

	School of Arts & Science SOCIAL SCIENCES DEPARTMENT PSC 104 Canadian Government Fall 2013
---	--

COURSE OUTLINE

The course description is online @ <http://camosun.ca/learn/calendar/current/web/psc.html>

1. Instructor Information

(a)	Instructor:	Mona Brash
(b)	Office Hours:	Thurs. 4:30-5:30, Wed. 8:30-9:30 a.m., Wed & Fri 11:35-12:35, or by appointment
(c)	Location:	Paul 237
(d)	Phone:	Please use email for contact
(e)	Email:	BrashM@camosun.bc.ca

2. Intended Learning Outcomes

Upon completion of this course the student will be able to describe and explain (and in some cases critically assess):

1. The nature of politics, government, and the state, with special reference to Canada.
2. The geographical, historical, social, and international context of the Canadian political system.
3. The fundamental elements of the constitution, including its evolution.
4. Federalism, including federal-provincial tensions.
5. The tensions between nationalism and regionalism, with special reference to Quebec and Western alienation.

3. Required Materials

- (a) Text: Mintz, Eric et al. *Canada's Politics: Democracy, Diversity, and Good Government* (2nd Edition). Toronto: Pearson, 2014.
- (b) Computer access is required as you will need to access some websites for readings
- (c) Forsey, Senator Eugene. *How Canadians Govern Themselves*:
<http://www2.parl.gc.ca/Sites/LOP/AboutParliament/Forsey/index-e.asp>
 This is a helpful site for general information about government and politics in Canada.

"I am actually surprised by how little teaching there is done in our primary and secondary schools about our rather unusual form of government ... Even as the dean of a law school, I'd be so surprised that students would come through, major in history or political science, and have so little understanding of our Constitution and our division of powers and our protection of rights and freedoms. We don't do as good a job as we should on that." (Governor General David Johnston in the December 24, 2012 *Globe and Mail*)

4. Course Content and Schedule

September 4

Introduction to Government and Politics

Review Syllabus

Attendance

Key issues in Canada today

Questionnaire

September 6

Basics of government in Canada currently

Responsible Government defined

Reading: Reviewing blue sheet

*****Assignment # 1 Syllabus Quiz*****

September 11

What is Government?

Royal Proclamation 1763

Reading: Mintz, pp. 14-17

Royal Proclamation, read preamble and sections beginning at “And Whereas, We are desirous, upon all occasions,” to end of document.

http://www.solon.org/Constitutions/Canada/English/PreConfederation/rp_1763.html

Q. Why does the Royal Proclamation matter today? What did it promise aboriginal people? Was it an example of good government per Mintz (democratic, transparent, responsive, and inclusive)?

September 13

Durham Report, Road to Confederation

Reading: Mintz, pp. 26-31

Lord Durham, Recommendations of Assimilation and Union, Parts 1 & 2 of recommendations

<http://faculty.marianopolis.edu/c.belanger/quebechistory/docs/durham/>

Q. How might Durham’s report influence French/English interactions? What are some of the early sources of French Grievance? What are some similarities between what he recommended for dividing powers and how Canada divides powers now?

*****Assignment # 2 Media Story due*****

September 18

Confederation, Constitution Act, 1867

Reading: Mintz, pp. 32-top of p. 34 & 312-to midpage 314

Constitution Act, 1867, read Preamble and Sections 1-8

http://www.solon.org/Constitutions/Canada/English/ca_1867.html

Q. Why did the colonies decide to unite? Is this act easy to understand? Why or why not?

September 20**Expansion of Canada****Reading:** Mintz, pp. 34-37**Discussion:** Stories you covered: Did they “have legs?”*****Assignment # 3 Media Story Follow-up Due*******September 25****Issues Post – Confederation****Reading:** Mintz, pp. 38-53*Q. What were the major issues post-confederation? Do you think these issues are still unresolved today or are they settled?***September 27****Federalism****Exclusive Powers of Parliament****Reading:** Constitution Act, 1867, read Section 91http://www.solon.org/Constitutions/Canada/English/ca_1867.html*Q. What are the exclusive powers of Parliament alone?***October 2****Exclusive Powers of Provincial Legislatures****Reading:** Constitution Act, 1867, read Section 92http://www.solon.org/Constitutions/Canada/English/ca_1867.html*Q. What are the exclusive powers of provincial legislatures alone?***October 4*******Assignment # 4: Quiz # 1*****

On material covered to date.

