Canadian Government and Politics Major Field Exam: August 16, 2010

Part A

Question 1: What is gained and what is lost if Canadian political scientists fully embrace the ‘comparative turn’?

Prior to answering this question, we must first interrogate what is meant by the ‘comparative turn.’ In the corresponding book (2008), Vipond is quite explicit with the definition of the term. Within the confines of that academic exercise, the comparative turn refers specifically to the extent to which Canadian political scientists engage with the field of comparative politics – as both givers and takers within the discipline. This raises two larger definitional issues, one of which speaks to an inherent question of what do we mean by comparative politics? While, the other asks, what do we mean by Canadian politics?

Comparative politics can be seen as a field with two possible threads: the first is substantive, while the second is methodological. The substantive field presents a question of *method* (as compared to that of *methodology*), and is characterized by the study of a specific subject, topic, etc. in more than one setting (i.e. comparing healthcare policy in Canada, the US, and the UK – as Tuohy does in *Accidental Logics*). The methodological field, by comparison, is based on a nomothetic understanding of comparative politics as a field that seeks develop a generalizations and hypotheses based on one (or more) cases. Though, I question the positive outlook of the authors in the *Comparative Turn*, I would agree that Canadian political science has begun to move in towards comparative politics in at least the substantive field.

Canadian politics, on the other hand, is given a bit of a short shrift in the *Comparative Turn.* Presenting the topic as it does, the authors of the *Comparative Turn* define Canadian politics in what seems to be a rather negative characterization of it – such that Canadian politics *should* be engaging with a broader literature (both as givers and as takers), that it (historically) has not done so, and that as a result, Canadian politics is deficient in this way. This, I believe, sells Canadian politics short – but partly as it is based off of a misguided expectation of what Canadian politics is, or should be. Essentially, Canadian politics merges the study of Canada with political science. And the discipline has developed as such, frequently delving into key subject areas, becoming at times insular in its dialogue, and generating truly Canadian content. Though the authors of the *Comparative Turn* may view this as a deficiency, with a view to Canadian politics as one that includes and at times privileges an understanding of it as inclusive of Canadian studies, I do not think this is so.

So, in defining both Canadian politics (as a merger of Canadian studies and political science) and Comparative politics (as a two-pronged discipline that is either substantive or methodological in nature, and occasionally both simultaneously), what is gained or lost if Canadian political scientists fully embrace the comparative turn?

The benefits to be gained from Canadian political scientists acting as takers in the comparative literature are marginal, as we are already quite well integrated on this front. Canadian political scientists have long been takers – engaging (at times superficially, while at others much more integrally) with international literatures. That the 1965 and 1968 Canadian election studies were built largely off of the Michigan school model (Gidengil, 1992), that our understandings of Canadian industrialization were developed in comparison to Sweden (Laxer, 1985), and that the application of the Hartzian typology of political culture under Horowitz (1964) all serve as examples of early integration of Canadian political scientists with comparative research methods as well as international literatures. Where Canadian political scientists would see the biggest turn, in wholeheartedly taking on a comparative turn project, would be as givers.

However, it would in devoting our time and effort to building Canadian politics into a comparative framework – either of a methodological or a substantive nature – to a wholehearted comparative turn that we would have the most to lose. A turn of this nature would fundamentally shift Canadian politics away from its orientation as Canadian studies. Two prominent academics have argued strongly against the intrusion of different academic fields into the study of Canadian politics. Innis (1956) argued against what he saw to be an intellectual colonialism, that the application of theories of old countries (by this he means Britain) to new countries results in a new form of exploitation that may have dangerous consequences. Smiley, conversely, (1976) argues that Canadian political science requires a high degree of intellectual autonomy from the American manifestations of that discipline. In particular, he argues that the size, specialization and wealth of the American political science enterprise makes it an inappropriate model for common application in Canada. Gidengil makes a similar point in her discussion of the integration of American models of voting behaviour in Canada, noting that the concept of party ID does not necessarily travel well, as Canada lacks the same institutional arrangements that are associated with building up a strong sense of identification with a party in the US (1992).

Not only do the concepts not travel as easily as one might assume, Smiley also argues in favour of building political science into a much stronger interdisciplinary field. Rather than adopting outside scholarship, or worrying about the uptake of Canadian scholarship in international circles, Smiley argues in favour of rediscovering the roots of Canadian scholarship and breaking down parochial disciplinary boundaries. An addendum to this would be to suggest that before turning to a comparative turn in Canadian political science, it behooves us to start a bit closer to home. Simeon (2002?) notes that a major cleavage still exists in academia along the French-English divide, at least within the federalism literature, though I have no doubt this criticism carries. Though francophone scholars of federalism frequently engage with the English scholarship, the reverse is not true. Thus, Canadian political science lacks a cohesive and coherent internal structure that should be tended to prior to any true engagement internationally.

Most of these criticisms, or cautions, are made based on the assumption that Canadian political science move in a nomothetic, methodological comparative direction (which we currently involve ourselves most superficially in), rather than the engagement we currently have with both the more substantive (and less theoretical) comparative approach. Nonetheless, I would at this point, return to Tanguay’s question (2008), and ask – what is so bad about cultivating our own theoretical gardens? If we are to be givers in the world, it may be more valuable to focus on building a strong and theoretically informed Canadian political science that adheres to both streams of Canadian studies and political science, with the discipline meeting somewhere in the middle, rather than worrying to what degree we are givers, and to what degree we are takers, in a larger global discipline.

Part B

Question 5: Alan Cairns predicted that the adoption of the Charter of Rights and Freedoms would have a transformative effect on Canadian political culture and governing. To what extent have such predictions been borne out?

