



**Political Science 316H1-F LEC 5101 Fall 2021  
Contemporary Canadian Federalism**

**Please Note:** all times listed in this course outline are Eastern Standard Time (EST)

**In-Person Lectures:** 6-8 pm Thursday, in a Room TBD

*However, please note that the first three lectures on September 9, 16 & 23 will be dual-delivery. Students may choose to attend the Zoom broadcast off-campus for these three lectures.*

**Instructor:** Professor David Pond

**Virtual Office Hours:** as requested by students (Zoom, FaceTime)

**Phone/Texting/FaceTime/WhatsApp:** 647-515-1957

**E-Mail:** david.pond@utoronto.ca

**Grading:**

In-class Test #1 (1 hr): Class Six on October 14 (25%)

Short Essay due on Quercus: October 7 no later than 11.59 PM (15%)

Major Essay due on Quercus: November 18 no later than 11.59 PM (35%)

*Note: penalty for late essays is a deduction of 2 marks per calendar day from your essay mark out of 100*

In-class Test #2 (1 hr): Class Twelve on December 2 (25%)

*Final Drop Date without Academic Penalty: November 8*

The rules and policies set out in this course outline apply to all students taking this course.

**Course Objectives:**

This is an intensive course in the structures and operation of Canadian federalism. To succeed in this course, students need a basic background in the operation of Canadian government. A grasp of Canadian political history would also be an asset. After taking this course, students will have a thorough understanding of how the federal and provincial governments manage their relationships. Students will be able to follow contemporary debates on policy issues such as health care, energy, and welfare state restructuring.

**Student Learning Outcomes:**

Students will be prepared for taking other courses in Canadian government and related courses in the Department of Political Science. Students should acquire social science research and writing skills that will prepare them for taking other courses not just in the Department of Political Science, but also in other departments in the Faculty of Arts and Sciences at the University of Toronto. For students aspiring to enter law school, this course offers a thorough grounding in the constitutional dimensions of federalism.

**Readings:**

There is no textbook for you to purchase. Instead, all of the readings will be made available on the Quercus site.

**Quercus:**

This course employs a Quercus website where you will find the course outline, essay assignments, lecture slides, and supplementary material. To access the Pol 316 website, go to <http://portal.utoronto.ca> and log in using your UTORid and password.

**Delivery of Course Materials:**

This is an in-person, lecture course. Lectures will be delivered by the professor in a classroom to be designated. (There are no tutorials).

However, the first three lectures will be delivered in the dual-delivery online synchronous mode. What does that mean?

The September 9, 16 & 23 lectures will be delivered live in the classroom, and broadcast through Zoom simultaneously. For these three classes, students may choose not to attend the classroom, but instead access the Zoom broadcast remotely. After the live classroom presentation is over, the Zoom presentations will be mounted on the University's Cloud site, at <https://mymedia.library.utoronto.ca/login>. This site can be accessed by all students registered in this course. The URLs for accessing the Zoom presentations at this site will be made available on the Quercus site.

To access the Zoom presentations, students are required to register for a UofT Zoom account (<https://utoronto.zoom.us>) prior to the first lecture. Only authenticated users can access the Zoom presentations. Students must follow the instructions to ensure that their account is authenticated.

Students are expected to review and be in compliance with the University's requirements for online learning (<https://www.viceprovoststudents.utoronto.ca/tech-requirements-online-learning/>). The technology requirements students need in order to take this course are also explained on this website.

All lectures from September 30 onwards, will be in-person only.

**Contacting your professor:**

I welcome queries and comments through: e-mail; cell phone; texting; FaceTime; and WhatsApp.

Feel free to phone me if needed. If you are going to leave a message on my cellphone or text me, please identify yourself and the course you are taking.

It is your responsibility to maintain your UofT-issued e-mail address in good working order. Forwarding your utoronto.ca email to a Hotmail, Gmail, Yahoo or any other type of commercial e-mail account is not advisable. In some cases, messages from utoronto.ca addresses sent to Hotmail, Gmail, Yahoo or similar accounts are filtered as junk mail, which means that e-mails from me may end up in your spam or junk mail folder.

