Ted L. McDorman,
Associate Professor and
Associate, Centre for
Asia-Pacific Initiatives

TLM:reg

Encl.



Dalhousie University

Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

June 19, 1995

Professor R. St. J. Macdonald
Apt. 2005, 1333 South Park Street
Halifax, NS
B3J 2K9

Dear Ron:

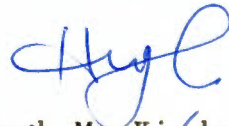
I have come across a letter from you asking a number of personal questions about my teaching of international law. I cannot find my reply and so I must assume I did not and do apologize for this gross oversight. If the long delay does not render my answers redundant, I hope the following comments may help you.

1. Biographical data: Please see the enclosed note.
2. Teaching history: I started teaching International Law in the fall of 1971 and provide a 3 hour per week, 1 semester survey of the general principles. Please see the summary Table of Contents of our casebook, of which I regularly use chapters 1-9 and 14 and selectively employ chapters 10-12.
3. Place in curriculum: The course is offered to 2nd and 3rd year students, optionally and is evaluated by a mid-course assignment, in several alternative choices, and a final exam.
4. Compulsory? I would love it to be so in first term second year (alongside Constitutional Law) but I believe that is an unrealistic wish at the moment.

5. Strengthening teaching of International Law: We should press for its inclusion wherever law is taught, including high school and undergraduate programmes. Also we should try and convince Political Science departments that they cannot teach International Relations adequately without also giving instruction in International Law. Similarly, we should strengthen our links in our own specialized areas, e.g. international environmental law, international trade law etc., with other departments in the University that teach those disciplines towards co-teaching or other arrangements to inject international legal regulation into their programmes. Likewise in the Law School we should continually inform and encourage our domestic law colleagues about international dimensions and developments in their fields of teaching. In hand with this should go a strengthening of graduate programmes by having more thesis students supervised jointly by international and domestic law faculty so that a more holistic legal understanding is obtained by the next generations of law teachers.

It was very good to meet you last week. I shall keep in touch.

Yours sincerely,



Hugh M. Kindred
Professor of Law

HMK/sm

enclosure

HUGH M. KINDRED

Biographical Note

Hugh M. Kindred LL.B. (Bristol), LL.M. (London), LL.M. (Illinois) and member of the Bars of England and Nova Scotia, is Professor of Law at Dalhousie University, Halifax, Canada where he has taught since 1971 in the areas of international law, commercial law and marine transportation. He was a Senior Legal Officer in the Shipping Division of the United Nations Conference on Trade and Development from 1985-86, and he has been a research associate of the Dalhousie Ocean Studies Programme, the Canadian Marine Transportation Centre, and the Oceans Institute of Canada. He is a member of the Canadian Maritime Law Association and past chair of its Carriage Documentation Committee. He is also a member of the Canadian Council on International Law and a past member of its Executive committee.

Professor Kindred's numerous publications in his three areas of interest include the major title International Law Chiefly as Interpreted and Applied in Canada. This two volume set, of which he is the general editor and co-author, is now in its 5th edition. Hugh Kindred is also associated with several law journals. In particular in the international field, he works on the Board of Editors of the Canadian Yearbook of International Law, and the Review Board of International Insights.

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HUGH M. KINDRED
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Faculty of Law
McGill University

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Osgoode Hall Law School
York University

International Law

Chiefly as Interpreted and Applied in Canada

FIFTH EDITION

1993

EMOND MONTGOMERY PUBLICATIONS LIMITED

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Dalhousie University

Dalhousie Law School
6061 University Avenue
Halifax, Nova Scotia
Canada B3H 4H9

July 2, 1991

Professor R. St. J. Macdonald
Faculty of Law
University of Toronto
78 Queen's Park
Toronto, ON
M5S 2C5

Dear Ron,

Re: The Teaching of International Law at Dalhousie

It was good to hear from you as always.

I am enclosing, as you requested, a recent Curriculum Vitae.

I taught the basic International Law course in the academic years 1968-69 through 1974-75. I am also enclosing for your perusal sample calendar entries for the years '68 - '69, '71 - '72, and '73 - '74.

