

# POLITICAL SCIENCE 2D03: CANADIAN DEMOCRACY

## Fall 2020, Term 1

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## **Course Description**

An introduction to institutions delimiting the practice of citizenship in Canada and of the political values they embody.

## **Course Objectives**

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

- Convey a reliable and sophisticated understanding of the main institutions of Canadian democracy, and particularly of how they work;
- Describe some of the political conflicts behind the creation of our existing democratic institutions;
- Assess the patterns of winners and losers created by the manner in which Canadian democracy is translated into a set of institutions.

## **Required Materials and Texts**

- The course textbook is Patrick Malcolmsen, Ricard Myers, Gerald Baier and Thomas M.J. Bateman, *The Canadian Regime: An Introduction to Parliamentary Government in Canada*, 6<sup>th</sup> Ed. Toronto: University of Toronto Press, 2016. It is available as an e-book or paperback from the Press. An electronic version of the current edition is available from the library.
- Most of the remaining materials are available on-line, either directly from the web, or through the library catalogue. The few resources not available in this manner will be posted on the course's Avenue to Learn page.

## **Class Format**

The course is delivered through a weekly package of asynchronous online mini-lectures and ungraded applications/quizzes. These can be found on the course's Avenue page.

**They should be completed by the date of that topic's tutorial.** For instance, the package for Week 3 (Confederation and the Constitution) should be completed on or before September 29 in order to draw value from the tutorials.

The weekly packages are coupled with short synchronous weekly tutorials held over Zoom to discuss course material. The tutorials will normally start on September 22.

We will experiment with a short weekly podcast/video of the instructor and TAs discussing the key points that arose in that week's tutorials, to be made available on Avenue by Friday each week. This will run from Week 2 to Week 5 and then will be continued or changed based on class feedback.

## **Course Evaluation – Overview**

1. Weekly questions. Due weekly from September 21-December 7. 5%

2. Graded weekly questions. October 30, December 9. 20%
3. Tutorial Attendance and Participation. 10%
4. Take Home Mid-Term Exam. October 27 20%
5. Application Paper. Due November 25. 25%
6. Final Exam. Scheduled for the final exam period. 20%

## **Course Evaluation – Details**

### **Weekly Questions (5%), due each week before tutorial**

Starting September 22, and continuing each week until the end of the course, students will submit a minimum of two questions to the appropriate folder on Avenue before the beginning of their tutorial. Students are welcome to submit them individually, or as part of a group of two. Students may only participate in groups within their own assigned tutorial. If submitting as a group, the names of the two group members should figure in the submitted file name, and both members should upload the file.

The weekly submission should include at least two questions that are drawn from the readings along with a brief summary of why the questions were not fully addressed in the course material and/or are relevant for further discussion. These questions will form the basis of the tutorial discussions – students are encouraged to submit questions concerning material that they seek further clarification and information on than what has been provided in the readings. The expected length is roughly 300 words.

Students will submit a total of eleven (11) sets of questions. Each set of questions that is submitted before the beginning of each tutorial in which it is due will be automatically given a grade of 0.5, up to a maximum grade of 5/5 for the semester.

### **Graded weekly questions (20%), due October 30 and December 9**

Two of the weekly submissions will also be graded for content and will be worth ten percent each, for a total of twenty percent (20%). On October 30 and December 9, the instructor will randomly select a week for each tutorial. The teaching assistant will grade the submitted questions on the basis of their understanding of the materials, their clarity and complexity, and the explanation as to why they are relevant. In the event that students are unable to submit their questions in order to obtain the “hand-in” grade, they are still encouraged to submit their questions for the “content” based grades. Once the instructor chooses the weeks for the “content” grades (ie. October 30 and December 9), questions will no longer be accepted for those weeks, meaning students who did not submit questions for those weeks will get a grade of zero.

### **Tutorial Attendance and Participation (10%), weekly**

Beginning the week of September 22, students will participate in tutorials in order to deepen their understanding of course material through discussion. This grade is based both on attendance and on participation. High quality participation involves active

listening, respectful dialogue, and engaging argument to further understanding (rather than to score debating points).