Therefore, if it is your practice to forward your UofT e-mails to a commercial account, it is advisable to regularly check your spam and junk mail folders.

Failure to receive important class announcements and messages from me because of a faulty non-UofT e-mail account (for example, an account which screens out UofT e-mails as junk mail; bounced messages because of overloaded caches; a virus on your computer) are not legitimate excuses.

Remember: official communications and announcements from the University will always be sent to students' official UofT-issued e-mail addresses.

Students are encouraged to regularly check the 'Announcements' page at the Quercus site for this course.

It is strongly advised that you load your essays onto Quercus using your UofT e-mail account, and not a commercial e-mail account. (The essay assignments are briefly discussed below and in a separate hand-out to be made available on Quercus).

### **Plagiarism Detection Tool:**

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>).

In this course your essays will be submitted through the plagiarism detection tool inside the Quercus site for this course.

If a student does not wish to participate in the University's plagiarism detection tool, the student **MUST** advise me immediately via e-mail. Ideally, students should do so in the first two weeks of class. You will be required to agree to alternate arrangements for vetting your work, as well as to an alternate method for submitting your essays. Such arrangements could include some or all of the following: submission of your drafts, rough work and notes; submission of photocopies of the sources you used; submission of the URLs of all sources you used in your research.

### **Plagiarism:**

Plagiarism is a serious offence and will be dealt with accordingly.

It is important that you familiarize yourself with U of T's policies and procedures. Consult:

- "Student Academic Integrity" at <https://www.artsci.utoronto.ca/current/academic-advising-and-support/student-academic-integrity>
- "Academic Integrity at the University of Toronto" & "Code of Behaviour on Academic Matters" at <https://www.academicintegrity.utoronto.ca/>
- "Academic Misconduct" at <https://www.artsci.utoronto.ca/current/academic-advising-and-support/student-academic-integrity/academic-misconduct>

Your essays will be marked on the assumption you have read this section of the outline.

Plagiarism is cheating. It is considered a serious offence against intellectual honesty and intellectual property. Penalties for an undergraduate can be severe. At a minimum, a student is likely to receive a "0" mark for the assignment or test in question. But a further penalty is often assessed, such as a further reduction from the course mark or placing a permanent notation of the incident on an academic record.

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.

The University of Toronto provides a process that faculty members must initiate when they suspect a case of plagiarism. See "Process and Procedures" at the University's Academic Integrity website (<https://www.academicintegrity.utoronto.ca/process-and-procedures/>). 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. The Chair of the Department, or the Dean, will assess the penalty.

The following are some examples of plagiarism:

- Submitting as your own an assignment written by someone else, either completely or substantively.
- Quoting an author without indicating the source of the words.
- Using words, sentences, or paragraphs written by someone else and failing to place quotation marks around the material and to reference the source and author. Using either quotation marks or reference alone is not sufficient. Both must be used!
- Adapting an author's ideas or theme and using it as your own without referencing the original source. All sources used must be properly cited.
- Using false citations or references.
- Seeking assistance from a friend or family member in respect to work you claim as your own.
- Purchasing an essay and submitting it as your own work.

If you are not sure whether you have committed plagiarism, it is better to consult me rather than risk discovery and be forced to accept an academic penalty.

Consult:

- "How Not to Plagiarize" at <http://www.writing.utoronto.ca/advice/using-sources/how-not-to-plagiarize>
- "How can I cite properly?" at <https://sidneysmithcommons.artsci.utoronto.ca/how-can-i-cite-properly>
- "Academic Integrity and Plagiarism" at <https://guides.library.utoronto.ca/plagiarism>

You can also consult one of the Writing Centres on campus (<http://www.writing.utoronto.ca/writing-centres>).

It is also unacceptable to hand in the same essay in two different courses. You cannot submit an essay in this course for which you have already obtained credit in a previous course, or submit the same essay in two different courses in the same term, without my express permission ahead of time.

As the passage above indicates, there are many forms of plagiarism. In my experience, the most common form of plagiarism is the failure to use quotation marks. So to repeat: all wording in your essays which is copied from another source **must** be in quotation marks.

