

POL 490H, 2102H – Winter/Spring 2016

Canada's Odyssey: A Country Founded on Incomplete Conquests

Time and Place

Thursday, 4-6pm
Room 24, Trinity College

Professor Peter H. Russell

Office Hours

Tuesday, 3-4pm and Thursday: 2-4pm, SS3101

Or by appointment

Email: phruss@aol.com.

Students should feel free to email Professor Russell for assistance in preparing for a seminar presentation, or obtaining any of the readings.

Course Content

The course examines a conception of Canada as a political community with three foundational pillars - French Canada, Aboriginal Canada and English-speaking Canada. The underlying thesis is that the country's distinct character is best understood by considering the changes that take place in each of the pillars and how those changes affect relations among the three pillars.

The course begins with the efforts of the largest pillar, English-speaking Canada, to conquer or absorb the two smaller pillars and goes on to consider how the survival of French and Indigenous nations within Canada have shaped the country's constitutional development and are the source of its deepest cleavages and challenges. Throughout, there is a concern for tracing the emergence of a shared civic culture, providing the glue that holds the country together.

Though much of the course material is historical, the historical narrative will be examined through the lens of political science and political theory.

Organization of the Course

The course is organized as a weekly seminar. At the first seminar Professor Russell will talk about the structure and argument of the book he is writing on the central theme of the course. At subsequent meetings, one or two students will present brief (10-15 minute) presentations on one or more of the questions set out for the topic on the course outline, or on another question they think is pertinent to the incomplete conquests thesis or an alternative thesis. At this first seminar students will be matched with the various topics the course covers.

Course Requirements

Students will be graded on the following basis:

- 1) 20% for a review of one of the books listed in the course outline or another book chosen by a student and approved by Professor Russell. The maximum length of the review is 1000 words. The book can be but does not have to be related to the topic chosen for the course essay. The review must be handed in no later than Thursday, February 11, 2016.
- 2) 60% for an essay on a question arising from one of the topics covered in the course. The maximum length of the essay for undergraduates is 4,000 words, and for graduate students 6,000 words. The essay must be handed in no later than Friday, April 8, 2014.
- 3) 20% for seminar participation. Half of this grade will be based on the class presentation that each student makes. A high grade on the class presentation will be earned by making the presentation in an engaging manner and advancing an interesting argument rather than summarizing everything that has been read. It is important to observe the time limit and not speed read from notes or read from a laptop or ipad. Students are also expected to test their ideas and thinking through conversation and discussion at the weekly seminar meetings and show interest in the contributions of other students.

Format of Book Review and Essay

The book review and essay must be submitted in hard-copy form, using a 12pt font. Essays should use the Canadian Political Science Association style for references.

Late Assignments

For both the book review and the essay: a penalty of 1% (of the grade) for each day of lateness, including weekends. Book reviews must be submitted on or before the Feb. 11 class. Essays may be submitted at the April 7 class. Late reviews and essays must be submitted to the Department of Political Science reception, Room 3018, 3rd floor Sidney Smith Hall (100 St. George Street). During the week there is an after hours mail slot in the department but it is not available on weekends.

Plagiarism

Plagiarism is a serious offence, and will be dealt with accordingly. For further clarification and information, please see the University of Toronto's policy on plagiarism at <http://www.writing.utoronto.ca/advice/using-sources>. Normally students will be required to submit their course essays to be included as source documents in the Turnitin.com reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University's use of the Turnitin.com service are described on the Turnitin.com website.

Readings

There is no text book for this course. The book that comes closest to dealing with the thesis and topics covered in the book is Peter H. Russell's *Constitutional Odyssey: Can Canadians Become A Sovereign People?* University of Toronto Press, 3rd edition, 2004. A new edition of W.P.M. Kennedy's *The Constitution of Canada*, with a forward by Professor M.L. Friedland, has been recently published by the University of Toronto Press. It has intensive coverage of pre-Confederation constitutional developments. A book

that deals with many of the theoretical issues raised in the course is Alain-G. Gagnon and James Tully, eds., *Multinational Democracies*, Cambridge University Press, 2001. For each of the topics the course covers there is a large literature. A few items are listed in the course outline for each topic. Students are encouraged to explore the literature beyond these suggestions.

