



POL428H1F: Federalism and Diversity in Canada and Abroad

Faculty of Arts and Science
Department of Political Science

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Land Acknowledgement

We wish to acknowledge this land on which the University of Toronto operates. For thousands of years, it has been the traditional land of the Huron-Wendat, the Seneca, and the Mississaugas of the Credit. Today, this meeting place is still the home to many Indigenous people from across Turtle Island and we are grateful to have the opportunity to work on this land.

Course Description

This course places Canada as a key case in comparative federalism studies, with a particular focus on the management of diversity and conflict. Canada's federal system often operates on unwritten rules, and through this course, we will examine whether and how the rules can be used to improve governance for a diverse society. Topics include intra-state federalism (in the national parliament and the courts), inter-state federalism (intergovernmental relations between provinces and the federal government), constitutionalism, fiscal federalism, the social union, Indigenous governance, treaty federalism, activism by marginalized groups, and separatism in Quebec and the West.

Course Objectives

1. Students will develop advanced oral communication skills by engaging in critical discussion about and expressing sophisticated opinions about major issues in the field of federalism.
2. Students will develop advanced written communication skills by producing an interesting and relevant written essay, which interrogates a specific topic and makes a persuasive argument about said topic.

3. Students will develop analytical skills and communication skills by creating a highly focused critical analysis of an individual article or book chapter, using broad knowledge of the field to scrutinize an argument and identify its strengths and weaknesses.

4. Students will develop analytical skills and communication skills by participating in the peer-review process; write thoughtful, precise, and polite constructive criticism for colleagues, and apply peers' suggestions to one's own work.

Course Requirements

Presentation	15%	Due in class when reading is discussed
Essay Outline	15%	Due October 4, 5 pm
Peer Review	10%	Due November 22, 5 pm (submit completed first draft to peer by November 15, 5 pm)
Essay	40%	Due December 6, 5 pm
Participation	20%	Ongoing
Syllabus Quiz*	1%	Due September 20, 5 pm
Meme Assignment*	1%	Due November 29, 5 pm

**Bonus Marks*

Presentation: This assignment has two parts: a 7- to 10-minute presentation, and the submission of three discussion questions. Start by reading and critically analysing an article or book chapter you have been assigned from the syllabus. In class, take 7 to 10 minutes to summarize the reading for your peers and offer your critique of the reading. Formulate at least three discussion questions for the class (you may write more than three questions if you wish). During seminar, the class will have a discussion about the reading using your questions.

Essay Outline (750 words + reference list): Include your thesis statement, main points of discussion, and the evidence you will use to support your arguments. In your references, list 7-10 sources, at least half of which should be peer reviewed. Remember to use your sources meaningfully to support your points.

Peer Review (250 words): Read your partner's paper and offer feedback. You can use track changes to catch things like typos or to leave short comments about a specific part of the paper. Then, write 250 words of feedback to your partner to let them know what they've done well and where they can improve. You will be graded based on the thoughtfulness of your feedback and the extent to which you engage with your partner's arguments. NB: the feedback you receive from your partner, whether positive or negative, does not affect your own grade.

Essay (4000 words + reference list): The final essay you produce will be the result of multiple rounds of refinement, after you receive feedback from the course instructor on your outline and feedback from your peer on a first draft. Your essay should make a convincing and sophisticated argument. You should use high quality sources, and your reference list can be expanded after your essay and peer review feedback. Please see Quercus for more detailed instructions about the essay.

Participation: Your participation mark will be graded holistically. The COVID-19 pandemic has presented challenges for all of us, so this course uses a flexible scheme for earning participation

marks. Your engagement with course material on any of the platforms will be considered when participation marks are assigned. In any form of participation, the highest marks are earned by demonstrating your understanding of course material and exchanging insightful ideas with your classmates. Here are the ways you can earn participation marks:

- Speak in seminar discussion on Wednesdays from 3 pm to 5 pm (this can include asking questions, not just answering them).
- Post on the Quercus discussion board; you might pose questions to be asked in seminar, post your written thoughts about the week's material, or post video of yourself talking about the week's material. Each week's Quercus discussion is open for one week from the start of each seminar; it closes at 3 pm on the following Wednesday.

Syllabus Quiz (Bonus Marks): Before our second seminar, please read the syllabus and complete the short syllabus quiz, available in Quercus. You can earn up to 1% as a bonus grade for completing this quiz, which will ask you to demonstrate your knowledge and comprehension of the course syllabus. It is an open-book quiz (you can refer to the syllabus while answering questions). You are welcome to work with a classmate on the quiz if you wish.