Students who are unable to attend and/or participate may choose to fulfill this attendance and participation requirement in one of the following ways. If they wish to be assessed in these alternative ways, they must inform the professor and their TA in writing (for instance by email) as soon as possible and no later than October 1<sup>st</sup>.

**Alternative 1:** For students unable to attend: Provide written answers to two of the week's "learning outcomes," for a total of approximately 500 words. These should be submitted to the appropriate assignment dropbox on Avenue by 6pm on the scheduled day of their tutorial. The grade will be based on the timely submission and content of these responses.

**Alternative 2:** For students unable to participate: After attending the tutorial, students should write a 250 word response to the discussion in the tutorial. For instance, what was a major point of discussion, and what would they have wanted to add or argue in that discussion? These responses should be submitted to the appropriate dropbox on Avenue within 24 hours of the end of the tutorial. The grade will be an aggregate of tutorial attendance and the assessment of these responses.

### **Take Home Mid-Term Exam, October 28 (20%)**

An exam covering all the material in the course up to and including week 7. The exam will draw its questions closely from the weekly learning objectives found in the outline. It is expected that two hours will be devoted to writing the exam. It will be distributed at 9 am on October 27 and it is due by midnight on October 28.

### **Application Paper, November 25 (25%)**

Students will submit a 9-11 page (double-spaced) paper on the topic below to the appropriate assignment dropbox on Avenue. A guide for this paper, including a number of sources that may be useful, will be posted on Avenue to Learn. Please note that the second part of the topic is asking you to also make use of course materials and readings in order to place this moment in the context of pre-existing trends.

#### **The paper topic:**

What changes in the working of Canadian government institutions (such as responsible government, federalism or the judiciary) can we identify in response to the COVID-19 pandemic? Do these changes represent a break with or an extension of existing tendencies identified in the literature?

### **Final Take Home Exam, Exam period (20%)**

A take-home exam covering all the material in the course, but with an emphasis on the second half of the semester, will be scheduled during the final exam period. The exam

will draw its questions from the weekly learning objectives found in the outline or from other questions circulated ahead of the exam.

## **Weekly Course Schedule and Required Readings**

### **Week 1 (September 8)**

#### **September 8 – Introduction**

### **Week 2 (September 15)**

#### **September 15 – Thinking About Institutions and Citizenship: Power and Principles**

Readings:

- Malcolmsen *et al.*, Preface and Chapter 1: Canada's Regime Principles
- Marshall, T.H. 2009 [1950]. "[Citizenship and Social Class](#)." In Jeff Manza and Michael Sauder (eds.) *Inequality and Society*. New York: W.W. Norton, 148-154.

Learning Outcomes:

- Define the concepts of liberalism, democracy and citizenship
- Explain Marshall's arguments about the historical development of political rights of citizenship, and their relationship to civil and social rights.
- Discuss how institutions give meaning to ideas about rights.

### **Week 3 (September 22)**

#### **September 22 – Confederation and the Constitution**

Readings:

- Malcolmsen *et al.*, Chapter 2: The Constitution
- Secrétariat aux affaires intergouvernementales canadiennes. 2017. [Quebecers: Our Way of Being Canadian: Policy on Québec Affirmation and Canadian Relations](#). Québec: Ministère du Conseil exécutif. p. 5-14.
- Carissima Mathen, "The Federal Principle: Constitutional Amendment and Intergovernmental Relations." In Emmett Macfarlane (ed.) *Constitutional Amendment in Canada*. Toronto: University of Toronto Press, 2016. 65-84.

**Notes:** Tutorials begin this week.

Learning Outcomes:

- Describe the functions of a constitution.
- Discuss how the Canadian constitution bears the marks of the political conflicts around its creation.
- Assess the presence of liberal as compared to democratic values in the 1867 Constitution, and explain when you think Canada became democratic.

- Explain why the Canadian constitution is characterized as hard to amend and discuss the consequences of this feature of the constitution.

#### **Week 4 (September 29)**

##### **September 29 – Responsible Government**

Readings:

- Malcolmsen *et al.*, Chapter 3: Responsible Government
- Janet Ajzenstat, *The Canadian Founding: John Locke and Parliament* (Montreal: McGill-Queen's University Press, 2007), ch. 3.

