

The University of Western Ontario

Department of Political Science

Political Science 4405E/9749E– Legislative Politics

2011-2012

Instructor: M. Westmacott
Associate Professor

Class Time: Friday 9:30 am -11:20 am
Class Location: Room 4255 SSC

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Office Hours: Monday and Wednesday: 9:30am - 10:30am
Thursday : 1:30 pm - 2:30 pm
Other times by chance or appointment

Calendar Description

An introduction to the issues and debates relating to the place of legislatures within the political system. Among the main topics are the roles of legislatures, their representative ability, legislative careers, parliamentary versus presidential systems and legislative reform. Emphasis will be placed on experience in Canada and the United States.

Prerequisites: Politics 2230E or Politics 2234E or Politics 2244E

Antirequisites: Politics 4405E (King's College) or Politics 485E (King's College if taken in 1993 -1994 or 1994-1995)

1.0 course 2 seminar hours

Detailed Course Description

The course will focus on the role of legislatures in parliamentary and congressional regimes with particular reference to Canada and the United States. The recurring challenges to institutions of representative democracy provide an appropriate perspective to review relevant literature on the role of legislatures in democratic political systems and to assess the challenges faced by legislators in both parliamentary and congressional systems.

The course will begin with a discussion and assessment of the role of legislatures in democratic political systems. Four themes will provide a framework for an assessment of the role of legislatures in the Canadian and American political systems - "Legislatures and Representation", "Legislatures and Policymaking", "Legislatures and Political Parties", and "Legislatures and Accountability". The first term will focus on legislatures in parliamentary systems and in particular on the House of Commons in Canada with

occasional references to other Westminster systems. The second term will focus on the role of legislatures in presidential / congressional systems with reference to the Congress of the United States. Each section of the course will conclude with a discussion of an agenda for legislative reform.

Important Notice Re: Prerequisites/Antirequisites: Please note the following from the UWO Academic Calendar, 2011/2012 p 44.

"Students are responsible for ensuring that their selection of courses is appropriate and accurately recorded, that all course prerequisites have been successfully completed, and that they are aware of any antirequisite courses(s) that they have taken. If the student does not have the requisites for a course, and does not have the written special permission from his or her Dean to enroll in the course, the University reserves the right to cancel the student's registration in the course. This decision may not be appealed. The normal financial and academic penalties will apply to a student who is dropped from a course for failing to have the necessary prerequisites."

NOTE: You are expected to read the course outline carefully and be familiar with the content.

Course Work:

Essay 20 pages (March 9, 2012)	35%
Essay proposal (January 13/2012)	
Seminar Presentations and Commentary Papers	30% (15% x 2)
Participation Grade	10% (5% x 2)
Final Exam (Scheduled during exam period in April 2012)	25%

Readings that relate to seminar topics will be assigned each week.
The participation grade is based on attendance and contributions to seminar discussions.

During the year, it is recommended that students consult a reputable newspaper on a regular basis. Many newspapers are available on the Internet and many newspapers will email major headline stories or the daily front page. Each seminar will begin with a brief discussion of current events that relate to the themes and issues discussed in the course.

Required Texts:

Aucoin, Peter, Jarvis, Mark D. and Turnbull, Lori, *Democratizing the Constitution: Reforming Responsible Government*, Emond Montgomery, 2011.
Docherty, David C. *Legislatures*, UBC Press, 2005
Quirk, Paul J. and Binder, Sarah A., (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005
Thurber, James A (ed), *Rivals for Power, Presidential –Congressional Relations*,

4 th ed. Rowman and Littlefield Publishers, 2009.

In addition, there are numerous journal articles as well as chapters from books that are on reserve in D.B. Weldon Library that will be assigned throughout the year. If you encounter difficulties in locating the assigned readings please consult the instructor. **A copy of the required readings (excluding readings from required texts and journal articles that are available electronically) for each seminar will be placed in the Political Science Resource Room (Room 4109 SSC).**

Class Organization:

The class will meet for two hours a week. Each seminar will commence with an introduction to the topic (s) by the course instructor followed by student presentations and class discussion. Each student will be responsible for the required assigned readings for each seminar. **The examination at the conclusion of the course (April 2012) will be based on the readings assigned for the seminars (September 2011 – April 2012). Class participation is encouraged and a participation grade is a component of the final course grade.**

The course has been designated as an essay course and will involve total written assignments (essays) of at least 5,000 words.

Participation Grade:

Note: Attendance will be recorded each week and the participation grade will be based on an assessment of each student's contribution to class discussion and attendance at seminars. Please note that regular attendance with no significant contribution to class discussion will result in a participation grade of no more than 4/10. The first term participation grade will be assigned in December 2011 and the participation grade for the second term will be assigned in April 2012.

Seminar Presentation: Literature Review, Commentary Paper and Discussant Questions

Readings are assigned for each seminar to provide context for the issues under discussion. Appropriate case studies have been assigned as readings for many of the seminars.

Each student will be required to prepare two seminar presentations (one in each term). The seminar presentation will involve a review of literature assigned for the topic. The seminar objectives and discussion questions for each class constitute the basis for the literature review. Students will select a specific theme / issue for the seminar presentation. Students must submit a written commentary (2500 words essay format) with direct quotations and other factual points documented one week after the seminar presentation. Deadlines will be enforced.

There will be seminar presentations each week. Seminar presentations should be no more than 25 minutes in length to ensure that there is adequate time for discussion and debate. The purpose of the presentation is to outline and to assess the major themes, issues, and conclusions that emerge from the assigned literature. The presenter of the seminar should not attempt a detailed summary of the assigned literature. Students are encouraged to use power point presentations and video clips where appropriate. Seminars will be graded on the quality of the written paper and the effectiveness of the presentation.

NOTE:

Students must meet with the instructor prior to the seminar to discuss the seminar presentation

Seminar Discussants

Each week at least two students will serve as seminar discussants. It will be the responsibility of the seminar discussants to comment on the presentations and to initiate discussion by posing a series of questions (two or three) that will encourage discussion.

Seminar discussants will be assessed on the quality of their commentary and on the originality of the discussion questions. The grade assigned for this portion of the seminar will be a component of the participation grade. Students will be assigned the role of seminar discussant for at least two seminars during the course of the year.

NOTE: Seminar presentations begin on September 23 /2011

Deadlines for the Submission of Seminar Commentary Paper, Seminar Discussion Questions, Essay Assignment

Please note policies regarding the application of late penalties. Academic accommodation citing medical and compassionate grounds will be granted in accordance with the provisions of the *Policy on Accommodation for Medical Illness- Undergraduate Students* approved by the Senate of the University of Western Ontario effective September 1, 2008.

Student participation grades (5% per term) will be assigned in December 2011 and April 2012. Because participation grades will be based in part on class attendance, students will be required to provide medical documentation for extended absences from class that could affect the participation grade assigned by the instructor in each term.

1. Seminar Commentary Paper and Discussant Questions:

The Seminar Commentary paper must be submitted to the course instructor one week after the date of the seminar presentation. A copy of the Discussion Questions must be submitted to the instructor at the conclusion of the class. Students must retain a copy of all assignments (essays, seminar commentary papers and seminar discussion questions). The Instructor will retain a copy of discussion questions.

Late Penalty

Failure to present the seminar on the assigned date will result in a grade of 0 % unless there are compelling documented medical or compassionate grounds. **A late penalty of 5% per day including holidays and weekends will be assigned to Seminar Commentary Papers submitted after the deadline.**

Failure to present discussion questions at the assigned seminar will be recorded and will affect the participation grade assigned for the course.

2. Late Penalties For Essays:

A late penalty of 3% per day including weekends and statutory holidays will be assigned. Therefore an essay that was due on a Friday and submitted on a Monday will be assigned a 6% penalty. The late penalty will be deducted from the grade assigned to the essay. An assigned grade of 80% with a late penalty of 6% would result in a grade of 74%. Papers submitted 10 days after the due date will not normally be accepted unless appropriate documentation is provided. **Essays can not be submitted via email without the permission of the instructor.**

3. Essay Proposal: An essay proposal must be submitted on or before January 13/2012. Details regarding the format will be discussed in the seminar on September 9/2011. Failure to submit a proposal will result in a 5% reduction in the grade assigned to the essay. For example a grade of 75% will be reduced to 70% if an essay proposal is not submitted **on January 13/2012.** Essay proposals will be reviewed with each student in January 2012.

Journal Articles that are available electronically will not be placed on reserve but are available electronically from the Weldon Library website. Readings listed as optional are not on reserve

A copy of the required readings for each seminar (excluding readings from required texts and journal articles that are available electronically) will be placed in the Political Science Resource Room (Room 4109 SSC)

Books and Articles on Two (2) Day Reserve at Weldon Library

Term I

- Aucoin, Peter, Jarvis, Mark D. and Turnbull, Lori *Democratizing the Constitution: Reforming Responsible Government*, Emond Montgomery, 2011.
- Barnes Andre, *Bill C12: An Act to Amend the Constitution Act ,1867 (Democratic Representation)* Library of Parliament, Legislative Summary, Publication No 40-3-C12-E 15 April 2010
- Courtney, John, *Elections*, UBC Press, 2004,
- Charlton, Mark and Barker, Paul (eds), *Crosscurrents: Contemporary Political Issues*, 5 th ed, Nelson, 2006
- Docherty, David *Mr. Smith Goes to Ottawa: Life in the House of Commons*, UBC Press,
- Docherty, David C., *Legislatures*, UBC Press, 2005
- Forsey, Eugene / Eglinton, F.C., *The Question of Confidence in Responsible Government*, Ottawa, Special Committee on the Reform of the House of Commons, 1985
- Franks, C.E.S. *The Parliament of Canada*, University of Toronto Press, 1987
- Gagnon, Alain –G and Tanguay, Brian (eds), *Canadian Parties in Transition*, 3 rd ed., Broadview, 2007
- Harder, Lois, and Patten, Steve, (eds), *The Chrétien Legacy: Politics and Public Policy in Canada*, Mc Gill –Queen's University Press, 2006.
- Heard, Andrew, *Canadian Constitutional Conventions: The Marriage of Law and Politics*, Oxford 1991
- Heard, Andrew, “The Governor- General’s Decision to Prorogue Parliament: Parliamentary Democracy Defended or Endangered”, *Centre for Constitutional Studies Points of View, Discussion Paper, No 7*, January 2009
- Hogg, Peter W, *Constitutional Law of Canada*, Carswell, 2002 Student Edition
- Kam, Christopher J., *Party Discipline and Parliamentary Politics*, Cambridge University Press, 2009
- MacIvor, Heather (ed), *Election*, Emond Montgomery Publications ,2010
- Mendelsohn, Matthew, *Some are More Equal Than Others*, Mowat Centre for Policy Innovation, Mowat Note, March 2010
- Norton, Philip, (ed), *Legislatures*, Oxford, University Press, 1990.
- Public Policy Forum, (*Less*) *Male*, (*Even Less*), *Educated*, (*Even Less*) *Experienced* & (*Even More*) *White*, *A Statistical Breakdown of Canada’s 40th Parliament, with Comparisons to the 39 th Parliament*, May 4/2009.
- Russell, Peter H., *Two Cheers for Minority Government: The Evolution of Canadian Parliamentary Democracy*, Emond Montgomery Publications Limited, 2008,
- Russell, Peter H and Sossin, Lorne, (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009.
- Smith, David E. *The People’s House of Commons: Theories of Democracy in Contention*, University of Toronto Press, 2007
- Smith, Jennifer (ed.), *The Democratic Dilemma: Reforming the Canadian Senate*, Mc Gill Queen’s, 2009 ,
- Sancton, Andrew *The Principle of Representation By Population In Canadian Federal Politics* ,Mowat Centre for Policy Innovation Discussion Paper, March 2010

Tanguay A.B., and Gagnon, Alain G. (eds.), *Canadian Parties in Transition*, 2nd ed., Nelson, 1996

Thorburn, H.G. and Whitehorn, Alan , (eds), *Party Politics in Canada*, 8th ed.