Meme Assignment (Bonus Marks): In the last week of class, submit a meme to the Quercus folder titled "Meme Assignment." To earn a bonus percentage point, the meme should be related to some aspect of the course material. Please indicate in your submission note if you do not want the meme shared with the class and shared on Twitter. If you would like credit for the meme on Twitter, please include your Twitter handle in your submission note. Feel free to also share your meme on social media with the hashtag #pol428!

Assignment Submission Method

Assignments must be submitted online, through Quercus. If students run into a technical issue with Quercus submission close to the deadline, they should email their completed work to elizabeth.mccallion@utoronto.ca before the deadline to prove that it is complete. They should then upload their work to Quercus as soon as possible after the deadline once the technical issue is resolved.

Late Policy and Missed Term Work

In the interest of a Universal Design for Learning, assignments will have a 72-hour grace period after the deadline where no late marks are deducted. Students do not need to request an extension of up to three days (if an extension longer than three days is needed, please reach out to the professor via email). Assignments submitted after the 72-hour grace period will receive a penalty of 5% per day. Assignments submitted more than one week after the due date will not be accepted.

Unfortunately, *late assignments cannot be accepted for the presentation component* of the course. Students should finish those assignments before their subject matter is discussed in seminar. Under extenuating circumstances, a topic change *may* be negotiated with the course instructor in lieu of an extension.

Regrade Policy

You may request a regrade of your work. Requests for a regrade may not be made within 48 hours of receiving feedback and must be made within two weeks of receiving feedback. You must submit a written request (1 page) to the professor explaining the reason that you think your

work should be regraded. The request for the regrade must be based on the manifest content of the work, not on external factors (such as the effort you put in, the grade you need to get into another program, etc.). If work is regraded, there are three possible outcomes: the grade may be higher, it may stay the same, or it may be lower than the original grade. After the regrade, the original grade will be erased, and the new grade will stand.

Weekly Topic Outline

An asterisk () indicates that a reading is available for presentation.*

Week 1 (September 13) – Introduction to the Course

No readings (please familiarize yourself with course policies in the syllabus)

Week 2 (September 20) – What is Federalism?

Syllabus Quiz Due

Hueglin, Thomas O., and Alan Fenna. 2020. *Comparative Federalism: A Systematic Inquiry*. Toronto: University of Toronto Press. → **Please read Chapter 1: “The Promise of Federalism” (pp. 1-15)**

Simeon, Richard, Ian Robinson, and Jennifer Wallner. 2014. “The Dynamics of Canadian Federalism.” In J. Bickerton and A.-G. Gagnon (eds.), *Canadian Politics* (sixth edition). Toronto: University of Toronto Press. 65-91.

*Dubois, Janique, and Kelly Saunders. 2013. “‘Just Do It!’: Carving Out a Space for the Métis in Canadian Federalism.” *Canadian Journal of Political Science* 46(1): 187-214.

*Vickers, Jill. 2010. “A Two-Way Street: Federalism and Women’s Politics in Canada and the United States.” *Publius: The Journal of Federalism* 40(3): 412-435.

Week 3 (September 27) – Federalism, Constitutionalism, and the Courts

*Smith, David E. 2010. *Federalism and the Constitution of Canada*. Toronto: University of Toronto Press. → **Please read Chapter 3: “A Constitution in Some Respects Novel” (pp. 40-61)**

*Ladner, Keira. 2019. “Beyond Crown Sovereignty: Good Governance and Treaty Constitutionalism.” In K. Hanniman and E. Goodyear-Grant (eds.), *Canada at 150: Federalism and Democratic Renewal*. Kingston: Institute of Intergovernmental Relations. 227-251.

*Baier, Gerald. 2006. *Courts and Federalism: Judicial Doctrine in the United States, Canada, and Australia*. Vancouver: UBC Press. → **Please read Chapter 5, “The Canadian Supreme Court: Balanced Federalism” (pp. 123-155).**

Froc, Kerri and Carissima Mathen. 2022. “Preventing the use of the notwithstanding clause is a bad idea – and unnecessary.” *Policy Options*. November 14.

<https://theconversation.com/preventing-use-of-the-notwithstanding-clause-is-a-bad-idea-and-unnecessary-194097>

Week 4 (October 4) – Federalism and the National Parliament

Essay Outline Due

*Watts, Ronald L. 2003. "Bicameralism in Federal Parliamentary Systems." In S. Joyal (ed.) *Protecting Canadian Democracy: The Senate You Never Knew*. Montreal: McGill-Queen's University Press. 67-104.

