

## **Course Outline Winter 2014**

### **Canadian Intergovernmental Relations: PADM 5211**

Time: Tuesday 5:30-8:30

Location: 3220RB

Instructor: Richard Van Loon

Email: [rvanloon@magma.ca](mailto:rvanloon@magma.ca)

Office Hours: Room 5131RB Tuesday 4:30-5:30 or by appointment

### Course Objectives

The course will examine the evolution and current state of federal/provincial/municipal/aboriginal relations in Canada. Its purpose is practical rather than theoretical; intended for people who will have to actually work with the constraints and opportunities presented by Canadian intergovernmental relations. After considering general structures and processes and fiscal relations, it looks at various issue areas, how they impact on and are affected by the interrelationships between federal and provincial governments. It then turns to the relationship between the federal, provincial, municipal and aboriginal governments in Canada.

For some sessions we will have guests; former federal deputy ministers and, if we are lucky, a provincial minister.

### Format and Grading

*Participation in class discussions: 20%*

The course is largely in seminar format and students are expected to review sufficient of the readings to be able to participate actively in all classroom discussions.

*Seminar presentation: 30%*

Depending on the number enrolled, students will participate either singly or in partnership with one other in presenting and leading discussion of the major topic for one seminar. The topics are set out in the outline below. The presenter(s) will be responsible for providing a background briefing and analysis of current issues in the chosen area. At the conclusion of each seminar presentation the presenters will provide options and recommendations for next steps by the Government of Canada or by a provincial government in the area under consideration. These recommendations will form the basis of class discussion. As an alternative presenters may put forward a "Federal Position" for

discussion in an intergovernmental conference format. Approximately half of the session time should be left free for discussion. Power Point presentations work well. A projector is available in the room.

At the end of the class one week before a presentation the seminar leaders for the next week should provide suggested readings and indicate the key questions they wish to raise and the general nature of the recommendations they will make. This material may also be provided by e-mail not later than the Wednesday morning before the next class. The seminar presenter(s) will meet with the instructor prior to that time (usually before the class one week before their presentation) to discuss their approach and the recommended readings. We can meet earlier and more often if presenters wish and it is often useful to meet both two weeks and one week before the presentation. A fairly complete draft of the intended class presentation should also be available for the instructor to view a day or two before the class. The Power Point presentation should also be distributed to the class after the seminar in which it is presented.

Class members will be expected to have covered sufficient of the recommended reading in addition to the chapters indicated in this outline to participate actively in the discussions.

Except for the topic for January 22 (Fiscal Relations) which will be assigned in the first week, topics will be chosen in the second week of class. Students may form their own partnerships prior to that time (advise the instructor by email please). Students who have not done so will be randomly assigned to partnerships at the start of that session and can discuss desired topics at the break. Topics will be chosen in order defined by lottery among partnerships in the second half of the session.

*Any students interested in covering the fiscal relations topic should let the instructor know by e-mail before the first class. I will provide as much help as the presenters want with this topic.*

#### *Final Paper: 50%*

Each student will prepare a paper on a topic related to the presentation which he or she made. For example a student who conducts the “Federalism and Health Policy” session could choose to write on “Food Safety: The Roles of the Federal and Provincial Governments” or the “Canada Health Act, Possible Amendments”; a student who is part of the “Aboriginal Peoples and the Constitution” could choose to write on the constitutional position of the Metis or Inuit or could look at “First Nations and Constitutional Amendment”.

The paper should not exceed 3500 words and must be properly researched and footnoted as it would be for a journal article.

Prior to preparing the paper students should indicate to the instructor what specific topic they propose to choose and what sources they propose to use. The professor will be happy to look at an outline of the paper before it is written if the student wishes.

The paper is due two weeks after seminar presentation. Papers may be one week late, **by permission**, after which the instructor will be in a vicious mood and will begin to deduct one grade point per week.

## Sources

It is recommended that all students purchase one or both of Herman Bakvis and Grace Skogstad, *Canadian Federalism: Performance, Effectiveness and Legitimacy*, third edition, Oxford, Don Mills, 2012 or Herman Bakvis, Gerald Baier, and Douglas Brown, *Contested Federalism* (Oxford, 2009). Copies are in the bookstore and both are available from Amazon and Chapters online. Both books have chapters or articles on many of the topics for the course and good references at the end of each chapter. When particular chapters are useful for a given subject they are referred to as “CF: Ch. xx for *Contested Federalism* and CFPEL: Ch xx for *Canadian Federalism: Performance, Effectiveness and Legitimacy*”. You should note, however, that both books are becoming somewhat dated and should not be viewed as the sole source of readings.

More readings are suggested in this outline for the second and third weeks of the course than for the later weeks. As noted above, readings for all other seminar presentations will be suggested by presenters in consultation with the instructor.

There are a number of web sites which are particularly useful as sources of material. Students should consult these regularly as they update from time to time. They include:  
Institute for Research on Public Policy (IRPP) ([irpp.org](http://irpp.org))  
Queens University Institute on Intergovernmental Affairs (IIGA) ([queensu.ca/iigr](http://queensu.ca/iigr))  
C D Howe Institute ([cdhowe.org](http://cdhowe.org))  
Caledon Institute ([caledoninst.org](http://caledoninst.org))  
Canadian Social research Links ([canadiansocialresearch.net](http://canadiansocialresearch.net))  
The Mowat Centre ([mowatcentre.ca](http://mowatcentre.ca))  
Department of Finance and “federal-provincial relations” on the Government of Canada web site (check also provincial government sites as a balance).

