



DALHOUSIE UNIVERSITY
Department of Political Science

Municipal Law and Urban Politics in Canada

POLI 2230

Class Schedule: Tuesdays and Thursdays, 8:35 am – 9:55 am

Class Location: Sir James Dunn Building, rm. 135

Instructor: Dr. Adam Foster

E-mail address: adam.foster@dal.ca

Office Hours: Tuesdays, 10:30 – 11:30

Office: Henry Hicks Building, rm. 352

Territorial Acknowledgement

*Dalhousie University is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq.
We are all Treaty people.*

*Dalhousie University also acknowledges the histories, contributions, and legacies of African
Nova Scotians, who have been here for over 400 years.*

Course Description

Most Canadians live in cities, yet local government is the weakest unit in our federal system. What accounts for this? After all, local government has often been described as the foundation of democracy. In Canada, local governments have many unique characteristics, from their constitutional status to the council system and a tradition of non-partisan government. We will explore the character of local government and the issues related to local governance, including regional and metropolitan restructuring and citizen participation, municipal finance, provincial-local relations, and the role of the federal government.

Learning Objectives

At the end of the course, students will have a solid foundation in the study of Canadian cities through a political lens. They will understand the role that the city places in Canadian politics in the context of Canadian Constitutional law, and how cities relate to the political powers of the provinces and the federal government. Students will also be familiar with many of the key figures in the academic study of urban politics in Canada, and many of the key concepts in this field.

Internationalization

At Dalhousie, ‘thinking and acting globally’ enhances the quality and impact of education, supporting learning that is “interdisciplinary, cross-cultural, global in reach, and orientated toward solving problems that extend across national borders.” For more information, please visit <https://www.dal.ca/about-dal/internationalization.html> .

Accessibility

The Student Accessibility Centre is Dalhousie's centre of expertise for matters related to student accessibility and accommodation. If there are aspects of the design, instruction, and/or experiences within this course (online or in-person) that result in barriers to your inclusion please contact **the Student Accessibility Centre**. They are located in the Killam Memorial Library Atrium, in Room G28. Their website is: https://www.dal.ca/campus_life/academic-support/accessibility.html

Statement on Mental Health

During your time as a student, you may find yourself struggling with issues that can impact your studies as well as your personal well-being, including (but not limited to) anxiety, depression, problems with a loved one or family member, substance abuse, difficulties sleeping, lack of motivation, and struggles adapting to life in a place that is not home. These mental health issues are serious and can interfere with both your ability to do well in university and live a happy life. If you are struggling, please seek help.

Dalhousie's **Student Health & Wellness Centre** offers confidential counseling, social work, and peer support services to students. They are located on the **2nd floor of LeMarchant Place** and can be contacted by phone at **(902) 494-2171**. Appointments can also be **booked online** on their website: https://www.dal.ca/campus_life/health-and-wellness/my-health/mental-health.html

You can also access free, confidential counseling over the phone by calling **1-833-292-3698** or **texting GOOD2TALKNS to 686868**.

Asking for help is never a sign of weakness, but rather a sign of strength. It is a courageous thing to do. Help is always available, and recovery is always possible.

Class Conduct – Culture of Respect

Substantial and constructive dialogue on challenging issues is an important part of academic inquiry and exchange. It requires willingness to listen and tolerance of opposing points of view. Consideration of individual differences and alternative viewpoints is required of all class members, towards each other, towards instructors, and towards guest speakers. While expressions of differing perspectives are welcome and encouraged, the words and language used should remain within acceptable bounds of civility and respect.