Term II

Aberbach, Joel D., and Peterson, Mark A., (eds), *Institutions of American Democracy : The Executive Branch* , Oxford University Press, 2005,

Ahuja, Sunil and Dewhirst, Robert, (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press, 2003

Fenno, Richard, *Home Style: House Members in their Districts*, Little Brown, 1978

Loomis, Burdett A., Schiller, Wendy J., *The Contemporary Congress*, 5th ed., Thomson/Wadsworth, 2006

Lowi, Theodore J., Ginsberg, Benjamin and Shepsle, Kenneth A., *American Government*, 9th Edition, W.W.Norton and Company, 2006.

Quirk, Paul J. and Binder, Sarah A, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005

Squire, Peverill and Hamm, Keith E., *101 Chambers, Congress, State Legislatures, and the Future of Legislative Studies*, The Ohio University Press, 2005, Chapter 1.

Thomas Sue and Wilcox Clyde, *Women and Elective Office: Past, Present, and Future*, 2nd ed., Oxford University Press, 2005

Thurber , James (ed), *Rivals for Power: Presidential –Congressional Relations*, 4th ed, Roman and Littlefield, 2009

Journal Articles that are available electronically will not be placed on reserve but are available electronically from the Weldon Library website. Readings listed as optional are not on reserve

Seminar Schedule, Seminar Topics and Assigned Readings

Note: Readings marked (R) are required

Readings marked (O) are supplementary

Introduction

Sept 9/2011: Introduction to the Course

Course Objectives

Assignments (seminars, essays) participation grade, essay commentary papers and final exam

Assignment of seminar topics and assignment of seminar discussants

Guidelines for seminar presentations and the documentation of sources for assignments

Essay Topics: Discussion

Essay Proposal: Discussion

Seminar Sept 16/2011 : Reading and Discussion Questions

Legislatures and Liberal Democracies : A Comparative Perspective

Sept 16/2011: Legislatures: A Framework for Evaluation and Assessment

Seminar Objectives

To outline and to assess the typologies for the classification and comparison of legislatures .

Discussion Questions

1. Define the role and functions of legislatures. How have these roles/functions evolved over time? Discuss the factors (constitutional, historical, political, cultural, social) that have influenced the roles performed by legislatures

2. Discuss the frameworks developed (Polsby, Mezey and Norton) for classifying legislatures

3. Discuss the “Mezey Question” as outlined by David Arter. Outline the benchmarks discussed by David Arter to evaluate the “legislative performance” of legislatures in a political system.

Readings:

Michael Mezey, “Classifying Legislatures”, in Philip Norton (ed), *Legislatures, Oxford*, University Press, 1990, pp. 149 – 176. (R)

David Arter, “Introduction: Comparing the Legislative Performance of Legislatures” in *The Journal of Legislative Studies*, Vol.12, No 3- 4, 2006, pp.245 -257. (R)

David Arter, “Conclusion. Questioning the “Mezey Question”: An Interrogatory Framework for the Comparative Study of Legislatures, “ in *The Journal of Legislative Studies*, Vol.12, No 3, 2006, pp. 462 – 482 (R)

Optional Reading

Philip Norton, “Parliament and Policy in Britain: The House of Commons As A Policy Influencer” in Philip Norton (ed), *Legislatures, Oxford*, University Press, 1990, pp. 177 – 180 (0)

Nelson W. Polsby, “Legislatures” in Philip Norton (ed), *Legislatures, Oxford*, University Press, 1990, pp. 129 – 148 (0)

The Parliament of Canada: The House of Commons and the Senate

Historical and Constitutional Context: Canada

September 23 /2011: Westminster Parliamentary Democracy : Representative and Responsible Government: Evolving Perspectives

Seminar Objectives:

**To outline and to assess two of the defining principles of Canadian parliamentary democracy – representative and responsible government
To outline and to assess evolving perspectives on the Canadian parliamentary system**

Discussion Questions

1. Define and assess the significance of the terms "representative" and "responsible government" in the context of the Westminster model of parliamentary democracy. Outline and assess the roles performed by the House of Commons in a system of parliamentary democracy based on the Westminster model. In particular, discuss the tensions/contradictions/conflicts that develop when elements of "populist democracy" are introduced into a system of "parliamentary democracy" based on the Westminster model.

Readings

Background and Overview

Peter Aucoin, Mark D. Jarvis and Lori Turnbull, *Democratizing the Constitution: Reforming Responsible Government*, Emond Montgomery Publications, 2011, Chapter 1 and Chapter 2

Evolving Perspectives on Parliamentary Democracy

Jennifer Smith "Parliamentary Democracy versus Faux Populist Democracy" in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 175 – 188(R)

Optional Reading

C.E.S. Franks, *The Parliament of Canada*, University of Toronto Press, 1987, pp. 3-34 (0)

David E. Smith, *The People's House of Commons: Theories of Democracy in Contention*, University of Toronto Press, 2007, Chapters 1 - 4. (0)

Legislatures and Accountability

**September 30 /2011: Responsible Government and “Confidence of the House”:
Legislative Strategies and Tactics: Case Study May 2005**

Seminar Objectives:

To discuss the parliamentary convention of “Confidence of the House”.

What constitutes a vote of non confidence?

What factors will influence a prime minister’s decision to recommend to the Governor General that the House of Commons be dissolved? Has the enactment of fixed election dates for national parliamentary elections undermined the traditional protocols /conventions surrounding “responsible government”?

Discussion Questions

1. Outline and discuss the “three broad categories of confidence motions” identified by Heard with regard to the convention of “confidence of the house” Andrew Heard, “Just What is a Vote of Confidence? The Curious Case of May 10, 2005, in *Canadian Journal of Political Science*, Vol 40,No2, p.397

2. Do you consider that the motion introduced by the Conservative Party on May 9/2005 and approved by the House of Commons on May 10/2005 constituted a vote of non confidence in the Liberal Government? Provide arguments to justify your position.

For details of the motion see Andrew Heard ,”Just What is a Vote of Confidence? The Curious Case of May 10, 2005, in *Canadian Journal of Political Science*, Vol 40,No2, p.402

3.Outline and assess the arguments of Paul Martin and Stephen Harper with regard to the status of the motion approved by the House of Commons on May 10/2005. How did the opposition parties and the prime minister view the motion approved by the House of Commons on May 10/2005?

4. Compare the content of the motion approved by the House of Commons on May 10/2005 with the content of the motion of censure introduced by the Conservatives in June 1926 that resulted in the Byng – King crisis. How did King view the motion of censure?

5.” The May 10,2005 motion does appear to have been a proper confidence motion in light of the relevant constitutional principles and historical precedents.” Andrew Heard, “Just What is a Vote of Confidence? The Curious Case of May 10, 2005, in *Canadian Journal of Political Science*, Vol 40,No2, p. 412.

Comment and assess the evidence provided by Heard to support his assessment of the May 10/2005 motion approved by the House of Commons? Do you agree with Heard’s assessment? Provide arguments to support your view.

6.Should the constitutional conventions and practices surrounding the dissolution of the House of Commons by the Governor General be reassessed taking into account legislation that establishes fixed dates for parliamentary elections and the constitutional conventions that exist in New Zealand with regard to the dissolution of the House of Commons?

Readings

A. Confidence of the House

Background

Peter Aucoin, Mark D. Jarvis and Lori Turnbull, *Democratizing the Constitution: Reforming Responsible Government*, Emond Montgomery Publications, 2011, Chapter 3 (R)

Andrew Heard *Canadian Constitutional Conventions: The Marriage of Law and Politics*, Oxford 1991, pp.68 -75 (R)

“Votes of Confidence”: A Case Study

Andrew Heard, “Just What is a Vote of Confidence? The Curious Case of May 10, 2005,” in *Canadian Journal of Political Science*, Vol 40, No2, June 2007, pp.395 – 416 (R)

Donald Desserud, *The Confidence Convention under the Canadian Parliamentary System*, Canadian Study of Parliament Group, 2006. (R)

Optional Reading

Eugene Forsey and F.C. Eglinton, “Twenty – Five Fairy Tales about Parliamentary Government,” in P.W Fox,, and Graham White (eds.), *Politics : Canada*, Mc Graw-Hill Ryerson, 7 th. ed., 1991 , pp. 417 – 422(0).

Jean Leclair and Jean-Francois Gaudreault-Desbiens, “Of Representation, Democracy, and Legal Principles: Thinking about the Impense” in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp.105-120 (0)

Eugene Forsey /F.C. Eglinton, *The Question of Confidence in Responsible Government*, Ottawa, Special committee on the Reform of the House of Commons, 1985 (0)

Mc Whinney, Edward, “The Constitutional and Political Aspects of the Office of the Governor General, *Canadian Parliamentary Review*, Vol 31, No2, Summer 2009, pp.2 – 8. (O)

Lorne Sossin and Adam Dodek, “When Silence Isn’t Golden: Constitutional Conventions, Constitutional Culture, and the Governor General, in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp.91 -104 (O)

October 7/2011: Challenges to Parliamentary Democracy

Case Study: Prorogation, Responsible Government and the Attempt to Form A Coalition Government (October 2008 – January 2009)

Seminar Objectives

To outline and to assess the competing / evolving perspectives of parliamentary democracy that emerged in November/December 2008 with regard to the prorogation of the House of Commons and the possible formation of a coalition government if the Harper Government had been defeated on a “motion of non confidence.”

Discussion Questions

1. Outline and assess the sequence of events from October 2008 to January 2009 with regard to the recommendation by Prime Minister Harper that the Governor General prorogue the House of Commons to avoid a “confidence vote”.
2. Assess the consequences and implications of the events from October 2008 –January 2009 on the future evolution of parliamentary democracy in Canada. In particular, assess the exercise of the reserve powers of the Governor General with regard to the prorogation and dissolution of the House of Commons.
3. Assess the attempts by the opposition parties to form a coalition government in the event that the minority Conservative government lost the confidence of the House of Commons.