Blackboard

All information about additions or changes in course readings and assignments will be posted on the course website.

Seminar Topics

Week 1 (Jan 14): Introduction

Professor Russell will talk about the thesis underlying the course and work out the assignment of seminar topics for oral presentations..

Week 2 (Jan 21): Britain's Incomplete Conquest of New France

In what ways was the British conquest of New France not a complete conquest? How does British treatment of the *Canadiens* compare with its treatment of the *Acadiens*? What motives or factors explain the incompleteness of the conquest? What is the enduring influence of the *Quebec Act* on Canada's constitutional development? Why did the *Canadiens* reject the American revolutionaries invitation to be "conquered into freedom"?

Burt, A.L., *The Old Province of Quebec*, Vol I, McClelland & Stewart, 1968

Coupland, R., *The Quebec Act: A Study in Statesmanship*, OUP, 1925

Dufour, Christain, *A Canadian Challenge: Le defi Quebecois*, Oolichan, 1990

Plant, Geoffrey, *An Unsettled Conquest: The British Campaign Against the People of Acadia*, U of Pennsylvania Press, 2001.

Morton, W.L., *The Kingdom of Canada: A General History from Earliest Times*, McClelland and Stewart, 1963, ch 9.

Neatby, Hilda, *Quebec: The Revolutionary Age, 1760-1791*, McClelland & Stewart, 1966.

Wade, Mason, *The French Canadians, 1760-1967*, Macmillan, 1968, ch II.

Week 3 (Jan 28): The Treaty of Niagara – Canada's First Confederation?

How did English and French relations with Aboriginal peoples differ in the early years of European settlement? What role did Indian nations play in the French and Indian War and what was their relationship with Great Britain after the war? Were the Indian nations in any sense conquered by the British? What prompted the Pontiac Uprising in 1763? What do you think of the idea that the Royal Proclamation of 1763 and its presentation to native nations at Niagara in 1764 can be regarded as Canada's first Confederation?

Armstrong, Fred, *The War that Made America: A Short History of the French and Indian War*, Penguin Books, 2005.

Borrows, John. 1997, "Wampum at Niagara: The Royal Proclamation, Canadian Legal History and Self-Government," in Michael Asch, ed., *Aboriginal and Treaty Rights in Canada*, University of British Columbia Press, 1997, 155-172

Fisher, David Hackett, *Champlain's Dream*, Vintage Canada, 2009.

Flexner, James Thomas, *Mohawk Baronet: A Biography of Sir William Johnson*, University of Syracuse Press, 1959

Jennings, Francis, *The Invasion of America: Indians, Colonialism and the Cant of Conquest*, University of North Carolina Press, 1975

O'Toole Fintan, *White Savage: William Johnson and the Invention of America*, State University of New York Press, 2005

White, Richard, *The Middle Ground: Indians, Republics and Empires in the Great Lakes Region*, Cambridge University Press, 1991.

Week 4 (Feb 4): Making English Canada

Is it fair to say that the American Revolution made English Canada? How would you characterize the Loyalists in social and political terms? What institutions and constitutional principles did English-speaking immigrants and Loyalists bring to Canada? How important was this in the long-run for Canada's civic culture?

Bradley, A.G., *The United Empire Loyalists*, Thornton Butterworth, 1932.

Bumsted, J.M. *The Peoples of Canada: A Pre-Confederation History*, OUP, 1992, chs 5-7

Kennedy, *The Constitution of Canada*, UTP, 2014, chs 8-10.

Jasanoff, Maya, *Liberty's Exiles: American Loyalists in the Revolutionary War*, Knopf, 2011

Morton, W.L., *The Kingdom of Canada*, chs 10-11.

Stewart, Walter, *True Blue: The Loyalist Legend*, Collins, 1985

Week 5 (Feb 11): Rebellion, Lord Durham and Attempted Assimilation

Were the flawed constitutions Britain designed for British North America the principal cause of the rebellions in Lower and Upper Canada? How important were the forces of nationalism and democracy in igniting political change in British North America. Is it fair to say that British imperialism was not quite enough ahead of its time? Why did Lord Durham think that responsible government required the assimilation of French Canadians into an English-speaking Canada? What significance did the LaFontaine/Baldwin partnership have for the future of Canada? To what extent was the gaining of home-rule the result of the efforts and thinking of the British North American colonists rather than the gift of a liberalizing empire? Consider the relevance to Canada of Lord Acton's challenge to the liberal doctrine that a state must be based on a single nationality.

