

**Carleton University
Department of Political Science
Carleton.ca/polisci**

Fall 2025

**PSCI 3007A
Constitutional Politics in Canada
Meeting times: Fridays 8:35-11:25AM
Location: TBA (Please Confirm on Carleton Central)**

Instructor: Raffaele Iacovino
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Phone: (613) 520-2600 ext: 1572

All email communication is to take place through official Carleton university e-mail accounts and/or Brightspace, not personal emails.

Brightspace:

On-line components of this course will be managed through Brightspace. Please visit the Brightspace site regularly to receive the most current information pertaining to important course announcements and materials.

Course Description:

Canada is one of the more stable and longstanding federations in the world yet curiously, it has failed to entrench a constitutional framework that has garnered the unanimous support of its constituent units. For long stretches of the country's political development, defining what the country stands for and which sociopolitical collective agents it recognizes as constitutional actors became entangled with day-to-day politics, culminating in a constitutional compromise that to many observers remains incomplete. This course examines the political context of the many constitutional issues in Canada since 1867. In the pre-1960 period, these issues primarily involved the evolution of Canadian federalism, the search for a constitutional amending formula, and a concern with rights and freedoms. The Quiet Revolution in Quebec, and later the mobilization of Indigenous Peoples, broadened the constitutional agenda and led to various attempts at mega-constitutional change, which preoccupied the country for about 30 years. The introduction of the Charter of Rights and Freedoms and a homegrown amending formula broadened the field of salient constitutive actors yet did little to quell fundamental concerns around competing visions of the purposes of the constitution, on both procedural and substantive grounds.

Learning Outcomes:

Successful completion of this course will enable students to:

- Grasp the historical development, principal ideas and primary debates that form the bases of the Canadian constitutional framework
- Situate and contextualize key political, social and economic conflicts and turning points that have contributed to shaping Canada's legal architecture and terms of belonging
- Engage in collaborative learning with peers in a classroom setting
- Develop skills associated with planning and executing a research project, including synthesizing primary and secondary research, thinking critically, organizing your reflections and finally, defending an argument

Class Format:

The class will proceed as a traditional in-person lecture, yet the instructor strongly encourages interaction and discussion throughout the class. Students are expected to actively participate in these discussions and questions are encouraged. Following each class, the instructor will post the lecture notes on Brightspace.

Text:

- Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004).

Please ensure that you access the proper edition of the book. The book and all other assigned readings will be available online free of charge through the Carleton Reserves desk, and a link to ARES will be available to students on the Brightspace course page.

Suggested Reading for Reference: Bernard W. Funston and Eugene Meehan, *Canada's Constitutional Law in a Nutshell, Fourth Edition*, (Toronto: Carswell, 2013). This book is not mandatory reading, and is available through Brightspace free of charge.

Evaluation:

15%- Attendance and participation

15%- Short Assignment (Due on Session 4, September 26, 2025)

30%- Research paper (Due on Session 12, November 28, 2025)

40%- Final Take-Home Exam (To be posted on Brightspace on Session 12, November 28, 2025; Due on the last day of the formal examination period, December 20, 2025).

- **Attendance:** Students are expected to attend class having read the required materials for that week and be prepared to participate in class discussions. Attendance will be taken in class each week.
- **Short assignment:** On **Session 2 (September 12)**, the instructor will post a list of 4-5 articles on Brightspace. Students are expected to write a short review essay (700-1000 words) of one of these articles that provides a critical assessment of the author's

contributions to the study of the constitution in Canada. It is not necessary to do any additional research for this assignment, and the aim is simply to allow students to engage more profoundly with particular theoretical, conceptual or methodological issues in the body of literature on constitutional politics in Canada. The short assignment is due on **Session 4 (September 26)**.

