

	School of Arts & Science SOCIAL SCIENCES DEPARTMENT PSC 104 Canadian Government Fall 2017 (001)
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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:	Tuesday 12 – 1:30, Wednesday 1:30-2:30 and 4:30-5:30, Thursday 2:30 – 3:30 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 (3rd Edition). Toronto: Pearson, 2017.
- (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 5

Introduction to Government and Politics

Review Syllabus

Attendance

Key issues in Canada today

Questionnaire

September 8

Basics of government in Canada currently

Responsible Government defined

Reading: Review Blue sheet

Mintz, pp. 1-22

Q. What is Government?

September 12

Royal Proclamation 1763, Legislative Instruments

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

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/PreConfederation/rp_1763.html

Mintz, pp. 24-27, 400 (chart re Bills)

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)?

***** Book Report Due*****

September 15

Durham Report, Road to Confederation

Reading: Mintz, pp. 27-29,

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?

September 19

Confederation, Constitution Act, 1867

Reading: Mintz, pp. 30-31 & 271-273

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

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1867.html

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

***** Media Story due*****

September 22
Expansion of Canada, Issues Post – Confederation

Reading: Mintz, pp. 32-33, 36-51

Q. What were the major issues post-confederation? Do you think these issues are still unresolved today or are they settled?

September 26
Federalism, Exclusive Powers of Parliament

Reading: Constitution Act, 1867, read Section 91

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1867.html

Q. What are the exclusive powers of Parliament?

September 29
Exclusive Powers of Provincial Legislatures

Reading: Constitution Act, 1867, read Section 92

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1867.html

Q. What are the exclusive powers of provincial legislatures?

October 3
Concurrent Federal/Provincial Powers
Doctrines
Aid of the Civil Power
Review for Test 1

Reading: Mintz, pp. 325-326, 507

Q. What powers do the governments share? Which level of government prevails if there is a conflict?

October 6

Test 1

October 10
Lead up to Patriation & November 1981

Reading: Mintz, pp. 277-281

Q. What was the “Night of the Long Knives?”

October 13
Patriation of the Constitution,

Reading: Mintz, pp. 67- mid. 74

Canada Act, 1982 and

Constitution Act, 1982 Section 52 and Schedule

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1982.html

October 17
Diversity

Reading: Mintz, pp. 53-65

Q. How does diversity affect political culture?

October 20

Inequality and Society

1960 Bill of Rights

Reading: Mintz, pp.107-118
CEO pay sets new record: study

<https://www.policyalternatives.ca/newsroom/news-releases/ceo-pay-sets-new-record-study>

October 24

Court System

Reading: Mintz, pp. 451-457

Q. What is structure of the Canadian Court system? How does the Supreme Court of Canada differ from the lower courts?

***** Proposal and Preliminary Bibliography*****

October 27

Charter of Rights and Freedoms in Constitution Act, 1982

Reading: Preamble and Sections 1, 24, 32, & 33
And Sections 2-15 at

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1982.html

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

October 31

Fundamental Freedoms and Legal Rights

Sections 2-15 at

Q. What are your legal and equality rights?

http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1982.html

November 3

Charter cases

Role of the Courts and legislation

Reading: Mintz, pp. 296-297

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

November 7

*****Test # 2*****

On material covered since Test 1

November 10

Canada/USA Relationship

United States Election 1 year since Trump elected

Reading: Mintz pp. 513-528, p. 387 (Box 14-1)

Q. What is our foreign policy relationship with the USA?

Q. How are the roles and powers of the Prime Minister and the President similar and different?

November 14
Amending the Constitution

Reading: Mintz: pp. 274-276
 Constitution Act, 1982, Sections 38-48 (scan these) in:
http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/ca_1982.html

Q. Is it easier or more difficult to change the constitution now than it was prior to 1982?

November 17
Quebec Nationhood, Meech Lake Accord

Reading: Mintz, pp. 71-76
 Mintz, pp. 268, 281-283
 Meech Lake Accord (1987 Accord), Preamble only (click on link) at
<http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/Proposals/Proposals.html>

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

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

*****Paper Due*****

November 21
Charlottetown Accord

Reading: Mintz, pp. 283-286
 Charlottetown Accord, Preface and Index only (click on link on Consensus report)
<http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/Proposals/Proposals.html>

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?

Q. What is something related to Canadian government that should be changed?

November 24
Quebec 1981-present
Quebec Secession
Government response to Quebec referendum

Reading: Mintz, pp. 63-76
 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?

November 28
Aboriginal Peoples
History
Current realities

Reading: Mintz, pp. 299-305
 Handout from Sept. 15 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?

December 1

Treaties: Nisga'a Treaty, BC Treaty Process (Maa-nulth, Tsawwassen)

Reading: Mintz, pp. 307-321

BC Treaty Commission (briefly scan it) at: <http://www.bctreaty.net/>

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

December 5

Aboriginal sovereignty & governance Duty to Consult

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

<https://www.nrcan.gc.ca/sites/www.nrcan.gc.ca/files/www/pdf/publications/ForGP art-Online-e.pdf>

Q. Why do some aboriginal people not support the BC Treaty Process or other treaties in Canada?

December 8

Canada in the World, Redo Mock Quiz

Reading: Mintz, pp. 528-539

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

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

*** 7: Final Exam***

Date to be determined later (1 ½ hours),

5. Basis of Student Assessment (Weighting) ASSIGNMENTS

1) Book Report	Sept. 12	5% _____
2) Media assignment	Sept. 19	10% _____
3) Test 1	Oct. 6	15% _____
4) Proposal and preliminary bibliography	Oct. 24	10% _____
5) Test 2	Nov. 7	10% _____
6) Major Paper	Nov.17	25% _____
7) 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://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) Book Report (1 page) (TITLE PAGE, is an extra page)

Find a book about Canadian Government or Canadian Politics.

