UNIVERSITY COLLEGE of the FRASER VALLEY

PAC FORM #2

COURSE IMPLEMENTATION DATE: [September 2003]
COURSE REVISED IMPLEMENTATION DATE: []
COURSE TO BE REVIEWED: [September 2007]
(Four years after implementation date)

OFFICIAL COURSE OUTLINE INFORMATION

Students are advised to keep course outlines in personal files for future use.
Shaded headings are subject to change at the discretion of the department and the material will vary - see course syllabus available from instructor

FACULTY/DEPARTMENT: **Philosophy & Political Science**

POSC 210		**3**
COURSE NAME/NUMBER	FORMER COURSE NUMBER	UCFV CREDITS

Canadian Constitutional Politics
COURSE DESCRIPTIVE TITLE

CALENDAR DESCRIPTION:

This course will survey Canada's constitutional "odyssey" from 1763 to the present, with a strong emphasis on the post-Confederation period. More specifically, it will focus on the efforts to patriate the constitution in the post-World War II era and the political consequences of those efforts. We will examine the different perspectives on the constitution advocated by the various actors in the Canadian political process – governments, parties, and interest groups. Special attention will be paid to the changing terms of the debate as new actors — women, new Canadians, and aboriginal peoples — joined the constitutional conversation. Finally, we will assess where Canada now stands in relation to its constitutional "odyssey" and the most appropriate processes for constitutional reform.

PREREQUISITES: **POSC 110**
COREQUISITES: **None**

SYNONYMOUS COURSE(S)
(a) Replaces: _____ *(Course #)*
(b) Cannot take: _____ *(Course #)* For further credit.

SERVICE COURSE TO: _____ *(Department/Program)* _____ *(Department/Program)*

TOTAL HOURS PER TERM: **45**

STRUCTURE OF HOURS

Lectures:	**45**	Hrs
Seminar:		Hrs
Laboratory:		Hrs
Field Experience:		Hrs
Student Directed Learning:		Hrs
Other (Specify):		Hrs

TRAINING DAY-BASED INSTRUCTION
LENGTH OF COURSE: _____
HOURS PER DAY: _____

MAXIMUM ENROLLMENT: **36**
EXPECTED FREQUENCY OF COURSE OFFERINGS: **Once per year**

WILL TRANSFER CREDIT BE REQUESTED? (lower-level courses only)	☒ Yes	☐ No
WILL TRANSFER CREDIT BE REQUESTED? (upper-level requested by department)	☐ Yes	☐ No
TRANSFER CREDIT EXISTS IN BCCAT TRANSFER GUIDE:	☐ Yes	☒ No

AUTHORIZATION SIGNATURES:

Course Designer(s): **Hamish Telford**
Chairperson: _____ *(Curriculum Committee)*

Department Head: **Moira Gutteridge Kloster**
Dean: **Virginia Cooke**

PAC Approval in Principle Date: _____
PAC Final Approval Date: November 27, 2002

POSC 210
COURSE NAME/NUMBER

LEARNING OBJECTIVES / GOALS / OUTCOMES / LEARNING OUTCOMES:

1. To acquire a basic understanding of Canada's constitutional and political history.
2. To discover the different regional and cultural perspectives on the constitution, and consequently to appreciate the complexity of Canadian constitutional dialogue and how it impacts on Canadian electoral and party politics.
3. To realize the connection between Canada's constitutional odyssey and public policy debates.
4. To gain experience working with public documents.
5. To become familiar with the political science literature on constitutional politics.

METHODS:

The course will be based primarily on lectures by the instructor, supplemented with extensive classroom discussion. The instructor will introduce the historical material and the various perspectives on the constitution. Students in the class will inevitably subscribe to different perspectives. Classroom discussion will tease out these different constitutional orientations, and consequently the constitutional debates in the country will be mirrored in the classroom to a considerable extent. Students will thus gain a deeper appreciation of the complexity of Canada's constitutional debates. Students will have the opportunity to explore subjects of particular interest to them with the research essay.

PRIOR LEARNING ASSESSMENT RECOGNITION (PLAR):
Credit can be awarded for this course through PLAR ☒ Yes ☐ No

METHODS OF OBTAINING PLAR:

Challenge exam.

TEXTBOOKS, REFERENCES, MATERIALS:
[Textbook selection varies by instructor. An example of texts for this course might be:]

Peter Russell, Constitutional Odyssey: Can Canadians Become a Sovereign People
Coursepack readings taken from:

Constitutional Development

Robert Vipond, Liberty and Community: Canadian Federalism and the Failure of the Constitution
Andrew Heard, Canadian Constitutional Conventions: The Marriage of Law and Politics
Alan Cairns, Disruptions: Constitutional Struggles, from the Charter to Meech Lake
Alan Cairns, Constitution, Government and Society in Canada: Selected Essays
Douglas Brown and Ronald L. Watts, Options for a New Canada
Harvey Lazar, ed., Canada: The State of the Federation: Non-constitutional Renewal
Edward McWhinney, Canada and the Constitution, 1979-1982
P. B. Waite, The Life and Times of Confederation
F. R. Scott, Essays on the Constitution
Richard Simeon, ed., Must Canada Fail?
K. E. Swinton and C. J. Rogerson, Competing Constitutional Visions: The Meech Lake Accord
David M. Thomas, Whistling Past the Graveyard: Constitutional Abeyances, Quebec, and the Future of Canada
Keith Banting and Richard Simeon, And No One Cheered: Federalism, Democracy and the Constitution Act
Jeremy Webber, Reimagining Canada: Language, Culture, Community and the Canadian Constitution

