

**POLI 2220 – Structures of Canadian Parliamentary Government**  
**H. Hicks, 212 - Tuesdays and Thursdays, 13:05-14:25**  
**Winter 2016 - Dalhousie University**

**Instructor:** Marcella Firmini — Henry Hicks Building, 3<sup>rd</sup> Floor (Office 356)

**Office Hours:** Wednesdays 1-2:30pm (or by appointment)

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### **Course Synopsis**

This course examines the Canadian Parliamentary system of government. In particular, the course focuses on “theories” of parliament and parliamentary structures, the Constitution, the Crown, the House of Commons, the Senate, the powers – legislative, executive, judicial - political parties, the public service, and officers of parliament. The course will add to students’ understanding of Canada’s parliamentary regime: how it is structured, why it is structured as it is, what each component “does”. The course will have students understand the basic functioning of parliament, and its impact on the daily life of the country and its citizens. The goal, put simply, is to understand how the Canadian federal parliament works and to appreciate its complexity and its relevance.

**Required Text:** *How Canadians Govern Themselves*. Eugene Forsey (2012).

**Required Readings:** Posted to BBL/OWL when possible, otherwise on reserve in the Killiam Library.

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**Evaluation Opportunities:** There will be five opportunities to evaluate your progress throughout the course. Percentages as follows:

1. Test One: 20% - **January 28**
2. Paper Assignments (10% each): **February 23 & March 17**
3. Midterm: 25% - **March 8**
4. Final Exam: 35% - **per Registrar’s Exam Period**

### **Details for written assignment posted to BBL**

**Test one, the midterm, and the final exam** will consist of a possible combination of multiple choice, true or false, fill-in-the-blank, short answer, and/or essay questions.

### **Grading scheme**

As per the Dalhousie University academic calendar.

**“Late” Penalties:** There are no penalties because **late assignments will not be accepted** without documentable/demonstrable justification. If you are encountering difficulties meeting your deadlines, approach the instructor **before** the submission date.

**No alternative exam/test dates** will be scheduled without documented and verifiable justification.

### **Student Accessibility and Accommodation**

Students may request accommodation for either classroom participation or the writing of tests and exams. Requests should be made to the *Office of Student Accessibility & Accommodation*

(OSAA) prior to or at the outset of each academic term. Please see [www.studentaccessibility.dal.ca](http://www.studentaccessibility.dal.ca) for more information. Note takers may be available as well and there is an honorarium. If you are interested, please contact OSAA for more information.

### **Academic Integrity and Plagiarism**

All students in this class are to read and understand the policies on academic integrity and plagiarism ([academicintegrity.dal.ca](http://academicintegrity.dal.ca)). ***Ignorance of such policies is no excuse for violations.*** Plagiarism is considered a **very serious academic offence** which may lead to loss of credit, suspension or expulsion from the University, or even to the revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. At Dalhousie there are University Regulations which deal with plagiarism and, prior to submitting any paper in a course, students should read the ***Policy on Intellectual Honesty*** contained in the Calendar or on the Online Dalhousie website.

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## **Course Outline**

### **PART ONE: Constitutional Foundations & the Principles of the Canadian Regime**

#### **Canadian Parliament in Theory & in Practice**

- **What were the Fathers of Confederations up to?**
  - **Parliament (Part one: Theoretical Foundations)**
  - **The Canadian Constitution & The Charter of Rights (Part One: Theoretical Foundations & Evolution)**
  - **Constitution & Constitutional Conventions (Part One)**
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### **January**

#### **5 – WELCOME!**

- Introduction and Expectations
- Approach to assigned readings
- Brief reminders of concepts (Power, State, Government, consent, democracy, etc)

#### **7 – 12: Meaning and Goals of Canadian Confederation: The Fathers Explain Parliament**

##### **Readings:**

1. *The Canadian Founding: John Locke & Parliament* – Janet Aizenstat. McGill-Queen's University Press (2007).
  - Chapter 1: *Making Parliament*, pp. 3-21.
  - Chapter 10: *Parliament and Today's Discontents*, pp. 180-193.
2. *Considerations on Representative Government* - John Stuart Mill (1861). Link on BBL/OWL.
  - Chapter V: *Of the Proper Functions of Representative Bodies*
  - Chapter IX: *Should there be Two Stages of Election?*
  - Chapter XVII: *Of Federal Representative Governments*

3. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *Introduction*, pp. 1-2 & *Living Government*, pp. 47-48

### **14-19: The Canadian Constitution & the Charter of Rights (Part One: Theoretical Foundations)**

Readings:

1. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *Our Constitution*, pp. 8-19.
  - *Parliamentary Government*, pp. 3-6.
2. *Canadian Politics: Critical Approaches* (7<sup>th</sup> ed.) – Rand Dyck & Christopher Cochrane. Nelson Education (2014).
  - Chapter 17: *The Canadian Constitution and Constitutional Change*, pp. 401-430.
3. *Where our Legal System Comes From* – Department of Justice (BBL/OWL).