As my CV notes, I was employed as a "Teaching Fellow" for the period September, 1964 until June, 1966. I would regard my actual faculty appointment by the Board of Governors as commencing in June, 1966.

My sabbatical commences July 1 and I am leaving for a short break on Thursday. Sharon Parker may sign this letter in my absence.

As you know Dale Darling has taken over Stephen Baldwin's task on the Journal, and I understand has had some communications with you. She is a very capable woman, and we are fortunate to have her. I have requested Dale to send you, under a separate cover, a copy of the latest issue of the Journal which is due out today.

I hope we can touch base when you are down this way. In the meantime, every best wish to you and Mairi.

Yours sincerely,

John A. Yogis, Q.C.
Professor

Enclosures 2

CURRICULUM VITAE

NAME: JOHN ALBERT YOGIS
ADDRESS: 1048 Lucknow Street
Halifax, Nova Scotia
B3H 2T5
PHONE: (902) 494-1034 (Office)
(902) 429-2039 (Home)
DATE OF BIRTH: July 2, 1940
PLACE OF BIRTH: Halifax, Nova Scotia

EDUCATIONAL BACKGROUND

GRADUATE LEGAL STUDIES:

University of Michigan, 1971-72
Degree Obtained: Master of Laws

Dalhousie University, 1965-66
Degree Obtained: Bachelor of Laws

UNDERGRADUATE STUDIES:

Saint Mary's University, 1958-61
Degree Obtained: Bachelor of Arts

WORK DONE

A. DALHOUSIE UNIVERSITY

Professor of Law, Dalhousie University, Faculty of Law,
Halifax, Nova Scotia, July, 1975 to present

Associate Professor of Law, Dalhousie University,
Faculty of Law, Halifax, Nova Scotia, July, 1970 - June,
1975

Assistant Professor of Law, Dalhousie University,
Faculty of Law, Halifax, Nova Scotia, July, 1966 - June
1970.

Teaching Fellow, Dalhousie University, Faculty of Law,
Halifax, Nova Scotia, September, 1964 - June, 1966.

B. OTHER

Part-time Lecturer, School of Journalism, University of King's College, September, 1981 - 1988

Teaching Staff, Native Law Program, University of Saskatchewan, Summer, 1985

Teaching Staff, Native Law Program, University of Saskatchewan, Summer, 1978

TEACHING EXPERIENCE:

(i) Law School

Contracts, Agency and Partnership, Legal Research and Writing, Wills, Legal Method, Legal Process, International Law

(ii) General

Law and Business, Legal Aspects of the Construction Industry

PUBLICATIONS:

J.A. Yogis, Canadian Law Dictionary, Second Edition (Hauppauge, New York: Barron's Educational Series, 1990)

A. Paul Pross, I. Christie, J.A. Yogis, eds., Commissions of Inquiry (Toronto: Carswell Publications, 1990)

J.A. Yogis, I.M. Christie, M.J. Iosipescu, Legal Writing and Research Manual, 3rd ed. (Toronto: Butterworths, 1987)

C.L.M. Boyle, A.W. MacKay, E.J. McBride, J.A. Yogis, eds. Charterwarch: Reflections on Equality (Toronto: Carswell, 1986)

P. Waite, S. Oxner, T. Barnes and J. Yogis, eds. Law in a Colonial Society: The Nova Scotia Experience (Toronto: Carswell, 1984)

J.A. Yogis, Canadian Law Dictionary (Woodbury, New York: Barron's 1983)

J.A. Yogis, I.M. Christie, Legal Writing and Research Manual, 2nd ed. (Toronto: Butterworths, 1974)

J.A. Yogis, "Canadian Fisheries and International Law", in Canadian Perspectives on International Law and Organization, R.St.J. Macdonald, G.L. Morris and D.M. Johnston, eds. (Toronto: University of Toronto Press, 1974)

J.A. Yogis, Canada's Sovereignty in the Arctic (1970), 2 The Ansul: Dalhousie's Law Forum 8

UNPUBLISHED THESIS:

Canadian Fishery Treaties and International Law
(Submitted in partial fulfillment of the requirements for the degree of Master of Laws, Dalhousie University, 1966)