Learning Outcomes:

- Explain the mechanisms for forming a government under a system of responsible government.
- Describe how responsible government protects rights, and assess the strength of these protections.
- Compare how responsible government and the American Congressional system translate liberal values into the organization of governing institutions.

#### **Week 5 (October 6)**

##### **October 6– The Executive**

Readings:

- Malcolmsen *et al.*, Chapter 6: The Crown and Its Servants
- White, Graham. *Cabinets and First Ministers*. Vancouver: UBC Press, 2005. Chapter 3.

Learning Outcomes:

- Explain why Canadian government is usually described as “executive dominated.” Explain the mechanisms by which this domination occurs.
- Evaluate claims that too much power is concentrated in the hands of the Prime Minister.
- Describe the main restrictions on the power of the Prime Minister and explain how they restrict Prime Ministerial power.

#### **Week 6 (October 13)**

##### **October 13 – Reading Week**

## **Week 7 (October 20)**

### **October 20 – Parliament**

Readings:

- Malcolmsen *et al.*, Chapter 7: Parliament
- Jonathan Malloy, “More Than a Terrain of Struggle: Parliament as Ideological Instrument and Objective under Conservatism,” in J.P. Lewis and Joanna Everitt (eds.) *The Blueprint: Conservative Parties and Their Impact on Canadian Politics* (Toronto: University of Toronto Press, 2017), pp. 242-263.

Learning Outcomes:

- Describe the different roles ascribed to Parliament, and evaluate how well Parliament fulfills these roles.
- Explain how these roles sometimes enter in conflict.
- Assess possible reforms to Parliament that might increase its importance as an institution.
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## **Week 8 (October 27)**

### **October 27 – The Judiciary and the Charter of Rights and Freedoms 1**

Readings:

- Malcolmsen *et al.*, Chapter 8: The Judiciary and Chapter 5: The Charter of Rights and Freedoms

Learning Outcomes for Week 8:

- Describe the different types of courts in Canada, and the governments who have authority to create them and appoint judges for them.
- Compare the various goals sought by actors promoting the adoption of a rights instrument like the Charter of Rights.
- Evaluate whether the Charter of Rights involves an Americanization of Canadian political institutions.

**Notes:** - On October 30th, I will be choosing the first set of reading questions to be graded. Questions for weeks 2-7 received after that date will not be accepted for grading.

-Mid-term take-home exam distributed at 9am on the 27<sup>th</sup>, due at midnight on the 28<sup>th</sup>. Covers up to and including Week 7.



## **Week 9 (November 3)**

### **November 3 – The Judiciary and the Charter of Rights and Freedoms 2**

Readings:

- Hiebert, Janet. 2017. "The Notwithstanding Clause: Why Non-Use Does Not Necessarily Equate With Abiding by Judicial Norms." In Peter Oliver, Patrick Macklem and Nathalie Desrosiers (eds.) *The Oxford Handbook of the Canadian Constitution*. Oxford: Oxford University Press. 695-713.
- Petter, Andrew. 2009. "Legalise This: The *Chartering* of Canadian Politics." In James B. Kelly and Christopher P. Manfredi (eds.) *Contested Constitutionalism: Reflections on the Canadian Charter of Rights and Freedoms*. Vancouver: UBC Press. 33-49.

Learning Outcomes for Week 9:

- Describe how the Charter of Rights has affected the working of other political institutions, such as the executive (Cabinet and the bureaucracy) and Parliament.
- Evaluate the following statement: the notwithstanding clause undermines the protection of our rights in Canada.
- Assess whether the Charter of Rights strengthens or weakens the executive.

## **Week 10 (November 10)**

### **November 10 – Federalism**

Readings:

- Malcolmson *et al*, Chapter 4: Federalism
- Graefe, Peter. "Intergovernmental Relations in Canadian Social Policy." In *Oxford International Handbook of Public Administration for Social Policy: Promising Practices and Emerging Challenges*, edited by Karen Baehler et al., expected fall 2020.