- **Research paper:** The research paper must be between 14 and 17 typed pages – double-spaced, using 12 point font. The paper must follow proper essay style and structure, and must use a recognized referencing style (which must be consistent throughout). Students are expected to undertake research using sources beyond those listed in the course outline. The papers are due on **Session 12 (November 28)**, and are to be submitted on Brightspace. Secondary research is all that is required to write the paper, yet students may draw upon primary sources if they wish. The goal is to allow students to grasp the body of literature on a particular topic by providing a cogent and coherent synthesis, and to be able to articulate and defend a particular position based on the assessment of the literature. Please avoid overly drawn-out summaries in exposing what has been written on a topic – the exercise is meant to allow students to critically assess the state of research in their chosen topics. The instructor will provide a list of suggested research topics, but students are encouraged to come up with a topic that aligns with their interests. If you do choose a topic, please ensure that it is cleared with the instructor.
- **Final Take-Home Exam:** On **Session 12 (November 28)**, the instructor will post the final take-home exam on Brightspace, which is due on **December 20, 2025**. The exam will consist of three sections, each containing three essay questions. Students will select one question from each section. Each answer should be about 800-1200 words. Moreover, students are expected to draw from class lectures and reading assignments in writing the essays, and students are not expected to include any research outside of class materials.

Other Information:

Submitting assignments and late policy: I will not request or require a doctor's note when students seek accommodation for missed term work or exams due to illness. Instead, students will be asked to complete the self-declaration form available here:

<https://carleton.ca/registrar/academic-consideration-coursework-form/>. Please note that this self-declaration must be completed at least 24 hours prior to the due date of a given assignment. All assignments are to be submitted through Brightspace. Extensions will only be granted if students fill out the self-declaration form as per University policy. The penalty for late assignments is 5% per day.

AI policy statement: Writing, analytical, research and critical thinking skills are part of the learning outcomes of this course, therefore all writing assignments should be prepared by the student. Developing strong competencies in these areas are integral to the academic enterprise

and serve as the foundations of an earned BA. As such, AI-generated submissions are not permitted and will be treated as plagiarism

Oral Examinations of Written Assignments: The instructor reserves the right to administer an in-person oral examination on the content of any student's written submissions. Moreover, the instructor may ask students to provide evidence of their own research (ie. Notes, screenshots of early drafts, etc.).

Office Hours and E-mail: My office hours are posted on this outline, and I strongly encourage students to use them for any reason related to the course material. If students cannot make it during the posted times, we can arrange individual appointments. If I have to cancel my office hours for any reason, I will make every effort to inform the class regarding make-up office hours. As per University regulations, I will only respond to emails that use a Carleton account.

Lecture and Reading Schedule:

-Session 1 (September 5, 2024):

Introduction and Thematic Overview of the Course

-Session 2 (September 12, 2025):

Origins and Sources

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapters 1 and 2

-Peter W. Hogg, *Constitutional Law of Canada, Student edition* (Toronto: Thomson Reuters, 2017)

*Chapter 1: Sources

-Samuel LaSelva, *Moral Foundations of Canadian Federalism: Paradoxes, Achievements and Tragedies of Nationhood*, (Montreal: MQUP, 1996)

*Chapter 2: Confederation and the Beginnings of Canadian Federalist Theory

-Session 3 (September 19, 2025):

Confederation and the B.N.A. Act, 1867

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapter 3

-Peter H. Russell et Al. (eds.), *Essential Readings in Canadian Government and Politics*, 2nd ed., (Toronto: Emond Montgomery Publishing, 2015).

*Chapters 2, 3

-Garth Stevenson, *Unfulfilled Union*, 4th ed. (Montreal: McGill-Queen's University Press, 2004),

*Chapter 2: Origins and Objectives of Canadian Confederation.

-Session 4 (September 26, 2025): *Short Assignment Due*

Early Debates on Federalism I: Quebec and Dualism

-Peter H. Russell et Al. (eds.), *Essential Readings in Canadian Government and Politics*, 2nd ed., (Toronto: Emond Montgomery Publishing, 2015).

