

Municipal Law in the City

POLI 2230

Fall 2016

Lectures: Tuesdays and Thursdays from 2:35 p.m. - 4 p.m.

Location: LSC – Common Area C334

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Office Hours: Tuesdays and Thursdays: 1-2 p.m. or by appointment.

Course Synopsis and Objectives

In Canada, until recently, many political scientists neglected the study of local government and politics, focusing instead on the institutions and policy-making processes of federal and provincial jurisdictions. This is because, in Canada, municipal governments lack independent constitutional status and are highly limited in their legal, fiscal, and political autonomy.

Nevertheless, Canada's major political, economic, and social challenges intersect in cities. This has led many to reconsider the importance of cities and of municipal governments in their local, national, and international contexts.

The objective of this course is to provide students with the analytical tools to better understand the nature and impact of municipal law on power in cities, the politics and policy-making processes of Canadian municipalities as well as the normative basis for these laws, politics and policies. A major concern is to evaluate whether city governments and their legal frameworks are effective and equitable in the face of contemporary urban challenges. We adopt a critical perspective on municipal law and governance, engaging with fundamentally constitutional questions about municipalities' purpose and their evolving role within Canadian federalism as well as the extent to which municipal laws and decisions respond to the diversity of urban populations.

Required Texts and Reading Materials:

Sancton, Andrew. 2008. *The Limits of Boundaries*. Montreal and Kingston: McGill-Queen's University Press.

Broadbent, Alan. 2008. *Urban Nation: Why we Need to Give Power Back to the Cities to Make Canada Strong*. Scarborough, ON: Harper Collins Publishers Limited.

Format

This course is offered in a seminar format and extensive involvement in class discussions will be expected.

Course Requirements and Assessment

General participation in class discussions and attendance	10%
Journal and report on an HRM election race	20%
3-5 minute presentation on election race	5%
Two quizzes (10% each)	20%
Evaluative review essay	25%
Final test	20%

Participation

Active participation in seminar discussions is expected of all members of the class.

The participation grade will be assigned on the basis of the quality of students' interventions in class discussion. Essentially, it will assess students' knowledge and analysis of readings as well as their ability to express their ideas clearly and effectively through oral communication.

Attendance will be taken and a poor attendance record will result in a low grade for this aspect of the course.

Journal and Report on HRM Election

Deadline: October 18th

Students will write weekly journal entries (of approximately 200 words) reflecting on a district election (to be assigned in the first couple of weeks of class) as well as the mayoral election in the HRM in light of course themes.

The journaling should culminate in a reflection piece on the nature of municipal politics/election campaigns in the form of a written report no longer than two-pages (single spaced with 12 point font). The assignment will be assessed based on the extent to which the course themes and readings are integrated into an analytically rich reflection on the election. It will also evaluate the extent to which astute observations about how municipal institutions and election rules shape municipal election campaigns and politics are offered.

Presentation on Election Race (October 18th)

Students will be asked to make a 3-5 minute presentation on one of the HRM's district election races (districts will be assigned in the first couple of weeks of class). The presentation will be based on critical reflection undertaken throughout the election through regular journal entries on the nature of the election and how course themes relate to the material. Essentially, it will draw upon the election journal and report discussed above.

Quizzes

Quizzes will be administered on **September 22nd and October 20th**. Quizzes will be 30 minutes in length and will be administered at the beginning of class after attendance is taken (from 2:40 p.m. – 3:10 p.m.)

They will test student knowledge of the readings, and central concepts of the course (including material presented in class) asking students to summarize an author's main argument, to define and explain the significance of an important concept, to explain the nature of municipal law or to analyze a municipal institution.

Evaluative Review Essay

Deadline: November 15th, 2016

Students will write an evaluative review essay that engages with the questions and books below. The paper should be 10 pages in length with 12 point font and 1 inch margins. The title and works cited pages do not count toward the required length. Students are not required to conduct additional research for this assignment.

Question for paper based on the two following books:

Should municipalities be given more power in the Canadian political system? Summarize and comparatively evaluate Sancton and Broadbent's responses to the question. Which author is more persuasive in your view and why?

Sancton, Andrew. 2008. *The Limits of Boundaries*. Montreal and Kingston: McGill-Queen's University Press.

Broadbent, Alan. 2008. *Urban Nation: Why we Need to Give Power Back to the Cities to Make Canada Strong*. Scarborough, ON: Harper Collins Publishers Limited.

Policy on lateness and missed tests and quizzes

I do not accept late papers and missed quizzes, tests and presentations will receive a grade of "0". I do accommodate documented family and medical emergencies. If you think that you might need an extension due to a family emergency or have a medical emergency or condition that could influence your ability to meet deadlines then please contact me as soon as possible to discuss it.

Grading Scale

Dalhousie University uses a common grading scale which reproduced below. It is taken from the Undergraduate Calendar 2016-2017 which is available at the following website:

<http://academiccalendar.dal.ca/Catalog/ViewCatalog.aspx?pageid=viewcatalog&catalogid=57&chapterid=2523&topicgroupid=10075&loadusercredits=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;

C	2.00	60-64		ability to develop solutions to simple problems;
C-	1.70	55-59		benefitting from his/her university experience.
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	
P	Neutral		Pass	
TR	Neutral		Transfer credit on admission	
Pending	Neutral		Grade not reported	

Course Agenda

September 6th: Introduction – Course expectations

No readings.

