Course Description:

This course examines the field of Canadian constitutional politics at an advanced level, and aims to prepare students via a graduate-style seminar setting. This course emphasizes societal forces in the state-society relationship, and places emphasis upon how Canada’s political, social, cultural, and economic domains are co-dependent causal factors in the development of the constitution. Put differently, Canada’s socio-political cleavages, social actors, ideas and identities are movers of the political process and historical transformations of the constitution.

As political science scholars, we are sensitive to the idea that the constitution is not simply a formal legal foundation of Canada, and it did not emerge outside of social-political relations. Rather, the constitution is about systems of power, struggles over identity, contested histories, and diverse forms of resistance and political mobilization at multiple sites of the Canadian political spectrum.

The course will be heavily intersectional and will provide an overview of some of the main conventional approaches to the study of Canadian Constitutional politics. However, this course puts normative constitutional politics discourse into conversation with more recent and critical bodies of inquiry. By emphasizing societal forces, this course examines Canadian constitutional politics through three main contextual domains. First, we will place foundational debates surrounding the constitution in conversation with European settler colonial expansion, the displacement of Indigenous sovereignty, and restrictive immigration policies. The second domain is the emergence of the Constitution Act of 1982 and its relationship to global neoliberal shifts. In the final third contextual domain, we will examine some contemporary social-political issues and they relate to minority rights mobilization including the LGBTQ community and animal rights.

Some of the theoretical and methodological observations may spill into case studies, but this course is not about legal cases and more about an intersectional approach to the constitution. In doing so, a common theme throughout will be upon the power relations and how broader structural shifts and social-political forces impact the changing historical development of the constitutional landscape in Canada.

Class format:

The course is structured as a traditional seminar, led by student presentations. Students are expected to come to class having read the assigned readings and prepared to discuss them. The instructor will attempt to moderate student exchanges, yet it is expected that the weekly presenters lead the discussion and prepare themselves to take questions by both the instructor and fellow students.
**Course Materials:**

Journal Articles and Book Chapters will be available via library, email, or other electronic formats.

**Course Requirements:**
(Subject to change)

1. Participation (20%)

2. Six response/reflection papers: (60%)

Students are to hand in response papers every other week/reading. The main aim of these papers is to provide a faithful rendition of the arguments of selected course readings. Further details will be provided in the introductory session. Each paper will be approximately 4 pages (5 pages max). Do not use more than one quotation (three line maximum), and include brief thesis statement to guide your reader.

3. Presentation (20%)

Students are expected to do the readings and come prepared to actively participate in seminar discussions. In addition, over the course of the term, each student will lead a class discussion. A discussion plan/list of questions should be e-mailed to me by 5:00 PM on the day preceding your presentation in class. Further details will be provided in the introductory session.

**E-mail:**

E-mail will be answered within two business days. Do not submit any class assignments by e-mail, unless instructed to do so. Please use e-mail only for quick queries and to set up appointments out of regularly scheduled office hours.

I welcome e-mail queries and comments. All students are required to have a valid Lakehead e-mail address. It is your responsibility to maintain your e-mail address in good working order. The University expects you to correspond with me through your official e-mail address, and not through a commercial e-mail account.

Failure to receive important class announcements and messages from me because of a faulty e-mail account (for example, an account which screens out my e-mails as junk mail; bounced messages because of overloaded caches) are not legitimate excuses.

Forwarding your Lakehead email to a Hotmail, Gmail, Yahoo or other type of e-mail account is not advisable. In some cases, messages from your Lakehead addresses sent to Hotmail, Gmail or Yahoo accounts are filtered as junk mail, which means that e-mails from me may end up in your spam or junk mail folder.

**Accessibility:**
Students with diverse learning styles and needs are welcome in this course. In particular, if you have a disability/health consideration that may require accommodations, please feel free to approach me, and/or Accessibility Services. The sooner you let us know your needs the quicker we can assist you in achieving your learning goals in this course.