### **Recommended Links:**

- a. *The Canadian Constitution* (BBL/OWL)
- b. *The Statute of Westminster* (BBL/OWL)

### **21-26: Canadian Charter of Rights and Freedoms (Part One)**

1. *The Values of a Just Society* – Pierre Elliott Trudeau. Viking Press (1990). In *Towards a Just Society: The Trudeau Years* – T.S. Axworthy & P.E. Trudeau, pp. 357-385.
2. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *Our Constitution*, pp. 8-19 (re-read).
3. *Canadian Politics and Government in the Charter Era* – Heather MacIvor. Oxford University Press (2013).
  - Chapter One: *The Charter 101*, pp. 7-21.

**January 28 – Test One**

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## **PART TWO: Institutions**

### **Parliamentary “Who’s Who?” and “What’s What?” A Closer Look**

- **Parliament (Part II)**
- **The Canadian Crown and its Servants**
- **The House of Commons**
- **Responsible Government & Other Constitutional Conventions (Part Two)**
- **Cabinet and the Prime Minister**
- **The Senate**
- **The Judiciary & The Charter (part two)**

## **February**

### **2-4: Federalism**

1. Federalism - Jennifer Smith. UBC Press (2004).
  - Chapter 2: *Federalism and Democracy*, pp.11-26.
2. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *A Federal State*, pp. 7-8.
  - *Powers of the National and Provincial Governments*, pp. 20-23.
  - *Provinces and Municipalities*, pg. 46

### **9-11: Parliament**

1. *The People's House of Commons: Theories of Democracy in Contention* - David E. Smith. University of Toronto Press (2007).
  - *Parliamentary Democracy*, pp. 19-33.
2. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *The Institutions of Our Federal Government*, pp. 32-40.

### **STUDY BREAK: Feb. 15-19**

### **23-25: The Canadian Crown (Writing assignment #1 is due on the 25<sup>th</sup>)**

1. *Future of the Crown in Canada* – Edward McWhinney. Canadian Parliamentary Review 28:3 (2005).
2. *The Evolving Canadian Crown* – Jennifer Smith and D. Michael Jackson. McGill University Press (2012)
  - *The Constitutional Role of the Governor General* – Patrick J. Monahan, pp. 73-75.
3. *The Republican Idea in Canada: Past and Present* by David E. Smith
4. *The Invisible Crown: The First Principle of Canadian Government* – David Smith. University of Toronto Press.
  - *The Monarchical Idea* – pp. 3-19.

## **March**

### **1-3: House of Commons**

Readings:

1. *Democracy and the Canadian House of Commons at the Millennium* – Jennifer Smith. Canadian Public Administration, vol. 42(4), pp. 398-421.
2. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *What Goes on in Parliament*, pp. 41-45

### **8: MIDTERM**

## **10: Cabinet and the Prime Minister**

1. *The Rise of Court Government in Canada* – Donald Savoie (1999). Canadian Journal of Political Science, vol. 32(4), pp. 635-664.
2. *Ministerial Responsibility & the Machinery of Government* – Nicholas D’Ombain (2007). Canadian Public Administration, vol. 51(2), pp. 195-217.
3. *Rediscovering the Right Agenda* – Stephen Harper. Report Magazine, June 2003.
4. **TBA: Additional literature will be added as literature analyzing current Senate reform proposals become available**

## **15-17: The Senate (Writing assignment #2 is due on the 17<sup>th</sup>)**

1. *Abolishing the Senate: the NDP’s Bad Idea* - Jennifer Smith (2013). The Federal Idea.
2. *Federalism and Institutional Design: The Perils and Politics of a Triple-E Senate in Canada* – Michael Lusztig (1995). Publius, 25: 1, pp. 35-50.
3. *Political Legitimacy for an Appointed Senate* - Campbell Sharman (2008). Choices, 14: 11, pp. 1-28.
4. Ajzenstat reading on BBL
5. **TBA: Additional literature will be added as literature analyzing current Senate reform proposals become available**

## **22: The Judiciary & the Charter (part two)**

1. *How Canadians Govern Themselves* (8<sup>th</sup> ed.) – Eugene Forsey. Library & Archives Canada.
  - *The Rule of Law and the Courts*, pp. 30-31.
2. Peter W Hogg & Allison A Bushell, *The Charter Dialogue Between Courts and Legislatures (Or Perhaps The Charter of Rights Isn’t Such a Bad Thing After All)*, *Osgoode Hall Law Journal*, 35 (1997), pp. 75-124.
3. F L Morton, *Dialogue or Monologue?* Policy Options, April 1999:

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## **PART THREE: Democracy, Citizenship, and Participation**

- **Parties**
- **Elections**
- **Bureaucracy**
- **Officers of Parliament**

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### **24 - Parties**

1. Ken Carty (2006): *The Shifting Place of Political Parties in Public Life*. Choices, vol. 12, 4 (pp. 3-11)
2. William Cross and Lisa Young (2006): *Are Canadian Political Parties Empty Vessels?* Choices, vol. 12, 4 (pp. 14-27)

### **29-31 Elections**

- Mac Harb (2005): *The Case for Mandatory Voting in Canada*. Canadian Parliamentary Review, 28, 2
- Peter John Loewen, Henry Milber and Bruce Hicks (2008): *Does Compulsory Voting Lead to More Informed and Engaged Citizens? An Experimental Test*. Canadian Journal of Political Science, 41, 3.
- **TBA**: Additional literature will be added as literature analyzing current electoral reform proposals become available

April

5– Recap and Exam Prep

EXAM PERIOD

Have a great summer!