### **Submitting Your Essays:**

Essays are submitted through the “Assignments” tab on the Quercus site for this course.

When you upload your essays to Quercus, the program automatically records the time and date you do this.

The first essay is due October 7 and the second essay is due November 18. You have until 11.59 PM on each of these days to mount your essays on Quercus without incurring a late penalty.

You do not submit a paper copy. Papers will not be accepted by fax, e-mail or other electronic means, unless specifically permitted by me beforehand.

### ***Essay Extensions***

An extension applies to a deadline which has not yet happened. An extension extends the deadline into the future.

The purpose of an extension is to accommodate a student who is confronted with an unforeseeable problem before an essay is due. Typical examples of unforeseen problems, which form legitimate grounds for an extension application include: absences due to illness, and death or illness in the family.

Students are also eligible for religious accommodation.

The length of a granted extension is calculated to level the playing field for the student, in relation to other students who do not need an extension. It follows that all extensions are for fixed time-periods, negotiated ahead of time with the professor.

Please note, students cannot get an extension simply because they are busy juggling deadlines in different courses. Course deadlines are foreseen, not unforeseen. If students take on more courses than they can handle, they must accept responsibility for that choice. Skilful time-management is essential to a successful academic career.

Current University of Toronto policy (St George campus) on submitting work late, such as the essays in this course, is as follows:

Since we are encouraging you to stay at home if you are unwell, the University is temporarily suspending the need for a doctor’s note or medical certificate for absences because of cold or flu-like symptoms, or due to self-isolation requirements. Instead, you will need to record these absences through the Absence Declaration tool on ACORN. The tool can be found in the ACORN Profile and Settings menu. You should record each day of your absence as soon as it begins, up until the day before you return to classes or other academic activities. The University will use this information to provide academic accommodation and to monitor overall absences.

Absences for other illnesses should continue to be documented through the Verification of Illness (VOI) form and normal divisional process.

While the University will make every effort to provide needed academic accommodation, you are responsible for meeting course requirements as determined by your instructors.

SOURCE: <https://www.artsci.utoronto.ca/news/message-dean-absence-declaration-tool>

## How do I request an extension?

### BEFORE YOU “FORMALLY” REQUEST AN EXTENSION:

Check your syllabus- often, your professor will include a “late submission policy.” This policy may include a penalty for each day that the assignment is late, and a final cut-off date for which an assignment will be accepted.

Speaking with your professor as soon as you know that you may not be able to hit the deadline. If you can explain why you are unable to complete the assignment, you may be able to negotiate an extension.

SOURCE: <https://sidneysmithcommons.artsci.utoronto.ca/how-do-i-request-an-extension/>

Please note the underlined sentences. ACORN self-declarations do *not* automatically excuse you from late penalties on the essays or the take home tests. ACORN self-declaration by itself, does *not* constitute adequate documentation. You cannot self-declare yourself too sick to work on an essay.

Every department and professor may adopt their own extension policies. To get an extension in Pol 316H you must follow the procedure below:

Extensions must be applied for. Documentation must be submitted directly to the professor.

If you need an extension on an essay deadline, you must ask me for it as soon as possible. I am very unlikely to grant a request long after the due date for an essay.

Feel free to approach me in class or via e-mail to request an extension. However, all requests must be formally submitted in writing (by e-mail). An extension is formally granted by me in writing, with the time-period indicated. Extensions are for fixed time periods. There is no such thing as an open-ended extension.

You cannot get an extension after an essay is due and you have already missed the due date. The purpose of the extension policy is to assist students facing an imminent deadline. Once an essay deadline has passed, the rationale for an extension expires.

There is only one exception to this rule: if your documentation is dated *before* or *on* the due date of the essay. Only under this condition, will I entertain an application for an extension after the due date for an essay has passed.

If your extension runs out and you still have not submitted your essay, your extension has expired. Your late penalty will resume on the day after your extension expired and will continue to accumulate until the date you do submit your essay.

The late penalty in this course is a deduction of two marks per calendar day from your mark out of 100. For example, if your essay is one day late and you would otherwise have received a mark of 76, your mark is reduced to 74 (76-2=74).