*Chapter 4,

-Government of Quebec, *Quebec-Canada: A New Deal*

* https://www.sqrc.gouv.qc.ca/documents/positions-historiques/positions-du-qc/part3/Document11_en.pdf

-Government of Quebec, *Quebec's Political and Constitutional Status: An Overview*

* <https://www.sqrc.gouv.qc.ca/documents/institutions-constitution/statut-politique-qc-en.pdf>

-Kenneth McRoberts, *Misconceiving Canada: The Struggle for National Unity*, (Toronto: OUP, 2019).

*Chapter 1: Two Visions of Canada

-Session 5 (October 3, 2025):

Early Debates on Federalism II: Division of Powers and Provincial Rights

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapter 4

-Alan Cairns, "The Judicial Committee and Its Critics," in the *Canadian Journal of Political Science*, Vol. 4, No. 3, September 1971.

-F. R. Scott, "Centralization and Decentralization in Canadian Federalism", in G. Stevenson, (Ed.), *Federalism in Canada*, (Toronto: McClelland and Stewart Inc., 1989).

-Session 6 (October 10, 2025):

Constitutional Developments and the Quiet Revolution, 1900-1971

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapters 5 and 6

-Peter H. Russell et Al. (eds.), *Essential Readings in Canadian Government and Politics*, 2nd ed., (Toronto: Emond Montgomery Publishing, 2015).

*Chapters 5, 6, 7

-Kenneth McRoberts, *Misconceiving Canada: The Struggle for National Unity*, (Toronto: OUP, 2019).

*Chapter 2: The 1960s: Coming to Terms with Duality and Quebec Nationalism

-Session 7 (October 17, 2025):

Towards Patriation, 1971-1982

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapters 7 and 8

-Donald Smiley, "A Dangerous Deed: The Constitution Act, 1982", in Banting and Simeon, eds., *And No One Cheered: Federalism, Democracy and the Constitution Act*, (Toronto: Methuen Publications, 1983).

-Kenneth McRoberts, *Misconceiving Canada: The Struggle for National Unity*, (Toronto: OUP, 2019).

*Chapter 3: Trudeau and the New Federal Orthodoxy: Denying the Quebec Question

*Chapter 6: Federalism and the Constitution: Entrenching the Trudeau Vision

****Week of October 20-24, Fall Break****

-Session 8 (October 31, 2025):

The Charter of Rights and Freedoms

-Peter H. Russell et Al. (eds.), *Essential Readings in Canadian Government and Politics*, 2nd ed., (Toronto: Emond Montgomery Publishing, 2015).

*Chapters 47, 48, 50

-Alan C. Cairns, “The Charter and the Constitution Act, 1982,” in Cairns (ed), *Charter versus Federalism* (Montreal: McGill-Queen’s University Press, 1992).

-Sujit Choudhry, “Bills of Rights as Instruments of Nation-Building in Multinational States: The Canadian Charter and Quebec Nationalism”, University of Toronto Legal Studies Series, Research paper Number 1006905.

*https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1006905

-Session 9 (November 7, 2025):

Meech Lake Accord

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapter 9

-Charles Taylor, “Shared and Divergent Values”, in Guy Laforest, (ed.), *Reconciling the Solitudes: Essays on Canadian Federalism and Nationalism*, (Montreal: McGill-Queen’s University Press, 1993), pp. 155-186.

-Richard Simeon, “Meech Lake and Shifting Conceptions of Canadian Federalism”, in *Canadian Public Policy*, Vol. 14, September 1988.

-Session 10 (November 14, 2025):

The Charlottetown Accord

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapters 10, 11

-Michael B. Stein, “Improving the Process of Constitutional Reform in Canada: Lessons from the Meech Lake and Charlottetown Constitutional Rounds”, in *Canadian Journal of Political Science*, Vol. 30, No. 2, June 1997.

-Matthew Coon Come, “Charlottetown and Aboriginal Rights: Delayed but not Relinquished”, in *Policy Options*, December 2002-January 2003.

