

POLI 2210 - The Dynamics of Canadian Federalism

Fall 2015

Lectures: Tuesdays and Thursdays: 11:35 a.m. – 12:55 p.m.

Location: LSC – Common Area – C242

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Office Hours: Wednesdays from 12:00-1:00 p.m. as well as Tuesdays and Thursdays from 10:00 a.m. – 11:00 p.m. or by appointment.

Course Themes

Along with parliamentary government and the Charter of Rights and Freedoms, federalism is one of the three constitutional pillars of governance in Canada. Federalism has been central to Canada's political, economic, social and cultural development. The course examines federalism through a political economy perspective, a perspective that considers how political institutions are embedded in their economic and social contexts both influencing their development and changing in response to changes in their socio-economic and cultural environments. Furthermore, it engages with contemporary debates about the performance of Canada's federal institutions and explores possible reform options. Topics covered in the course include, for instance, the role of regionalism and Quebec nationalism in the federation's evolution, the relationship between the Charter of Rights and Freedoms and federalism, the relationship between Parliament and federalism, debates concerning fiscal "imbalances" in the federation, and the place of emerging "orders of government" – including municipalities and of Aboriginal governments – in the federation.

Course Objectives

This course provides students with an introduction to the way in which federalism structures Canada's political life and has influenced Canada's political development.

Format: This course is offered in a lecture format with some in-class discussion and debate.

Textbooks and other reading materials:

Inwood, Gregory J. 2013. *Understanding Canadian Federalism: An Introduction to Theory and Practice*. Toronto: Pearson Canada Inc.

Bazowski, Raymond. 2014. "Judicial Politics in the Age of the Charter," in Bickerton, James and Alain-G. Gagnon. Eds. *Canadian Politics* (Sixth Edition). Toronto: University of Toronto Press, pp. 199-226.

ASSESSMENT

Breakdown of the final course grade

Test 1 (In class on September 29) - 20%

Test 2 (In class on October 27) – 20%

Research paper (Due: November 24) – 30%

Final exam (2 hour closed book exam to be scheduled during official exam period) – 30%

Test and Exam Format

Students will be tested on material covered in the assigned readings and in class. The tests and the exam will include one or more of the following types of questions: 1) define and explain the significance of fundamental concepts; 2) short answers; 3) essay questions.

Grading Scale

Dalhousie University uses a common grading scale which reproduced below. It is taken from the Undergraduate Calendar 2015-2016 which is available at the following website:

<http://academiccalendar.dal.ca/Catalog/ViewCatalog.aspx?pageid=viewcatalog&catalogid=1&loaduseredits=False>

17.1 Grade Scale and Definitions

Grade	Grade Point Value		Definition	
A+	4.30	90-100	Excellent	Considerable evidence of original thinking; demonstrated outstanding capacity to analyze and synthesize; outstanding grasp of subject matter; evidence of extensive knowledge base.
A	4.00	85-89		
A-	3.70	80-84		
B+	3.30	77-79	Good	Evidence of grasp of subject matter, some evidence of critical capacity and analytical ability; reasonable understanding of relevant issues; evidence of familiarity with the literature.
B	3.00	73-76		
B-	2.70	70-72		

C+	2.30	65-69	Satisfactory	Evidence of some understanding of the subject matter; ability to develop solutions to simple problems; benefitting from his/her university experience.
C	2.00	60-64		
C-	1.70	55-59		
D	1.00	50-54	Marginal Pass	Evidence of minimally acceptable familiarity with subject matter, critical and analytical skills (except in programs where a minimum grade of "C" or "C+" is required).
F	0.00	0-49	Inadequate	Insufficient evidence of understanding of the subject matter; weakness in critical and analytical skills; limited or irrelevant use of the literature.
INC	0.00		Incomplete	
W	Neutral and no credit obtained		Withdrew after deadline	
ILL	Neutral and no credit obtained		Compassionate reasons, illness	
Pending	Neutral		Grade not reported	