Cairns predicted that the adoption of the *Charter of Rights and Freedoms* would have two primary outcomes. First, it would weaken the relationship that citizens had with their provincial governments, as they turned to new means for interacting with federal laws (also weakening federal-provincial with the constitution that recognized the equality of the provinces, as seen in the amending formula and through the rhetoric of provincial ideologists of a federalism of principle). Second, through its norm of individualism the Charter would undermine a pan-Canadian identity through the increased ability of groups to build and legitimize group rights through the courts. The main thrust of his prediction was that the Charter would weaken provincial-federal relationship and favour non-territorial identities.

Cairn’s prediction on political culture falls in line with what is largely seen as Trudeau’s original intent with the adoption of the Charter. Its implementation championed individual rights, in a way that would largely destabilize or undercut Quebec nationalism. By focusing on the equality of the individual as Canadian citizen, the Charter attempted to move Canada away from regionally-based identities, and strengthen the relationship between citizen and federal government. Ironically, the Charter has had the paradoxical role of breaking down some group identities while building others up. Under the Charter, Canadians have identified in new pan-Canadian groups that (rather than being regionally based, and thus not as closely linked to identities of federalism) have, as Morton and Knopff would argue, taken hold of this new institution to push their agenda through courts.

Morton and Knopff (2000), rather than focusing on the development or emergence of “Charter Canadians” focus instead on the institution of the Charter and on the courts through which groups have benefitted. They argue that specific constituencies have disproportionately benefitted from the Charter, and have been supported by a “court party” of academics, activist judges, and a variety of (minority) groups that benefit from legal activism. Interestingly, Mandel (1994) makes the completely opposite argument, positing that the Charter has been used to help the strong and wealthy, rather than the weak and the poor. Though neither present an overly convincing argument, the debate points to something fundamentally different about the analysis of the new institution in the Charter. Specifically, it points directly to this shift in how we think about Canadian cleavages. Morton and Knopff make a specific argument about majority versus minorities (Aboriginal, multicultural, LGBTQ, people with disabilities, etc), while Mandel makes a more explicit argument based on class. Nonetheless, these represent largely new analytical cleavages for study in the history of Canadian political science, and perhaps points to a true difference in conceptualizations of identity and subsequently political culture.

So what impact might this have had on political culture in Canada? From an academic level, it has helped to shift the analytical space of politics in Canada from a regionally-based analysis to an analysis based on other identifiers. Specifically, it posits cleavages that do not necessarily draw themselves up along provincial or regional lines. Though certainly these cleavages remain important (the rise of regionally based political parties – the Bloc and the Reform party) developed *after* the institution of the Charter came into place, other cleavages along ethnic, class, or gender lines have been developed further. It might be a stretch to fully link the development of these lines of academic inquiry to the Charter, but certainly it follows that academia in political science follows – at least to some degree – trends in the Canadian polity. Henderson blasts through common conceptions of regionally-based political articles in her 2004 article, dividing Canadian political culture along 9 cleavages including (but not limited to): Cosmopolitan Quebec, Suburban Toronto and Vancouver, and the Manufacturing Belt. These categorizations, it is important to note, are based on overarching trends in values.

If the cleavages that Henderson notes have become *more* important since the introduction of the Charter, perhaps there is some cause for concern that it has impacted the relationship an individual has with the federal government. However, this relationship cannot be considered without bringing into account other institutions and countervailing forces that seek to counteract them. In particular, though there is undoubtedly greater access for individuals to interact with the federal government through the courts, other traditional venues of access (i.e. their member of parliament) may have less influence in policy making than in the past (Savoie, 2008). Though Bakvis would disagree with this characterization of regional ministers, and thus this integral part intrastate federalism, it would be difficult to argue against the increasing relative importance of premiers and provincial governments as spokespeople for regional concerns.

Hogg and Bushell (1997) put forward a different view of the impact of the Charter on governing. Armed with the view that the courts maintain a unique yet integral part of Canadian democracy, they argue that rather than Canada being overtaken by activist judges and the imposition of the courts on the policy making capacity of legislators, the Charter (and the courts more generally) engage with politicians and policy makers in a dialogue on policy. The dialogue can only take place in judicial decisions where that decision can be reversed, modified, or avoided through the invocation of the notwithstanding clause, or the introduction of new legislation that – while meeting the same policy outcome – goes about it in a constitutionally sensitive manner. However, these cases constitute the majority, and thus in these cases the Charter acts as a catalyst for a two-way exchange between the courts and the legislature. Largely agreeing on this point, Manfredi and Kelly (1997) offer a slight modification, suggesting that though this dialogue can and does take place, the resulting dialogue is much more complex and much less extensive than that supplied by Hogg and Bushell. A factor contributing to this may be the implication that increasingly, the government and legislators preemptively engage with constitutional questions. This reduces any real dialogue, and also suggests that legislators may be shying away from different or more innovative policy options that may be subject to challenge. This, however, would represent a fundamental shift in how governing operates in light of the Charter.

Despite the differing debates presented here, it is very difficult to say that the changes seen in both political culture and in governing in Canada have truly been a product of the introduction of the Charter (it is difficult to put forward a reasonable counterfactual). Stronger group identification – the women’s movement, Aboriginal rights following the 1969 White Paper, the changing face of Canadian multiculturalism – would have likely emerged regardless, and may have found different avenues for recognition and legitimation, and the outcome would likely be similar. Though perhaps their influence has been *accelerated* through the Charter, it would be remiss to suggest that these rights would not have been realized in a different fashion or in a different timeline.

Part C

Question 8: Will Kymlicka informs us that Canada is called on to manage three different dimensions of diversity: Aboriginal/non-Aboriginal, French/English, and multiculturalism. To what extent do responses to the three require different policies and political practices? Might there be a comprehensive approach for reconciling the three diversities?