

	<b>School of Arts &amp; Science</b> <b>SOCIAL SCIENCES DEPARTMENT</b> <b>PSC 104 (002)</b> <b>Canadian Government</b> <b>Fall 2014</b>
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## COURSE OUTLINE

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

### 1. Instructor Information

(a)	Instructor:	Mona Brash
(b)	Office Hours:	Monday & Wednesday: 10 - 11:30, Thursday: 3:00-5:30 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 (2<sup>nd</sup> Edition). Toronto: Pearson, 2014.
- (b) Computer access is required as you will need to access some websites for readings

*“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

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### **September 11**

#### **Basics of government in Canada currently**

#### **Responsible Government defined**

**Reading:** Reviewing blue sheet

#### **What is Government?**

**Reading:** Mintz, pp. 14-17

*Break*

#### **Royal Proclamation 1763**

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](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)?*

**\*\*\*Assignment # 1 Media Story due\*\*\***

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### **September 18**

#### **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?*

*Break*

#### **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](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 25****Expansion of Canada, Issues Post – Confederation****Reading:** Mintz, pp. 34-53*Q. What were the major issues post-confederation? Do you think these issues are still unresolved today or are they settled?***Federalism****Exclusive Powers of Parliament****Reading:** Constitution Act, 1867, read Section 91[http://www.solon.org/Constitutions/Canada/English/ca\\_1867.html](http://www.solon.org/Constitutions/Canada/English/ca_1867.html)*Q. What are the exclusive powers of Parliament?***\*\*\*Assignment # 2 Media Story Follow-up Due\*\*\*****October 2****Exclusive Powers of Provincial Legislatures****Reading:** Constitution Act, 1867, read Section 92[http://www.solon.org/Constitutions/Canada/English/ca\\_1867.html](http://www.solon.org/Constitutions/Canada/English/ca_1867.html)*Q. What are the exclusive powers of provincial legislatures?**Break***Discussion:** Stories you covered: Did they “have legs?”**October 9****\*\*\*Assignment # 3: Quiz # 1\*\*\***

On material covered to date.

*Break***Diversity****Reading:** Mintz, pp. 142-147*Q. How does diversity affect political culture?***October 16****Lead up to Patriation & November 1981****Reading:** Mintz, pp. 319 - top of 324*Q. What was the “Night of the Long Knives?”***Patriation of the Constitution,****Reading:** Mintz, pp. 324-325

Canada Act, 1982 at:

[http://www.solon.org/Constitutions/Canada/English/Canada\\_Act\\_1982.html](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](http://www.solon.org/Constitutions/Canada/English/ca_1982.html)*Break*

## **Inequality and Society**

### **1960 Bill of Rights**

**Reading:** Mintz, pp. 74-85 & 337-340  
 CEO vs Average Pay in Canada: All in a Day's Work? at  
<http://policyalternatives.ca/ceo>

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**October 23**

### **Court System**

**Reading:** Mintz, pp. 511-528

*Break*

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

**Reading:** Mintz, pp. 341-348  
 Charter of Rights and Freedoms in Constitution Act, 1982  
 Preamble and Sections 1, 24, 32, & 33 only at  
[http://www.solon.org/Constitutions/Canada/English/ca\\_1982.html](http://www.solon.org/Constitutions/Canada/English/ca_1982.html)

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

**\*\*\*Assignment # 4 Proposal and Preliminary Bibliography due\*\*\***

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**October 30**

### **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](http://www.solon.org/Constitutions/Canada/English/ca_1982.html)

*Q. What are your legal and equality rights?*

*Break*

### **Charter cases**

#### **Role of the Courts and legislation**

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

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

#### **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](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.*

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**November 6**

**\*\*\*Assignment # 5: Quiz # 2 \*\*\***

*Break*

## Quebec Nationhood

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

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

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## November 13

### 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?*

*Break*

## 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?*

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## November 20

### Quebec 1981-present

### Quebec Secession

### Government response to Quebec referendum

**Reading:** Mintz, pp. 106-110 & 330-333

Quebec Secession Reference Case, Part IV. Summary of Conclusions, paras. 148-156 at:

<http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1643/index.do>

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

*Break*

## Aboriginal Peoples

### History

### Current realities

**Reading:** Mintz, pp. 355-364 & 526-528

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?*

**\*\*\* Assignment # 6: Major Paper due**

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**November 27**

**Treaties**

**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 # 6: Major Paper Due\*\*\***

*Break*

**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](http://www.ubcic.bc.ca/News_Releases/UBCICNews10310701.htm)

Idle No More:

Scan the site at [www.idlenomore.ca/](http://www.idlenomore.ca/)

What is Duty to consult? In Eyford Report, "Forging Partnerships, Building Relationships" pp. 32-37

<http://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/www/pdf/publications/ForGP>

[art-Online-e.pdf](#) (*cut and paste into Google or address bar*)

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

**December 4**

**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?*

*Break*

**Canada in the World (cont'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?*

**Redo Day 1 Mock Quiz**

**Review Exam Format**

**\*\*\*Assignment # 7: Final Exam\*\*\***

Date to be determined later (1 ½ hours),

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

1) Media assignment Part 1	Sept. 11	10% _____
2) Media assignment Part 2	Sept. 25	5% _____
3) Quiz 1	Oct. 9	10% _____
4) Outline and preliminary bibliography	Oct. 23	15% _____
5) Quiz 2	Nov. 6	10% _____
6) Major Paper	Nov. 20	25% _____
7) Final Exam	TBD	25% _____
<b>Total:</b>		_____/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://camosun.ca.libguides.com/chicago>
- Include a bibliography
  - Wikipedia is not an accepted source
- Include a title page with your name, title of assignment, course name, and date
- **“I” is not used** in any of these assignments

#### **1) 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, and in proper paragraphs:
  - What is the story about?
  - Which government(s) is involved?
  - Who are the politicians involved?
  - 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 not)?

#### **2) 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.

### 3) Quiz 1 – on material covered to date

### 4) Major Paper proposal and preliminary bibliography (2 parts)

- 1-2 pages, (TITLE PAGE, FOOTNOTES AND BIBLIOGRAPHY are extra pages)
- read and choose Major Assignment (see pp. 9-11)

#### Part 1: Proposal

In 1-2 pages:

- Describe what the topic will be
- Why is this topic chosen?
- What is the objective of the assignment, (what is the intention of the paper, what do you want to determine)?
- What are some of the sources that will be used (in general terms, what types of sources and how will you approach finding them)?

#### Part 2: Preliminary bibliography

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

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

- **3 primary sources**
- **Primary sources** are the basic materials for conducting original research in a given discipline. They include documents such as letters, diaries, autobiographies, newspaper and magazine articles, speeches, eyewitness accounts, photographs and sketches, and census data. Fair and compelling evidence is needed in order to substantiate any claim. 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



## 5) Quiz # 2 – material covered since first Quiz

### 6) Major Paper

You have a **choice** from 2 options below for this assignment, a standard essay or an analysis of a court case. Details on next page...

- Essay length: 5-7 pages (TITLE PAGE, FOOTNOTES AND BIBLIOGRAPHY are extra pages)
- Court Case length: explained in #2
- A note on being succinct: "**I have made this letter longer than usual because I lack the time to make it shorter.**" -- Blaise Pascal

**Choice # 1. Essay: Choose from these topics:**

a) Assembly of First Nations Leadership

- What is the AFN
- What is its jurisdiction/authority
- Why did Shawn Atleo resign
- What is the current status of AFN leadership
- What does this situation illustrate about the relationship between the Harper Conservative Government and the AFN

b) Humpback Whales are no longer a Species at Risk

- Briefly explain the Species at Risk Act (SARA)
- Explain the history of the Humpback whales' protected status
- Explain how the status has changed
- Analyze why the change was made
- What were the reactions to the change
- What does this tell you about the current government's stance on Species at Risk

c) Examine the Texada Island/Surrey Fraser Docks proposal to move US Coal through BC.