Diversity and Inclusion – Culture of Respect

Every person at Dalhousie has a right to be respected and safe. We believe inclusiveness is fundamental to education. We stand for equality. Dalhousie is strengthened in our diversity. We are a respectful and inclusive community. We are committed to being a place where everyone feels welcome and supported, which is why our Strategic Direction prioritizes fostering a culture of diversity and inclusiveness. For more information, visit <http://www.dal.ca/cultureofrespect.html>

Code of Student Conduct

Everyone at Dalhousie is expected to treat others with dignity and respect. The Code of Student Conduct allows Dalhousie to take disciplinary action if students don't follow this community expectation. When appropriate, violations of the code can be resolved in a reasonable and informal manner—perhaps through a restorative justice process. If an informal resolution can't be reached, or would be inappropriate, procedures exist for formal dispute resolution. For more information, see https://www.dal.ca/dept/university_secretariat/policies/student-life/code-of-student-conduct.html

Statement of Academic Integrity, Cheating, and Plagiarism

Statement is taken from University Secretariat website's Academic Integrity section, with links updated. See

[https://cdn.dal.ca/content/dam/dalhousie/pdf/dept/university_secretariat/Syllabus_Statement_\(Aug%202015\).pdf](https://cdn.dal.ca/content/dam/dalhousie/pdf/dept/university_secretariat/Syllabus_Statement_(Aug%202015).pdf)

At Dalhousie University, we are guided in all of our work by the values of academic integrity: honesty, trust, fairness, responsibility and respect (The Center for Academic Integrity, Duke University, 1999). As a student, you are required to demonstrate these values in all of the work you do. The University provides policies and procedures that every member of the university community is required to follow to ensure academic integrity.

What does academic integrity mean?

At university we advance knowledge by building on the work of other people. Academic integrity means that we are honest and accurate in creating and communicating all academic products. Acknowledgement of other people's work must be done in a way that does not leave the reader in any doubt as to whose work it is. Academic integrity means trustworthy conduct such as not cheating on examinations and not misrepresenting information. It is the student's responsibility to seek assistance to ensure that these standards are met.

How can you achieve academic integrity?

We must all work together to prevent academic dishonesty because it is unfair to honest students. The following are some ways that you can achieve academic integrity; some may not be applicable in all circumstances.

- Make sure you understand Dalhousie's policies on academic integrity (see http://www.dal.ca/dept/university_secretariat/academic-integrity/academic-policies.html)
- Do not cheat in examinations or write an exam or test for someone else
- Do not falsify data or lab results

Be sure not to **plagiarize**, intentionally or unintentionally, for example...

- Clearly indicate the sources used in your written or oral work. This includes computer codes/ programs, artistic or architectural works, scientific projects, performances, web page designs, graphical representations, diagrams, videos, and images
- Do not use the work of another from the Internet or any other source and submit it as your own
- When you use the ideas of other people (paraphrasing), make sure to acknowledge the source
- Do not submit work that has been completed through collaboration or previously submitted for another assignment without permission from your instructor (These examples should be considered only as a guide and not an exhaustive list.)

Where can you turn for help?

If you are ever unsure about any aspect of your academic work, contact me. You are encouraged to also consult:

- Academic Integrity website (see http://www.dal.ca/dept/university_secretariat/academic-integrity.html - Links to policies, definitions, online tutorials, tips on citing and paraphrasing).
- Writing Centre (see https://www.dal.ca/campus_life/academic-support/writing-and-study-skills.html - Assistance with learning to write academic documents, reviewing papers for discipline-specific writing standards, organization, argument, transitions, writing styles and citations).
- Dalhousie Libraries (see <https://libraries.dal.ca/help/writing.html> -Workshops, online tutorials, citation guides, Assignment Calculator, RefWorks .
- Dalhousie Student Advocacy Service (see <https://www.dsu.ca/dsas> - Assists students with academic appeals and student discipline procedures).
- Senate Office (see https://www.dal.ca/dept/university_secretariat/university_senate.html List of Academic Integrity Officers, discipline flowchart, Senate Discipline Committee).

What will happen if an allegation of an academic offence is made against you?