Acton, Lord, *Essays on Freedom and Power*, Peter Smith, 1972

Beck, J. Murray, *Joseph Howe*, Vol I, McGill-Queen's University Press, 1983.

Buckner, Phillip A. *The Transition to Responsible Government*, Greenwood Press, 1985

Careless, J.M.S. *The Union of the Canada: The Growth of Canadian Institutions, 1841-1857*, McClelland & Stewart, 1967.

- Craig, Gerald M., ed., *Lord Durham's Report*, McGill-Queen's University Press, 2007
 Kennedy, J.P.M. *The Constitution of Canada*, chs XI – XVII
 Kilbourn, William, *The Firebrand: William Lyon Mackenzie and the Rebellion in Upper Canada*, Clarke Irwin, 1956.
 Monet, Jacques, *The Last Cannon Shot, A Study of French Canadian Nationalism*, UTP, 1969
 Ouellet, Fernand, *Lower Canada, 1791-1840*, McClelland & Stewart, 1980
 Saul, John Ralston, *Louis-Hippolyte LaFontaine & Robert Baldwin*, Penguin, 2010

Week 6 (Feb 25): Confederation: A Pact Between English and French?

To what extent can Confederation be interpreted as a constitutional agreement between the English and French? Did English and French political leaders share a common vision about the future of Canada? Why did Canada's first peoples not participate in Confederation?

- Ajzenstat, Janet et al, eds., *Canada's Founding Debates*, Stoddard, 1999
 Creighton, Donald, *The Road to Confederation, 1863-1867*, Macmillan, 1964.
 Martin, Ged, ed., *The Causes of Confederation*, Acadiensis Press, 1990
 Moore, Christopher, *1867: How the Fathers Negotiated a Deal*
 Russell, Peter H., *Constitutional Odyssey*, chs. 1-3.
 Silver, A.I., *The French Canadian Idea of Confederation, 1864-1900*, University of Toronto Press, 1982.
 Waite, Peter, *The Life and Times of Confederation, 1864-1867*, University of Toronto Press, 1962, ch. 10.

Week 7 (Mch 3): The Colonization of Aboriginal Peoples

How did the status of Indian nations in colonial and settler policy change from being allies of the Crown to subjects of the Crown? Is it correct to regard the *Indian Act* as an instrument of colonization? How do the *Indian Act* policies square with the continuation of the treaty process? Was the Riel Rebellion really a rebellion or an attempt at negotiating a new province? How did the Inuit and their lands become part of Canada?

- Dickason, Olive Patricia, *Canada's First Nations*, chs. 5, 18, 19, 27
 Adams, Christopher, Greg Dahl & Ian Peach, ed., *Métis in Canada*, Univ of Alta Press, 2013
 Asfar, Dan and Tim Cohan, *Louis Riel*, Folklore Publishing, 2003.
 Grant, Shelagh, *Arctic Justice*, McGill-Queen's University Press, 2002
 Miller, J.R., *Skyscrapers Hide the Heavens: A History of Indian-White Justice Relations in Canada*, 3rd edition, University of Toronto Press, Part Two
 Purich, Donald, *The Métis*, Purich, 1988
 Royal Commission on Aboriginal Peoples, *Report*, chs 6, 9, 10 & 11
 Russell, Peter H., *Recognizing Aboriginal Title: The Mabo Case and Indigenous Resistance to English-Settler Colonialism*, University of Toronto Press, 2005, Part Two

Week 8 (Mch 10): French Canada: Provincialization to Constitutional Radicalism

What factors drove the provincial rights movement after Confederation? Assess the importance of the Manitoba Schools crisis in provincializing French Canadian

nationalism? What were Quebec's constitutional aspirations from Confederation until 1960?

Why did Quebec become constitutionally radical in the 1960s? Is the constitutional conflict that arose in the late 1960s best described as a contest between Canadian nationalism and Quebec nationalism? Was the "Rest of Canada's Response to the rise of Quebec separatism reasonable? What light does the Royal Commission on Bilingualism and Biculturalism throw on the "incomplete conquest" thesis?