October 9**Diversity****Lead up to Patriation & November 1981****Reading:** Mintz, pp. 142-147, 319 - top of 324, 515-516*Q. How does diversity affect political culture?**What was the “Night of the Long Knives?”***October 11****Patriation of the Constitution****Reading:** Mintz, 324-325

Canada Act, 1982 at:

http://www.solon.org/Constitutions/Canada/English/Canada_Act_1982.html

Constitution Act, 1982 Section 52 and Schedule

http://www.solon.org/Constitutions/Canada/English/ca_1982.html

October 16

Inequality and Society

1960 Bill of Rights

Reading: Mintz, pp. 74-85 & 337-349

October 18

Court System

Charter of Rights and Freedoms, Part I of the Constitution Act, 1982

Reading: Mintz, pp. 511-528

Mintz, pp. 345-348

Charter of Rights and Freedoms in Constitution Act, 1982

Preamble and Sections 1, 2, 24, 32, & 33 only at

http://www.solon.org/Constitutions/Canada/English/ca_1982.html

Q. Are rights and freedoms in Canada absolutely guaranteed? Why or why not?

October 23

Charter of Rights and Freedoms in Constitution Act, 1982

Democratic and Mobility rights, Legal rights, Equality rights,

Reading: Constitution Act, 1982, Sections 2-15 in:

http://www.solon.org/Constitutions/Canada/English/ca_1982.html

Q. What are your legal and equality rights?

*****Assignment # 5: Major Paper Proposal and Preliminary Bibliography*****

October 25

Charter cases

Role of the Courts and legislation

Reading: Mintz, pp. 342-344 & 349-353

Q. Who should have the final say on legislation? Who does have the final say on legislation?

October 30

*****Assignment # 6: Quiz # 2 *****

November 1

Amending the Constitution

Reading: Mintz, pp. 316- to top of 319

Constitution Act, 1982, Sections 38-48 (scan these) in:

http://www.solon.org/Constitutions/Canada/English/ca_1982.html

Q. What is something related to Canadian government that should be changed? Bring a suggestion to class and we will relate it to the amending formulae.

November 6

Quebec Nationhood?

Reading: Mintz, pp. 100-to top of 106

Q. What are some of the sources of Quebec discontent within the federation?

November 8**Meech Lake Accord**

Reading: Mintz, pp. 325-to top of 328
 Meech Lake Accord (1987 Accord), Preamble only at
<http://www.solon.org/Constitutions/Canada/English/Proposals/MeechLake.html>

Q. Did the Meech Lake Accord contain useful provisions for constitutional change?

November 13**Charlottetown Accord**

Reading: Mintz, pp. 328 – to mid 330
 Charlottetown Accord, Preface and Index only at
<http://www.solon.org/Constitutions/Canada/English/Proposals/CharlottetownConsensus.html#tirsg>

Q. How did the Meech and Charlottetown attempts at constitutional reform differ? Why did these attempts at constitutional reform change fail? Should major constitutional change require an approval by the citizens in a referendum? What would constitute a sufficient majority?