Readings

Background and Context

Michael Valpy, “The ‘Crisis’: A Narrative” in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 3-18 (R)

Gary Levy, “A Crisis Not Made in a Day”, in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 19 – 29 (R)

David R. Cameron, “Ultimately, the System Worked “ in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 189- 194. (R)

The Governor General and the Conventions of Parliamentary Government

Bruce Hicks, ”Guiding the Governor General’s Prerogatives: Constitutional Convention Versus an Apolitical Decision Rule” in *Constitutional Forum*, Vol 18, Number 2,2009, pp.55 -67.(R)

C.E.S. Franks, “To Prorogue or Not to Prorogue: Did the Governor General Make the Right Decision? in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 33 – 46.(R)

Andrew Heard, “The Governor General’s Suspension of Parliament: Duty Done or a Perilous Precedent?” in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp.47 -62 (R)

Nicholas A. Mac Donald and James W.J. Bowden, “ No Discretion: On Prorogation and the Governor General” in *Canadian Parliamentary Review*,Vol 34, No1, Spring 2011, pp.7 -16 (R)

Peter Russell, “Discretion and the Reserve Powers of the Crown” in *Canadian Parliamentary Review*, Vol 34, No 2, pp.19 – 25 (R)

Optional Reading

Lorraine E. Weinrib, “Prime Minister Harper’s Parliamentary ‘Time Out’: A Constitutional Revolution in the Making? in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 63 -75(0)

Guy Tremblay, “Limiting the Government’s Power to Prorogue Parliament” in *Canadian Parliamentary Review Vol 33, No 2, Summer 2010*, pp. 16 -17 (0)

Bruce M. Hicks, "British and Canadian Experience with the Royal Prerogative" in *Canadian Parliamentary Review Vol 33, No 2, Summer 2010*, pp. 18 -24 (0).

Melissa Bonga, "The Coalition Crisis and Competing Visions of Canadian Democracy", in *Canadian Parliamentary Review*, Vol 33, No 2., Summer 2010, pp.8 -12 (0)

Jack Stilborn, "The Central Role of the Governor General:Time to Revisit the Visits" in *Policy Options*, July- August 2009,pp.98 -103 (0)

Andrew Heard, *The Governor General's Decision to Prorogue Parliament: Parliamentry Democracy Defended or Endangered?* Centre for Constitutional Studies, Points of View, Discussion Paper No. 7, January 2009 (0)

James Muir, "Canada's Neglected Tradition of Coalition Government" in *Constitutional Forum*, Vol 18, No1, March 2009, pp. 33 – 37 (0)

Peter Aucoin and Lori Turnbull,"Removing the Virtual Right of First Ministers to Demand Dissolution ", *Canadian Parliamentary Review*, Vol 27, No2, Summer 2004, pp. 16 – 19 (0)

Peter Russell, " Minority Government and Constitutional Convention" in *Canadian Parliamentary Review*, Summer 2010, Vol 33, No2., pp.13 -15 (0)

Brian Slattery, "Why the Governor General Matters" in Peter H. Russell and Lorne Sossin (eds), *Parliamentary Democracy in Crisis*, University of Toronto Press, 2009, pp. 79 – 90(0)

Peter Neary, "Confidence: How Much is Enough", *Constitutional Forum*, Vol 18, Number 2,2009, pp.51 -54(0)

Legislatures and Representation: Canada

October 14/2011: Representation: House of Commons

Seminar Objectives

To outline and to assess the legislative provisions that have been enacted by the Parliament of Canada with regard to the allocation of seats for provincial representation in the Canadian House of Commons from 1867 to 2011 -2012.

To assess proposals for revising the formula for allocating seats in the House of Commons proposed by the Harper Government in April 2010 (Bill C-12).

To define the procedures for drawing constituency boundaries in each province for seats in the House of Commons

To review the principles applied by courts in Canada with regard to political representation and the drawing of constituency /district boundaries.

Discussion Questions

1. " Part of the Confederation agreement was that seats in the Commons would be allocated to *provinces*, not to *people*, a principle that remains in the Constitution to this day." John Courtney, *Elections*, UBC Press,2004,p. 72

"Canada's system of representation in the House of Commons has traditionally been guided by two separate and contradictory principles, that of "voter equality" and the

“pluralist approach”. Russell Alan Williams, “Canada’s System of Representation in Crisis: The “279 Formula” and the Federal Electoral Redistributions”, *American Review of Canadian Studies*, Vol 35, No 1, Spring 2005, p.99.

Using the comments of the authors noted in the assigned readings as a basis for discussion, outline and evaluate the statutory provisions that have been enacted by the Parliament of Canada since 1867 with regard to the allocation of seats in the House of Commons. Should provinces be guaranteed representation in the House of Commons notwithstanding changes in the population of a province? Justify your view.

2. Discuss the proposals for revising the formula for allocating seats in the House of Commons outlined in Bill C-12.

3. “Partisan gerrymandering as it was once practiced in Canada has been relegated to history, and the credibility of political representation in Canada’s elected assemblies has been enhanced by the change.” John Courtney, *Elections*, UBC Press, 2004, p. 75 .Outline and assess the procedures for drawing constituency boundaries in each province for seats in the House of Commons with the procedures for drawing boundaries for electoral districts in the House of Representatives

Readings

Russell Alan Williams, “Canada’s System of Representation in Crisis: The “279 Formula” and the Federal Electoral Redistributions”, *American Review of Canadian Studies*, Vol 35, No 1, Spring 2005, pp. 99- 134.(R)

Michael Pal and Sujit Choudhry, “Constituency Boundaries in Canada” in Heather MacIvor (ed), *Election*, Emond Montgomery Publications ,2010, pp. 87 – 105 (R)

Andrew Sancton, *The Principle of Representation By Population In Canadian Federal Politics* ,Mowat Centre for Policy Innovation Discussion Paper, March 2010.(R)

Matthew Mendelsohn, *Some Are More Equal Than Others*, Mowat Centre for Policy Innovation, Mowat Note, March 2010 (R)

House of Commons of Canada, An Act to amend the Constitution Act, 1867 (Democratic Representation) Bill C-12, 1 April ,2010.(R)

Andre Barnes, *Bill C12: An Act to Amend the Constitution Act ,1867 (Democratic Representation)* Library of Parliament, Legislative Summary, Publication No 40-3-C12-E 15 April 2010 (R)

Optional

Elections Canada, *Representation in the House of Commons of Canada*, March 2002.

Elections Canada, *Readjustment of Electoral Boundaries and Representation in the House of Commons*, February 2005. (last modified: 2006 -7 -28)

John Courtney, *Elections*, UBC Press, 2004, Chapter 3

October 21/2011: Theories of Representation, Inclusiveness of Representation: Case Studies

Please note that the seminar on October 21/2011 will be held in Room 9420 Social Science Centre. The Seminar room is located in the Dean's Office on the 9 th floor of the Social Science Building. Please proceed to the Dean's Office and you will be directed to Room 9420.

Seminar Objectives:

To outline and to assess the “inclusiveness” of representation in the House of Commons
To outline and assess policy initiatives / reforms designed to enhance the representative nature of the House of Commons

Discussion Questions

1. Outline and compare the inclusiveness of the membership in the House of Commons in Canada with the membership of the British House of Commons and Congress of the United States.
2. Outline and assess policy initiatives / reforms designed to enhance the representative nature of legislatures. Should political parties develop procedures / policies/ guidelines to ensure that the candidates nominated to contest elections reflect more accurately the composition of the Canadian electorate

Readings:

David Docherty, *Legislatures*, UBC Press, 2005, Chapter 2 (R)
Public Policy Forum, (*Less*) *Male*, (*Even Less*), *Educated*, (*Even Less*) *Experienced* & (*Even More*) *White*, *A Statistical Breakdown of Canada's 40th Parliament, with Comparisons to the 39 th Parliament*, May 4 / 2009.(R)
Sylvia Bashevkin, “Women’s Representation in the House of Commons: A Stalemate” in *Canadian Parliamentary Review*, Vol 34, No1, Spring 2011, pp.17 – 22
Jerome H. Black, “Visible Minority Candidates and MPs” in *Canadian Parliamentary Review*, Vol 34, No1, Spring 2011, pp.30 -34

Case Studies

Tim Schouls, “Why Group Representation in Parliament Is Important” in Mark Charlton and Paul Barker (eds), *Crosscurrents: Contemporary Political Issues*, 5 th ed, Nelson, 2006, pp. 252 – 264 (R)
John H. Redekop, “ Group Representation in Parliament Would Be Dysfunctional for Canada” in Mark Charlton and Paul Barker (eds), *Crosscurrents: Contemporary Political Issues*, 5 th ed, Nelson, 2006, pp. 265 – 278 (R)

Optional Reading

Valerie Heitshusen, Garry Young, and David M. Wood, “Electoral Context and MP Constituency Focus in Australia, Canada, Ireland, New Zealand and the United Kingdom”, *American Journal of Political Science*, Vol 49, No1, January 2005, pp. 32 - 45 (O)

Munroe Eagles, “Political Ecology of Representation in English Canada” in *American Review of Canadian Studies*, Spring – Summer 1998, pp.53 -79. (O)

Manon Tremblay and Linda Trimble, “Still Different After all These Years? A Comparison of Female and Male Canadian MPs in the Twentieth Century” in *The Journal of Legislative Studies*, Vol 10, No 1, 2004. pp.97 -122 .(R)

Tim Schouls, “Aboriginal Peoples and Electoral Reform in Canada: Differentiated Representation versus Voter Equality”, *Canadian Journal of Political Science*, Vol 29, No 4, December 1996, pp. 729 -749 (R)

John Courtney, *Elections*, UBC Press, 2004, Chapter 3, pp. 63 – 67 (R)

Jackie Steele and Manon Tremblay, “Paradise Lost? The Gender Parity Plebiscite in Nunavut, “in *Canadian Parliamentary Review*, Vol 28, NO 5, Spring 20005, pp.34 – 39 (R)

Lisa Young, “Gender Equal Legislatures: Evaluating the Proposed Nunavut Electoral System “, *Canadian Public Policy*, Vol 23, No 3, (Sept 1997), pp.306 -315 . (O)

October 28/2011: Members of Parliament: Representing the Views of Constituents Balancing National and Local Interests

Seminar Objectives

To outline and compare theories of representation as it pertains to democratic legislatures and legislators

To assess the challenges encountered by legislators to represent the views of their constituents in the deliberations of the House of Commons. How do Members of Parliament balance the demands of representing “national” and “local interests”. Do parliamentarians have adequate resources to effectively represent the views of their constituents?

Discussion Questions

1. “Members bring different approaches to their constituency duties and these change over the duration of their career. Constituency service remains an important part of all members’ day –to –day activities throughout their career. But the changes that occur during members’ careers suggest that even constituency service is affected by legislative norms and habits” . David Docherty, *Mr. Smith Goes to Ottawa: Life in the House of Commons*, UBC Press, 1997, p.172.

Comment on Docherty’s observation by assessing the techniques/strategies/tactics employed by members of parliament to articulate the collective interests of their constituents. What factors influence the nature of the interactions between members of parliament and their constituents. Does a member of parliament have adequate resources

to perform this role effectively? What strategies can a member of parliament employ to interact with constituents?

2..“ Yet despite the pull of district needs, parliamentarians do not necessarily maintain a consistent commitment to helping individuals or to maintaining a constant vigil over the needs of their districts. In fact, local service has its limits. It is worth noting how members’ approaches to local service change over their career.”