Armstrong Christopher, *The Politics of Federalism*, UTP, 1981

Cook, Ramsay, *Canada and the French Canadian Question, Quebec, and the Uses of Nationalism*, McClelland & Stewart, 1986

Morrow, Casey, *Henri Bourassa and French Canadian Nationalism*, Harvest House, 1968.

Russell, Peter H., *Constitutional Odyssey*, ch. 4

Schull, *Laurier: The First Canadian*, Macmillan, 1965

Silver, A.I., *The French Canadian Idea of Confederation*, UTP, 1982.

Vipond, Robert, *Liberty and Community: Canadian Federalism and the Failure of the Constitution*, State University of New York Press, 1991.

Abella, Irving, ed., *Six Key Labour Struggles in Canada, 1919-1949*, James Lorimer, 1985.

Fraser, Graham, *PQ: René Levesque and the Parti Québécois in Power*, Macmillan, 1984

Johnson, Daniel, *Égalité ou indépendance*, Les Editions de l'Homme, 1965

McRoberts, Kenneth, *Quebec: Social Change and Political Crisis*, 3rd ed., McClelland & Stewart, 1988.

Royal Commission on Bilingualism and Biculturalism, *A Preliminary Report*, Queen's Printer, 1965.

Russell, Peter H., *Constitutional Odyssey*, chs 6,7.

Trudeau, Pierre Elliot, *Federalism and the French Canadians*, McClelland & Stewart, 1968

Week 9 (Mch 17): Aboriginal Resurgence

What accounts for Aboriginal Peoples having some success in resisting colonization after World War II? In what sense were the 1969 Chrétien/Trudeau White Paper and the Supreme Court's decision in the *Calder* case turning points in Canada's relations with Aboriginal peoples? How well does Canada's modern treaty process serve Aboriginal peoples and Canada? Do the Truth & Reconciliation Commission's recommendations mark the path to Aboriginal decolonisation?

Andersen, Chris, *Métis: Race, Recognition and the Struggle for Indigenous Peoplehood*, UBC Press, 2014.

Asch, Michael, *On Being Here to Stay: Treaties and Aboriginal Rights in Canada*, UTP, 2014

Alcantara, Christopher, *Negotiating the Deal: Comprehensive Land Claims in Canada*, UTP, 2013

Foster, Hamar, Heather Raven & Jeremy Webber, eds., *Let Right Be Done: Aboriginal Title, the Calder Case and the Future of Indigenous Rights*, UBC Press, 2007.

Loukecheva, Natalia, *The Arctic Promise: Legal and Political Autonomy of Greenland and Nunavut*, UTP, 2007.

Weaver, Sally, *Making Canadian Indian Policy*, UTP, 1981.

Week 10 (Mch 24): English Canada Builds a Nation and Becomes Multicultural

Was moving Canada “from colony to nation” primarily a project of English-speaking Canada? How did the emergent sense of Canadian nationalism relate to French Canada? In terms of race and ethnicity how did English-speaking Canada envisage Canadian society? What held Canada back from gaining full autonomy before World War II?

In what sense was the radical change in Canadian immigration policy in the 1960s and 70s a “quiet revolution”? Does the incomplete conquest thesis cast any light on the quietness of this change? What were Trudeau’s reasons for supporting multiculturalism? Is Canada both a multicultural and a multinational country? Why does Quebec prefer interculturalism to multiculturalism?

Hilman, Norman and Alan Chapnick eds., *Canadas of the Mind: The Making and Unmaking of Canadian Nationalism in the Twentieth Century*,” McGill-Queen’s UP, Kelley, Ninette and Michael Trebilcock, *The Making of the Mosaic: A History of Canadian Immigration Policy*, 2nd edition, UTP, 2010, chs 7-10.

Russell, *Constitutional Odyssey*, ch. 5.

Russell, Peter ed., *Nationalism in Canada*, McGraw-Hill/Ryerson, 1966.

Stanley, Timothy J., “The Aryan Character of the Future of British North America: Macdonald, Chinese Exclusion, and the Invention of Canadian White Supremacy,” in Patrice Dutil & Roger Hall, eds., *Macdonald at 200*, Dundurn, 2014.