November 15**Quebec 1981-present****Quebec Secession****Government response to Quebec referendum**

Reading: Mintz, pp. 330-333
 Quebec Secession Reference Case, Part IV. Summary of Conclusions, paras. 148-156 at:
<http://www.canlii.org/en/ca/scc/doc/1998/1998canlii793/1998canlii793.pdf>

Q. Can Quebec separate from Canada under constitutional or international law? What would a “clear majority” be?

November 20**Aboriginal Peoples****History****Current realities**

Reading: Mintz, pp. 355-364 & 528
 Handout from Sept. 11 lesson: (Constitution Act, 1867, Section 91.24,
 Constitution Act 1982, Sections 25 and 35: Aboriginal and Treaty rights)

Q. What are some of the historical bases of aboriginal realities in Canada?

November 22**Aboriginal rights and Land claims****Treaties: Nisga’a Treaty, BC Treaty Process (Maanulth, Tsawassen)**

Reading: Mintz, pp. 364-373
 BC Treaty Commission (briefly scan it) at: <http://www.bctreaty.net/>

Q. Why was the BC Treaty Commission established? What do treaties look like?

*****Assignment # 7: Major PaperDue*****

November 27**Aboriginal sovereignty & governance**

Reading: Mintz, 373-379
 Union of BC Indian Chiefs Open Letter to Carole James (*in opposition to BC Treaty Process*) at:
http://www.ubcic.bc.ca/News_Releases/UBCICNews10310701.htm
 Idle No More
 Scan the site at www.idlenomore.ca/

Q. Why do some aboriginal people not support the BC Treaty Process or other treaties in Canada? What is "Idle No More?"

November 29**Canada in the World**

Reading: Mintz, pp. 150-164

Q. What has Canada's place been in the world in terms of military involvement? What should it be?

December 4**Canada in the World (con'd)**

Reading: Mintz, pp. 164-175

Q. What should Canada's role in the world be? Should we focus more or less on foreign aid?

December 6**Last Class****Redo Day 1 Mock Quiz****Review Exam Format****Wrap up current events*******Assignment # 8:Final Exam*****

Date to be determined later (1 ½ hours),

5. Basis of Student Assessment (Weighting)**ASSIGNMENTS**

1) Syllabus quiz	Sept. 6	2% _____
2) Media assignment Part 1	Sept. 13	10% _____
3) Media assignment Part 2	Sept. 20	3% _____
4) Quiz 1	Sept. 27	10% _____
5) Outline and preliminary bibliography	Oct. 23	10% _____
6) Quiz 2	Oct. 30	15% _____
7) Major Paper	Nov. 22	25% _____
8) Final Exam	TBD	25% _____
Total:		_____/100

(You can keep track of your grades by entering them here ↑

Assignment Details

All assignments will be completed using the following:

- Use default margins
- Type
- Double-space
- Times Roman 12 font
- Include page numbers
- Use Chicago style citations with footnotes or endnotes (your computer is programmed for these – it's easy –in Word "Help", just type in "*About Footnotes and Endnotes*"!) http://www.chicagomanualofstyle.org/tools_citationguide.html
- Include a bibliography
- Include a title page with your name, student number, title of assignment, course name

1) Syllabus Quiz

Questions regarding information in your syllabus, bring syllabus to class as you may refer to it

2) Media assignment Part 1 (2-3 pages) (TITLE PAGE, FOOTNOTES AND BIBLIOGRAPHY are extra pages)

- Choose a current media story related to Canadian government and answer the following in this order, in proper paragraphs:
 - What is the story about?
 - What is the source of the story?
 - Is it covered in other media? Compare to at least 2 other media.
 - What placement does the story have (front page, first story, bold headline, picture...) and what does that tell you about the importance of the story
 - Does this story have legs (will it be covered further, why or why no

3) Media Assignment Part 2 (1-1/2 pages) (TITLE PAGE, FOOTNOTES, AND BIBLIOGRAPHY are extra pages)

- Using the story from Part 1, follow-up, in proper paragraphs
 - Is the story still being covered in the sources you reviewed earlier?
 - Has its placement changed?
 - Explain why it is still covered or is no longer covered.

4) Quiz 1 – on material covered to date

5) Major Paper proposal and preliminary bibliography

- 1-2 pages, (TITLE PAGE, FOOTNOTES AND BIBLIOGRAPHY are extra pages)
- read and choose Major Assignment (see pp. 8-11)
 - 1) Proposal:

In 1-2 pages:

 - Describe what your topic will be
 - Why did you choose this topic?

- What is the objective of the assignment, what do you intend to explore/find out?
- What are some of the sources you intend to use (in general terms)?

2) Provide, in Chicago Manual of Style (how-to at:

<http://camosun.ca.libguides.com/chicago> or

http://www.chicagomanualofstyle.org/tools_citationguide.html)

- 3 primary sources
- **Primary sources** are the basic materials for conducting original research in a given discipline. For the historian, they include documents such as letters, diaries, autobiographies, newspaper and magazine articles, speeches, eyewitness accounts, photographs and sketches, and census data. For the scientist, primary sources might be notes on an experiment or a sheet of calculations. For the literary critic, the primary source is the text of the poem, play, or story. In the art of argument—the business of the critical essay—fair and compelling evidence is needed in order to substantiate any claim, whether it be the interpretation of a poem or a judgment on a historical figure. Primary sources constitute the best **evidence**. Original research is only made possible by collection, discovery, and recovery of primary documents and materials.
- 2 secondary sources
- **Secondary sources** are books and articles and documentaries that draw on primary sources and interpret them. When you are first researching a topic of interest, the fastest way to come to an understanding of your subject is to read secondary sources. Critical reading of these materials will also give you a sense of how other researchers have approached your research topic, which may give direction to your own argument—either toward or away from established perspectives or conclusions. Academic writing will require you to consult secondary sources to support and direct your own analysis. Most important to the student researcher, good secondary sources will **lead you** to the primary documents and resources noted in a bibliography or footnote. (source: RMC POE 206 CD)
- **Note: Wikipedia is not an acceptable academic source**

You will attach marked outline to major paper

6) Quiz # 2 – material covered since first Quiz

7) Major Paper – must be completed in order to pass the course

- Essay length: 5-7 pages (TITLE PAGE, FOOTNOTES AND BIBLIOGRAPHY are extra pages)

- Portfolio length: explained in #2
- Court Case: explained in #3
- A note on being succinct:

"I have made this letter longer than usual because I lack the time to make it shorter." -- Blaise Pascal

Marked outline must be attached to major paper when you submit it.

You have a **choice** from 3 options below for this assignment.

1. Essay: Choose from these topics:

- a) Choose a province or region of Canada. Examine its **historical and/or current grievances**. How have they been or not been accommodated in our federal system?
- b) Examine and analyze current issues regarding the **Lac Megantic** explosion of July, 2013.
- Briefly explain what happened.
 - What were the issues that arose as a result of the explosion?
 - Which levels of government were involved in responding to the explosion?
 - Does our federal system of government enhance or complicate resolution of the effects of the explosion?
- c) Examine the **Alberta Tar/Oil sands** development and answer each of the following questions:
- What is this development?
 - What issues arise from the Tar/oil sands?
 - Which levels of government are involved in responding to these issues?
 - What is the legal basis for their involvement? (think constitution)
 - Does our federal system of government enhance or complicate resolution of the impacts of the development?
- d) Examine the **Enbridge/Northern Gateway** pipeline proposal and answer each of the following questions:
- What are the jurisdictional issues involved?
 - What role do the municipalities, provinces, band councils, and federal government play in terms of the division of powers?
 - What role do citizens have?
 - Who will decide whether this project proceeds or not?
- e) Canada sent ships and fighter jets, along with members of our military, to the **Mali conflict** (France's Operation SERVAL) this spring.
- Briefly explain Canada's involvement.
 - What is the domestic legislative authority for this?
 - What is the international "authority" for this involvement (which multi-national organization/s were involved)?

- Analyze whether participation in the Mali mission reinforced or contradicted the perceptions of current Canadians about Canada's military role in the world.

f) You may choose your **own topic** but you must clear it with me by September 27th. Be prepared to explain why you want to write about this topic and how you will approach it.