*<http://policyoptions.irpp.org/wp-content/uploads/sites/2/assets/po/kyoto/cooncome.pdf>

-Session 11 (November 21, 2025):

The Constitution and Indigenous Peoples

-Peter H. Russell et Al. (eds.), *Essential Readings in Canadian Government and Politics*, 2nd ed., (Toronto: Emond Montgomery Publishing, 2015).

*Chapter 10,

-James Tully, "Introduction", in Alain-G. Gagnon and James Tully, (eds.), *Multinational Democracies*, (Cambridge: Cambridge University Press, 2001).

-Radha Jhappan, "Inherency, Three Nations, and Collective Rights: The Evolution of Aboriginal Constitutional Discourse From 1982 to the Charlottetown Accord", in *International Journal of Canadian Studies*, Vol 7-8 (Spring/Fall, 1993 pp. 225-259.

-John Borrows, "(Ab)Originalism and Canada's Constitution", in *The Supreme Court Law Review: Osgoode's Annual Constitutional Cases Conference*, Vol. 58. (2012).

-Session 12 (November 28, 2025): *Research Paper Due*

The 1995 Quebec Referendum, the Secession Reference and the Clarity Act

-Peter H. Russell, *Constitutional Odyssey*, 3rd ed., (Toronto: University of Toronto Press, 2004);

*Chapter 12

-Robert Schertzer, "Recognition or Imposition? Federalism, National Minorities and the Supreme Court of Canada", in *Nations and Nationalism*, Vol. 14, No. 1, 2008, pp. 105-126.

-François Rocher and Nadia Verrelli, "Questioning Constitutional Democracy in Canada: From the Canadian Supreme Court Reference on Quebec Secession to the Clarity Act", in Alain-G. Gagnon, Montserrat Guibernau and François Rocher (eds.), *The Conditions of Diversity in Multinational Democracies*, Montreal: IRPP, 2003)

-Daniel Weinstock, "Constitutionalizing the Right to Secede" in *Journal of Political Philosophy* Vol. 9, No. 2, 2001, p. 182-203.

Catch-up and Review

Political Science Course Outline Appendix

REQUESTS FOR ACADEMIC ACCOMMODATION

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Student Mental Health

As a university student, you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. Here is a list that may be helpful:

Emergency Resources (on and off campus):

<https://carleton.ca/health/emergencies-and-crisis/emergency-numbers/>

Carleton Resources:

Mental Health and Wellbeing:

<https://carleton.ca/wellness/>

Health & Counselling Services: <https://carleton.ca/health/>

Paul Menton Centre: <https://carleton.ca/pmc/>

Academic Advising Centre (AAC):

<https://carleton.ca/academicadvising/>

Centre for Student Academic Support (CSAS):

<https://carleton.ca/csas/>

Equity & Inclusivity Communities:

<https://carleton.ca/equity/>

Off Campus Resources:

Distress Centre of Ottawa and Region: (613) 238-3311 or TEXT: 343-306-5550, <https://www.dcottawa.on.ca/>

Mental Health Crisis Service: (613) 722-6914, 1-866-996-0991, <http://www.crisisline.ca/>

Empower Me: 1-844-741-6389,

<https://students.carleton.ca/services/empower-me-counselling-services/>

ood2Talk: 1-866-925-5454, <https://good2talk.ca/>

The Walk-In Counselling Clinic:

<https://walkincounselling.com>

Academic consideration for medical or other extenuating circumstances:

Students must contact the instructor(s) of their absence or inability to complete the academic deliverable within the predetermined timeframe due to medical or other extenuating circumstances. For a range of medical or other extenuating circumstances, students may use the online self-declaration form and where appropriate, the use of medical documentation. This policy regards the accommodation of extenuating circumstances for both short-term and long-term periods and extends to all students enrolled at Carleton University.