September 8 and 13: The nature, purpose and importance of local government and municipal law

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

Lucas, Jack. 2013. “Hidden in Plain View: Local Agencies, Boards, and Commissions in Canada,” IMFG Perspectives, Institute on Municipal Finance and Governance, Munk School of Global Affairs, University of Toronto.
http://munkschool.utoronto.ca/imfg/uploads/253/imfg_1453hiddeninplainview_final_web.pdf

Rosenberg, Mark W. and Dana H. Wilson. 2010. “Younger Cities, Older Cities, and Cities in the Balance: Space and Places of the Younger and Older Population,” Bunting, Trudi, Pierre Filion, and Ryan Walker. Eds. *Canadian Cities in Transition: New Directions in the Twenty-First Century* (fourth edition) Don Mills, ON: Oxford University Press.

September 15 and 20: Constitutional and Democratic Foundations of Local Government

Cameron, David M. 1980. “Provincial Responsibilities for Municipal Government,” *Canadian Journal of Public Administration* 23, 2: 222-235.

Magnusson, Warren. 2005. “Are Municipalities Creatures of the Provinces?,” *Journal of Canadian Studies*. Spring, 39, 2: 5-29.

September 22 and 27: The Municipal System in Nova Scotia in Comparative Perspective

*September 22 – Quiz #1

Cameron, David M. with Paul A. R. Hobson. 2009. “Nova Scotia,” in Andrew Sancton and Robert Young eds. *Foundations of Governance: Municipal Government in Canada’s Provinces*.

Levi, Ron and Mariana Valverde. 2006. "Freedom of the City: Canadian Cities and the Quest for Governmental Status," *Osgoode Hall Law Journal*. 44, 3: 409-459.

September 29 and October 4: Municipal Councils, Representation and Local Leadership

Tindal, C. Richard, Susan Nobes Tindal, Kennedy Stewart and Patrick J. Smith. *Local Government in Canada* (9th edition). Toronto, ON: Nelson Education. Chapter 8 entitled – "Municipal Governing Structures"

October 6, 11 and 13: Local Politics, Elections and Participation

Good, Kristin R. (2016). "Municipal Political Parties: An Answer to Urbanization or an Affront to Traditions of Local Democracy?," in Alain-G. Gagnon and A. Brian Tanguay Eds. *Canadian Parties in Transition: Recent Evolution and New Paths for Research* (4th Edition). Toronto: University of Toronto Press.

Munger, Andrew. (2004) 'Campaign: The Making of a Candidate,' National Film Board, Available from:
https://www.nfb.ca/film/campaign_the_making_of_a_candidate/

Note: October 7 is the last day to drop this course without a "W".

October 18: Round-table on HRM election results

Each student will be asked to present a 3-5 minute political commentary and report on an election race as well as participate in a discussion of the HRM election in light of course themes.

October 20 and 25: Municipal Finances

***October 20 – Quiz #2**

Kitchen, Harry and Enid Slack. 2016. "More Tax Sources for Canada's Largest cities: Why, What and How?," IMFG Papers on Municipal Governance and Finance, Institute on Municipal Governance and Finance, Munk School of Global Affairs.

http://munkschool.utoronto.ca/imfg/uploads/348/imfgpaper_no27_taxrevenues_slack_kitchen_june_27_2016_updated.pdf

October 27, November 1 and 3: Metropolitan Government/Governance

Sancton, Andrew. 2005. "The Governance of Metropolitan Areas in Canada," *Public Administration and Development*. 25, 4: 317-327.

November 8 and 10: No classes – Study break

November 14: Last day to drop this course with a "W".

November 15: Broadbent versus Sancton

Critical review essays are due!

November 17, 22, 24 and 29: The Politics of Urban Growth and Development

Leo, Christopher and Kathryn Anderson. 2006. "Being Realistic About Urban Growth," *Journal of Urban Affairs*. 28, 2: 169-189.

Donald, Betsy and Heather M. Hall. 2015. "Slow Growth and Decline in Canadian Cities," in Filion, Pierre, Markus Moos, Tara Vinodrai and Ryan Walker. Eds. *Canadian Cities in Transition: Perspectives for an Urban Age* (Fifth edition). Don Mills, ON: Oxford University Press, pp. 258-273.

December 1: Final Test

Academic Integrity

This statement was reproduced from the following document:

[http://www.dal.ca/content/dam/dalhousie/pdf/university_secretariat/Syllabus State
ment \(Aug%202015\).pdf](http://www.dal.ca/content/dam/dalhousie/pdf/university_secretariat/Syllabus_State%20ment_(Aug%202015).pdf)

Here's a link to student resources:

[http://www.dal.ca/dept/university_secretariat/academic-integrity/student-
resources.html](http://www.dal.ca/dept/university_secretariat/academic-integrity/student-resources.html)

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 (or the TA):

- 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 http://www.dal.ca/campus_life/student_services/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 http://libraries.dal.ca/writing_and_styleguides.html
- Workshops, online tutorials, citation guides, Assignment Calculator, RefWorks
- Dalhousie Student Advocacy Service (see <http://www.dsu.ca/services/community-student-services/student-advocacy-service>
- Assists students with academic appeals and student discipline procedures.
- Senate Office (www.senate.dal.ca) -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

http://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.