As your instructor, I am required to report every suspected offence. The full process is outlined in the Faculty Discipline Flow Chart (see https://cdn.dal.ca/content/dam/dalhousie/pdf/dept/university_secretariat/FDPflowchartSEpt2016.pdf) and includes the following:

- Each Faculty has an Academic Integrity Officer (AIO) who receives allegations from instructors.
- Based on the evidence provided, the AIO decides if there is evidence to proceed with the allegation and you will be notified of the process.
- If the case proceeds, you will receive a PENDING grade until the matter is resolved.
- If you are found guilty of an offence, a penalty will be assigned ranging from a warning, to failure of the assignment or failure of the class, to expulsion from the University. Penalties may also include a notation on your transcript that indicates that you have committed an academic offence.

Originality Checking Software

The course instructor may use Dalhousie's approved originality checking software and Google to check the originality of any work submitted for credit, in accordance with the Student Submission of Assignments and Use of Originality Checking Software Policy. Students are free, without penalty of grade, to choose an alternative method of attesting to the authenticity of their work, and must inform the instructor no later than the last day to add/drop classes (January 20th, 2023) of their intent to choose an alternate method. For more information, see https://www.dal.ca/dept/university_secretariat/policies/academic/student-submission-of-assignments-and-use-of-originality-checking-software-policy-.html

Student Use of Course Materials

These course materials are designed for use as part of the [course code] course at Dalhousie University and are the property of the instructor unless otherwise stated. Third party copyrighted materials (such as books, journal articles, music, videos, etc.) have either been licensed for use in this course or fall under an exception or limitation in Canadian Copyright law. Copying this course material for distribution (e.g. uploading to a commercial third-party website) may lead to a violation of Copyright law.

Recording of Class Lectures

Audio or video recordings of the class lectures and discussions are prohibited, other than in cases of a documented accommodation through Dalhousie's Accessibility Center.

Required Textbooks

The following textbooks contain the required readings for this course. They are available for purchase at the Dalhousie University Bookstore, as well as available online through the library website, and physical copies are also being held on reserve for short-term lending.

1. Mary Louise McCallister, *Governing Ourselves? The Politics of Canadian Communities*. Vancouver: UBC Press. 2005
 - ◆ https://dal.novanet.ca/permalink/01NOVA_DAL/1nek75v/alma9970536281107190
2. Warren Magnusson, *Local Self-Government and the Right to the City*, Montreal: McGill-Queens Press. 2015
 - ◆ https://dal.novanet.ca/permalink/01NOVA_DAL/1nek75v/alma9970504371607190

Some readings will be posted on Brightspace. These will be noted on the syllabus with **(Brightspace)** next to them.

Other readings will be posted online through the Dalhousie Library website, apart from court cases which are publicly available. Links to these readings are provided in the syllabus. These will be noted on the syllabus with **(Online)** next to them.

Assignments and Grade Breakdown

Attendance: 20%

I will begin taking attendance once the add/drop date for the semester has passed (September 19th). It is important to be on time for class; if you arrive after your name is called, you won't receive your attendance mark for the day.

Monthly Quizzes: 30%

There will be three monthly quizzes administered on Brightspace that will cover material covered in September, October, and November respectively. They will be posted the first Friday after the end of the month and will be due the following Tuesday at the end of the day (11:55 pm). This means they are due on:

Quiz #1: October 3rd

Quiz #2: November 7th

Quiz #3: December 5th

Possible questions on these tests include multiple choice questions, true or false, fill in the blank, and short answer questions. All questions will test your knowledge of the "facts" of the readings. You will have an hour to write these quizzes.

Midterm Exam: 25%

The midterm exam, unlike the quizzes, will test your interpretive knowledge and critical thinking as it relates to the readings. You will be asked to answer questions that will require longer written responses where you make an argument with reference to particular texts. This midterm will be written in class on October 12th. It will cover all material up to October 10th.

Final Exam: 25%

The format of this exam is the exact same as the midterm exam. The only difference is that it will cover material covered *after* October 10th and will be in person. It will be scheduled during the regular exam period.