David Docherty, *Mr. Smith Goes to Ottawa: Life in the House of Commons*, UBC Press, 1997, pp.203 -204.

Do you agree with Docherty’s observation that there is a relationship between the amount of time a member devotes to “constituency business” and the length of time a members has served in the House of Commons? Justify your view.

3. Discuss and evaluate the argument that the introduction of elements of direct democracy such as recall, referenda and citizens’ assemblies challenge the traditional roles of legislators and legislatures

Readings

David Docherty, *Legislatures*, UBC Press, 2005, Chapter 1 pp.12 - 15 (R)

David Docherty, *Mr. Smith Goes to Ottawa: Life in the House of Commons*, UBC Press, Chapters 7 and 8 (R)

Alison Loat, “ Member of Parliament: A Job with No Description” in *Canadian Parliamentary Review*, Vol 34, No1, Spring 2011, pp.23 – 29 (R)

Optional Reading

David Docherty, “Citizens and Legislators: Different Views on Representation” in Neil Nevitte (ed), *Value Change and Governance in Canada*, University of Toronto Press, 2002, pp.165 – 206 (0)

Legislatures - Policy Making and Backbench Members of Parliament

November 4/2011: Influencing Policy Priorities and Structuring the Legislative Process: The Role of Backbench Members of Parliament

A. Question Period and Members Statements

Seminar Objectives

To outline and to evaluate the parliamentary rules, traditions and conventions that permit the cabinet and the prime minister to define the legislative agenda of the House of Commons

To outline and to assess the opportunities (question period, private members' statements and private members' legislation) available to opposition parties and to individual members of parliament (government and opposition backbenchers) to influence the legislative agenda

Discussion Questions

1. "Question period and debate, it can be seen, fulfil many functions, although these do not include, most of the time, changing the minds of listeners or eliciting information." C.E.S. Franks, *The Parliament of Canada*, 1987, p. 153.

"In my view, Question Period and Debate are becoming increasingly irrelevant in the House of Commons" Hon. Michael Chong, MP, "Rethinking Question Period and Debate in the House of Commons", *Canadian Parliamentary Review*, Vol 31., No 3, Autumn 2008, p.5.

"In short, though they often seem chaotic and discordant, even attention-seeking and absurd, oral questions contain relevant information about representatives' political and legislative priorities." Erin Penner, Kelly Blidook and Stuart Soroka, "Legislative Priorities and Public Opinion: Representation of Partisan Agendas in the Canadian House of Commons", *Journal of European Public Policy*, Vol 13, No 7, September 2006, p. 1009

Evaluate these comments? Assess the importance and impact of question period on parliamentary debate in the Canadian House of Commons. Cite examples to illustrate how members of parliament use the question period to influence the legislative agenda. Can question period be reformed to make it a more effective forum for discussion and debate? Should the media's coverage of question period focus more on substantive policy issues and less on "the theatrics" of the parliamentary question period.

2..What are Members' Statements? Outline and discuss the rationale for providing backbench members with the opportunity to make these statements in the House of Commons. Discuss the guidelines that have evolved with regard to the use of Members' Statements. Should the opportunity for Members Statements be eliminated, should the guidelines be revised or should the current practices be retained ?

3. What is a "private members' bill. Discuss how backbench members of parliament utilize private members' bills to influence the legislative agenda. Using the article by Kelly Bilidook as a basis for analysis, outline and assess the factors that influence the extent to which backbench members use private members' legislation to influence the legislative agenda and to express local/ particular priorities.

Readings:

A.Overview

David Docherty, *Legislatures*, UBC Press, 2005, Chapters 5 (R)

B.Question Period and Members' Statements

Hon. Michael Chong, MP, "Rethinking Question Period and Debate in the House of Commons", *Canadian Parliamentary Review*, Vol 31., No 3, Autumn 2008, pp.5-7.(R)

Frances H. Ryan, "Can Question Period be Reformed" *Canadian Parliamentary Review*, Autumn 2009, Vol 32, No3, pp 18 -22 (R)

Evan Sotiropoulos, "The Use and Misuse of Members' Statements", *Canadian Parliamentary Review*, Autumn 2009, Vol 32, No3, pp. 10 – 14 (R)

Erin Penner, Kelly Blidook and Stuart Soroka, "Legislative Priorities and Public Opinion: Representation of Partisan Agendas in the Canadian House of Commons", *Journal of European Public Policy*, Vol 13, No 7, September 2006, pp.1006 -1020 (R)

C.Private Members' Bills

Kelly Blidook, "Exploring the Role of 'Legislators' in Canada: Do Members of Parliament Influence Policy?" in *The Journal of Legislative Studies*, 2010, Vol 16, No1, pp.32 – 56 (R).

Optional Reading

C.E. S. Franks, *The Parliament of Canada*, University of Toronto Press, 1987, Chapter 7 (O)

Franks, C.E. S. "Reform of the Canadian House of Commons, *American Review of Canadian Studies*, Vol 16 No 4, 1986, pp.399 – 412 (O)

Stuart Soroka, Erin Penner and Kelly Blidook, "Constituency Influence in Parliament" in *Canadian Journal of Political Science*, Vol 42, No 3, September 2009, pp. 563 – 591.(O)

November 11/2011: Influencing Policy Priorities and Structuring the Legislative Process: The Role of Backbench Members of Parliament

A. Parliamentary Committees

B. The Party Caucus

Seminar Objectives

To outline benchmarks that can be used to evaluate the role of parliamentary committees in the legislative process

To outline and to assess the role of parliamentary committees since 1968 in the legislative process in Canada.

To assess the opportunities available to opposition parties and in particular to individual members of parliament (government and opposition backbenchers) to use parliamentary committees to influence the legislative agenda.

To outline the role of the parliamentary caucus in balancing tensions/ conflicts between party policies, the interests of constituents and a member's personal beliefs?

Discussion Questions

A. Parliamentary Committees

1. What benchmarks should be used to measure /assess the role of legislative committees in the legislative process? Outline the roles that parliamentary committees can perform in the legislative process?

2. “ As long as House of Commons committees continue to set policy –making through formal recommendations as their key function and goal, they will usually fail to meet their own expectations and encounter frustration and a sense of failure. But if committees become more realistic assessors of their abilities and if governments and parties allow committees greater niches and opportunities, committees can play a valuable democratic role in the Canadian policy –making process”.

Jonathan Malloy, “Reconciling Expectations and Reality in House of Commons Committees: The Case of the 1989 GST Inquiry” in *Canadian Public Administration*, Vol 39, No 3, 1996, p.331 .

Do you agree with Malloy that parliamentary committees in Canada place too much emphasis on developing detailed amendments to legislative initiatives proposed by the government?.

2. “Committees serve a useful function, and on rare occasions can be astoundingly valuable and influential , as was the special joint Senate – House committee on the constitution in 1981 -2. But committees do not often reach these heights. Committees only help parliament perform functions of examining legislation, scrutinizing estimates, and making investigations. They do not create a new role for parliament, nor do they alter in any substantial way the relationship between government and parliament” C.E.S. Franks, *The Parliament of Canada*, 1987, p.185.

Do you agree with Frank’s assessment of the role of parliamentary committees in the legislative process.

3. “Committees are now stronger and more influential than they have been in the past. But they are not ever going to have the influence of their U.S. counterparts, nor should they” C.E.S. Franks, *The Parliament of Canada*, 1987, p.185.

Comment on and compare the roles of legislative committees in the Parliament of Canada (House of Commons) and the Congress of the United States. What factors are cited to explain differences in the role of legislative committees in each system.

B. The Party Caucus

1. Discuss the roles performed by the “government” and the “opposition” party caucus. How has the nature of the relationship between the Prime Minister and the caucus changed over time in Canada? Cite examples (King, St.Laurent, Diefenbaker, Pearson, Trudeau, Mulroney, and Chrétien) to illustrate the extent to which a Prime Minister must look to the caucus for support and advice. Is it possible for a first minister to ignore the caucus and his /her political party?

Readings

Background: Legislative Committees

David Docherty, *Legislatures*, UBC Press, 2005, Chapters 5 and Chapter 7 (R)

C.E. S. Franks, *The Parliament of Canada*, University of Toronto Press, 1987, Chapter 8 (0)

Legislative Committees: Case Studies

Jonathan Malloy, "Reconciling Expectations and Reality in House of Commons Committees: The Case of the 1989 GST Inquiry" in *Canadian Public Administration*, Vol 39, No 3, 1996, pp.314 - 335 (R)

David Pond, "Legislative Control of Cabinet Appointments to the Public Service: A Canadian Case – Study in the Political Limits to Parliamentary Reform" *Parliamentary Affairs*, Vol 61, No 1, 2008, pp. 52 – 72. (R)

B. The Party Caucus

Readings:

Paul G. Thomas, "Caucus and Representation in Canada", in H.G.Thorburn and Alan Whitehorn, (eds), *Party Politics in Canada*, 8th ed., pp 221 -230 (R)

Optional Reading

David Docherty, "Could the Rebels Find a Cause? House of Commons Reform in the Chrétien Era", in Harder, Lois, and Patten, Steve, (eds), *The Chrétien Legacy: Politics and Public Policy in Canada*, Mc Gill –Queen's University Press, 2006, pp.300 – 320 (0)

Canada. Parliament. House of Commons. Special Committee on Reform of the House of Commons, *Report of the Special Committee on Reform of the House of Commons*, James A. McGrath, Chairman, Queen's Printer for Canada, Chapter IV, pp.15- 27 (0)

David Monk, "A Framework for Evaluating the Performance of Committees in Westminster Parliaments", *The Journal of Legislative Studies*, 2010, Vol 16, No 1, pp 1- 13. (0)

Legislatures and Political Parties

November 18/2011: Constraints on Legislators: Party Leaders and Party Discipline: Managing a Caucus

Seminar Objectives

To assess the nature of the interactions between party leaders and backbenchers.
What strategies can party leaders employ to build cohesion within a caucus?
What sanctions can be imposed by party leaders to enforce discipline within the caucus?
Why is there such a high degree of party discipline in Canada? To what extent does party discipline restrict the legislative and representational roles of legislators?

Questions

A. Political Leadership and Party Discipline

1. Define the terms “party cohesion and party discipline. What factors are cited in the literature (Kam) to explain the relationship that develops between party leaders and backbenchers? What variables influence the degree of cohesion within a party caucus? What leadership qualities and skills are required by party leaders to exercise effective leadership within the party caucus? What mechanisms are available to the party leader to facilitate cohesion and unity of purpose within a caucus? What mechanisms are available to members of parliament to express views or to consider legislative initiatives that challenge the party position and produce tensions and conflict between backbenchers and the leadership of the party. Do MP's re-evaluate their views with regard to party discipline based on the length of their tenure in the House of Commons?

2. “ The relationship between party discipline and party cohesion remains contested in the legislative literature and the Canadian case presents an unusual situation of tightly disciplined but ideologically heterogeneous parties”

Jonathan Malloy, “High Discipline, Low Cohesion? The Uncertain Patterns of Canadian Parliamentary Party Groups”, *The Journal of Legislative Studies*, Vol. 9 No 4, Winter 2003, p116.