Learning Outcomes:

- Describe the generic features of a federation, and explain how they are present (or absent) in the Canadian case.
- Assess the extent to which Canada is centralizing or decentralizing in the current context.
- Explain how the federal features of the Canadian constitution produce the sort of intergovernmental processes described by Graefe in his article.
- Evaluate whether federalism brings political decision-making closer to Canadians, or whether it makes it more remote.

## Week 11 (November 17)

### November 17 – Electoral Institutions

Readings:

- Malcolmsen *et al.* Chapter 9: Elections
- Dennis Pilon, "[Democratic Leviathan: Defending First-Past-the-Post in Canada.](#)" *Canadian Political Science Review* 12:1 (2018), 24-49 (esp. 31-43).

Learning Outcomes

- Enumerate the key institutions involved in the organization of elections.
- Evaluate the relative presence of liberal and democratic values in the rules around election financing and spending.
- Describe the outcomes usually ascribed to the first-past-the-post electoral system and explain the process through which the system produces those outcomes.
- Describe how the first-past-the-post electoral system strengthens the regional character of Canadian politics and assess whether it is the strength of regional interests that explains why Canada has not changed its voting system.

**Notes:** Term paper due November 25<sup>th</sup>. Please submit to the assignment dropbox on Avenue to Learn.

## Week 12 (November 24)

### November 24: Institutions of Colonialism, Institutions of Reconciliation

Readings:

- Truth and Reconciliation Commission of Canada. 2015. [Final Report – Canada's Residential Schools: Reconciliation](#). Volume 6. Montreal: McGill-Queen's University Press. pp. 33-40; 42-43 (calls to action 46, 47), 81-95.
- Joyce Green, "The Impossibility of Citizenship Liberation for Indigenous People." In Jatinder Mann (ed.) *Citizenship in Transnational Perspective*. New York: Palgrave, 2017. 175-188.

Learning outcomes:

- Describe the set of institutions regulating the relationship of Indigenous peoples to the Canadian state, and compare them across time.
- Describe the new institutions that the Truth and Reconciliation Commission recommended to oversee the reconciliation process.
- Evaluate the adequacy of these proposed institutions for their intended purposes.
- Assess Green's contentions about the limitations of a citizenship-based strategy for Indigenous people.

## **Week 13 (December 1)**

### **December 1 – Institutions of Industrial Citizenship**

Readings:

- Gomez, Rafael and Juan Gomez. [\*Workplace Democracy for the 21<sup>st</sup> Century: Towards a New Agenda for Employee Voice and Representation in Canada\*](#). Ottawa: Broadbent Institute, 2016. 7-22; 50-60
- Workers Action Centre. [\*Still Working on the Edge: Summary Report\*](#). Toronto: Workers Action Centre, 2015.

Learning Outcomes:

- Describe the institutions that give form to industrial citizenship in Canada.
- Compare the industrial citizenship provided by unionization to that provided by human rights legislation and minimum labour standards.

## **Week 14 (December 8) – Institutions of Social Citizenship**

### **December 8 – Institutions of Social Citizenship**

Reading:

Porter, Bruce and Martha Jackman. [\*Advancing Social Rights in Canada\*](#). Toronto: Irwin Law, 2014. 1-22

Learning Outcomes:

- Describe the institutions that give form to social citizenship in Canada.
- Assess whether the Supreme Court's treatment of claims to social and industrial citizenship vindicate or challenge the arguments of Left-Wing Charterphobes.

**Notes:** On **December 9th at 4pm**, I will be selecting the second week of questions to be graded. Submissions for weeks 8-14 received after that time will not be graded.

## **Course Policies**

### **Submission of Assignments**

All assignments should be submitted to the appropriate submission folder on Avenue to Learn.

The weekly questions must be submitted by the start of tutorial if they are to receive the grade for submission. Students choosing the alternative methods for tutorial participation must also respect the firm deadline.

Application papers received after November 25<sup>th</sup> will be considered late, and subject to a late penalty of 2% per day. Recognizing the need to accommodate minor illnesses and the complications of life, including those giving rise to an MSAF, four days of late penalties will be forgiven.