LAW SCHOOL COMMITTEES:

CURRENT:

Law Journal Committee (Chair)
Executive Committee
Admissions Committee

PAST:

Admissions Committee (Chair and Member)
Alumni Committee (Member)
Law Journal Committee (Member)
Library Committee (Member)
Moot Court Committee (Member)
Policy Committee (Member)
Special Ad Hoc Committee on Legal Aid Clinic (Member)
Studies Committee
Student Liaison Committee (Chair and Member)
Tenure and Promotions Committee (Member)

UNIVERSITY COMMITTEES:

CURRENT:

Senate Discipline Committee (Chair)
Promotions and Tenure Appeal Committee

PAST:

Tenure and Promotions Committee (Member)

PROFESSIONAL AFFILIATIONS:

Canadian Association of Law Teachers
Nova Scotia Barristers' Society

COMMUNITY RELATED WORK:

Nova Scotia Human Rights Commission:
Appointment as Board of Inquiry to seek settlement and
hear complaints respecting allegations of
discrimination

Nova Scotia Law Reform Advisory Committee (Member 1976-
1979). Duties included serving as member on sub-
committees and chairing a sub-committee to consider
legislation on petty trespass in Nova Scotia. The
latter project resulted in a draft statute which was
approved by the commission and forwarded to the
Attorney-General.

Lecturer on various occasions to Schools of Nursing at
Dalhousie University, Victoria General Hospital, Halifax
Infirmary, School of Physiotherapy, Dalhousie
University.

Board member of "Opera East"

Speaker on law related topics to Rotary Clubs, etc.

EXTRA-CURRICULAR INTERESTS:

Cinematography, Photography, Theatre, Opera, Ballet,
Film, Travel, Art

HONOURS AND DISTINCTIONS:

Associate Fellow, University of King's College, November
27, 1985

Queen's Counsel, Province of Nova Scotia, January 22,
1982

Dalhousie Law School Ring, 1975

September, 1990

Family Law F. M. Fraser
Two hours per week, one term; three credits. An introduction to family law. Topics dealt with include adoption, illegitimacy, marriage, desertion, maintenance, custody, nullity, and divorce.

International Law J. A. Yogis
Two hours a week, one term; three credits. An introductory course designed to acquaint second year students with the basic principles of public international law. The course begins with a consideration of the nature of international law (with particular attention being paid to the problem of enforcement), and a survey of the sources of international law. Later materials relate to the subjects of international law; the extent of State jurisdiction over persons and territory; immunities from jurisdiction; and, the problems of nationalization and expropriation. The course attempts to emphasize where possible cases and materials reflecting Canadian attitudes to international law principles, and topics of special interest to Canadians such as the extent of maritime jurisdiction.

Local Government J. J. Cavarzan
Two hours a week, one term; three credits. A study of the structure and functions of local government in Nova Scotia emphasizing the expanding area of local government responsibility and the role of the lawyer.

**THIRD YEAR
 REQUIRED CLASSES**

Administrative Law G. V. V. Nicholls
Three hours a week, one term; three credits. A study of the administrative process and the methods by which courts control the exercise of discretions by administrative tribunals and the making of delegated legislation.

Conflict of Laws A. L. Foote
Two hours a week, both terms; four credits. The law relating to transactions with elements connecting them with two or more legally independent states, including problems of choice of law, judicial jurisdiction, and enforcement of foreign judgments.

Jurisprudence W. A. MacKay
Two hours a week, one term; two credits. Nature and province of jurisprudence; survey of the principal schools of jurisprudence; law and contemporary problems in which is considered the approach and contribution of the schools of jurisprudence to some of the present-day social problems; the nature of law and justice; basic concepts of law, including possession and ownership, intention, recklessness and criminal negligence, negligence and the reasonable man, and causation.

Mortgages E. J. Flinn
Two hours a week, one term; two credits. Law governing mortgages of real estate suretyship, priorities among mortgagees and other secured creditors.

Property 2 A. J. Meagher
Two hours a week, both terms; four credits. This class is divided into landlord and tenant law and the law of real estate transactions. The latter is taught by a problem method involving drafting and discussion of appropriate instruments.