- Bring the book to class on Sept. 12
- Submit a report with the following information:
 - Bibliographic entry
 - One citation from the book, in Chicago format
 - In a short paragraph, explain where you found the book
 - In a short paragraph, explain why you chose 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 and in proper paragraphs:
 - What is the story about?
 - Which government(s) is involved?
 - Who are the politicians involved?
 - What is the media source of the story?
 - 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
 - Is it covered in other media? Look at 2 other media the same day and say whether they cover it or not.
 - Does this story have legs (will it be covered further, why or why not)?

3) Test # 1 – on material covered to date

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

- (TITLE PAGE is an extra page)
- 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)?
- In terms of the sources you list in your preliminary bibliography, explain how you found them. If online, **how** did you search for them?
- What are some of the other sources that will be used (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) Test # 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 Choice #2

Choice # 1. Essay: Choose from these topics:

a) Assembly of First Nations Leadership

- What is the AFN
- What is its jurisdiction/authority
- Who is the current AFN leader
- What are the issues on which they are currently focused
- What is/was the relationship between the Trudeau Liberal Government and the AFN

b) Steelhead LNG

- Briefly explain the project
- What are the jurisdictional issues surrounding the project
 - Federal, provincial, local, band
- Who are the supporters and opponents
- What is the likelihood of the project proceeding
 - Provide some analysis about the legal issues, especially “Duty to Consult.”

c) Softwood Lumber

- What is the Softwood Lumber dispute
 - Explain the legal agreement involved
- Which provinces are the key exporters of Softwood lumber to the USA
- Which Canadian politicians are involved
- Discuss how this became part of the BC provincial election

d) Species at Risk Act & Beluga Whales Case study

- Briefly explain the Species at Risk Act (SARA)
- Explain the history of SARA (when was it passed and why?)
- Explain the process of determining which species is declared at risk? Who are the people who play a role in the decision
- Examine the Beluga Whale’s status under SARA
 1. Explain the history and current status of that species
- What are the political issues surrounding that status

- Is SARA a useful piece of legislation for protecting the belugas?

e) You may choose your **own topic** but you must clear it with me by September 29. 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 (3 parts to assignment)

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 this 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) or who is challenging who?
 - It may not be two people, may be a government(s) or company as well
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:

Abbotsford (City) v. Shantz (Homelessness camping in Abbotsford)

[http://www.canlii.org/en/bc/bcsc/doc/2015/2015bcsc1909/2015bcsc1909.html?autocompleteStr=Abbotsford%20\(City\)%20v.%20Shantz%2C%202015%20BCSC%201909&autocompletePos=1](http://www.canlii.org/en/bc/bcsc/doc/2015/2015bcsc1909/2015bcsc1909.html?autocompleteStr=Abbotsford%20(City)%20v.%20Shantz%2C%202015%20BCSC%201909&autocompletePos=1)

B.C. Freedom of Information and Privacy Association v. British Columbia (Attorney General) (Should election advertisers have to register?)

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/16348/index.do>

R. v. Moriarity, 2015 SCC 55, [2015] 3 S.C.R. 485 (do some sections of the *NDA* infringe s. 7 of the *Charter* because they create service offences that do not directly pertain to military discipline, efficiency and morale, and thus are overbroad?)

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/15628/index.do>

R. v. SAFARZADEH-MARKHALI, 2016 SCC 14, [2016] 1 S.C.R. 180 (Should people be given credit for time served in pre-sentence custody?)

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/15860/index.do>

Wilson v. British Columbia (Superintendent of Motor Vehicles) (Is the regime of automatic roadside driving prohibition scheme, “ARP,” reasonable?)

<https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/15549/index.do>

Zhang v. Vancouver (City) Can the City limit Freedom of Expression of Falun Gong?

<http://www.courts.gov.bc.ca/jdb-txt/SC/14/22/2014BCSC2288.htm>

7) Final Exam – date to be announced, 1 ½ hours long

- will focus on material since Test 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-and-support/e-2.5.1.pdf>

Camosun College policy re: PLAGIARISM:

Representing the work of others as your own is plagiarism. Quote and cite sources in a way that gives proper credit and avoids plagiarism. When in doubt about how to acknowledge a source, consult your instructor. Plagiarism includes, but is not limited to, the following:

1. Submitting an entire assignment (e.g., paragraph, essay, report, lab report, technical drawing, exam, etc.) written by someone else. This is plagiarism even if you make revisions to the original work.
2. Submitting an assignment in which you have copied or cut and pasted one or more passages from one or more other works or an internet site without enclosing those passages in quotation marks *and* providing clear, correct citations for those passages.
3. Submitting an assignment in which you take one or more ideas from another work(s) without citing them, even when you reword or put those ideas in your own words (that is, paraphrasing them). You *must*

provide clear, correct citations for theories, arguments, facts, stories, or other information that you did not come up with on your own.

4. Submitting an assignment that an editor or tutor, whether amateur or professional, has partially or entirely rewritten for you. A tutor is not a copy editor. A tutor's role is to explain general principles of writing, grammar, syntax, punctuation, and spelling.

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).

Links to useful sites:

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](#)

Constitutional Documents

<http://www.efc.ca/pages/law/cons/Constitutions/Canada/English/cons.html>

Library of Parliament Research Publications

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

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

Nisga'a Treaty <http://nisgaalisims.ca/the-nisgaa-final-agreement>

Parliament of Canada Legislation:

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

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

Quebec

Quebec History. Marionopolis University.

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

Supreme Court of Canada <http://www.scc-csc.gc.ca/>

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

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.