POLITICAL INSTITUTIONS OF THE CANADIAN STATE
POLSCI 760
Fall 2019, Term 1

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Lecture: Thursday, 8:30-11:20
Classroom: KTH-709

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Office Hours: Thursday, 11:30-12:15

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Course Description
This course has two main objectives. First, it seeks to familiarize students with the scholarly literature and debates surrounding core institutions of the Canadian State, to the extent that they can present the major positions and take a nuanced position with respect to them. Second, it aims to problematize the a-sociological and ahistorical analysis of some strands of Canadian institutional research, by foregrounding questions of the origins of institutions, and of the manner in which institutions favour certain political actors and outcomes over others. Without eclipsing the question of how the institutions could or should change, the emphasis is on understanding why our institutions are as they are, and what effects they have.

Course Objectives
By the end of the course students should be able to:

- Describe leading arguments about how particular Canadian political institutions produce outcomes
- Describe arguments about how certain institutional features reflect the influence of specific political actors or ideologies
- Assess and evaluate the relative adequacy of these arguments.

Required Materials and Texts
- We will be reading large portion of David Schneiderman's *Red, White, and Kind of Blue?* (University of Toronto Press, 2015). Several copies of this book should be available for purchase at the campus store. Many of the remaining course materials are available on-line through the library catalogue. Required readings that are not available online will be made available on the course’s Avenue to Learn page.

Class Format
Students are expected to come having done all the required readings each week. They should arrive in class with the ability to summarize the main arguments and points of each reading, and with questions about the strength of the arguments and their relations to other arguments. While the instructor will lead the seminar discussion, that “leadership” will entail calling on class participants to discuss the readings and raise points for discussion.

Course Evaluation – Overview
1. Participation (25%)
2. Paper Outline (10%), due October 21
3. Paper Draft Commentary (15%), due November 26, draft to reviewer November 19
4. **Final Paper (50%), due December 4**

**Course Evaluation – Details**

**Participation (25%)**
Participation will therefore be graded on the extent to which a student consistently contributes thoughtful reflection and analysis drawing on course readings.

**Paper Outline (10%), due October 21**
As preparation for the final paper, students should submit a 1000-1500 word outline. The outline should set out the institution in question and the paper’s argument, placing these within the context of existing research and arguments about that institution. It should include a bibliography that separates sources into those cited in the outline, and those sources that likely will be used for the final paper, but have not yet been consulted.

**Paper Draft Commentary (15%), due November 26, draft to reviewer November 19**
Students will prepare a five page (double-spaced) commentary on the paper draft of a classmate. They must submit the commentary to the professor to be graded, and to the paper writer, to be considered when revising the final paper.

Students must therefore provide a copy of their paper to their discussant and the instructor on or before November 19.

The commentary should briefly describe the paper in one or two pages. What is it arguing? How is it placed in the literature? What sort of evidence is used? It should then underline the main strengths of the paper, as well as indicate places where the argument might be strengthened. Are there convergent or competing arguments or pieces of evidence that could be included?

**Final Paper (50%), due December 4**
Students are expected to produce a 20-page paper on a Canadian political institution. The institution can be a highly visible one (e.g. the Senate, federalism), a narrower or more specific one (e.g. the franchise, the Council of the Federation, the Health Council of Canada, the Ontario Human Rights Commission), or a very specific one (e.g. Federal/Provincial/Territorial Advisory Committee on Governance and Accountability). The paper provides an opportunity for students to apply the themes and framework of the course to their own areas of interest. The paper should analyze the politics of the creation (or subsequent reform) of the institution in question OR analyze how the institution serves to favour certain actors and outcomes over others. Depending on the topic chosen, papers will have different dosages of critical literature review and primary research, as different institutions have different amounts of existing research and debate devoted to them.
Weekly Course Schedule and Required Readings

Week 1 (Sep 5) Intro
Topic: Introduction to the course

Week 2 (Sep 12) Different ways of thinking
Topic: Different ways of thinking about institutions

Readings:


Additional Readings:


Notes: Distribution of weekly responsibilities

Week 3 (Sep 19) Confederation
Topic: Confederation

Readings:


And one of:


Additional readings:


Philip Resnick, *The Masks of Proteus: Canadian Reflections on the State* (Montréal: McGill-Queen’s University Press, 1990), ch. 4


Notes: The class is taking place on Tuesday rather than Thursday this week as I will be away on the 19th. I will understand if some cannot attend.

Week 4 (Sep 26) Parliament and Senate
Topic: Parliament and Senate

Readings:

Janet Ajzenstat, *The Canadian Founding*, ch. 3.


Additional readings:


Philip Resnick, *The Masks of Proteus*, ch. 5.


Peter H. Russell and Lorne Sossin (eds) *Parliamentary Democracy in Crisis* (Toronto: University of Toronto Press, 2009), chapters by Jean Leclair & Jean-François Goudreault-Desbiens (105-120), Peter Russell (136-149), and Graham White (150-60).


Institute of Intergovernmental Relations, 2008 Working Paper Series on Senate Reform

**Week 5 (Oct 3) Cabinet and Executive**

**Topic:** Cabinet and Executive

**Readings:**


**Additional readings:**


**Week 6 (Oct 10) Bureaucratic Institutions**

**Topic:** Bureaucratic Institutions

**Readings:**


One of:

Jennifer Robson and R. Paul Wilson, “Political Staff and Permanent Public Servants: Still Getting Along,” in Thierry Giasson, Alex Marland and Andrea Lawlor (Vancouver: UBC Press 2018), 71-88


**Additional readings:**


**Week 7 (Oct 17) mid-term break, NO CLASS**

**Week 8 (Oct 24) Federalism**

Topic: Federalism

Readings:


And two of:


Additional readings:


Janet Ajzenstat *et al.* (ed.) *Canada’s Founding Debates*, ch. 9.