Emailing Policy

I try and respond to all course related emails within 24 hours, apart from weekends and holidays.

Students are asked to use professional language in all communications ("Dear Dr. Foster;" "Sincerely;" etc.) and include the name of the course at the beginning of the subject line of your

email (POLI 2230). Please also make sure the answer to your question is not already in the syllabus (though if something in the syllabus doesn't make sense, it is ok to email me and ask for clarification).

Please also send any emails from your Dalhousie email address; this helps prevent Outlook mistaking an email as spam.

It is strongly encouraged that you rely upon either the email address provided in this syllabus, or the email system on Brightspace to contact me. In the past, students have attempted to contact me through the Dalhousie University directory and end up contacting the wrong person.

Policy on Late Assignments

Late quizzes will not be accepted absent a medical or family emergency. Once submissions close on Brightspace, you will not be able to access the test or submit your completed answers.

If you are late for class, you will not earn your attendance mark for that day.

As per university policy, make-up dates for missed exams – both the mid-term and final – will not be offered other than in cases of medical or family emergencies.

Class and Reading Schedule

Please-note: I reserve the right to changes to the readings and the order in which we will be reading them if necessary. If I do so, I will give you at least one week's notice, and will notify you by email as well as in class.

Additionally, if you miss a class, it is your responsibility to speak to another classmate to catch up on what you've missed.

September

Unit #1: Introduction to the Course and the Study of Canadian Cities

Tuesday, September 5th:

Introduction to the course and syllabus

Thursday, September 7th:

Introduction to Canadian Law and Legal Studies

Tuesday, September 12th:

Readings:

1. Mary Louise McCallister. "Introduction," pp. 3-13 (**McCallister**)
2. Mary Louise McCallister. "Local Self-Government: Perspectives on Democracy" pp. 14-22 (**McCallister**)

Thursday, September 14th:

Readings:

1. Mary Louise McCallister. "Local Democracy and Self-Government: The Historical Legacy" pp. 23-45 (**McCallister**)

Tuesday, September 19th:

Readings:

1. Warren Magnusson. "Community Organization and Local Self-Government," pp. 33-58 (**Magnusson**)

Thursday, September 21st:

Readings:

1. Mary Louise McCallister. "Avenues of Participation in Local Governance" pp. 46-73 (**McCallister**)

Tuesday, September 26th:

Readings:

1. Mary Louise McCallister. "Local Public Administration" pp. 201-231 (**McCallister**)

Thursday, September 28th:

Readings:

1. Mary Louise McCallister. "Business, Management, and the Municipal Corporation" pp. 232-253 (**McCallister**)

October

Unit #2: Constitutional and Legal Issues Surrounding Canadian Municipalities

Tuesday, October 3rd:

Readings:

1. Warren Magnusson. "Are Municipalities Creatures of the Provinces?," pp. 224-250 (**Magnusson**)
2. East York (Borough) v. Ontario (Attorney General), 1997 CanLII 12263 (ON SC) <https://www.canlii.org/en/on/onsc/doc/1997/1997canlii12263/1997canlii12263.pdf> (**Online**).

Thursday, October 5th:

Readings:

1. Hoi Kong. "Something to Talk About: Regulation and Justification in Canadian Municipal Law." *Osgoode Hall Law Journal* 48.3/4 (2010): 499-541.
[https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_900194664_READ_PARTS_I_II\(Online\).](https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_900194664_READ_PARTS_I_II(Online).)

Tuesday, October 10th:

Readings:

1. Hoi Kong. "Something to Talk About: Regulation and Justification in Canadian Municipal Law." *Osgoode Hall Law Journal* 48.3/4 (2010): 499-541.
[https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_900194664_READ_PARTS_III_IV\(Online\).](https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_900194664_READ_PARTS_III_IV(Online).)