## **Grades**

Grades will be based on the McMaster University grading scale:

<b>MARK</b>	<b>GRADE</b>
90-100	A+
85-90	A
80-84	A-
77-79	B+
73-76	B
70-72	B-
67-69	C+
63-66	C
60-62	C-
57-59	D+
53-56	D
50-52	D-
0-49	F

## **University Policies**

### **Absences, Missed Work, Illness**

McMaster Student Absence Form (MSAF): 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”.

### **Courses with an On-Line Element**

Some courses may use on-line elements (e.g. e-mail, Avenue to Learn (A2L), LearnLink, web pages, capa, Moodle, ThinkingCap, etc.). Students should be aware that, when they access the electronic components of a course using these elements, 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 a course that uses on-line elements will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

### **Online Proctoring**

Some courses may use online proctoring software for tests and exams. This software may require students to turn on their video camera, present identification, monitor and record their computer activities, and/or lock/restrict their browser or other applications/software during tests or exams. This software may be required to be installed before the test/exam begins.

### **Authenticity / Plagiarism Detection**

Some courses may use a web-based service (Turnitin.com) to reveal authenticity and ownership of student submitted work. For courses using such software, students will be expected to submit their work electronically either directly to Turnitin.com or via an online learning platform (e.g. A2L, etc.) using plagiarism detection (a service supported by Turnitin.com) so it can be checked for academic dishonesty.

Students who do not wish their work to be submitted through the plagiarism detection software must inform the Instructor before the assignment is due. No penalty will be assigned to a student who does not submit work to the plagiarism detection software.

**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 details about McMaster's use of Turnitin.com please go to [www.mcmaster.ca/academicintegrity](http://www.mcmaster.ca/academicintegrity).

### **Copyright and Recording**

Students are advised that lectures, demonstrations, performances, and any other course material provided by an instructor include copyright protected works. The Copyright Act and copyright law protect every original literary, dramatic, musical and artistic work, **including lectures** by University instructors

The recording of lectures, tutorials, or other methods of instruction may occur during a course. Recording may be done by either the instructor for the purpose of authorized distribution, or by a student for the purpose of personal study. Students should be aware that their voice and/or image may be recorded by others during the class. Please speak with the instructor if this is a concern for you.

### **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 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.

## 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. **It is your responsibility to understand what constitutes academic dishonesty.**

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. For information on the various types of academic dishonesty please refer to the [Academic Integrity Policy](https://secretariat.mcmaster.ca/university-policies-procedures-guidelines/), located at <https://secretariat.mcmaster.ca/university-policies-procedures-guidelines/>

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.

## Conduct Expectations

As a McMaster student, you have the right to experience, and the responsibility to demonstrate, respectful and dignified interactions within all of our living, learning and working communities. These expectations are described in the [Code of Student Rights & Responsibilities](#) (the “Code”). All students share the responsibility of maintaining a positive environment for the academic and personal growth of all McMaster community members, **whether in person or online.**

It is essential that students be mindful of their interactions online, as the Code remains in effect in virtual learning environments. The Code applies to any interactions that adversely affect, disrupt, or interfere with reasonable participation in University activities. Student disruptions or behaviours that interfere with university functions on online platforms (e.g. use of Avenue 2 Learn, WebEx or Zoom for delivery), will be taken very seriously and will be investigated. Outcomes may include restriction or removal of the involved students’ access to these platforms

## Academic Accommodation of Students with Disabilities

Students with disabilities who require academic accommodation must contact [Student Accessibility Services](#) (SAS) at 905-525-9140 ext. 28652 or [sas@mcmaster.ca](mailto:sas@mcmaster.ca) to make arrangements with a Program Coordinator. For further information, consult McMaster University’s [Academic Accommodation of Students with Disabilities](#) policy.

### **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.

### **Extreme Circumstances**

The University reserves the right to change the dates and deadlines for any or all courses in extreme circumstances (e.g., severe weather, labour disruptions, etc.). Changes will be communicated through regular McMaster communication channels, such as McMaster Daily News, A2L and/or McMaster email.