Quebec and 'National' Unity

Guy Laforest, Trudeau and the End of a Canadian Dream
Roger Gibbins and Guy Laforest, Beyond the Impasse: Toward Reconciliation
Roger Gibbins, Conflict and Unity: An Introduction to Canadian Political Life
Charles Doran, Why Canadian Unity Matters and Why Americans Care
Hubert Guidon, Quebec Society: Tradition, Modernity, and Nationhood
Michael Behiels, Prelude to Quebec's Quiet Revolution: Liberalism versus Neo-Nationalism
Robert Bothwell, Canada and Quebec: One Country, Two Histories
Leon Dion, Quebec: The Unfinished Revolution
Kenneth McRoberts, Misconceiving Canada: The Struggle for National Unity
Kenneth McRoberts, Quebec: Social Change and Political Crisis (Third Edition)

Garth Stevenson, Community Besieged: The Anglophone Minority and the Politics of Quebec
Herbert F. Quinn, The Union Nationale: Quebec Nationalism from Duplessis to Levesque
Daniel Latouche, Canada and Quebec: Past and Future
Edward McWhinney, Quebec and the Constitution, 1960-1978
Claude Morin, Quebec versus Ottawa: The Struggle for Self-Determination
A. I. Silver, The French-Canadian Idea of Confederation, 1864-1900

Courts

Peter Russell, Leading Constitutional Decisions
G. P. Browne, The Judicial Committee of and the British North America Act
Janet Hiebert, Limiting Rights: The Dilemma of Judicial Review
Janet L. Hiebert, Charter Conflicts: What is Parliament's Role
F. L. Morton and Rainer Knopff, The Charter Revolution and the Court Party
Christopher Manfredi, Judicial Power and the Charter: Canada and the Paradox of Liberal Constitutionalism
Patrick Monahan, Politics and the Constitution: The Charter, Federalism, and the Supreme Court of Canada

Citizenship and Multiculturalism

Alan Cairns, Reconfigurations: Canadian Citizenship and Constitutional Change: Selected Essays
Alan Cairns, Canadian Citizenship and Constitutional Change
Alan Cairns, Citizenship, Diversity and Pluralism: Canadian and Comparative Perspectives
Alan Cairns, Constitutionalism, Citizenship and Society in Canada
James Tully, Strange Multiplicity: Constitutionalism in the Age of Diversity
Will Kymlicka, Finding our Way: Rethinking Ethnocultural Relations in Canada
Will Kymlicka, Liberalism, Community and Culture
Will Kymlicka, Multicultural Citizenship: A Liberal Theory of Minority Rights
Harvey Lazar and Tom McIntosh, eds., Canada: The State of the Federation: How Canadians Connect
Hamish Telford and Harvey Lazar, eds., Canada: The State of the Federation: Canadian Political Culture(s) in Transition

Aboriginal Peoples

Alan Cairns, Citizens Plus: Aboriginal Peoples and the Canadian State
Tom Flanagan, First Nations? Second Thoughts
Bruce Clark, Native Liberty, Crown Sovereignty
Taiaiake Alfred, Peace, Power and Righteousness: An Indigenous Manifesto
Menno Boldt, Surviving as Indians: The Challenge of Self-Governmen
Paul Tennant, Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849-1989
Christopher Mckee, Treaty Talks in British Columbia: Negotiating a Mutually Beneficial Future (Second Edition)
Sally M. Weaver, Making Canadian Indian Policy
Patrick Macklem, Indigenous Difference and the Constitution of Canada

The Federal Idea

Samuel LaSelva, The Moral Foundations of Canadian Federalism: Paradoxes, Achievements and Tragedies of Nationhood
Charles Taylor, Reconciling the Solitudes: Essays on Canadian Federalism and Nationalism
Alan Cairns, Charter versus Federalism: The Dilemmas of Constitutional Reform
Alan Cairns, From Interstate to Intrastate Federalism in Canada

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Primary Documents

Constitution Act 1867
Constitution Act 1982
Statute of Westminster 1931
Fulton-Favreau
Victoria Charter
Meech Lake Accord
Charlottetown Accord
Reference Case on Patriation
Reference Case on Secession
Clarity Act and Loi 99
Tremblay Report
Royal Commission on Bilingualism and Biculturalism
Pepin-Robarts
Spicer
Belanger-Campeau
Allaire
QLP Beige Paper
RCAP
Supreme Court Decisions on Aboriginal and Treaty Rights

SUPPLIES / MATERIALS:

N/A

STUDENT EVALUATION:
[An example of student evaluation for this course might be:]

The evaluation procedure will vary according to instructor, but a mix of exams, book reviews, and research papers would be anticipated. Depending on class size, an oral participation mark could be considered. One might also wish to have the students participate in a constitutional negotiation scenario exercise.

Mid-Term Exam	30%
Term Paper	40%
Final Exam	30%

COURSE CONTENT:
[Course content varies by instructor. An example of course content might be:]

Week 1:	Pre-Confederation Constitutional Arrangements and Debates.
Week 2:	Constitution Act 1867 and Confederation Debates.
Week 3:	Constitutional Development from 1867 to 1940.
Week 4:	Patriation Process 1940 to 1980.
Week 5:	Constitution Act 1982.
Week 6:	Constitutional Reform Post-1982.
Week 7:	The Politics of Quebec Nationalism and Secession.
Week 8:	The Politics of Quebec Nationalism and Secession continued.
Week 9:	The Impact of the Charter of Rights and Freedoms.
Week 10:	New Conceptions of Citizenship.
Week 11:	Aboriginal and Treaty Rights.
Week 12:	Aboriginal and Treaty Rights continued.
Week 13:	The Future of Constitutional Reform
Week 14:	Non-Constitutional Reforms