ACADEMIC INTEGRITY

At Dalhousie University, we are guided by the values of academic integrity: honesty, fairness, responsibility and respect. 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 (or the TA):

- [Faculty of Health Professions Academic Integrity Website](#)
 - Overview of academic integrity process, with resources for faculty and students
- [Academic Integrity Website](#)
 - Links to policies, definitions, online tutorials, tips on citing and paraphrasing
- [Writing Centre](#)

- Assistance with learning to write academic documents, reviewing papers for discipline-specific writing standards, organization, argument, transitions, writing styles and citations
- Dalhousie Libraries
 - Workshops, online tutorials, citation guides, Assignment Calculator, RefWorks
- Dalhousie Student Advocacy Service
 - assists students with academic appeals and student discipline procedures.
- Senate Office
 - 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 (www.dal.ca/dept/university_secretariat/academic-integrity.html) 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.

REQUESTS FOR ACCOMMODATION

Students may request accommodation as a result of barriers experienced related to disability, religious obligation, or any characteristic protected under Canadian human rights legislation.

Students who require academic accommodation for either classroom participation or the writing of tests and exams should make their request to the Advising and Access Services Center (AASC) prior to or at the outset of the regular academic year. Please visit www.dal.ca/access for more information and to obtain the Request for Accommodation form.

A note taker may be required as part of a student's accommodation. There is an honorarium of \$75/course/term (with some exceptions). If you are interested, please contact AASC at 494-2836 for more information or send an email to notetaking@dal.ca

Please note that your classroom may contain specialized accessible furniture and equipment. It is important that these items remain in the classroom, untouched, so that students who require their usage will be able to fully participate in the class.

COURSE LECTURE SCHEDULE AND READING ASSIGNMENTS

Class date	Topic	Reading Assignment
September 10	Course Introduction	None
September 15 and 17	An Introduction to Canadian Federalism	Inwood, Chapter 1 <i>Constitution Acts</i> , 1867 and 1982
September 22 and 24	The Political Economy of Pre- and Post-Confederation Canada	Inwood, Chapters 2 and 3
September 29	Test 1	
October 1, 6 and 8	Intergovernmental Relations, Federal-Provincial Conflict and Executive Federalism	Inwood, Chapter 4, 5 and 11
October 13 and 15	Conflict Resolution, Judicial Review, and Intergovernmental Accords and Agreements	Inwood, Chapter 6
October 20 and 22	The Charter, Parliamentary Supremacy and Federalism	Bazowski (2014)
October 27	Test 2	None
October 29	Guest speaker: Philip Slayton – Author of <i>Mayors Gone Bad (2015)</i>	Optional – read guest speaker’s book.
November 3, 5 and 10	Regionalism and Quebec	Inwood, Chapter 7 and 8
November 12	STUDY DAY – Class is Cancelled	
November 17 and 19	Fiscal Federalism	Inwood, Chapter 10
November 24 and 26	Aboriginal Governance and Federalism	Inwood, Chapter 9
December 2 and 4	“Glocalization” and Canadian Federalism	Inwood, Chapter 12
December 8	Federalism, Democracy and Reform Discussion of Final Exam	Inwood, Chapter 13

Important note: October 9th is the last day to drop a fall course without a “W” and November 6th is the last day to drop a course with a “W”.

ESSAY ASSIGNMENT – POLI 2210 2015

Due: November 24th, 2015

Length: 10 double spaced pages (not including the title page and bibliography). Paper should be in 12-point font with 1 inch margins.

Research: The paper should answer one of the five questions below. The sources listed under each question are suggestions. The paper should engage with and cite at least 8 reputable secondary sources (including academic journal articles, academic books, and pieces written by established authorities on the subject for think-tanks). Citing newspaper articles and other primary sources is encouraged but they do not count toward the 8 source requirement.

Value: 30% of course grade.

1. Should municipalities be empowered in the Canadian federation and, if so, ‘how’ (and, if not, why not)?

Andrew, Caroline. 2001. “The Shame of (ignoring) the Cities,” *Journal of Canadian Studies*. 35, 4: 100-111.

