

Contents

Lavigne Through the Looking Glass: Labour's Experience under the Charter	<i>Barbara Falk</i>	1
Critical Naturalism or the Naturalization of the Social: a Dialectical Critique of Bhaskar's Philosophy of Social Science	<i>Samir Gandesha</i>	22
The Fourth Vision: the Constitution and Federal Democracy in the New Era of Global Competition	<i>Steve Patten</i>	34
Japanese Aid, Politics and the Growth of Regionalism in Eastern Asia	<i>Kurtis H. Simpson</i>	55
Competitiveness Strategies and Industrial Governance in the Era of the Global Political Economy	<i>Timothy J. Sinclair</i>	72
Re-Reading Barrington Moore: on the Social Origins of <i>Social Origins of Dictatorship and Democracy</i>	<i>William Walters</i>	95

Problématique

Journal of Political Studies
Revue D'études Politiques

No. 2, Fall 1992

Editors' Note

The publication of the second volume of this journal would not have been possible without the gracious support of a number of individuals and organizations. We would like to thank our colleagues in the Political Science Department at York University who offered their time and energy in a plethora of capacities. We are also very grateful for the financial support provided to the journal by the Faculty of Graduate Studies, the Faculty of Arts, the Department of Political Science, and the Graduate Political Science Students' Association at York. Special acknowledgements are extended to our copy-editor and type-setter Martin Morris and cover designer Catherine Kellogg.

The articles published in this volume reflect a range of political issues and debates currently burning in the study of politics. While the papers in this volume do not reflect all of the many areas of study being pursued within our department, we have done our utmost to provide the best possible representation of the articles submitted to *Problématique* for possible publication.

The review process for *Problématique* is undertaken by members of its editorial collective. Papers are submitted anonymously and publishable papers are selected on the basis of originality, currency and readiness for publication. In order to ensure that the papers may speak for themselves, the copy-editing task is limited to matters of stylistic consistency.

We encourage readers to submit critiques of the articles and will offer the article authors the opportunity for response. Additionally, all graduate students are invited to participate in future volumes of *Problématique* through article and book review submissions or by participating in the collective.

Once again, many thanks to all who have aided us in this endeavour.

Lois Harder and Robert Marshall
September, 1992

Lavigne Through the Looking Glass: Labour's Experience under the Charter

Barbara Falk

"There's glory for you!" "I don't know what you mean by 'glory'," Alice said. "I meant 'there's a nice knock down argument for you!'" "But 'glory' doesn't mean a 'nice knock down argument'," Alice objected. "When I use a word," Humpty Dumpty said, in a rather scornful tone, "it means just what I choose it to mean—neither more nor less."

Lewis Carroll, *Through the Looking Glass*

The relationship of the labour movement with the *Canadian Charter of Rights and Freedoms*, has not been a happy one. Although there were a minority of voices within the labour movement who both supported and opposed the enactment of the Charter as part of Canada's patriation of the constitution, by and large the movement was silent.¹ Early judgements in cases such as *Dolphin Delivery* and the *Labour Trilogy* were not only examples of bad strategy on the part of

AUTHOR'S NOTE: I am indebted to Jules Bloch and Gary Stein for their thoughtful comments on earlier versions of this paper, and to Professor Allan C. Hutchinson of Osgoode Hall Law School for encouraging me to pursue this topic.

1. Mandel (1988) describes the labour movement as "asleep at the switch", and points out that the Canadian Labour Congress (CLC) did not make any representations to the Joint Committee hearings on the Charter. Louis Lenkinski, a former senior staff person at the Ontario Federation of Labour (OFL) has commented that almost no analysis took place of the potential impact of the Charter on collective bargaining. The labour movement, in Lenkinski's view, was not only unalarmed by the individualist and liberal orientation of the Charter, but did not blink at the obvious shift of power from elected representatives to the courts.