Students should also consult the [Course Outline Information on Academic Accommodations](#) for more

information. Detailed information about the procedure for requesting academic consideration can be found [here](#).

Pregnancy: Contact your Instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For accommodation regarding a formally-scheduled final exam, please contact Equity and Inclusive Communities (EIC) at equity@carleton.ca or by calling (613) 520-5622 to speak to an Equity Advisor.

Religious obligation: Contact your Instructor with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details [click here](#).

Academic Accommodations for Students with Disabilities:

The Paul Menton Centre for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, please request your accommodations for this course through the [Ventus Student Portal](#) at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). Requests made within two weeks will be reviewed on a case-by-case basis. For final exams, the deadlines to request accommodations are published in the [University Academic Calendars](#). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally scheduled exam (if applicable).

Survivors of Sexual Violence: As a community, Carleton University is committed to maintaining a positive learning, working, and living environment where sexual violence will not be tolerated, and its survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>.

Accommodation for Student Activities: Carleton University recognizes the substantial benefits, both to the

individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation will be provided to students who compete or perform at the national or international level. Write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist.

PETITIONS TO DEFER

Students unable to write a final examination because of illness or other circumstances beyond their control may apply within **three working days** to the Registrar's Office for permission to write a deferred examination. The request must be fully supported by the appropriate documentation. Only deferral petitions submitted to the Registrar's Office will be considered. [See Undergraduate Calendar, Article 4.3](#)

INTELLECTUAL PROPERTY

Student or professor materials created for this course (including presentations and posted notes, labs, case studies, assignments and exams) remain the intellectual property of the author(s). They are intended for personal use and may not be reproduced or redistributed without prior written consent of the author(s). Permissibility of submitting substantially the same piece of work more than once for academic credit. If group or collaborative work is expected or allowed, provide a clear and specific description of how and to what extent you consider collaboration to be acceptable or appropriate, especially in the completion of written assignments.

WITHDRAWAL WITHOUT ACADEMIC PENALTY

Please reference the [Academic Calendar](#) for each term's official withdrawal dates

OFFICIAL FINAL EXAMINATION PERIOD

Please reference the [Academic Calendar](#) for each term's Official Exam Period (may include evenings & Saturdays or Sundays)

For more information on the important dates and deadlines of the academic year, consult the [Carleton Calendar](#).

GRADING SYSTEM

The grading system is described in the Undergraduate Calendar section [5.4](#).

Standing in a course is determined by the course instructor subject to the approval of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Dean.

ACADEMIC INTEGRITY

Academic integrity is an essential element of a productive and successful career as a student. Students are required

to familiarize themselves with the university's [Academic Integrity Policy](#).

PLAGIARISM

The University Senate defines plagiarism as "*presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own.*" This can include:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT);
- reproducing or paraphrasing portions of someone else's published or unpublished material, and presenting these as one's own without proper citation or reference to the original source;
- submitting a take-home examination, essay, laboratory report or other assignment written, in whole or in part, by someone else;
- using ideas or direct, verbatim quotations, or paraphrased material, concepts, or ideas without appropriate acknowledgment in any academic assignment;
- using another's data or research findings;
- failing to acknowledge sources through the use of proper citations when using another's works and/or failing to use quotation marks;
- handing in "*substantially the same piece of work for academic credit more than once without prior written permission of the course instructor in which the submission occurs.*"

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor. The Associate Dean of the Faculty conducts a rigorous investigation, including an interview with the student, when an instructor suspects a piece of work has been plagiarized. Penalties are not trivial. They can include a final grade of "F" for the course.

RESOURCES (613-520-2600, phone ext.)

Department of Political Science (2777)	B640
Loeb	
Registrar's Office (3500)	300 Tory
Centre for Student Academic Success (3822)	4 th floor
Library	
Academic Advising Centre (7850)	302 Tory
Paul Menton Centre (6608)	501
Nideyinàn	
Career Services (6611)	401 Tory