Sancton, Andrew. 2008. *The Limits of Boundaries: Why City-regions Cannot be Self-governing*. Montreal & Kingston: McGill-Queen’s University Press.

Broadbent, Alan. 2008. *Urban Nation: Why we Need to Give Power Back to Cities to Make Canada Strong*. Toronto: HarperCollins.

Slayton, Philip. 2015. *Mayors Gone Bad*. Toronto: Viking Canada.

Good, Kristin. 2009. *Municipalities and Multiculturalism: The Politics of Immigration in Toronto and Vancouver*. Toronto: University of Toronto Press.

Leo, Christopher. 2006. “Deep Federalism: Respecting Community Difference in National Policy,” *Canadian Journal of Political Science*. 39, 3: 481-506.

Bedahl, Loleen. 2006. “The Federal Urban Role and Federal-Municipal Relations,” in Young, Robert and Christian Leuprecht. 2006. Eds. *Canada: The State of the Federation 2004*. Montreal and Kingston: McGill-Queen’s University Press.

Smith, Patrick J. and Kennedy Stewart. 2005. “Local Whole-of-Government Policymaking in Vancouver: Beavers, Cats, and the Mushy Middle Thesis,” in Young, Robert and Christian Leuprecht. Eds. *Canada: The State of the Federation 2004*. Montreal and Kingston: McGill-Queen’s University Press.

Courchene, Tom. 2006. *Citistate and the State of Cities: Political-economy and Fiscal Federalism Dimensions*. IRPP. Available online: <http://irpp.org/wp-content/uploads/assets/wp2005-03.pdf>

Keil, Roger and Douglas Young . 2003. "A Charter for the People? A Research Note on the Debate about Municipal Autonomy in Toronto," *Urban Affairs Review*. 39, 1: 87-102

Bradford, Neil. 2002. *Why Cities Matter: Policy Research Perspectives for Canada*. CPRN Discussion Paper No. F23. http://www.cprn.org/docs/family/wcm_e.pdf

Courchene, Thomas J. 2007. *Global Futures for Canada's Global Cities*. IRPP Policy Matters 8:2, June. Available online: <http://www.irpp.org/fasttrak/index.htm>

2. Is constitutional change necessary to address the concerns of Quebec nationalists?

McRoberts, Kenneth. 2001. "Canada and the Multinational State," *Canadian Journal of Political Science*. 34, 4: 683-713.

McRoberts, Kenneth. 1997. *Misconceiving Canada: The Struggle for National Unity*. Don Mills, ON: Oxford University Press.

LeClair, Jean. 2007. "Forging a True Federal Spirit: Refuting the Myth of Quebec's 'Radical Difference'", in Pratte, André. Ed. *Reconquering Canada: Quebec Federalists Speak Up for Change*. Vancouver: Douglas & McIntyre ltd., pp. 29-74.

Trudeau, Pierre Elliott. 1968. "Quebec and the Constitutional Problem," in his *Federalism and the French Canadians*. Toronto: MacMillan Company of Canada Ltd., pp. 3-51.

Trudeau, Pierre Elliott. 1990. "The Poverty of Nationalist Thinking in Quebec," in Axworthy, Thomas S. and Pierre Elliott Trudeau. Eds. *Towards a Just Society: The Trudeau Years*. Toronto: Penguin Group, pp. 430-441.

Russell, Peter. 1993. *Constitutional Odyssey: Can Canadians Become a Sovereign People?* Toronto: University of Toronto Press.

Young, Robert. 1999. *The Struggle for Quebec: From Referendum to Referendum?* Montreal & Kingston: McGill-Queen's University Press.

Caron, Jean-Francois and Guy Laforest. 2009. "Canada and Multinational Federalism: From the Spirit of 1982 to Stephen Harper's Open Federalism," *Nationalism and Ethnic Politics*. 15:27-55.

3. Do institutions of intrastate federalism need to be strengthened in Canada? Which federal party's approach to reform offers the most promise for incorporating regional and provincial perspectives into federal Parliament?

