



COURSE NAME : INTRODUCTION TO CARIBBEAN CONSTITUTIONAL LAW

COURSE CODE : ICCL 3003

COURSE CREDIT: 3

COURSE DESCRIPTION:

This course provides an introduction to Commonwealth Caribbean Constitutional Law with a particular focus on Trinidad and Tobago. The historical context and general characteristics of the British ‘Westminster’ Constitution are examined, with an emphasis on its unwritten nature, the supremacy of Parliament, constitutional conventions, the three (3) functions of government (legislative, executive, judicial), and the doctrines of the separation of powers and the rule of law. The 1962 and 1976 Trinidad and Tobago Constitutions as examples of written, independent Westminster Model Constitutions are considered in depth, with an emphasis on constitutional supremacy, the separation of powers, the fundamental human right provisions, the rule of law and the roles of the judiciary, legislature and executive in this constitutional framework.

AIM:

This course aims to:

- Develop an understanding of what is a constitution and its values and purposes.
- Develop a clear understanding of the structures and frameworks of written Caribbean constitutions.
- Develop and understanding of key constitutional principles.
- Critically assess the Trinidad and Tobago Constitutional models.

LEARNING OUTCOMES:

Students will be able to:

- Become familiar with the British historical context for written ‘Westminster’ Caribbean constitutions.
- Become familiar with the structures and frameworks of written ‘Westminster’ Caribbean constitutions.
- Understand the key constitutional concepts of constitutional supremacy, the separation of powers, the rule of law, and the fundamental human rights provisions.
- Understand the roles of the legislature, executive and judiciary in relation to the citizenry and each other.
- Appreciate the recognition of equality and non-discrimination provisions in a plural, multi-religious State such as Trinidad and Tobago.

COURSE CONTENT:

1. Study and understanding of the British constitutional model from which Commonwealth Caribbean written constitutions are derived.
2. Study and critical assessment of Commonwealth Caribbean written constitutions, using the Trinidad and Tobago 1962 and 1976 models as the basis for this.



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3. Examination of the rights to equality, non-discrimination and freedom of religious belief and observation in the context of plural, multi-religious societies such as Trinidad and Tobago.
4. An exploration of all of the above using key texts, articles and case law, with an emphasis on relevant Privy Council and Regional decisions.

COURSE TEXTS:

Alexis, F. (1983). *Changing Caribbean constitutions*. Bridgetown, Barbados: Antilles Publications.

Fiadjoe, A. (1999). *Commonwealth Caribbean public law*. London: Cavendish Publishing Limited.

Hood-Phillips, O. & Jackson, P. (1978). *Constitutional and administrative law*. London: Sweet and Maxwell.

Mc Intosh, S. (2002). *Caribbean constitutional reform*. Kingston, Jamaica: The Caribbean Law Publishing Company.

Phillips, F. (2002). *Commonwealth Caribbean constitutional law*. London: Cavendish Publishing Limited.

The constitution of the Republic of Trinidad and Tobago. (1972 & 1976). Port of Spain. Trinidad. Government Printery.

Supplementary articles and legislation will also be required reading.

TEACHING AND LEARNING STRATEGIES:

Lectures

Peer reviews

Debates

Group Work

Discussion

COURSE ASSESSMENT:

Peer review	5%
Class participation	10%
Class presentation	20%
Course assignments (written)	30%
Research paper	35%

TOTAL 100%

- Class attendance.
- Completion of assigned readings on schedule.
- Participation in class discussions, with demonstrated critical understanding.
- Facilitation of oral and written of class discussions/presentations.
- Completion of written assignments on schedule.

1. Constructive participation in class discussions (10%). Students will be expected to demonstrate active listening skills and to engage in constructive dialogue on all topics.



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2. Assigned in-class presentation (20%). Presentation of oral arguments and supporting evidence for assigned topics, together with counter arguments for opposing views.
3. Peer reviewed facilitation of class discussions (5%).
4. Written course assignments (3x10% = 30%). There will be three (3) written course assignments, each 2-3 pages (typed, double spaced).
5. Final essay (35%). On a topic to be agreed with the course director. A 10 -12 page (typed, double spaced) paper with endnotes and bibliography.