*Fessha, Yonatan T. 2021. "Second Chamber as a Site of Legislative Intergovernmental Relations: An African Federation in Comparative Perspective." *Regional and Federal Studies* 31(4): 495-517.

*Skogstad, Grace. 2009. "Western Canada and the 'Illegitimacy' of the Liberal-NDP Coalition Government." In P. Russell and L.M. Sossin (eds.), *Parliamentary Democracy in Crisis*. Toronto: University of Toronto Press. 163-174.

Week 5 (October 11) – Executive Federalism and Intergovernmental Relations

*Alcantara, Christopher. 2013. "Ideas, Executive Federalism, and Institutional Change: Explaining Territorial Inclusion in Canadian First Ministers' Conferences." *Canadian Journal of Political Science* 46(1): 27-48.

*Macdonald, Douglas. 2020. *Carbon Province, Hydro Province: the Challenge of Canadian Energy and Climate Federalism*. Toronto: University of Toronto Press. → **Please read Chapter 2: "Energy and Climate-Change Intergovernmental Relations" (pp. 35-62)**

*Gasulla, Óscar, Germà Bel, and Ferran A Mazaira-Font. 2023. "Ideology, political polarisation and agility of policy responses: was weak executive federalism a curse or a blessing for COVID-19 management in the USA?" *Cambridge Journal of Regions, Economy and Society* 16(1): 151–166.

Van Dine, Stephen. 2021. "Coping with COVID requires a return to co-operative federalism." *Policy Options*. May 7. <https://policyoptions.irpp.org/magazines/may-2021/coping-with-covid-requires-a-return-to-co-operative-federalism/>

Week 6 (October 18) – Indigenous Governments and Federalism

Jourdeuil, Kaitie. 2022. "This Canada Day, settler Canadians should think about 'land back.'" *The Conversation*. June 29. <https://theconversation.com/this-canada-day-settler-canadians-should-think-about-land-back-184816>

*Ladner, Kiera L. 2010. "Colonialism Isn't the Only Answer: Indigenous Peoples and Multilevel Governance in Canada." In M. Haussman, M. Sawyer, and J. Vickers (eds.), *Federalism, Feminism, and Multilevel Governance*. Burlington, VT: Ashgate. 67-82.

*Stacey, Richard. 2018. "The Dilemma of Indigenous Self-Government in Canada: Indigenous Rights and Canadian Federalism." *Federal Law Review* 46: 669-688.

*Henderson, James (Sa'ke'j) Youngblood. 2019. "UN Declaration on the Rights of Indigenous Peoples and Treaty Federalism in Canada." *Review of Constitutional Studies* (24)1: 17-41.

Week 7 (October 25) – Fiscal Federalism

Hueglin, Thomas O. 2021. *Federalism in Canada: Contested Concepts and Uneasy Balances*. Toronto: University of Toronto Press. → **Please read Chapter 5, "Mostly Fiscal Relations" (pp. 125-169)**

*Lecours, André and Daniel Béland. 2009. "Federalism and Fiscal Policy: The Politics of Equalization in Canada." *Publius: The Journal of Federalism* 40(4): 569-596.

*Hanniman, Kyle. 2018. "Is Canadian Federalism Market-Preserving? The View from Bond Markets." In E. Goodyear-Grant et al. (eds.), *Federalism and the Welfare State in a Multicultural World*. Montreal: McGill-Queen's University Press. 49-72.

*Bhavnani, Rikhil R., and Bethany Lacina. 2016. "Fiscal Federalism at Work? Central Responses to Internal Migration in India." *World Development* 93: 236-248.

Week 8 (November 1) – The Social Union

*Banting, Keith G. 2020. "The Three Federalisms and Change in Social Policy." In H. Bakvis and G. Skogstad (eds.), *Canadian Federalism: Performance, Effectiveness, and Legitimacy*. Toronto: University of Toronto Press. 282-309.

*Popelier, Patricia, and Bea Cantillon. 2013. "Bipolar Federalism and the Social Welfare State: A Case for Shared Competencies." *Publius: The Journal of Federalism* 43(4): 626-647.

*Koning, Edward Anthony. 2018. "Three Hypotheses for the Relevance of Federalism for the Politics of Immigration and the Welfare State." In E. Goodyear-Grant et al. (eds.), *Federalism and the Welfare State in a Multicultural World*. Montreal: McGill-Queen's University Press. 201-222.