Bakvis, Herman and A. Brian Tanguay. 2012. "Federalism, Political Parties, and the Burden of National Unity: Still Making Federalism Do the Heavy Lifting," in Skogstad, Grace and Herman Bakvis Eds. *Canadian Federalism: Performance, Effectiveness and Legitimacy*. (Third edition). Don Mills, ON: Oxford University Press, pp. 96-115.

Meekison, J. Peter, Hamish Telford and Harvey Lazar. 2003. "The Institution of Executive Federalism: Myths and Realities," In their edited *Canada: The State of the Federation. Reconsidering the Institutions of Canadian Federalism*. Montreal and Kingston: McGill-Queen's University Press.

Smith, Jennifer. 2013. *Abolishing the Senate: The NDP's Bad Idea*. The Federal Idea, A Quebec Think Tank on Federalism. November, pp. 19. Available online: http://ideefederale.ca/documents/IF_Senat_ang.pdf

Hicks, Bruce and André Blais. 2008. "Restructuring the Canadian Senate through Elections," *Choices* 14,15: 1-24. <http://irpp.org/wp-content/uploads/assets/research/strengthening-canadian-democracy/restructuring-the-canadian-senate-through-elections/vol14no15.pdf>

Sharman, Campbell. 2008. "Political Legitimacy for an Appointed Senate," *Choices* 14, 11: 1-28. <http://irpp.org/wp-content/uploads/assets/research/strengthening-canadian-democracy/political-legitimacy-for-an-appointed-senate/vol14no11.pdf>

Smith, Jennifer. 2009. *The Democratic Dilemma: Reforming the Canadian Senate*. Kingston: Queen's Policy Studies.

Smith, David E. 2006. *The Canadian Senate in Bicameral Perspective*. Toronto: University of Toronto Press.

4. Is there a fundamental tension between the Charter and the principles of parliamentary sovereignty and federalism? What role does Section 33 play in mediating the tension?

Hogg, Peter W. and Allison A. Bushell. 1997. "The Charter Dialogue Between Courts and Legislatures or Perhaps the Charter of Rights Isn't Such a Bad Thing After All," *Osgoode Hall Law Journal* 35, 1: 75-124.

Lesson, Howard. 2000. "Section 33, The Notwithstanding Clause: A Paper Tiger?," IRPP, Vol. 6: 4, June. Available online: <http://archive.irpp.org/choices/archive/vol6no4.pdf>

Axworthy, Thomas S. "The Notwithstanding Clause: Sword of Damocles or Paper Tiger?" *Policy Options*. March 2007.

Kelly, James B. 2001. "Reconciling Rights and Federalism During review of the Charter of Rights and Freedoms: The Supreme Court of Canada and the centralization thesis," *Canadian Journal of Political Science*. 34,2: 321-355.

Clarke, Jeremy A. 2006. "Beyond the Democratic Dialogue, and Towards a Federalist One: Provincial Arguments and Supreme Court Responses in Charter litigation," *Canadian Journal of Political Science*. 39, 2: 293-324.

5. The Harper Conservatives coined to term "open federalism" to describe their approach to managing the federation. Do the other leaders of major political parties in Canada offer different visions/approaches to the Canadian federation? Which of the major parties' approach would be the most effective and legitimate response to contemporary Canadian governance challenges?

Harmes, Adam. 2007. "The Political Economy of Open Federalism," *Canadian Journal of Political Science*. 40:2, 417-437.

Harper, Stephen. 2004. "My Plan for 'Open Federalism,'" *National Post*. Wednesday, October 27.

Caron, Jean-Francois and Guy Laforest. 2009. "Canada and Multinational Federalism: From the Spirit of 1982 to Stephen Harper's Open Federalism," *Nationalism and Ethnic Politics*. 15:27-55.

Smith, Jennifer. 2013. *Abolishing the Senate: The NDP's Bad Idea*. The Federal Idea, A Quebec Think Tank on Federalism. November, pp. 19. Available online: http://ideefederale.ca/documents/IF_Senat_ang.pdf