Taxation E. C. Harris
Two hours a week, both terms; four credits. An intensive study of the leading statutory provisions and cases on Canadian income tax. Consideration of the function of the lawyer as an adviser on income tax matters.

Wills and Trusts R. T. Donald
Two hours a week, first term; one hour a week, second term; three credits. The principal topics dealt with are: typical provisions in a will; testator's family maintenance legislation; formalities and requisites of a valid will; incorporation by reference, republication and revival; revocation; ademption; lapse, construction of wills; the requisites of a valid trust; charitable, secret, resulting and constructive trusts; vesting; class gifts and the rule against perpetuities.

Estate Planning C. B. Havey
One hour a week, one term; one credit. Consideration of the main factors bearing upon decisions as to appropriate provision for the distribution of property in the event of death.

Practical Lectures
About 24 hours over both terms. Third year students may be required to attend a series of practical lectures by members of the Bench and Bar under the auspices of the Nova Scotia Barristers' Society and the Law School. The topics may differ from year to year but will be selected in light of the curriculum of the faculty with a view to facilitating the transition of students from full-time study to admission to the bar. Each year the following classes will be included:

Divorce Practice and Procedure Nathan Green

Problems of Professional Responsibility F. M. Fraser
Two hours a week, five weeks, one term. Through discussion groups third year students are introduced to ethical problems which arise in the practice of law. Members of the Bar participate in the sessions. An attempt is made to consider the broader responsibilities of the lawyer in today's society.

**STUDENTS REQUIRED TO ELECT ONE CLASS FROM
 GROUP A AND ONE CLASS FROM GROUP B**

Group A

Economic Regulations W. F. Dickson
Two hours a week, one term; four credits. A study of methods used by government to regulate business activity. As examples, the principles of maintenance of competitions, consumer protection, securities and transport regulation and public utility control are examined. A substantial written paper is required.

of international institutions.

Method: members of the seminar prepare a paper and lead discussion on a particular topic. At least one week prior to any presentation the student must distribute a list of essential readings.

Evaluation: primarily on the basis of the term paper, but also on the basis of class participation.

Calendar 1971-72

International Law

D. Lowry, J. Yogis

Optional Course, Second and Third Years

Two hours a week, one term

Enrollment limited to 30 students (2 sections)

This is an introductory course on the basic principles of public international law. Topics include the nature of international law (with particular attention to the problem of enforcement), the sources of international law, subjects of international law, state jurisdiction over persons and territories, immunities from jurisdiction, problems of nationalization and expropriation. In some aspects, cases and materials reflecting Canadian attitudes, or problems of special interest to Canada, will be emphasized.

This course serves a variety of objectives - the "practical benefits" which may be encountered even by those in a local law practice; providing a base for any who seek to do graduate work in the field or who have long run interests in a political career or in federal government service; and providing understanding of the relationship of law to society in the world community.

Each student in the seminar is required to lead a discussion on a particular topic, preparation for which should take him beyond the confines of the required readings of the syllabus.

Evaluation: on the basis of seminar participation and a written examination.

Judicial Remedies

T. C. Jones

Optional Course, Second and Third Years

Three hours a week, one term

The course draws upon the student's knowledge of the law of contract, tort and, to a lesser extent, property to investigate how and to what extent substantive rights in a legal dispute depend upon the types of remedies available to the litigants.

Particular attention is paid to the differences in approach to remedies taken at Equity and at Common Law.

Objectives: to suggest a personal evaluation of the materials studied and to encourage students to assess them on their own, relating detailed knowledge gleaned from various courses in Law School to general concepts of law, so as to:

(a) to understand how legal concepts are used and their limitations in the judicial process,

(b) to develop a critical approach to comments and assumptions of lawyers,

(c) to approach an understanding of "law" and an informed and personal attitude on the part of the student to the calling of the lawyer.

Method: lectures and seminar discussions, alternating.

Evaluation: by written examination and written assignments.