McGinn, Dave. 2022. "How much parents benefit from the national child-care plan depends on where they live." *The Globe and Mail*. July 9. <https://www.theglobeandmail.com/canada/article-10-a-day-child-care-fees-canada/>

-----**READING WEEK – NOVEMBER 8 – NO CLASS**-----

Week 9 (November 15) – No Class – work on your essay

Submit draft of essay to partner for peer review

Week 10 (November 22) – Laboratory Federalism, Policy Diffusion and Variation

Submit peer review of partner's essay

*Shipan, Charles R. and Craig Volden. 2012. "Policy Diffusion: Seven Lessons for Scholars and Practitioners." *Public Administration Review*

*Wallner, Jennifer. 2014. "Learning to School: Federalism and Public Schooling in Canada." Toronto: University of Toronto Press. → **Please read Chapter 1, "Defying the Odds I: Investments and Achievements in Canadian Elementary and Secondary Education." 35-56**

*Johnstone, Rachael. 2017. *After Morgentaler: The Politics of Abortion in Canada*. Vancouver: UBC Press. → **Please read Chapter 3, "Abortion in the Provinces" (pp. 81-106)**

Week 11 (November 29) – The Spectre of Separatism

Meme Assignment Due (Bonus Marks)

Supreme Court of Canada. 1998. *Reference re: Secession of Quebec*. [1998] 2 SCR 217. <https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1643/index.do> → **Please read the head note (i.e., from the top of the document until "Cases Cited" on p. 223)**

*Cowie, Chadwick. 2021. "Quebec Sovereignty and Indigenous Nationhoods: Critiquing the Quebec Secessionist Movement from 'an Indigenous' Lens." *Journal of Australian, Canadian, and Aotearoa New Zealand Studies* 1(1): 7-44

Anderson, Drew. 2019. "Analysis: Anger, anxiety, and the 'deep story' behind Wexit." *CBC News*. November 16. <https://www.cbc.ca/news/canada/calgary/analysis-alberta-wexit-democracy-1.5359857>

*Virdee, Satnam and Brendan McGeever. 2018. "Racism, Crisis, Brexit." *Ethnic and Racial Studies* 41(10): 1802-1819.

Week 12 (December 6) – Is Federalism Working in Canada?

Essay Due

*Cameron, David. 2015. "Canada's Constitutional Legitimacy Deficit: Learning to Live with It." In K. Banting, R.P. Chaykowski, S.F. Lehrer, and T.J. Courchene (eds.), *Thinking Outside the Box: Innovation in Policy Ideas*. Montreal-Kingston: McGill-Queen's University Press. 277-293.

*Cutler, Fred. 2008. "Whodunnit? Voters and Responsibility in Canadian Federalism." *Canadian Journal of Political Science* 41(3): 627-654.

Course Policies

Academic Integrity

Academic integrity is constituted by the five core fundamental values of honesty, trust, fairness, respect and responsibility (see <https://academicintegrity.org/about/values>). These values are central to the building, nurturing and sustaining of an academic community in which all members of the community will thrive. Students are responsible for familiarizing themselves with the University's policies and procedures on academic integrity (<https://www.academicintegrity.utoronto.ca/>).

A WARNING ABOUT PLAGIARISM

Plagiarism is an academic offence with a severe penalty.

It is essential that you understand what plagiarism is and that you do not commit it. In essence, it is the theft of the thoughts or words of others, without giving proper credit. You must put others' words in quotation marks and cite your source(s). You must give citations when using others' ideas, even if those ideas are paraphrased in your own words. Plagiarism is unacceptable in a university. What the university calls "plagiarism", non-university institutions might call "fraud".

The University of Toronto provides a process that faculty members must initiate when they suspect a case of plagiarism. In the Department of Political Science, suspected evidence of plagiarism must be reported to the Chair; in most cases, the Chair passes the case on to the Dean.

A faculty member may not mark an assignment or assess a penalty if he or she finds evidence of plagiarism – the matter must be reported. Penalties are assigned by the Chair, by the Dean or by the University of Toronto Tribunal.

The following are some examples of plagiarism:

1. Submitting as your own an assignment written by someone else.
2. Quoting an author without indicating the source of the words.
3. Using words, sentences, or paragraphs written by someone else and failing to place quotation marks around the material and reference the source and author. Using either quotation marks or reference alone is not sufficient. Both must be used!
4. Adapting an author's ideas or theme and using it as your own without referencing the original source.
5. Seeking assistance from a friend or family member in respect to work you claim as your own.