Thursday, October 12th:

MID-TERM EXAM

Tuesday, October 17th:

Readings:

1. Neil Bradford. "Placing Social Policy? Reflections on Canada's New Deal for Cities and Communities." *Canadian journal of urban research* 16, no. 2 (2007): 1–26.
[https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_900194664\(Online\).](https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_900194664(Online).)

Thursday, October 19th:

Readings:

1. Ron Levi and Mariana Valverde. "Freedom of the City: Canadian Cities and the Quest for Governmental Status." *Osgoode Hall Law Journal* 44.3 (2006): 409-459. *READ PARTS I – IV*
[https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_rmit_agispt_search_informit_org_doi_10_3316_agispt_20220923074727\(Online\).](https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_rmit_agispt_search_informit_org_doi_10_3316_agispt_20220923074727(Online).)

Tuesday, October 24th:

Readings:

1. Ron Levi and Mariana Valverde. "Freedom of the City: Canadian Cities and the Quest for Governmental Status." *Osgoode Hall Law Journal* 44.3 (2006): 409-459. *READ REST OF ARTICLE*
[https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_rmit_agispt_search_informit_org_doi_10_3316_agispt_20220923074727\(Online\).](https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_rmit_agispt_search_informit_org_doi_10_3316_agispt_20220923074727(Online).)

Thursday, October 26th:

Readings:

1. Stanley M. Machuk and Matthew Schuman "Have We Legalized Corruption? The Impacts of Expanding Municipal Authority Without Safeguards in Toronto and Ontario." *Osgoode Hall Law Journal* 53.1 (2015): 301-333
[https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_1990565245\(Brightspace\)](https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_1990565245(Brightspace))

Tuesday, October 31st:

Readings:

1. Shell Canada Products Ltd. v. Vancouver (city), [1994] 1 S.C.R. 231 <https://scc-csc.lexum.com/scc-csc/scc-csc/en/1108/1/document.do> (**Online**)

November

Unit #3: Space, Culture, Rights and Canadian Municipalities

Thursday, November 2nd:

GUEST SPEAKER: Emily Lutz, Deputy Mayor, Municipality of King's County, Nova Scotia

Readings:

TBD.

Tuesday, November 7th:

Readings:

1. Mary Louise McCallister. "The Politics of Urban Planning" pp. 232-253 (**McCallister**)

Thursday, November 9th:

Readings:

1. Don Manderscheid, "First Nations and Self-Government: A Matter of Trust." *Canadian Journal of Law and Society* 22, no. 1 (2007): 109–121. (**Brightspace**)
2. Neskonlith Indian Band v. Salmon Arm (City), 2012 BCCA 379 (**Brightspace**)

FALL STUDY BREAK NOVEMBER 13TH TO 17TH

Tuesday, November 21st:

Readings:

1. Warren Magnusson. "Local Self-Government and the Right to the City," pp. 251-271 (**Magnusson**)

Thursday, November 23rd:

Readings:

1. Henri Lefebvre, "The Right to the City," *Writings on Cities*, pp. 147-160 (**Brightspace**)
2. Meij, Erik, Tialda Haartsen, and Louise Meijering. "'Everywhere They Are Trying to Hide Poverty. I Hate It!': Spatial Practices of the Urban Poor in Calgary, Canada." *Geoforum* 117 (2020): 206–215.
https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_journals_2486191574 (**Online**)
3. Emily Skinner and Jeffrey R. Masuda. "Right to a Healthy City? Examining the Relationship Between Urban Space and Health Inequity by Aboriginal Youth Artist-Activists in Winnipeg." *Social science & medicine* (2013): 210–218.
https://dal.novanet.ca/permalink/01NOVA_DAL/ev10a8/cdi_proquest_miscellaneous_1692285489 (**Online**)

Tuesday, November 28th:

Readings:

1. Ola P. Malik & Sasha Best, "The Dangers of Allowing 'Othering' Speech' in a City's Public Spaces" in *Rights and the City: Problems, Progress, Practice*, pp. 209-233
(Brightspace)

Thursday, November 30th:

REVIEW FOR FINAL