Do you agree with Malloy’s assessment of the Canadian party system? What factors does Malloy cite to support this observation?

Readings:

Political Leadership and Party Discipline

Background

David Docherty, *Legislatures*, UBC Press, 2005, Chapter 7 pp. 157 – 165 (R)

Christopher J. Kam, *Party Discipline and Parliamentary Politics*, Cambridge University Press, 2009 ,pp. 1 -37(R)

Party Discipline: Canada in A Comparative Context

Christopher J. Kam, *Party Discipline and Parliamentary Politics*, Cambridge University Press, 2009 ,pp. 159 – 168 and pp.205 -210 (R)

Jonathan Malloy, “High Discipline, Low Cohesion? The Uncertain Patterns of Canadian Parliamentary Party Groups”, *The Journal of Legislative Studies*, Vol. 9 No 4, Winter 2003, pp. 116 – 129 (R)

Optional Reading

C.E. S. Franks, *The Parliament of Canada*, University of Toronto Press, 1987, pp.99 -114 (0)

Christopher Garner and Natalia Letki, "Party Structure and Backbench Dissent in the Canadian and British Parliaments", *Canadian Journal of Political Science*, Vol 38, No 2, June 2005, pp. 463 – 482. (0)

David Docherty, *Mr. Smith Goes to Ottawa: Life in the House of Commons*, UBC Press, Chapter 6 (0)

November 25/2011 An Agenda for Reform : The Senate of Canada

Seminar Objectives

To outline and assess the proposals for Senate Reform outlined by the Harper Government from 2006 to 2011 -2012

Discussion Questions

Assess the proposals for Senate reform (term limits and indirect election) proposed by the Harper Government.

To discuss the constitutional and political implications of the reforms proposed by the Harper Government

Readings

David Smith, "The Senate of Canada and the Conundrum of Reform" in Jennifer Smith (ed.), *The Democratic Dilemma: Reforming the Canadian Senate*, Mc Gill Queen's, 2009, pp 11-27

Don Desserud, "Whither 91.1? The Constitutionality of Bill C-19: An Act to Limit Senate Tenure" in Jennifer Smith (ed.), *The Democratic Dilemma: Reforming the Canadian Senate*, Mc Gill Queen's, 2009, pp.63 -81

Andrew Heard, "Constitutional Doubts about Bill C-20 and Senatorial Elections" in Jennifer Smith (ed.), *The Democratic Dilemma: Reforming the Canadian Senate*, Mc Gill Queen's, 2009, pp. 81 -97

December 2/2011 Canada: House of Commons: Recurring Issues

Seminar Objectives

To outline and to assess recurring themes/issues that has been the focus of debate regarding parliamentary reform in Canada

To assess the constitutional and political obstacles that impede significant institutional reform in Canada.

Discussion Questions

1. How does Jennifer Smith differentiate between "cautious reformers" and "radical reformers" with regard to the reform of the House of Commons?(Jennifer Smith, "Democracy and the Canadian House of Commons at the Millennium", *Canadian Public Administration*, Vol 42, no 4, 1999, p.399).

Outline and assess the reforms proposed by each group.

Do you agree with Smith's comment "...that the fight between the radical reformers and the cautious reformers is not a fight about democracy. Instead, it is a fight about responsible government". Jennifer Smith, "Democracy and the Canadian House of Commons at the Millennium", *Canadian Public Administration*, Vol 42, no 4, 1999, p.417).

2. Outline and assess the proposals for parliamentary reform outlined by Peter Aucoin, Mark D. Jarvis and Lori Turnbull.

Readings

Peter Aucoin, Mark D. Jarvis and Lori Turnbull, *Democratizing the Constitution: Reforming Responsible Government*, Emond Montgomery Publications, 2011, Chapters 4, 5,6 (R).

Jennifer Smith, “Democracy and the Canadian House of Commons at the Millennium”, *Canadian Public Administration*, Vol 42, No 4, 1999, pp.398 – 421 (R)

Optional Reading

Canada. Parliament. House of Commons. Special Committee on Reform of the House of Commons, *Report of the Special Committee on Reform of the House of Commons*, James A. McGrath, Chairman, Queen’s Printer for Canada (0)

Canadian Study of Parliament Group, Seminar Proceedings ,Year 7:A Review of the McGrath Report on the Reform of the House of Commons December 2.1992, (0)

C.E. S. Franks, “Reform of the Canadian House of Commons, *American Review of Canadian Studies*, Vol 16 No 4, 1986, pp.399 – 412.(0)

Peter H.Russell, *Two Cheers for Minority Government: The Evolution of Canadian Parliamentary Democracy*, Emond Montgomery Publications Limited, 2008, pp. 160 – 177 (0).

Thomas S. Axworthy, “Parliamentary Reform- Everything Old is New Again”, *Policy Options*, Vol 29, No 6., June 2008, pp.74 – 79. (0)

Jonathan Malloy, *The ”Responsible Government Approach” and Its Effect on Canadian Legislative Studies*, *Canadian Study of Parliament Group*, November 2002, (0)

(End of Term I)

The Congress of the United States

January 13/2012: Constitutional and Historical Context: An Overview

Seminar Objectives

To outline and assess the constitutional provisions that define the role of the Congress
To identify how the constitutional framework established in 1787 influenced the evolution of Congress

To outline and to assess survey research data that documents the evolution of attitudes/opinions of the American electorate towards institutions of the national government – the Congress, the Presidency and towards legislators (Senate and House of Representatives)

Discussion Questions

1. Outline and assess the principles that define the American constitutional political culture.
2. Outline the provisions that established the constitutional framework for the Congress of the United States. Assess how the constitutional framework influenced the evolution of the American Congress as a national legislature.
3. Assess the impact of political parties on the structure and roles (representational, legislative and scrutiny/accountability) of the Congress of the United States
4. Outline the principles that define the relationship between the legislature (Congress) and the executive (President). Discuss the conflicts /tensions that emerge between the President and the Congress in the debate regarding legislative priorities and programs.

Readings:

Charles Stewart III, “Congress and the Constitutional System” in Paul J. Quirk and Sarah A. Binder, (eds.), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 3- 34. (R)

Eric Schickler,” Institutional Development of Congress”, in Paul J.

Quirk and Sarah A. Binder, (eds.), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 35 – 62. (R)

John R. Hibbing and Christopher W. Larimer, “The American Public’s View

of Congress”, *The Forum*, Vol 6, 2008, No 3(R), pp.1 -13 (R)

Optional Reading

John R. Hibbing, “Images of Congress” in Paul J. Quirk and Sarah A. Binder (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 461 – 489 (R)

Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, Appendix: “How Citizens and Insiders See Congress: The Annenberg Surveys, pp. 551- 553. (0).

John, E. Owens and Burdett, A. Loomis, “Qualified Exceptionalism: The US Congress in Comparative Perspective”, *The Journal of Legislative Studies*, Vol.12, No 3, 2006, pp.258 -290 (O)

Burdett A. Loomis, Wendy J Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006, pp. 16 – 34 (0)

Legislatures and Representation

January 20/2012: The Congress of the United States: The Inclusiveness of Representation

Seminar Objectives

To review the procedures for reapportioning seats in the House of Representatives and the procedures for drawing constituency boundaries. To discuss the significance of the Supreme Court decisions with regard to reapportioning seats in the House of Representatives (Baker v Carr 1962 and Wesberry v Sanders 1964)

To review the provisions and to assess the impact of the Voting Rights Act (VRA)1965 and subsequent amendments in 1975, 1982 and 2006 on the representation of racial and ethnic minorities in Congress

To assess the impact of Supreme Court decisions since 1965 on the representation of racial and ethnic minorities in the House of Representatives.

To outline and to assess the” inclusiveness” of representation in the Congress of the United States.

Discussion Questions

1. Outline and review the procedures for reapportioning seats in the House of Representatives and the procedures for drawing constituency boundaries.
2. Outline the important principles and assess the significance of the Supreme Court decisions (Baker v Carr 1962 and Wesberry v Sanders 1964) with regard to the reapportionment seats in the House of Representatives
3. Outline and discuss how the different conceptions of representation affect the expression of racial and ethnic minority interests in Congress.
4. Outline the provisions and assess the impact of the Voting Rights Act (VRA)1965 and subsequent amendments in 1975, 1982 and 2006 on the representation of racial and ethnic minorities in Congress .

5. How have the courts interpreted the provisions of the Voter Rights Act and what has been the impact of the Supreme Court decisions on the representation of minority interests in Congress?

6. Outline and assess the "inclusiveness" of representation in the Congress of the United States.

Readings

Background

Theodore J. Lowi, Benjamin Ginsberg, and Kenneth A. Shepsle, *American Government*, 9th Edition, W.W. Norton and Company, 2006, pp. 176 – 178, 434 – 437 (R)

Redistricting and the Voter Rights Act (1965,1975,1982,and 2006

David T. Cannon, "Representing Racial and Ethnic Minorities" in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp.171 – 197 (R)

David Lubin, Thomas L/ Brunell, Bernard Grofman, Lisa Handley, "Has the Voting Rights Act Outlived Its Usefulness? No", *Legislative Studies Quarterly*, Vol 34, November 2009, pp. 525 – 553 (R)

Optional Reading

Burdett A., Loomis and Wendy J. Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006, pp 61 -70 (0).

Nicholas R. Seabrook, "The Limits of Partisan Gerrymandering: Looking Ahead to the 2010 Congressional Redistricting Cycle", *The Forum*, Vol 8: Iss 2, Article 8, (0).

Legislatures and Political Parties

January 27/2012: The Congress of the United States: The Challenge of Balancing Multiple Interests

Seminar Objectives

To assess how members of Congress perceive their role(s) and how legislators respond to local and national interests

To outline and to assess the impact of the interaction between interest groups and members of Congress in the formulation of public policy

Discussion Questions

What factors encourage legislators to be sensitive to the representation and the expression of "local/parochial" interests? How do members balance the concern for representing

“local/parochial” interests with a “national interest”? Assess the influence of these interests on the policy –making process in Congress and on the legislative outputs of Congress

How does the electorate perceive the relationship between Congress and interest groups? Is this an accurate description? Does Lee underestimate the influence of “interest groups” on the policy making process and on the content of public policy?

What is “Earmarking” and how does it relate to the representation of “parochial/local interests”

Readings:

Frances E. Lee, “Interests, Constituencies, and Policy Making “in Paul J.

Quirk and Sarah A. Binder, (eds.), *Institutions of American Democracy:*

The Legislative Branch, Oxford University Press, 2005, pp. 281 – 313 (R)

Michael H. Crespin, Charles S Finocciaro, Emily O., Wanless, “Perception and Reality in Congressional Earmarks, *The Forum*, Volume 7, Issue 2, 2009, Article 1, pp.1 – 16.(R)

Jeffrey Lazarus and Amy Steigertwalt, “Different Houses: The Distribution of Earmarks in the US House and Senate”, *Legislative Studies Quarterly*, Vol 34 No 3, August 2009, pp. 347 – 373(R)

Case Study

James A. Thurber, “ The Contemporary Presidency: Changing the Way Washington Works? Assessing President Obama’s Battle with Lobbyists “ in *Presidential Studies Quarterly*, Vol 41, No2,2011, pp.358 -374(R)

Optional Reading

David R. Mayhew, “Actions in the Public Sphere” in Paul J.

Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press 2005, pp.63 – 105 (0)

Burdett A., Loomis and Wendy J. Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006, pp. 176 – 194 (0)

Burdett A. Loomis, “The Essential Bond: Congress and Interest Groups in the Twentieth Century, in Sunil Ahuja and Robert Dewhirst (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press, 2003, pp.225 -245. (R)

February 3/2012 : Political Parties and Elections

Seminar Objectives

To assess the influence of political parties on the organizational structure of Congress

To assess the influence of political parties on the representational, legislative and accountability roles performed by Congress

To assess the degree and extent of political competition between political parties during congressional election campaigns.

To document the” turnover rate” of incumbent members of Congress and to review the challenges (financial and logistical) faced by candidates who challenge an incumbent member.

To assess the impact of election outcomes (“divided government “and the size and the ideological composition of legislative majorities in the House of Representatives and the Senate) on the ability of the President and Congress to define legislative priorities and for Congress to enact legislation

Discussion Questions

Outline the benchmarks used to indicate the degree of competition between political parties in Congressional elections at the national and state/district level.

Identify historical trends that indicate the degree of competition between political parties at the national and state/district levels.

Discuss the influence of presidential election campaigns on Congressional elections

Discuss the relationship between the competitiveness of Congressional elections and the “turnover rate” of incumbent members of Congress

How do the results of congressional and presidential elections influence the legislative role of Congress? In particular, assess the size and the ideological composition and cohesiveness of legislative majorities in the House of Representatives and the Senate on the ability of the President to define legislative priorities and the Congress to enact legislation.

Readings:

Alan I Abramowitz, Brad Alexander and Matthew Gunning, “ Incumbency, Redistricting, and the Decline of Competition in US House Elections” in *The Journal of Politics*, Vol 68, No1 February 2006, pp.75 -88 (R)

James E. Campbell and Steve J. Jurek, “The Decline of Competition and Change in Congressional Elections” in Sunil Ahuja and Robert Dewhirst (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press,2003, pp. 43 – 73 (R)

Gary C. Jacobson, “Modern Campaigns and Representation” in Paul J. Quirk and Sarah A. Binder, (eds.), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 109 – 147. (R)

February 10/2012: Presidential – Congressional Relations-Overview

Seminar Objectives

To define the constitutional responsibilities of the legislature (Congress) and the executive (President) with regard to the initiation, enactment and implementation of a legislative agenda. How has the relationship between the legislature and executive evolved over time? In particular what role is performed by the executive (President) in defining policy priorities?

To outline and to assess the legislative resources and the legislative strategies available to Congress to constrain/ challenge /oppose the exercise of executive power by the President of the United States.

To outline and to assess the resources and the strategies available to the President to persuade /encourage Congressional approval of presidential legislative priorities. What indicators can be used to assess the capacity of the President to exercise policy leadership and to define a legislative agenda for Congress?

To trace the historical patterns of Presidential/Congressional relations and to identify variables that can promote conflict and/or cooperation between the executive and the legislature

Discussion Questions

1. Define the constitutional principles that define the relationship between the executive (president) and the legislative branches of government
2. Define the constitutional responsibilities of the legislature (Congress) and the executive (President) with regard to the initiation of a legislative program. How has the relationship evolved over time? In particular what roles are performed by the executive (President) in defining policy priorities?
3. Outline and assess the political and constitutional resources available to the president to persuade /to encourage Congress to support presidential legislative initiatives and programs. What indicators can be used to assess the capacity of the President to exercise policy leadership?
Identify variables that can promote conflict and/or cooperation between the president and the congress .

Readings

James A. Thurber, “An Introduction to Presidential- Congressional Rivalry” in James Thurber , *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 1 -36 (R)

Mark J. Oleszek and Walter J. Oleszek, “Congress and the President: “Yes We Can” or “Can We”?” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 251 – 284 (R).

Stephen J. Wayne, “From Washington to Obama: The Evolution of the Legislative Presidency” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 61- 81 (R)

Gary Andres and Patrick Griffin, “Understanding Presidential Relations with Congress”, in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 105 – 127 (R)

Andrew Rudalevige, “The Imperial Presidency vs the Hill” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 187 – 207 (R)

Optional Reading

Andrew Rudalevige, "The Executive Branch and the Legislative Process", in Joel D. Aberbach and Mark A. Peterson (eds), *Institutions of American Democracy: The Executive Branch*, Oxford University Press, 2005, pp. 419 – 451 (O)

Lauren Cohen Bell, "Following the Leaders or Leading the Followers? The US President's Relations with Congress" in *The Journal of Legislative Studies*, Vol 10, No 2, June, 2004, pp. 193 -205 (O)

Barbara Sinclair, "Dilemmas and Opportunities of Leadership in a Non –Parliamentary System: The US case" in *The Journal of Legislative Studies*, Vol 5, No 3, September 1999, pp.283 -302 (O)

Karen S. Hoffman and Michael L. Mezey, "The Congress and the President in the Twentieth Century" in Sunil Ahuja and Robert Dewhirst (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press, 2003, pp.205 -224 (O)

Burdett A., Loomis and Wendy J. Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006, pp.113 – 130 (O)

February 17/2012: Legislative / Executive Relations: "Divided ' and "Unified Government" Examining the Debate

Seminar Objectives

To assess the debate surrounding the contention that "divided government" limits the ability of the President to define legislative priorities and to persuade Congress to enact appropriate legislation. Is the President in a stronger position to exercise policy leadership when the President's party has a majority in both the House of Representatives and the Senate?

Discussion Questions

1. Outline and assess the arguments surrounding the contention that "divided government" limits the ability of the President to define legislative priorities and to persuade Congress to enact appropriate legislation. Cite appropriate examples.
2. Outline and assess the arguments surrounding the contention that "unified government" enhances the ability of the President to define legislative priorities and to persuade Congress to enact appropriate legislation. Cite appropriate examples.
3. Roger Davidson argues that "...contemporary lawmaking has passed through a series of five distinct stages or eras (see table 6.1). Legislative – executive relations follow different paths during each of these periods." Roger H. Davidson, "The Presidency and Congressional Time" in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, Roman and Littlefield, 4th ed, 2009, pp.134- 136.

Outline and describe the four congressional lawmaking periods outlined by Davidson and discuss the nature of presidential – congressional relations during each period.

4. "Presidential influence, or leverage, over Congress is best conceptualized by degree along a bounded scale". (Richard S. Conley, "The Legislative Presidency in Political Time: Unified Government, Divided Government, and Presidential Leverage in Congress" in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009 p. 159, . Discuss the strategies and tactics that can be exerted by a president on Congress during a period of "unified" and "divided " government. Richard S. Conley, "The Legislative Presidency in Political Time: Unified Government, Divided Government,

and Presidential Leverage in congress” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp.157 – 181..

5. Outline and assess the significance of internal party caucus cohesion, ideological polarization between political parties, the strength of congressional party leadership, and the limits of “presidential coattails” on the legislative strategies and tactics employed Congress and the President with regard to the establishment and implementation of a legislative program.

Readings

Roger H. Davidson, “The Presidency and Congressional Time” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, Roman and Littlefield,4th ed, 2009,pp.129 -156 (R)

Richard S. Conley, “The Legislative Presidency in Political Time: Unified Government, Divided Government, and Presidential Leverage in Congress” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp.157 – 181.(R)

Case Study

Brian Newman and Kevin Lammert, “Polls and Elections: Divided Government and Foreign Relations Approval” in *Presidential Studies Quarterly*,41,No 2,2011, pp. 375 – 392 (R).

Optional Reading

Sarah Binder, “Elections, Parties and Governance” in in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 148 -171 (0)

Burdett A., Loomis and Wendy J. Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006,pp.113 – 130 (0)

Richard S. Conley, “The Electoral and Policy Context of Divided Government and Presidential Support in Congress: Nixon and Bush Compared” in *Polity*, Vol 32, No 4 (Summer, 2000), pp. 595 -621 (O).

Barbara Sinclair, “Legislative Cohesion and Presidential Policy Success” in *The Journal of Legislative Studies*, Vol 9, No4, Winter 2003, pp.41 -56 (0)

Legislatures and Policy Making

March 2/2012: Congressional Deliberation: Party Leadership

Seminar Objectives

To outline and compare the institutional norms and values of the Senate and the House of Representatives

To outline, assess and compare the structure of party leadership in the Senate (Majority Leader) and the House of Representatives (Speaker of the House of Representatives)

To outline and assess the factors that influence the exercise of political leadership in the Senate and the House of Representatives

To assess how Congressional leaders attempt to reconcile conflicting legislative priorities and through debate and deliberation

To compare legislative procedures in the House of Representatives and the Senate for the approval of legislation and for establishing limitations on legislative debate

Discussion Questions

1. “The job of leading the Senate has been likened to the herding of cats.” Steven Smith, “Parties and Leadership in the Senate” in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, p.276 . Comment on the above quotation by identifying and discussing the challenges of exercising party leadership in the Senate of the United States

2. “Party leaders are best seen as agents of the members who chose them. The tasks, powers, and resources that members delegate to their party and its leadership, and members’ expectations as to how aggressively those powers should be exercised, depends on members’ perceptions of the costs and benefits of a strong congressional party and leadership” Barbara Sinclair, “Parties and Leadership in the House” in Paul J. Quirk and Sarah A. Binder (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, p.226.

Comment on the above quotation by identifying and discussing the factors that influence the manner in which party leadership is exercised in the House of Representatives.

3. Assess the implications of implementing procedural reforms in the Senate designed to reduce institutional “gridlock”, to limit debate and to mobilize majorities.

4. Assess the implications of implementing procedural reforms in the House of Representatives that would enhance the influence of “minority - party members”.

Barbara Sinclair, “Parties and Leadership in the House” in Paul J. Quirk and Sarah A. Binder (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, p.252.

Readings

Background and Context

Barbara Sinclair, “Parties and Leadership in the House” in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp.224 – 254 (R)

Steven S. Smith, “Parties and Leadership in the Senate” in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp.255 – 278. (R)

Polarized Politics

Barbara Sinclair, “The President and Congressional Party Leadership in a Polarized Era” in James Thurber, (ed), *Rivals for Power: Presidential –Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 83 – 104 (R)

James P. Pfiffner, ” Partisan Polarization, Politics, and the Presidency ”Structural Sources of Conflict” in James Thurber , *Rivals for Power: Presidential – Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 37 – 59(R)

Paul J. Quirk, "Polarized Populism :Masses, Elites and Partisan Conflict" in the *Forum*, 2011, Vol 9 Issue1, Article 5, pp.1 -16 (R).