Ignorance of the rules against plagiarism is not a defence; students are presumed to know what plagiarism is and how to avoid it.

Students are especially reminded that material taken from the web must be quoted and cited in the same manner as if it came from a book or printed article.

If you are not sure whether you have committed plagiarism, it is better to ask a faculty member or teaching assistant than risk discovery and be forced to accept an academic penalty.

Plagiarism is **cheating**. It is considered a serious offence against intellectual honesty and intellectual property. Penalties can be severe, ranging from a mark of “0” for the assignment or test in question, **up to and including expulsion from the university**.

Website listed below on avoiding plagiarism:

‘How to Use Sources and Avoid Plagiarism’ - available at:

<http://www.writing.utoronto.ca/advice/using-sources/how-not-to-plagiarize>

****To simplify plagiarism investigations (and to protect yourself from plagiarism accusations), please keep your research notes from your assignments until after you receive grades for them****

Ouriginal Plagiarism Detection

Normally, students will be required to submit their course essays to the University’s plagiarism detection tool for a review of textual similarity and detection of possible plagiarism. In doing so, students will allow their essays to be included as source documents in the tool’s reference database, where they will be used solely for the purpose of detecting plagiarism. The terms that apply to the University’s use of this tool are described on the Centre for Teaching Support & Innovation web site (<https://uoft.me/pdt-faq>).

If you would like to opt out of submitting your assignments through Ouriginal, please notify the professor before September 20. Alternate modes of plagiarism checking will be used instead.

Artificial Intelligence Policy

The use of generative artificial intelligence tools or apps for assignments in this course, including tools like ChatGPT and other AI writing or coding assistants, is prohibited. Representing as one’s own an idea, or expression of an idea, that was AI-generated may be considered an academic offense in this course. Students may not copy or paraphrase from any generative artificial intelligence applications, including ChatGPT and other AI writing and coding assistants, for the purpose of completing assignments in this course. This course policy is designed to promote your learning and intellectual development and to help you reach course learning outcomes.

Accessibility Services

Students with disabilities may receive accommodation from the University and need to register with accessibility services. Instructors are notified with a request for accommodation and can give the request consideration. For best practices around accommodations, visit Accessibility Services <https://studentlife.utoronto.ca/departments/accessibility-services/> or email accessibility.services@utoronto.ca or Tel: 416-978-8060.

I am more than happy to entertain requests for accommodations, and I encourage students to approach me regarding these requests as soon as possible. I will do my best to accommodate students’ requests, including requests for extensions, modified assignments, and changes to the physical classroom environment (including microphones, seating, lighting, PowerPoint slides, etc.).

Writing Centre Support

All students are encouraged to make use of the writing centres at their colleges. Writing centres will provide you with feedback on your work before submission, and they can give you useful tips for planning and executing assignments. More information about the writing centres at the various colleges can be found here: <https://writing.utoronto.ca/writing-centres/arts-and-science/>

Technology Support for Students

If you encounter any technical issues during the course, please try restarting your internet browser and restarting your computer. If that does not resolve the problem and you have exhausted all other solutions, please report the technical problem to the course instructor and/or the Information Commons Help Desk, as appropriate.

For Quercus and all other technology support, contact the Information Commons Help Desk: help.desk@utoronto.ca. For more details, visit Info Commons Help Desk, Robarts Library.

Online Communication Policy

I monitor my email from Monday to Friday, 9 am to 5 pm. Any response to emails outside of that time should not be interpreted as an ongoing commitment to monitor emails during the evenings or weekends. You can expect a response from me within two business days – if you do not hear back from me within two business days, you are welcome to follow up on your email to make sure that I saw it.

Equity, Diversity, and Inclusion

The University of Toronto is committed to equity, human rights and respect for diversity. All members of the learning environment in this course should strive to create an atmosphere of mutual respect where all members of our community can express themselves, engage with each other, and respect one another's differences. U of T does not condone discrimination or harassment against any persons or communities.

Health and Wellness

Students can access a wide range of programs and services to support their health and wellbeing. Many of these programs are listed at:

<https://studentlife.utoronto.ca/department/health-wellness/>

For Students - U of T

- U of T Health & Wellness uoft.me/5EB
- 416-978-8030
- Support if Students are Feeling Distressed uoft.me/5EC
- U of T Telus Health Student Support <https://mentalhealth.utoronto.ca/telus-health-student-support/>
- Community Safety Office communitysafety.utoronto.ca/ 416-978-1485
- U of T Safety & Support safety.utoronto.ca/