Answer each of the following questions, in terms of Canadian governments:

- 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
- Very briefly, explain who the American authorities involved in this area are
- Who will decide whether this project proceeds or not

d) Quebec Politics current status

- Very briefly describe the political situation in Quebec post 1995 referendum
- Analyze the April 2014 election
  - What were the issues in the election
  - Who won, who lost
  - What does this illustrate about the current sovereigntist movement in Quebec

e) On September 18, 2014, Scotland will hold an independence vote. Compare and contrast this with the October 30, 1995 Quebec Sovereignty Association referendum.

Use the Quebec Secession Reference Case, at <http://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1643/index.do> for reference when analyzing the two referenda.

Answer the following:

- Provide a very brief history of each “nations” quest for independence
- Compare and contrast the referenda terms of the following:
  - Question posed, who developed it, its clarity
  - Electoral system and voter qualification
  - Threshold for acceptance of result (voter turnout and %)
  - Result (voter turnout and %)
  - Aftermath of referenda (brief explanation of **current** status of independence in each)
  - Analyze whether each was legitimate, using the Quebec Secession Reference Case as the basis of the analysis

f) You may choose your **own topic** but you must clear it with me by October 2. Be prepared to explain why you want to write about this topic and how you will approach it. No individual topics will be approved after this date.

-Or-

**Choice # 2. 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 about 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(s) 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(s) (if applicable)?
- Was the ruling unanimous (was it one opinion or concurring opinions)
- Were there dissenting opinions?

(informed by: MacIver, Heather. *Canadian Politics and Government in the Charter Era*. Thomson Nelson. University of Windsor. 2006.)

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...)

Hint: If your essay begins with this:

**This case (insert name of case here) matters now because....** it will be easier to focus your answer.

**Example:**

This case, Multan v. Commission solaria Marguerite –Bourgeois, 2006, matters now because...

**Choose one of these cases:**

- Giolla Chainnigh v. Canada (Attorney General) 2008-01-21 Is a member of the Canadian Forces obligated to participate in "outward displays of loyalty to an unelected monarch of foreign origin" (i.e. Queen Elizabeth II).

<http://decisions.fct-cf.gc.ca/site/fc-cf/decisions/en/item/54836/index.do?r=AAAAAQ8YXJhbHQgbWFjIGdpc2xsYSBjaGFpbm5pZ2ggdi4gdGhlIGF0dG9ybmV5IGdlbmVyYXVwY2YgY2FuYWRhAAAAAAE>

- 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 –Bourgeois, 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>

- Sagen v. Vancouver Organizing Committee  
Was it a violation of equality rights of women to not have Women's ski-jumping at the 2010 Olympics?

<http://www.courts.gov.bc.ca/jdb-txt/SC/09/09/2009BCSC0942.htm>

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

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

**7) 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, at the start of class**, and will be handed to me in person.

(Do not submit papers under my door or show up at the end of class to submit it.)  
If you have a serious problem **before the due date**, notify me immediately and we will make alternate arrangements for you to complete your work.

After that, I will only accept your paper 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).

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### **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://nisgaalisims.ca/the-nisgaa-final-agreement>

**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 final Agreement](#)  
[Yale First Nation Final Agreement](#)

## 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](http://camosun.ca) for information on conversion to final grades, and for additional information on student record and transcript notations.

Temporary Grade	Description
<b>I</b>	<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.
<b>IP</b>	<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. ( <i>For these courses a final grade will be assigned to either the 3<sup>rd</sup> course attempt or at the point of course completion.</i> )
<b>CW</b>	<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

Please do not hesitate to ask for help from me or from Counsellors when you need it.

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](http://camosun.ca).