Robert Y. Shapiro and Lawrence Jacobs, "Response to Quirk's "Polarized Polulism:Masses, Elites and Partisan Conflict" in the *Forum*, Vol 9: Issue 2, Article 11. (R)

Optional Reading

Barbara Sinclair, "The "60 Vote Senate": Strategies, Process and Strategies" in Bruce I. Oppenheimer (ed.), *US Senate Exceptionalism*, Ohio State University Press, 2002, pp.241 -261. (O)

Sarah A. Binder," Sticky Rules: Procedural Change in the Twentieth –Century Congress", in Sunil Ahuja and Robert Dewhirst (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press, 2003, pp. 117 – 136 (O)

Barbara Sinclair, "Full Circle? Congressional Party Leadership during the Twentieth Century", in Sunil Ahuja and Robert Dewhirst (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press, 2003, pp. 97 – 116 (O)

Burdett A., Loomis and Wendy J. Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006, pp. 88 – 112 (O)

Optional Case Studies

Rachel Morris, "Health Care Reform? Thank Nancy Pelosi, *Manchester Guardian*, March 23/2010 (R)

Vincent G. Moscardelli, "Harry Reid and Health Care Reform in the Senate: Tansactional Leadership in a Transformational Moment? " in *The Forum*, Vol 8, Issue 1, pp. 1-24 .(R)

Ronald M. Peters and Cindy Simon Rosenthal, "Assessing Nancy Pelosi", *The Forum*, Vol 6, Issue 3, 2008, pp. 1 - 18 (O)

Daniel Palazzolo, "Evaluating Majority Party Leaders in Congress, *The Forum*, Vol 6, Issue 3, 2008, pp. 1- 14 .(O)

Barbara Sinclair," Transformational Leader or Faithful Agent? Principal – Agent Theory and House Majority Party Leadership" in *Legislative Studies Quarterly*, Vol 24, No3, (August 1999), pp 421 – 449 (O)

Ralph K. Huitt, "Democratic Party Leadership in the Senate", *American Political Science Review*, Vol 55, 1961, pp. 333 – 344. (O)

Howard E. Shuman, " Lyndon B. Johnson: The Senate's Powerful Persuader" in Richard A. Baker and Roger Davidson (eds), *First Among Equals: Outstanding Senate Leaders of the Twentieth Century*, Congressional Quarterly Inc, 1991, pp. 199 – 235. (O.)

Roger H. Davidson, Susan Webb Hammond and Raymond W. Smock(eds), *Masters of the House: Congressional Leadership over Two Centuries*, Westview Press, 1998.(O)

Senate Filibuster

David R. Jones, "Explaining Restraint from Filibustering in the US Senate" in *The Journal of Legislative Studies*, Vol 6,No 4,December 2000, pp.53 – 68 (O)

March 9/2012: Congressional Deliberation and Congressional Committees

Seminar Objectives

To document historical trends that outline the role and assesses the influence of Congressional committees and committee chairs in the legislative process
To compare strategies, tactics and procedural rules employed by leaders in the House of Representatives and the Senate to facilitate the expression of majority and minority opinion.

Discussion Questions

1. Discuss the historical evolution of Congressional Committees
2. Identify and assess the factors that define the degree of influence exercised by Congressional Committees and Committee Chairs on the legislative process. Discuss the constraints/ controls that can be exercised by the leadership of the majority and minority party on the activities of Congressional committees.
3. Outline and assess the “theories/models” of congressional decision -making outlined by Christopher Deering. Assess the role of committees in each model?
4. What objectives do legislators hope to achieve through their participation on Congressional Committees?
5. Discuss the oversight role performed by Congressional Committees.

Readings

David W. Rohde, “Committees and Policy Formulation” in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp.201 – 223 (R)

Christopher J. Deering, “Ebb and Flow in Twentieth – Century Committee Power” in Sunil Ahuja and Robert Dewhirst (eds), *Congress Responds to the Twentieth Century*, The Ohio State University Press, 2003, pp. 137 – 156(R)

Kenneth A. Shepsle and Barry R. Weingast, “ The Institutional Foundation of Committee Power”, *American Political Science Review*, Vol 81, No 1, March 1987, p 85.

Optional Reading

Burdett A., Loomis and Wendy J. Schiller, *The Contemporary Congress*, 5 the ed., Thomson/Wadsworth, 2006, pp. 149 – 175, 131 - 148 (0)

Optional Case Study -The Reconciliation Process (Health Care Reform)

Discussion Questions

1. Define the “reconciliation process”? How is it was applied to the legislative and budgetary processes in the Senate

2. Discuss the use of the “reconciliation process” during the Senate debate on health care reform in 2009 - 2010 .

3. Did the use of the “reconciliation process” to reform the health care system establish a precedent that could be used in the future to circumvent Senate rules and procedures

Readings

Paul N. Van de Walter and James R. Horney, “Using the Reconciliation Process to Enact Health Reform Would be Fully Consistent With Past Practice”, Center on Budget and Policy Analysis, February 24 /2010

March 16/2012: Presidential – Congressional Relations: Tensions and Conflict: Foreign Policy

Seminar Objectives

To examine an issue of conflict/confrontation/tension between the Congress and the President

To examine the historical evolution of the constitutional roles and responsibilities of the Congress and the President with regard to the conduct of American foreign policy.

To document the issues of cooperation/conflict/ and confrontation/that have emerged between the Congress and the President with regard to the management of American foreign policy.

To outline and assess the strategies and tactics that can be employed by the President to define foreign policy objectives and to assess the mechanisms that can be used by Congress to limit, delay or negate presidential priorities

Discussion Questions

1. Outline the distribution of constitutional authority between Congress and President with regard to the conduct of foreign policy/foreign relations as envisaged in 1787 . How has the relationship between Congress and the President evolved over time?

2. Define the concept of “National Security State”.

Christopher J. Deering, “Foreign Affairs and Wars” in Paul J. Quirk and Sarah A. Binder (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp . 353 - 355.

What factors have contributed to the view that the president has ”inherent “ powers that provide the constitutional authority for the president to act in the national interest in times of national emergency. What important principle emerged from the decision of the Supreme Court in *United States v Curtiss-Wright Export* (1936)?

3. Discuss and evaluate the policies and practices initiated by George W. Bush as Commander in Chief after September 11/2001 to safeguard the security of the American people.

Readings

Christopher J. Deering, "Foreign Affairs and Wars" in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 349- 381 (R)

The Honorable Lee H. Hamilton, "Relations Between the President and Congress in Wartime" in James Thurber, (ed), *Rivals for Power: Presidential – Congressional Relations*, 4 th ed, Roman and Littlefield, 2009, pp. 285- 307(R)

Louis Fisher, "The President, Congress, Military Tribunals, and Guantanamo," in James Thurber, (ed), *Rivals for Power: Presidential – Congressional Relations*, 4 th ed, Roman and Littlefield, 2009. pp. 325- 350 (R)

John Owens, "Rivals Only Sometimes: Presidentialism, Unilateralism, and Congressional Acquiescence in the US "War on Terror" in James Thurber, (ed), *Rivals for Power: Presidential – Congressional Relations*, 4 th ed, Roman and Littlefield, 2009. pp. 309 – 324(R)

Optional Reading

James P. Pfiffner, "The Contemporary Presidency: Constraining Executive Power: George W. Bush and the Constitution", *Presidential Studies Quarterly*, Vol 38, No 1, March 2007, pp.123 -143 (O)

Louis Fisher, "Presidential Power in National Security: A Guide to the President- Elect" in *Presidential Studies Quarterly*, Vol 39, No 2,(June), 2009, pp. 347- 362 (O)

George C. Edwards III and Desmond S. King, (eds), *The Polarized Presidency of George W. Bush*, Oxford University Press, 2007 (O)

Richard, S. Conley, *Transforming the American Polity: The Presidency of George W. Bush and the War on Terrorism*, Pearson, 2005 (O)

John Owens, " "Congressional Acquiescence to Presidentialism in the US 'War on Terror'" in *The Journal of Legislative Studies* , Vol 15, No 2, 2009, pp. 147 -190 (R)

March 23/2012: Presidential – Congressional Relations: Tensions and Conflict: The Supreme Court and Judicial Appointments

Seminar Objectives

To outline and assess the structure and jurisdiction of federal courts in the United States

To outline the role of the President and the Senate in the nomination and ratification of Supreme Court judges

To document the sources of conflict that can emerge between the President and the Senate with regard to the nomination and ratification of judicial appointments

Discussion Questions

1. Outline the constitutional role of the President and the Congress with regard to the nomination and ratification of judicial appointments to federal courts
2. Define the following terms: Recess Appointments (President) and “Senatorial Courtesy”
3. Outline and assess the factors that influence the degree of conflict/controversy between the Senate and the President with regard to federal judicial appointments
4. Discuss the influence of interest groups on the process of nominating candidates and ratifying appointments to federal courts.
5. Outline and assess four reforms for revising the current provisions for selecting federal judges to serve on federal courts.
6. Outline the advantages and disadvantages of adopting the procedures currently used in the United States for the selection of judges to serve on the Supreme Court of Canada. Should the House of Commons in Canada and or the Canadian Senate ratify appointments to the Supreme Court?

Readings

- Forrest Maltzman, “Advice and Consent” in Paul J. Quirk and Sarah A. Binder, (eds), *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 407 – 431 (R)
- Mitchell A. Hollenberger, “*The Law: Must the Senate Take a Floor Vote on a Presidential Nominee?*” in *Presidential Studies Quarterly*, Vol 34, No 2 (June 2004), pp. 420 – 436(R)
- Mitchell A. Hollenberger, “*The Law: The President “Shall Nominate”: Exclusive or Shared Constitutional Power?*” in *Presidential Studies Quarterly*, Vol 36, No 4 (December 2006), pp. 714 - 731(R)

March 30/2012: Assessing the Performance of Congress as a Transformative Legislature

Discussion Question

Based on the literature reviewed in the seminars, assess the performance of the United States Congress in accordance with the traditional roles of legislatures - representation , legislation and oversight (accountability). Outline and assess four reforms that would enhance the ability of the Congress to perform these roles more effectively.

Outline and discuss three of the major strengths and three of the major weaknesses of the American presidential/ congressional system as currently practiced in the United States

Readings

Julian E. Zelizer, “The Winds of Constitutional Change”, *The Forum*, Vol 7, Issue 4, 2009 (R)

John R. Hibbing and Christopher W. Larimer, "The American Public's View of Congress," *The Forum*, Vol 6, 2008, No. 3, (R)
Paul J. Quirk and Sarah Binder, "Congress and American Democracy: Assessing Institutional Performance," in Paul J. Quirk and Sarah A. Binder, (eds) *Institutions of American Democracy: The Legislative Branch*, Oxford University Press, 2005, pp. 525 – 550 (R)

April 6/2012 Statutory Holiday

End of Course

Essay Assignment

Format: 20 pages typed (double spaced) excluding footnotes and bibliography

Submission of Essay: March 9 /2012

Note: Please read the material attached to the course outline with regard to plagiarism and paraphrasing. Please ensure that all sources are documented and that all direct quotations from sources are clearly marked with quotation marks and an appropriate footnote. All footnotes must include the page reference from the source cited in the footnote.