Labour Law Seminar

G. V. V. Nicholls

Optional Course, Second and Third Years with major written paper

Two hours a week, one term

Enrollment limited to approximately 14 students

Recommended preliminary course: Industrial Relations

The principal topics dealt with in this seminar are the legality of trade unions, the trade union as a legal entity, nature of the collective bargaining agreement, labour arbitration, conspiracy, inducing breach of contract, strikes and lockouts, picketing, injunctions, and deprivation of membership or office in a trade union. Emphasis is placed on employer-employee relations as established by Canadian and provincial legislation.

Method: students electing the seminar are required to prepare a term paper, under guidance, as the basis for discussion by the group. All members of the group are expected to prepare for sessions from assigned readings.

Evaluation: on the basis of the term paper and probably an examination, written or oral.

Landlord and Tenant

A. J. Bradbrook

Optional Course, Second and Third Years

Two hours a week, one term

This course is concerned with basic problems of the law of landlord and tenant, involving basic principles of property law and contract. It is designed to provide understanding of this aspect of the law with a view to enabling students to advise on general landlord and

and lead discussion on these; all students are expected to read in advance for discussion.

Evaluation: By written examination (Professor Hutchins' section); by written examination and class participation (Professor Murray's section).

Human Rights and Fundamental Freedoms

R. St. J. Macdonald

Optional Course, Second & Third Years with a major written paper

Three hours a week, Spring term.

This course will involve consideration of problems concerning the relations of the individual and the state. Topics for consideration will include: the security relations of the state and the individual; constitutional and statutory safeguards for the individual; remedies for the abuse of power or process; state intervention in the field of human rights; new and developing rights of the individual; minority groups — their recognition and protection in divided jurisdictions.

Method: By seminar discussions.

Evaluation: By class participation and by submission of a major term paper.

Individual Research Paper

Optional Course, Third Year Only

Three hours a week, one term or three to six hours a week, both terms

The Law School curriculum permits an individual *Third Year* student, upon approval, to undertake a major research paper, in place of a regular optional course or seminar, equivalent to three hours per week, or in special circumstances, in place of seminars or courses up to the equivalent of six hours per week.

3 Hours' Credit - A paper to be counted at 3 hours of credit must be approved by the Administrative Officer.

4, 5, 6 Hours Credit - A paper to be counted at 4, 5 or 6 hours of credit must be approved by the Committee on Studies.

Satisfactory completion of the paper would meet the requirement for a Third Year student to complete a major paper. It is expected that an individual research paper for three hours credit would be of greater scope and depth than a paper required for a regular course or seminar, and the student's independent research and writing would be expected to be of very high quality. The paper would be done under the supervision of a member of faculty.

A student, with the consent of the faculty member concerned, may apply to the Committee on Studies for approval of individual research to be valued at the equivalent of four, five or six hours per week, depending upon the quality of work to be done. Six hours of credit may be given only for work of highest quality, of some originality and

prepared for presentation to faculty and students in seminars or workshops to be arranged. It is likely that six hours' credit would be given only for projects extending over both terms. Four or five hours of credit would be given for projects requiring research in greater depth than is now required for three credits in individual research projects.

A student may include the individual research paper entirely in one term, or over both terms (although the Committee on Studies may require that projects of four, five or six hours' credit be carried out over both terms.) If the course is listed for the Fall term only, it will be necessary for the student to submit to the supervisor a detailed outline and bibliography by the end of September. If the course is listed for the Spring term only or for both terms, the outline and bibliography must be submitted by November 15, 1973.

A student entering Third year who is interested in the possibility of doing an individual research paper should have demonstrated, in written assignments already completed in the Law School, ability for independent research and writing. He should consider the topic on which he would like to do a paper and should consult, before the end of term or no later than May 15th, if possible, with the member of faculty whom he would like to supervise the paper. A student wishing to undertake research for credit beyond three hours should consult the concerned faculty member as soon as possible.

Insurance Law

J. A. Rendall, W. J. Ortega

Optional Course, Second and Third Years

Two hours a week, one term

This course examines the basic principles underlying the law relating to various types of insurance, e.g. fire, life, sickness and accident, motor vehicle, liability and marine. Attention is directed particularly to:

- (a) the nature of the insurance contract and its formation,
- (b) agency principles applying to insurance agents or brokers,
- (c) the insurable interest, in property or in liability for damage to property or persons, that a person must have to enter into a valid contract of insurance,
- (d) the effects of misrepresentation in applying for insurance, or omission of necessary information, and of failure to meet the special conditions made part of the contract under legislation, and
- (e) rights of third parties against the insurer.