This policy applies to all students taking this course.

**Missing a Test:**

Students who miss one of the two in-class tests *may* be entitled to write a make-up test. The legitimate grounds for seeking permission to do a make-up test are the same as for essay extension requests. The reason for missing the regular test must be an unforeseeable problem. Typical examples of unforeseen problems include: absences due to illness, and death or illness in the family. Students are also eligible for religious accommodation.

Please note, students cannot get permission to miss the regular test and instead do a make-up, simply because they are busy juggling deadlines in different courses. Course deadlines are foreseen, not unforeseen. If students take on more courses than they can handle, they must accept responsibility for that choice. Skilful time-management is essential to a successful academic career.

The Faculty of Arts & Sciences' policy regarding make-up tests is set out in the *2021-22 Academic Calendar*, available at: <https://artsci.calendar.utoronto.ca/term-work-tests-and-final-exams>. After the date of the missed test, students have *one week* to ask me if it is possible to write a make-up test. If the reason for missing the regular test is illness or injury, students must fill out the Verification of Illness or Injury form ([www.illnessverification.utoronto.ca](http://www.illnessverification.utoronto.ca)).

**A Note on Marking:**

Feel free to contact me at any time to discuss the requirements of this course. When test marks are released, an Answer-Key to the test will be posted on Quercus. Students are invited to compare their own answers to the Answer-Key. Class averages and median marks on the tests will be posted on Quercus. Students will be able to compare their own performance to their peers in the class.

If you are unhappy with the mark you received on an essay, your first step is to discuss it with the marker. The marker will either be me, or a TA. You should do this as soon as possible after receiving your essay mark. It is advisable to submit to the marker a written response to the comments on your essay. If you are unhappy with the TA marker's reply, then you may appeal to me. However, you must have a substantive reason for appealing an essay mark, either to a TA, or to me directly. You are expected to persuade us that you deserve an increased mark.

Complaining to me or the TA about an essay mark simply because you do not like it and want a higher mark is a waste of your time.

You are entitled to the mark your work merits. You are not entitled to the mark you think you personally deserve, or you need in order to achieve your personal goals such as getting into a professional program or graduate school, staying in university or in a particular program, raising your mark in the course to the next letter grade level, maintaining your GPA at a certain level, getting off suspension/probation, retaining a scholarship or other funding source, etc. Therefore, please do not lobby me to raise your mark simply because you want a higher mark. Complaining to me about any of your marks in this course (including your final mark) simply because you do not like them and want a higher mark is a waste of your time. This policy applies to all students.

There is no provision for any student to do extra work or assignments to make up for low grades on any of the tests and essays. All students are evaluated under the same marking criteria on page one.

This policy applies to all students taking this course.

### **The Lecture Schedule:**

The topics covered in the weekly lectures are listed below along with the required readings. Any supplementary readings will be accessible through the Quercus site. All lecture slides will be posted on the Quercus site. It is possible that a small number of additional required readings (for example, a recent newspaper article) will be added to the Quercus site as the course progresses.

Of course, failure to attend lectures in person is not penalized. However, please remember that it is in the lectures that I prepare students for the two tests, advise on how to research and write the essays, respond to student questions and concerns, and make important announcements. Students who either regularly miss lectures do so at their own risk.

### **WEEKLY LECTURE SCHEDULE:**

#### **Class #1 on September 9: Introduction to Course; Confederation started**

##### **Readings for Classes #1 & #2:**

- Gregory Inwood, *Understanding Canadian Federalism* (2013), chapters 2 & 3

#### **Class #2 on September 16: Confederation concluded**

#### **Class #3 on September 23: Dynamics of Policy-Making in a Federal State**

##### **Readings:**

- Dara Lithwick, “A pas de deux: The Division of Federal and Provincial Legislative Powers in Sections 91 and 92 of the *Constitution Act, 1867*” (Parliamentary Library, 8 December 2015)
- Isabelle Brideau & Laurence Brosseau, “The Distribution of Legislative Powers: An Overview” (Parliamentary Library, 16 October 2019)
- Patrick Malcolmson, et al., *The Canadian Regime* (7th ed., 2021), chapter 8 (federalism)
- Donald J. Savoie, “Canada’s national political institutions wear blinders,” from Jack M. Mintz, et al., *Moment of Truth* (Sutherland House, 2020), pp. 89-106