Late Penalties For Essays:

A late penalty of 3% per day including weekends and statutory holidays will be assigned. Therefore an essay that was due on a Friday and which is submitted on a Monday will be assigned a 6% penalty. The late penalty will be deducted from the grade assigned to the essay-an assigned grade of 80% with a late penalty of 6% would result in

a grade of 74%. Papers submitted 10 days after the due date will not normally be accepted. **Essays can not be submitted via email or "fax without written permission.** Check dates

Essay Proposal: An essay proposal must be submitted on or before *January 13/2012*. Details regarding the format will be discussed in the seminar on September 17/2010. Failure to submit a proposal will result in a 5% reduction in the grade assigned to the essay. For example a grade of 75% will be reduced to 70% if an essay proposal is not submitted on January 13/2012. Essay proposals will be reviewed with each student in January 2012.

Essay Topics

Students should select an essay topic that relates to the themes that established a framework for the course "Legislatures and Representation", "Legislatures and Political Parties ", "Legislatures and Policymaking", "Legislatures and Accountability" and "Legislatures and Reform". The focus of the essay could be on the Parliament of Canada or on the Congress of the United States. You could select a comparative topic / theme for the essay.

Note: You may not choose a topic that directly duplicates research prepared for a seminar presentation. If there is any doubt, please contact the course instructor.

Students should consult the instructor on the selection of a topic and students are encouraged to begin to consider possible essay topics early in the first term.

Some Suggestions for Essay Topics

Legislatures: United States

Redistribution of seats in the House of Representatives
Congress and Representation of Women
Congress and the Representation of Minorities: Voter Rights Act 1965
Members of Congress: Balancing Multiple Interests
Congressional Committees and the Legislative Process
Congressional Leadership: Speaker House of Representatives and Majority Leader in the Senate
Congressional Leadership: Case Study of Congressional Leaders (Speaker of the House of Representatives and Majority and Minority Leaders in the Senate)
Congress and the Media: Public Perceptions of Congress
Congress and Pressure Groups: Interactions and Influence
Congressional Reform
Legislative Procedures for the Limitation of Debate in the Senate and the House of Representatives

Members of Congress: Term Limits
Presidential - Congressional Relations: An Overview (a discussion of the factors/ variables that influence / define relations between Congress and the Presidency)
Presidential - Congressional Relations: Case studies that demonstrate the evolving nature of relationships between the Congress and the Presidency
Presidential Legislative Veto and Congressional Override
Judicial Appointments: Presidential Nominations and Senate Ratification (Supreme Court)
President and Senate: Negotiation and Ratification of International Treaties
President and Congress: Foreign Policy
President and the War on Terrorism
President and Congress: War Powers Act 1973
President and Congress: The Budgetary Process
President and Congress: Executive Privilege
President and Congressional Committees: Watergate
President and Congress: “Divided Government” and “Unified Government”
President and Congress: Implementing a Legislative Agenda and Building Bipartisan Legislative Coalitions (Party Cohesion)

Legislatures: Canada

Coalition Government in Canada at the federal and the provincial level
Direct Democracy and Representative Democracy: Referenda, Recall and Citizen Assemblies in Canada and the United States
Federal legislation pertaining to the public funding of political parties and the financing of federal election campaigns
Federal legislation pertaining to advertising during federal election campaigns by advocacy groups (possible comparison with legislative provisions in the United States)
Fixed Election Dates
Electoral Reform
Legislative Committees: Canada (comparison with United States and Great Britain)
Members of Parliament and Party Affiliation: Changing Party Affiliation and Accountability to Electorate
Legislative Procedures for the Limitation of Debate in the House of Commons
Legislatures: Party Cohesion and Party Discipline (comparison Canada, Great Britain and United States)
Legislatures and Accountability: Parliamentary Review of Estimates
Legislatures and Representative Democracy: reapportioning seats in the House of Commons and drawing constituency boundaries (possible comparison with the House of Representatives)
Officers of Parliament: Role and Relationship to the House of Commons
Parliamentary Budget Officer
Parliamentary Government and Minority Government
Parliamentary government in the absence of political parties
Parliamentary Opposition in a Parliamentary /Westminster System

Parliamentary Reform and the House of Commons

Private Member's Legislation

The Role of the Backbencher (Government or Opposition)

Speaker of the House of Commons (comparison with Speaker of the House of Representatives)

Representation and the House of Commons

Responsible Government/Prorogation /Coalition Government (November 2008 –January 2009

Revised September 8, 2011.

**APPENDIX TO UNDERGRADUATE COURSE OUTLINES
DEPARTMENT OF POLITICAL SCIENCE**

Prerequisite checking - the student's responsibility

"Unless you have either the requisites for this course or written special permission from your Dean to enroll in it, you may be removed from this course and it will be deleted from your record. This decision may not be appealed. You will receive no adjustment to your fees in the event that you are dropped from a course for failing to have the necessary prerequisites."

Essay course requirements

With the exception of 1000-level courses, most courses in the Department of Political Science are essay courses. Total written assignments (excluding examinations) will be at least 3,000 words in Politics 1020E, at least 5,000 words in a full course numbered 2000 or above, and at least 2,500 words in a half course numbered 2000 or above.

Use of Personal Response Systems ("Clickers")

"Personal Response Systems ("clickers") may be used in some classes. If clickers are to be used in a class, it is the responsibility of the student to ensure that the device is activated and functional. Students must see their instructor if they have any concerns about whether the clicker is malfunctioning.

Students must use only their own clicker. If clicker records are used to compute a portion of the course grade:

- the use of somebody else's clicker in class constitutes a scholastic offence,
- the possession of a clicker belonging to another student will be interpreted as an attempt to commit a scholastic offence."

Security and Confidentiality of Student Work (refer to current *Western Academic Calendar* (<http://www.westerncalendar.uwo.ca/>))

"**Submitting or Returning Student Assignments, Tests and Exams** - All student assignments, tests and exams will be handled in a secure and confidential manner. Particularly in this respect, leaving student work unattended in public areas for pickup is not permitted."

Duplication of work

Undergraduate students who submit similar assignments on closely related topics in two different courses must obtain the consent of both instructors prior to the submission of the assignment. If prior approval is not obtained, each instructor reserves the right not to accept the assignment.

Grade adjustments

In order to ensure that comparable standards are applied in political science courses, the Department may require instructors to adjust final marks to conform to Departmental guidelines.

Academic Offences

"Scholastic offences are taken seriously and students are directed to read the appropriate policy, specifically, the definition of what constitutes a Scholastic Offence, at the following Web site:

<http://www.uwo.ca/univsec/handbook/appeals/scholoff.pdf>."

Submission of Course Requirements

ESSAYS, ASSIGNMENTS, TAKE-HOME EXAMS **MUST** BE SUBMITTED ACCORDING TO PROCEDURES SPECIFIED BY YOUR INSTRUCTOR (I.E., IN CLASS, DURING OFFICE HOURS, TA'S OFFICE HOURS) OR UNDER THE INSTRUCTOR'S OFFICE DOOR.

THE MAIN OFFICE DOES NOT DATE-STAMP OR ACCEPT ANY OF THE ABOVE.

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. <http://www.uwo.ca/univsec/handbook/>

Students registered in Social Science should refer to <http://counselling.ssc.uwo.ca/> <http://counselling.ssc.uwo.ca/procedures/havingproblems.asp> for information on Medical Policy, Term Tests, Final Examinations, Late Assignments, Short Absences, Extended Absences, Documentation and other Academic Concerns. Non-Social Science students should refer to their home faculty's academic counselling office.

Plagiarism

"Plagiarism: Students must write their essays and assignments in their own words. Whenever students take an idea, or a passage from another author, they must acknowledge their debt both by using quotation marks where appropriate and by proper referencing such as footnotes or citations. Plagiarism is a major academic offence." (see Scholastic Offence Policy in the Western Academic Calendar).

Plagiarism Checking: "All required papers may be subject to submission for textual similarity review to the commercial plagiarism detection software under license to the University for the detection of plagiarism. All papers submitted for such checking will be included as source documents in the reference database for the purpose of detecting plagiarism of papers subsequently submitted to the system. Use of the service is subject to the licensing agreement, currently between The University of Western Ontario and Turnitin.com (<http://www.turnitin.com>)."

Multiple-choice tests/exams: "Computer-marked multiple-choice tests and/or exams may be subject to submission for similarity review by software that will check for unusual coincidences in answer patterns that may indicate cheating."

Note: Information excerpted and quoted above are Senate regulations from the Handbook of Scholarship and Academic Policy. <http://www.uwo.ca/univsec/handbook/>

PLAGIARISM*

In writing scholarly papers, you must keep firmly in mind the need to avoid plagiarism. Plagiarism is the unacknowledged borrowing of another writer's words or ideas. Different forms of writing require different types of acknowledgement. The following rules pertain to the acknowledgements necessary in academic papers.

A. In using another writer's words, you must both place the words in quotation marks and acknowledge that the words are those of another writer.

You are plagiarizing if you use a sequence of words, a sentence or a paragraph taken from other writers without acknowledging them to be theirs. Acknowledgement is indicated either by (1) mentioning the author and work from which the words are borrowed in the text of your paper; or by (2) placing a footnote number at the end of the quotation in your text, and including a correspondingly numbered footnote at the bottom of the page (or in a separate reference section at the end of your essay). This footnote should indicate author, title of the work, place and date of publication, and page number.

Method (2) given above is usually preferable for academic essays because it provides the reader with more information about your sources and leaves your text uncluttered with parenthetical and tangential references. In either case words taken from another author must be enclosed in quotation marks or set off from your text by single spacing and indentation in such a way that they cannot be mistaken for your own words. Note that you cannot avoid indicating quotation simply by changing a word or phrase in a sentence or paragraph which is not your own.

B. In adopting other writers' ideas, you must acknowledge that they are theirs.

You are plagiarizing if you adopt, summarize, or paraphrase other writers' trains of argument, ideas or sequences of ideas without acknowledging their authorship according to the method of acknowledgement given in 'A' above. Since the words are your own, they need not be enclosed in quotation marks. Be certain, however, that the words you use are entirely your own; where you must use words or phrases from your source, these should be enclosed in quotation marks, as in 'A' above.

Clearly, it is possible for you to formulate arguments or ideas independently of another writer who has expounded the same ideas, and whom you have not read. Where you got your ideas is the important consideration here. Do not be afraid to present an argument or idea without acknowledgement to another writer, if you have arrived at it entirely independently. Acknowledge it if you have derived it from a source outside your own thinking on the subject.

In short, use of acknowledgements and, when necessary, quotation marks is necessary to distinguish clearly between what is yours and what is not. Since the rules have been explained to you, if you fail to make this distinction your instructor very likely will do so for you, and they will be forced to regard your omission as intentional literary theft. Plagiarism is a serious offence which may result in a student's receiving an 'F' in a course or, in extreme cases in their suspension from the University.

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Adopted by the council of the Faculty of Social Science, October, 1970; approved by the Dept. of History August 13, 1991

Accessibility at Western

Please contact poliscie@uwo.ca if you require any information in plain text format, or if any other accommodation can make the course material and/or physical space accessible to you.