Students are expected to critically examine existing law, its function in modern society

and its fairness to the insured person, and to consider desirable reforms.

Method: Lecture and discussion on cases and other materials on problems assigned.

Evaluation: By written examination.

International Business Transactions

B. Marks,

Optional Course, Third Year only. By special arrangement this course may be taken as a major paper course.

Two hours a week, one term or three hours a week, one term

Enrollment limited to approximately 15 students

The seminar involves a consideration of the interaction of law, economics, and policy in business transactions which cross national boundaries: governmental controls of trade and investment, forms and methods of doing business abroad, jurisdictional problems, international judicial procedure. The course will emphasize U.S./Canadian transactions, including aspects of U.S. legal imperialism. Tax problems will not be stressed.

Method: Seminar discussion on assigned materials.

Evaluation: Class participation and written paper.

International Institutions

P. B. N. Flemming

Optional Course, Second and Third Years with major written paper

Three hours a week, one term

Enrollment limited to approximately 12 students.

Recommended preliminary course: International Law.

In this seminar course topics considered include the history of international institutions prior to the 20th Century, the League of Nations and related institutions, regional organizations, supranationalism, international personality, privileges and immunities, membership in international institutions, finances of international institutions, dissolution and succession of international institutions.

Method: Members of the seminar prepare a paper and lead discussion on a particular topic. At least one week prior to any presentation the student must distribute a list of essential readings.

Evaluation: Primarily on the basis of the term paper, but also on the basis of class participation.

International Law

H. M. Kindred, J. A. Yogis

Optional Course, Second and Third Years

Two hours a week, one term

Public international law is concerned with the legal relations of states and the individual who compose them. The course first explores the bases of the international

legal system. Modes of international law creation and law enforcement will be examined in comparison with municipal machinery. Processes of international adjudication and the interpenetration of international and Canadian law will be discussed. The course then involves the application of substantive principles of international law by detailed consideration of selected issues of current or Canadian concern. Examples from the past include Arctic pollution control, fisheries resources, recognition of China, Bolivian nationalization and human rights of African Asians. In this part each student will in turn act as rapporteur to the class on one issue.

Method: By discussion of edited materials and other sources presented by rapporteurs.

Evaluation: By oral presentation and examination.

International Law, Advanced Problems of
R. St. J. Macdonald
Optional course, 3rd year only, with a major written paper
Three hours a week, Fall term

Recommended preliminary course: a basic course in International Law

This seminar will involve an intensive study of selected problems in the field of international law and organization through group discussion and individual research. The emphasis will be on the making, development, and improvement of international law; problems of jurisdiction; conflict resolution and dispute settlement; regional and universal institutions of an economic, political and military nature.

Method: By seminar discussion.

Evaluation: By seminar participation and a term paper; or, in special circumstances, by an individual research paper extending throughout the year.

Judicial Remedies
S. M. M. Makuch, D. J. Mullan
Optional Course, Second and Third Years
Three hours a week, one term

The course draws upon the student's knowledge of the law of contract, tort and, to a lesser extent, property to investigate how and to what extent substantive rights in a legal dispute depend upon the types of remedies available to the litigants.

Particular attention is paid to the differences in approach to remedies taken at Equity and at Common Law.

The basic remedies covered in detail include damages, specific performance, injunctions, rescission and rectification of contracts, and declaratory relief.

Method: Discussion of selected cases, materials and problems.

Evaluation: By written examination.

Labour Law I
I. M. Christie
Optional course, Second and Third Years
Three hours a week, one term

A survey of the institutions and legal concepts related to labour-management relations in Canada: union organization and certification, unfair labour practices, collective bargaining, conciliation, the collective agreement and arbitration, industrial conflict and internal union affairs. Some attempt is made to examine the law of labour relations as an example of a response by the legal system to a social problem.

Evaluation: By written examination.