#### **Class #4 on September 30: Managing the Welfare State started**

##### **Readings for Classes #4 to #6:**

- Marliisa Tiedemann, “*The Canada Health Act: An Overview*” (Parliamentary Library, 17 December 2019)
- Sonya Norris, “Federal Funding for Health Care” (Parliamentary Library, 29 December 2020)
- Herman Bakvis, “Federalism and Universal Healthcare: A Question of Performance and Effectiveness,” in Herman Bakvis & Grace Skogstad, eds., *Canadian Federalism: Performance, Effectiveness, and Legitimacy* (4th ed., 2020), pp. 310-336
- Keith Banting, “The Three Federalisms and Change in Social Policy,” in Herman Bakvis & Grace Skogstad, eds., *Canadian Federalism: Performance, Effectiveness, and Legitimacy* (4th ed., 2020), pp. 282-309

*Short Essay due October 7*

**Class #5 on October 7: Managing the Welfare State *continued***

**Class #6 on October 14: In-Class Test #1 (first half); Managing the Welfare State *concluded* (second half)**

**Class #7 on October 21: Managing Quebec**

**Readings:**

- David Cameron, “Quebec and the Canadian Federation,” in Herman Bakvis & Grace Skogstad, eds., *Canadian Federalism: Performance, Effectiveness, and Legitimacy* (4th ed., 2020), pp. 59-89
- Guy Laforest & Alain-G. Gagnon, “The Canadian Political Regime from a Quebec Perspective,” in James Bickerton & Alain-G. Gagnon, *Canadian Politics* (7th ed., 2020), pp. 21-44

**Class #8 on October 28: Energy & Pipelines & the West *started***

**Readings for Classes #8 & #9:**

- Penny Becklumb, “Federal and Provincial Jurisdiction to Regulate Environmental Issues” (Parliamentary Library, 29 October 2019)
- Jeffrey Simpson, “Canada’s Climate Change Challenge,” *Energy Regulation Quarterly* (October 2019), vol. 7(3), pp. 1-8
- George Hoberg, “Pipelines and the Politics of Structure: Constitutional Conflicts in the Canadian Oil Sector,” *Review of Constitutional Studies* (2018), vol. 23(1), pp. 53-90
- Carol Hunsberger & Rasmus Kløcker Larsen, “The Spatial Politics of Energy Conflicts,” *Energy Research & Social Science* (2021), vol. 77, pp. 1-9

**Class #9 on November 4: Energy & Pipelines & the West *concluded***

*Reading Week November 8-12*

*Major Essay due November 18*

**Class #10 on November 18: Indigenous Peoples & Treaty Federalism *started***

**Readings for Classes #10 & #11:**

- Tonina Simeone & Olivier Leblanc-Laurendeau, “Indigenous Peoples: Terminology Guide” (Parliamentary Library, May 2020)
- Naomi Walqwan Metallic, “The Relationship between Canada and Indigenous Peoples: Where Are We?,” in *Canadian Politics* (7th ed., 2020), pp. 423-441
- Martin Papillon, “Nation to Nation? Canadian Federalism and Indigenous Multilevel Governance,” in Herman Bakvis & Grace Skogstad, eds., *Canadian Federalism: Performance, Effectiveness, and Legitimacy* (4th ed., 2020), pp. 395-426
- Martin Papillon, “The Two Faces of Treaty Federalism,” in James Bickerton & Alain-G. Gagnon, *Canadian Politics* (7th ed., 2020), pp. 217-234

**Class #11 on November 25: Indigenous Peoples & Treaty Federalism *concluded***

**Class #12 on December 2: In-Class Test #2 (no lecture afterwards)**

## **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.
6. Using false citations or references.

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**.

### Some 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>

Other Advisory Material available at: <http://advice.writing.utoronto.ca/>