-or-

2. Portfolio

YOU NEED TO DISCUSS, in person only, THIS TOPIC WITH ME no later than Sept. 27th. You may submit a portfolio based on a **current political issue in which you** are involved or in which are going to be involved.

This portfolio will be a binder with the following:

- An introduction of two to three pages explaining what the issue is, why and how you are involved in it, and how you have addressed or intend to address the issue (lobby for policy change, lobby for retention of a policy, lobby for a new policy). You must state which level(s) of government relate to this issue.
- Copies of material related to the issue (legislation, media articles)
- Copies of your letters, speeches, etc. lobbying for your position
- Copies of responses to your lobbying efforts
- A 3-4 page essay (following the format noted above) describing what you wanted to do, what you did, the response of those whom you addressed regarding the issue, and what you learned about the political process and decision making. Does our federal system allow for the resolution of the issue consistent with your point of view?

-or-

3. Analyze a court case

A) Provide the **hyperlink** to the case from a court database.

B) Cut and paste the following and in **point form**, in no more than 2 pages, answer the following:

Particulars of the Case

1. What is the name of the case?
2. What was the date of the case? What was the date of the judgment?
3. In which court was the case heard?
4. Was the case heard in another court previously? If so, which one(s)?
5. How many judges were on the panel of the case?
6. Who is the appellant(s) and who is the respondent(s)? (who is challenging who?)
7. Are there any interveners? If so, who are they?
8. Which policy or law is being challenged?

9. What was the ruling of the court?

- What is the basis of the reason for judgment?
- Is it the same as the ruling of the lower court (if applicable)?
- Was the ruling unanimous or were there dissenting opinions?

C) In a two to three page essay, explain why this case matters **now** in terms of government in Canada. Include a follow-up of any government actions taken in response to the case. (for example, it may analyze the role of federalism the division of powers, the relationship between the courts and government, result in change to laws, subsequent related court cases...) (informed by: MacIvor, Heather. *Canadian Politics and Government in the Charter Era*. Thomson Nelson. University of Windsor. 2006.)

Choose from these cases:

Auton v. British Columbia (2004): funding for Autism treatment

<http://scc.lexum.org/en/2004/2004scc78/2004scc78.html>

B. (R.) v. Children's Aid Society (1995) Seizing children for blood transfusions (Jehovah's Witness)

<http://scc.lexum.org/en/1995/1995scr1-315/1995scr1-315.html>

Genereux, R. v., Is a separate military court independent?

<http://scc.lexum.org/en/1992/1992scr1-259/1992scr1-259.html>

Lax Kw'alaams Indian Band v. Canada (Attorney General). Do pre-contact customs, practices, and traditions support a commercial fishery?

<http://scc.lexum.org/en/2011/2011scc56/2011scc56.html>

Multani v. Commission scolaire Marguerite –Bourgeoys, 2006. Does the child, Gurba, have a religious or equality right to wear a kirpan in school?

<http://www.canlii.org/eliisa/highlight.do?text=multani&language=en&searchTitle=Federal+-+Supreme+Court+of+Canada&path=/en/ca/scc/doc/2006/2006scc6/2006scc6.html>

Rodriguez v. British Columbia (Attorney General) Right to assisted suicide?

<http://scc.lexum.org/en/1993/1993scr3-519/1993scr3-519.html>

- 8) Final Exam – date to be announced, 1 ½ hours long
- will focus on material since Quiz 2
 - format will be discussed in more detail in last week

Note that none of these assignments is group work. They are each to be done individually. You are encouraged to ask librarians for help with your research. Be sure to read the College's policy on plagiarism at <http://camosun.ca/about/policies/education-academic/e-2-student-services-&-support/e-2.5.pdf>

Late Policy

Assignments are due in class and will be handed to me in person. Please notify me, **before the assignment is due**, of a problem with completing an assignment and we will make alternate arrangements for you to complete your work.