## Class Schedule

### *Week 1: January 7*

#### **Introduction, outline, expectations.**

This will not be a full length session but we will have some discussion about the current state of intergovernmental relations in Canada as well as discussion about the course format and expectations of all participants.

### *Week 2: January 14*

#### **Canadian intergovernmental structures and operating processes.**

The object for this session is to consider the evolution and general structures and processes of both the Canadian several other federations. We will look at the role of the courts, parliament, and political parties as well as executive federalism. This session is led by the instructor.

#### Readings:

- 1) CF: Ch's 1,2,5,6 or CFPEL: Ch's 2, 4, 5, 6.
- 2) J. Peter Meekison, Hamish Telford and Harvey Lazar, "The Institutions of Executive Federalism: Myths and Realities" Ch 1 of Canada: The State of the Federation, available at [queensu.ca/iigr](http://queensu.ca/iigr), publications.

All the usual textbooks of Canadian Government have chapters on federal-provincial relations which are useful for a preliminary review.

**Group formation and topic choice will also be made this week.**

### ***Week 3: January 21***

#### **Federal-provincial fiscal relations.**

In this session we will look at the issues of fiscal (im)balance, equalization and introduce the issues related to the spending power. Students should read 1) below and two other of the sources listed. More suggested readings are provided here because this is an early topic and presenters will be working under a time constraint.

#### Readings:

- 1) CF: Ch's 8, 9 or CFPEL: Ch.7
- 2) The Institute on Intergovernmental Relations has a series of digital presentations on fiscal federalism prepared for a conference in September 2011 at <http://www.queensu.ca/iigr/conf/Arch/2011/RenewingFiscalArrangements.html>
- 3) A Report Card on Canada's Fiscal Arrangements, Joshua Hjartson, James Pierce and Matthew Mendelsohn, at <http://www.mowatcentre.ca/pdfs/mowatResearch/27.pdf>
- 4) Energy Prices, Equalization and Federalism (2005); A Short History of Equalization (2007); and Fiscalamity (2008)...three articles by Tom Courchene, on the IRPP website
- 5) *Policy Options*, September 2006, whole issue devoted to fiscal federalism, available on IRPP web site.
- 6) France St-Hilaire: "Fiscal Gaps and Imbalances", 2004, Institute for Research on Public Policy, available on their web site.
- 7) Tom Courchene, Reflections on the Spending Power, IRPP Working Paper, June 2008, on the IRPP website.
- 8) There are three working papers on spending power on the iigr website>working papers>spending power series. See particularly, Marc-Antoine Adam on section 94 BNA Act as an alternative.

### ***Week 4: January 28***

#### **Health Policy and Canadian Federalism.**

Most of this session will be devoted to the history of and issues surrounding medicare and accompanying federal-provincial fiscal arrangements. In particular what should we expect in the aftermath of the federal government's unilateral declaration of a funding formula after 2014?

Readings:CF: Ch 10 or CFPEL: Ch's 8,9

*Week 5: February 4*

**Labour Market Programs and Income Transfers**

Reading: CFPEL: Ch. 12

*Week 6: February 11*

**Post-secondary Education**

Reading: CFPEL: Ch. 10 in the second edition

*Week 7: February 18*

No Class... study break

*Week 8: February 25*

**The Economic Union**

Reading

CF: Ch 11, CFPEL: Ch 11

*Week 9: March 4*

**Federalism, Natural Resources and Environmental Policy.**

Readings:

CF: Ch 12 or CFPEL: Ch.13

*Week 10: March 11*

**Aboriginal Peoples and Canadian Federalism**

Reading:

CF: Ch 14 or CFPEL: Ch. 15

*Week 11: March 18*

**Federal-Provincial-Municipal Relations. What should be the role and status of municipal governments in the federation? How should the two senior levels relate to Canada's municipal governments?**

Reading: CF: Ch 13 or CFPEL: Ch. 16

*Week 12: March 25*

**Current Issues**

This topic varies from year to year and can be defined by the presenters in consultation with the instructor a few weeks before he class. At the time of preparing this outline (November, 2012) topics could include the impact of federal criminal law legislation on provinces or intergovernmental relations in immigration policy

Readings will be established when the specific topics are chosen.

*Week 13: April 1*

**Simulation of a Federal-Provincial Conference**

The teams which delivered seminars will be reunited to play the roles of federal or provincial government ministers at a federal-provincial conference which will deal with a current topic in F/P relations. Scenarios, proposals and format are provided by the instructor.

***Instructional Offences***

Academic offences are serious infractions and will not be tolerated. Students should consult Section 14 of the Faculty of Graduate Studies, General Regulations concerning instructional offences.

***Academic Accommodation***

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

**Pregnancy obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website:  
<http://www.carleton.ca/equity/>

**Religious obligation:** write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www.carleton.ca/equity/>

**Academic Accommodations for Students with Disabilities:** The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or [pmc@carleton.ca](mailto:pmc@carleton.ca) for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/> You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www.carleton.ca/equity/>