Labour Law — The Administration of The Collective Agreement
R. A. Street
Optional course, Second and Third Years
Two hours a week, one term

Prerequisite courses: Labour Law I (Industrial Relations)

Problems in the administration of the collective agreement will be considered including the effect of Canadian and American labour relations legislation on the collective agreement, court review of labour arbitration proceedings, the relationship between arbitration tribunals and labour relations boards, and the protection of the right of individual employees to enjoy the benefits of collective bargaining.

Evaluation: By seminar participation and written examination.

Landlord and Tenant
A. J. Meagher
Optional Course, Second and Third Years
Two hours a week, one term

This course is concerned with basic problems of the law of landlord and tenant, involving basic principles of property law and contract. It is designed to provide understanding of this aspect of the law with a view to enabling students to advise on general landlord and tenant problems and to draft and terminate leases. The course may be particularly useful for those looking forward to the general practice of law.

Method: Discussion of problems included in casebook.

Evaluation: On the basis of class participation and a written examination.

Land Use Planning
S. M. M. Makuch
Optional course Second and Third Years
Two hours per week, Spring term or
Three hours a week, Spring term

This course deals with the legal tools used to implement planning in urban areas. Zoning, subdivision controls, development controls and expropriation will be examined.

Method: Lectures and discussion of cases and materials.

Evaluation: By written examination. (By special arrangement this course may be

taken as a major paper course.)

Law and the Family
A. L. Foote, D. H. Oliver
Optional Course, Second and Third Years,
with major written paper.
Three hours a week, one term

Enrollment limited to approximately 15 students (two sections). [By special arrangement students may take this course by examination].

In this seminar selected problems in family law will be considered, at an advanced level, using legal and non-legal materials. Topics for discussion will include custody, children in need of protection, and divorce. In some areas attention will be concentrated on statutes and administrative procedures rather than case law.

Objectives: To provide an opportunity for closer examination of selected problems at seminar meetings and through research for the term paper.

Method: Seminar discussion, with occasional participation of specialists from other disciplines. Student participation may range from an individual assuming full responsibility for a session to collective responsibility with the instructor as chairman. Arrangements for participation are usually discussed at the first session. A substantial paper is required, on a topic submitted by a student for approval or selected from a proposed list. Students are invited to submit an outline of their papers before the end of the term and draft papers one month before due date.

Evaluation: On the basis of the term paper and seminar participation and possibly a minor test or examination. (Students who take the course by examination will be evaluated on the basis of class participation and the examination).

Law and Social Problems
H. Savage
Optional Course, Second and Third Years
with major written paper
Three hours a week, one term

Enrollment limited to about 10 students

In this seminar students will examine selected urban legal problems in areas such as welfare, housing, health, consumer affairs and education in consultation with the instructors. Each student will select a topic on which he will prepare a report describing the effect of the law and suggesting proposals for reform. Resource areas are the Dalhousie Legal Aid Clinic, local social welfare agencies, citizens' groups, the office of the Ombudsman, and a number of individuals within the community. Students may undertake field work to determine the operation of the law in the specific area under examination.

Method: In the first few weeks an effort will be made to introduce students to re-

June 17, 1991

^F1^

Dear ^F2^,

Re: The teaching of international law at Dalhousie

I apologize for breaking in on you, yet again, on a matter that we have discussed, oh, so many times in the past, but I am now making an effort to bring my brief note on the aforementioned subject to a conclusion and I desperately need just a few lines of additional assistance from you.

As you may recall, I undertook to prepare a few pages on the teaching of international law at Dalhousie as part of a larger undertaking, supervised by Maurice Coppithorne, to collect and organize data on the teaching of our subject across the country as a whole.

For purposes of my modest effort I am writing now to ask if you would be so kind as to send me these items: first, a statement of the course or courses on international law that you taught at Dalhousie, together with an indication of the years during which such courses were taught; secondly, the year during which you served on the Faculty; thirdly, an up to date CV. I will be most grateful if you can manage to send these items along during the next few weeks.

With personal good wishes,

I remain,

Yours sincerely,

R. St. J. Macdonald, O.C., Q.C., LL.D.
Professor

RSJM/mys

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