Ward, Peter, *White Canada Forever*, McGill-Queens UP, 1978

Bouchard, Gérard, *Interculturalism: A View From Quebec*, UTP, 2012.

English, John, *Just Watch Me: The Life of Pierre Elliott Trudeau, 1968-2000*, Vintage Canada, 2009, pp. 140-147.

Jedwab, Jack, ed., *The Multicultural Question*, McGill-Queen’s Univ Press, 2014.

Kaplan, William, ed., *Belonging: The Meaning and Future of Canadian Citizenship*, McGill-Queen’s University Press, 1993.

Kelley, Ninette and Michael Trebilcock, *The Making of the Mosaic: A History of Canadian Immigration Policy*, 2nd edition, UTP, 2010, chs 7-10.

Kymlicka, Will, *Finding Our Way: Rethinking Ethnocultural Relations in Canada*, Oxford University Press, 1998.

Stevenson, Garth, *Building Nations From Diversity: Canadian and American Experience Compared*, McGill-Queen’s Univ Press, 2014

Triadafilopoulos, Triaddafilos, *Becoming Multicultural*, UBC Press, 2012.
 Ward, Peter, *White Canada Forever*, McGill-Queens UP, 1978

Week 11 (Mch 31): Patriation and Its Unintended Consequences

What lessons are to be learned from Canadian efforts to get a new Constitution. How come Patriation was more favourable to Aboriginal nationalism than to Quebec nationalism? Did Patriation betray the trust between English and French on which Confederation was based? Was Patriation a substantial step towards decolonising relations with Aboriginal peoples?

Banting, Keith and Richard Simeon, eds., *And No One Cheered: Federalism, Democracy and the Constitution Act*, Methuen, 1983, chs 4, 5, 15..
 Banting Keith and Richard Simeon, *Redesigning the State: The Politics of Constitutional Change in Industrial Nations*, UTP, 1985, ch. 1
 Graham, Ron, *The Last Act: Pierre Trudeau the Gang of Eight and the Fight for Canada*, Allen Lane, 2011.
 Romanow, Roy, John Whyte and Howard Leeson, eds., *Canada...Notwithstanding: The Making of the Constitution, 1976-1982*, Carswell/Methuen, 1984.
 Russell, Peter H., *Constitutional Odyssey*, chs 7, 8.
 Russell, Peter H., *Patriation and the Law of Unintended Consequences*, in Lois Harder and Steve Patten, eds., *Patriation and Its Aftermath*, UBC Press, 2015.
 Sheppard, Robert and Michael Valpy, *The National Deal: The Fight for a Canadian Constitution*, Macmillan, 1982.

Week 12 (Apr 7)

The Failure of Mega Constitutional Politics and the Future of Canada

What do the failures of Meech Lake and the Charlottetown Accord indicate about Canada's capacity to achieve a grand constitutional settlement of its constitutional difficulties? What does the failure of the 1995 Quebec referendum indicate about Quebec's capacity to separate from Canada? Does the end of mega constitutional politics condemn Canada to a constitutional deep-freeze?
 How useful is the incomplete conquest thesis in explaining the constitutional frustrations of Aboriginal, Canadian and Quebec nationalists? What potential does the thesis have as a basis for Canadian identity? How sustainable is Canada as a country without a securing a formal resolution of its constitutional differences?

Borrows, John, *Canada's Indigenous Constitution*, University of Toronto Press, 2010
 Cairns, Alan C., *Disruptions: Constitutional Struggles, from the Charter to Meech Lake*, McClelland & Stewart, 1991.
 Gagnon, Alain-G. and James Tully, eds., *Multinational Democracies*, Cambridge UP, 2001, Introduction.
 Griffiths, Rudyard, *Who We Are: A Citizen's Manifesto*, Douglas & McIntyre, 2009
 Russell, Peter H., *Constitutional Odyssey*, chs. 9-12
 Saul, John Ralston, *A Fair Country: Telling Truths About Canada*, Viking, 2008.
 Taylor, Charles, *Reconciling Solitudes: Essays on Canadian Federalism and Nationalism*, McGill-Queen's University Press, 1993.