Julie M. Simmons and Amy Nugent, “Panacea or Peril: Intergovernmental Accountability and the Auditor General” in Peter Graefe, Julie M. Simmons and Linda A.
Week 9 (Oct 31) Courts and the Charter

Topic: Courts and the Charter

Readings:


Three of:


John Borrows, Freedom and Indigenous Constitutionalism (Toronto: University of Toronto Press, 2016), ch. 4.


Additional readings:


Emmett Macfarlane, Governing from the Bench: The Supreme Court of Canada and the Judicial Role (Vancouver: UBC Press, 2013)


Institute of Intergovernmental Relations, Special Working Paper Series on the Federal Dimensions of Reforming the Supreme Court of Canada.

**Week 10 (Nov 7) The 1982 Constitution**

Topic: The 1982 Constitution

Readings:

Alan Cairns, Reconfigurations (Toronto: McClelland and Stewart, 1995), ch. 4.


Additional Readings:


**Week 11 (Nov 14) Indigenous Peoples and Colonial Institutions**

**Topic:** Indigenous Peoples and Colonial Institutions

**Readings:**


Michael Asch, *On Being Here to Stay* (Toronto: University of Toronto Press, 2014), ch. 2

And two of:


Additional readings:


**Week 12 (Nov 21) Electoral Institutions and Political Parties**

**Topic:** Electoral Institutions and Political Parties

**Readings:**


**Additional readings:**


**Week 13 (Nov 28) The Crown**

**Topic:** The Crown

**Readings:**


**Additional readings:**


**Notes:** In this class we will also take some time for the informal presentation of term papers
Course Policies

Submission of Assignments
[Insert policy on format of assignments and how to be submitted]

Grades
Grades will be based on the McMaster University grading scale:

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<thead>
<tr>
<th>MARK</th>
<th>GRADE</th>
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<tbody>
<tr>
<td>90-100</td>
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<tr>
<td>73-76</td>
<td>B</td>
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<tr>
<td>70-72</td>
<td>B-</td>
</tr>
<tr>
<td>69-0</td>
<td>F</td>
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Late Assignments
Late papers will be assessed a penalty of two percentage points per day.

Absences, Missed Work, Illness
In the event of an absence for medical or other reasons, students should review and follow the Academic Regulation in the Undergraduate Calendar “Requests for Relief for Missed Academic Term Work”.

Avenue to Learn
In this course we will be using Avenue to Learn. Students should be aware that, when they access the electronic components of this course, private information such as first and last names, user names for the McMaster e-mail accounts, and program affiliation may become apparent to all other students in the same course. The available information is dependent on the technology used. Continuation in this course will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

Turnitin.com
In this course we will be using a web-based service (Turnitin.com) to reveal authenticity and ownership of student submitted work. Students will be expected to submit their work electronically either directly to Turnitin.com or via Avenue to Learn (A2L) plagiarism detection (a service supported by Turnitin.com) so it can be checked for academic dishonesty. Students who do not wish to submit their work through A2L and/or Turnitin.com must still submit an electronic and/or hardcopy to the instructor. No penalty will be assigned to a student who does not submit work to Turnitin.com or A2L. All submitted work is subject to normal verification that standards of academic integrity have been upheld (e.g., on-line search, other software, etc.). For more information please refer to the Turnitin.com Policy.
Academic Accommodation for Religious, Indigenous or Spiritual Observances (RISO)
Students requiring academic accommodation based on religious, indigenous or spiritual observances should follow the procedures set out in the RISO policy. Students requiring a RISO accommodation should submit their request to their Faculty Office normally within 10 working days of the beginning of term in which they anticipate a need for accommodation or to the Registrar's Office prior to their examinations. Students should also contact their instructors as soon as possible to make alternative arrangements for classes, assignments, and tests

University Policies

Academic Integrity Statement
You are expected to exhibit honesty and use ethical behaviour in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity.

Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behaviour can result in serious consequences, e.g. the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: “Grade of F assigned for academic dishonesty”), and/or suspension or expulsion from the university.

It is your responsibility to understand what constitutes academic dishonesty. For information on the various types of academic dishonesty please refer to the Academic Integrity Policy.

The following illustrates only three forms of academic dishonesty

- Plagiarism, e.g. the submission of work that is not one’s own or for which other credit has been obtained.
- Improper collaboration in group work.
- Copying or using unauthorized aids in tests and examinations.

Academic Accommodation of Students with Disabilities
Students who require academic accommodation must contact Student Accessibility Services (SAS) to make arrangements with a Program Coordinator. Academic accommodations must be arranged for each term of study. Student Accessibility Services can be contacted by phone 905-525-9140 ext. 28652 or e-mail sas@mcmaster.ca. For further information, consult McMaster University’s Policy for Academic Accommodation of Students with Disabilities.
Faculty of Social Sciences E-mail Communication Policy
Effective September 1, 2010, it is the policy of the Faculty of Social Sciences that all e-mail communication sent from students to instructors (including TAs), and from students to staff, must originate from the student’s own McMaster University e-mail account. This policy protects confidentiality and confirms the identity of the student. It is the student’s responsibility to ensure that communication is sent to the university from a McMaster account. If an instructor becomes aware that a communication has come from an alternate address, the instructor may not reply at his or her discretion.

Course Modification
The instructor and university reserve the right to modify elements of the course during the term. The university may change the dates and deadlines for any or all courses in extreme circumstances. If either type of modification becomes necessary, reasonable notice and communication with the students will be given with explanation and the opportunity to comment on changes. It is the responsibility of the student to check his/her McMaster email and course websites weekly during the term and to note any changes.