After the assignment due date, I will only accept your assignment if you have a legitimate excuse (e.g. medical, family, death of person close to you) and/or bring a Doctor's note or note from Student Services (Counselling).

Links to useful sites:

Supreme Court of Canada

<http://www.scc-csc.gc.ca/>

Parliament of Canada Legislation:

<http://www.parl.gc.ca/LEGISINFO/index.asp>

This site will give you links to recent Senate and House of Commons legislation

Guide to using LEGISINFO:

<http://www2.parl.gc.ca/Sites/LOP/LEGISINFO/index.asp?Language=E&list=faq#proc>

Library of Parliament Research Publications

<http://www.parl.gc.ca/About/Library/VirtualLibrary/ResearchPublicationsArchives-e.asp>

Constitutional Documents

Maton, W.F. *The Solon Law Archive*. This site has most of the Constitutional documents we will be looking at. Click on The complete [set of documents...](http://www.solon.org/)

Quebec

Quebec History. Marionopolis University.

<http://www2.marianopolis.edu/quebechistory/index.htm>

Native Governance

Indian and Northern Affairs. <http://www.ainc-inac.gc.ca/>

Nisga'a Treaty http://www.ainc-inac.gc.ca/pr/info/nit_e.html

BC Treaty Commission <http://www.bctreaty.net/>

Inc. links to: [Tsawwassen First Nation Final Agreement](#)
[Maa-nulth First Nations Final Agreement](#)
[Lheidli T'enneh First Nation Final Agreement](#)
[Sliammon First Nation](#) at http://www.bctreaty.net/nations/agreements/Yale-Final-Agreement_Feb10.pdf
 Yale at http://www.bctreaty.net/nations/agreements/Yale-Final-Agreement_Feb10.pdf

6. Grading System

Standard Grading System (GPA)

Percentage	Grade	Description	Grade Point Equivalency
90-100	A+		9
85-89	A		8
80-84	A-		7
77-79	B+		6
73-76	B		5
70-72	B-		4
65-69	C+		3
60-64	C		2
50-59	D	Minimum level of achievement for which credit is granted; a course with a "D" grade cannot be used as a prerequisite.	1
0-49	F	Minimum level has not been achieved.	0

Temporary Grades

Temporary grades are assigned for specific circumstances and will convert to a final grade according to the grading scheme being used in the course. See Grading Policy E-1.5 at camosun.ca for information on conversion to final grades, and for additional information on student record and transcript notations.

Temporary Grade	Description
I	<i>Incomplete:</i> A temporary grade assigned when the requirements of a course have not yet been completed due to hardship or extenuating circumstances, such as illness or death in the family.
IP	<i>In progress:</i> A temporary grade assigned for courses that, due to design may require a further enrollment in the same course. No more than two IP grades will be assigned for the same course. (For these courses a final grade will be assigned to either the 3 rd course attempt or at the point of course completion.)

CW	<i>Compulsory Withdrawal:</i> A temporary grade assigned by a Dean when an instructor, after documenting the prescriptive strategies applied and consulting with peers, deems that a student is unsafe to self or others and must be removed from the lab, practicum, worksite, or field placement.
-----------	---

7. Recommended Materials or Services to Assist Students to Succeed Throughout the Course

LEARNING SUPPORT AND SERVICES FOR STUDENTS

There are a variety of services available for students to assist them throughout their learning. This information is available in the College calendar, at Student Services, or the College web site at camosun.ca.

Do not hesitate to ask for help when you need it.

- [Planning your education](#)
- [Getting your coursework done](#)
- [Campus life](#)
- [Personal support](#)
- [Work and housing](#)
- [Getting around](#)

There is a Student Conduct Policy **which includes plagiarism**. It is the student's responsibility to become familiar with the content of this policy. The policy is available in each School Administration Office, at Student Services, and the College web site in the Policy Section.