**Response Papers:**

You are to complete 6 response papers, one every other week. Each paper is to provide a clear, concise rendition of the main argument(s) of the readings of the week. Focus upon a particular theme or problematic, and not a generalized gloss that lacks specificity and engagement. You may either trace a central theme across the different readings of a given week, or focus upon carefully tracing an argument of one of the essays of the given week. I am most interested in your careful and faithful rendition of the main argument(s) of the reading(s), and not generalized sweeping descriptions or sustained attention trying to find critiques. I am most interested in how you lay out and convey the argument(s) in a clear and concise way. Do not use more than one quotation (three line maximum), and include brief thesis statement to guide your reader.

*Format:* All reflection papers in this course must be 4 pages (5 max), 12 pt. Times New Roman font, double-spaced and have standard one-inch margins. Also, they should be free of spelling and grammatical errors. They must include appropriate citations and complete bibliography.

Put brief title, name, and date on the first page. No need for a separate title page.

*Formatting bibliographies, references*
In completing the written assignments, students must cite all facts and figures that are not common knowledge and must cite all ideas that are borrowed from other authors. Students must use a recognized standard format correctly in their bibliographies, references, and footnotes. *Failure to do so will result in substantial penalty in calculating your assignment grade.*

Cornell University provides useful online guides to the APA and MLA citation styles:

Assignments are due before class begins in class on the date specified.

***Late Penalties***
Assignments are due on the dates specified in the course outline. Late papers will be subject to a penalty of 2% a day, including weekends. Assignments will not be accepted two weeks after the due date. No retroactive extensions will be permitted. Exceptions will be made only in those cases of special circumstances, (e.g. illness, bereavement) and where the student has verifiable documentation.
Tentative Seminar Schedule:

**Week 1**
*Introduction*

Thursday September 8:

Introduction and sign-up for weekly presentation

**Week 2:**
*Pre- Constitution and the Nation Form: Canada in Historical Context and Settler Colonialism*

Thursday September 15:

Peter Russell, Ch. 1-3 “The Question of Our Time; The Sovereignty of the People; Confederation” in *Constitutional Odyssey*, (Toronto: University of Toronto Press, 1993/2004): 1-33
*(Available as Ebook in Library Catalogue)*


**Week 3**
*Indigenous Sovereignty, Settler Colonialism and the Constitution:*

Thursday September 22:


**Week 4**
*Challenges to Constitutional Visions: Maintaining Canada’s “Founding” Character via Immigration Policy*

Thursday September 29:
*(Available as Ebook in Library Catalogue)*

Ninette Kelley and Michael Trebilcock, Selected Sections of *The Making of the Mosaic: A History of Canadian Immigration Policy* (University of Toronto Press)
First section: read from “The Trans-Canada Railway” until end of chapter: 93-110
Second section: read from “Second Wave” until end of chapter: 287-310
*(Available as Ebook in Library Catalogue)*


**Week 5**
*Challenges to Centralized Federalism: Post-War Balance of Power*

**Thursday October 6:**

*(Available as Ebook in Library Catalogue)*


**Week 6**
*Reading Week*

**Week 7**
*Challenges to Centralized Federalism in Context of Global Shifts: Neoliberalism*

**Thursday October 20**


**Week 8**
**Post-Charter Issues: Power, Courts, and Difference**

Thursday October 27:


**Week 9**
**Recent Trends in Challenges to Centralized Federalism: Indigeneity**

Thursday November 3:

John Burrows, Ch. 5, “Questioning Canada’s Title to Land: The Rule of Law, Aboriginal Peoples, and Colonialism” in Recovering Canada: The Resurgence of Indigenous Law (Toronto: University of Toronto Press, 2002)

Dale Turner, Ch.2, “Cairn’s Canada: Citizens Nonplussed” and Ch.3, “Liberalisms Last Stand: Minority Rights and the (Mis)recognition of Aboriginal Sovereignty” in This is Not a Peace Pipe: Towards a Critical Indigenous Philosophy (Toronto: University of Toronto Press, 2006)


**Week 10**
**Equality Issues: Gender**

Thursday November 10:


**Week 11**

**Equality Issues: Race**

**Thursday November 17**


**Week 12**

**Equality Issues: Sexuality**

**Thursday November 24:**


**Week 13**

**Equality Issues: Animal Citizenship?**
Thursday December 1:

