



## **POL316H1F: Contemporary Canadian Federalism**

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**

Is Canadian federalism working? This course explores how the rules and norms of Canadian federalism play out in practice. In the first part of the course, we examine theoretical underpinnings in the study of federalism in Canada and globally, such as classical federalism, cooperative federalism, and open federalism. Then, we will survey intergovernmental policy processes and ask whether federalism is working for people in Canada, including marginalized groups. Topics include the distribution of power, constitutionalism, judicial review and the notwithstanding clause, fiscal federalism, the social union, Indigenous governance, treaty federalism, and separatism in Quebec and the West.

### **Course Objectives**

1. Students will develop a strong understanding of major issues in the field of Canadian federalism by attending lectures, engaging with class activities and participating in brief discussions during the lecture hours.
2. Students will strengthen their research skills and written communication skills by producing an interesting and relevant written essay outline and final essay. The essay outline and essay will interrogate a topic of their choice assigned by the professor and make a persuasive argument about said topic.

3. Students will develop analytical skills and communication skills by writing a take-home final exam at the end of the term. The exam will require students to think broadly about key themes of Canadian federalism and tie together information from across multiple weeks of the course.

### Course Requirements

<b>Assignment</b>	<b>Weight</b>	<b>Due Date</b>
Syllabus Quiz	3%	September 10 at 5 pm Makeup date: September 24 at 5 pm
Essay Outline	20%	October 8 at 5 pm
Essay	40%	November 12 at 5 pm
Meme Assignment	2%	November 19 at 5 pm
Take Home Final Assessment	35%	December 17 at 5 pm

**Syllabus Quiz:** Before our second class, please read the syllabus and complete the short syllabus quiz, available in Quercus. The quiz will ask you to demonstrate your 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 – the purpose of the quiz is to ensure that you are aware of key course policies.

**Essay Outline (600 words + reference list):** The essay outline will be based on a topic you select from a list of topics provided by the professor. Include your thesis statement, main points of discussion, and the evidence you will use to support your arguments. In your references, list 5-7 sources, at least half of which should be peer reviewed. Remember to use your sources meaningfully to support your points.

**Essay (3000 words + reference list):** The final essay should make a convincing and sophisticated argument about a key debate in Canadian federalism. You should use at least 10 high quality sources; your reference list should be expanded after your essay outline feedback. It is strongly recommended that you write the essay based on your essay outline, unless you have compelling reasons for switching topics (in that case, it is recommended that you consult with the professor). Please see Quercus for more detailed instructions about the essay.

**Meme Assignment:** In the second-last week of class, submit a meme to the Quercus folder titled “Meme Assignment.” 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 or shared on social media, or if you do not want it credited to you. In addition to submitting to Quercus, feel free to share your meme on social media with the hashtag #POL316!

**Take-Home Final Assessment:** The take-home final assessment will encourage you to make connections across course themes and investigate key aspects of Canadian federalism. You will develop and share informed opinions in your answers to the questions. The assessment will take an exam-style format and involve an element of choice – out of a list of five questions, you will choose three to answer in an essay format. Answers will be a maximum of 600 words each. The assessment is expected to take three hours to write, but you will be given the questions on November 15 and will submit the assessment to Quercus on December 17. This allows students to manage their own accommodations – if you need extra time, need to take breaks, need to have a snack, or write the exam in smaller stretches of time, you may do so. The assessment will be

released on Quercus and circulated by email, and it must be submitted to Quercus in a .doc or .pdf format before the deadline – **there is no 72-hour grace period for the take home final assessment, and assignments submitted after 5 pm on December 17 will not be graded.**

### **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](mailto: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 without an approved extension from the professor.

Please note that the grace period *does not* apply to the take-home final assessment. The format of the final assessment allows students to manage their own accommodations without the need for an extension – the assessment should take three hours to write, but students have two weeks to write it after class ends. Due to the tight grading schedule in the December exam period, no late final assessments will be accepted.

### **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.

**If the TA originally graded your work:** You must submit a written request (max 1 page) to the TA 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 the TA does not agree to change the grade or if you are unsatisfied with the TA's resolution, you may ask the TA to escalate the appeal to the professor. The TA will send the professor a fresh (ungraded) copy of your work and she will assign it a new grade.

**If the professor originally graded your work:** You must submit a written request (max 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.). The professor will take another look at your essay and consider the points made in your appeal.

Remember that 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.

Please note that if you are unsatisfied with the professor's decision at the end of the regrade process and you have made every effort to understand her reasoning, you have the right to apply

for a Special Consideration Request to the Academic Department (the first level is an appeal to the Undergraduate Coordinator).

## Weekly Topic Outline

### ***Week 1 (September 3) – Introduction to the Course***

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

### ***Week 2 (September 10) – 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. 2006. *Federal and Provincial Diplomacy: The Making of Recent Policy in Canada*. Toronto: University of Toronto Press. → **Please read Chapter 2: “The Social and Institutional Context” (pp. 20-42)**

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.

### ***Week 3 (September 17) – Federalism, Constitutionalism, and the Courts***

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).**

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.

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 (September 24) – Federalism and the National Parliament***

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.

Smith, David E. 2003. *The Canadian Senate in Bicameral Perspective*. Toronto: University of Toronto Press. → **Please read Chapter 5: “Federalism” (pp. 89-109)**

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 1) – Executive Federalism and Intergovernmental Relations***

Wallner, Jennifer. 2017. “Ideas and Intergovernmental Relations in Canada.” *Politics Symposium: Canadian Politics at the 150<sup>th</sup> Anniversary of Confederation*. 717-722.

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)**

### ***Week 6 (October 8) – Indigenous Governments and Federalism***

*Essay Outline Due*

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.

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 15) – Fiscal Federalism***

Skogstad, Grace and Matt Wilder. 2020. “Federalism and Canada’s Economic Union.” In *Canadian Federalism: Performance, Effectiveness, and Legitimacy*. Ed. H. Bakvis and G. Skogstad. Toronto: University of Toronto Press. 195-221.

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.

### ***Week 8 (October 22) – 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.

Mahon, Rianne, and Cheryl Collier. 2010. "Navigating the Shoals of Canadian Federalism: Childcare Advocacy." In M. Haussman, M. Sawyer, and J. Vickers (eds.), *Federalism, Feminism, and Multilevel Governance*. Burlington, VT: Ashgate. 67-82.

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 – OCTOBER 29 – NO CLASS**-----

### ***November 4– Last Day to Drop Fall Courses***

### ***Week 9 (November 5) – Laboratory Federalism, Policy Diffusion and Variation***

#### *Essay Due*

Boyd, Brendan. 2021. "Introduction: Theorizing about Provinces as Provincial Laboratories for Policy Diffusion and Transfer." In B. Boyd and A. Olive (eds.), *Provincial Policy Laboratories: Policy Diffusion and Transfer in Canada's Federal System*. Toronto: University of Toronto Press. 3-31.

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 10 (November 12) – The Spectre of Separatism***

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)**

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.

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>

### ***Week 11 (November 19) – Buffer Week***

#### *Meme Assignment Due*

Please pay careful attention to instructions from the professor, which will be communicated via Quercus and in lecture. If class needs to be cancelled on another week in the term, we will shift the schedule. You will be notified of any schedule changes by the professor.

If no classes are cancelled this term, there will be no class this week – please take the time to review course material in preparation for the final assessment review.

### ***Week 12 (November 26) – Final Assessment Review***

*Please come prepared with questions about the course material and the take-home final assessment.*



## 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 19. 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/department/accessibility-services/> or email [accessibility.services@utoronto.ca](mailto: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.).

## **Absence Declaration and Academic Consideration**

If you become ill and it affects your ability to do your academic work, consult me right away. Normally, I will ask you for documentation in support of your specific medical circumstances – *please note that you are not required to share personal medical information with me*. The documentation you provide can be an Absence Declaration (via ACORN) or the University's Verification of Student Illness or Injury (VOI) form. The VOI indicates the impact and severity of the illness, while protecting your privacy about the details of the nature of the illness. If you cannot submit a VOI due to limits on terms of use, you can submit a different form (like a letter from a doctor), as long as it is an original document, and it contains the same information as the VOI (including dates, academic impact, practitioner's signature, phone and registration number). For more information on the VOI, please see <http://www.illnessverification.utoronto.ca>. For information on Absence Declaration Tool for A&S students, please see <https://www.artsci.utoronto.ca/absence>. If you get a concussion, break your hand, or suffer some other acute injury, you should register with Accessibility Services as soon as possible.

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