

POLITICAL SCIENCE 3GG3: FEDERALISM

Winter 2020

Instructor: Peter Graefe

Email: graefep@mcmaster.ca

Lecture: Mo, 9:30-10:20; Th, 9:30-11:20

Room: BSB-B154

Office: KTH-512

Office Hours: Monday, 10:30-11:00

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Course Description

From the calendar: An analysis of the constitutional framework, evolution, and structure of the federal system in Canada and/or other Western countries.

The principles of federalism at least rhetorically inform the political systems under which two in five humans live. Formal federations such as Canada, are institutionally structured in part to protect or give expression to such principles. This course pays particular attention to how these principles have been translated into Canadian political institutions, and the implications for political practices such as redistribution, intergovernmental relations, public policy making, and the accommodation of national diversity.

Course Objectives

By the end of the course students should be able to:

- Explain in what ways Canada is a federation, and to relate these to common conceptual distinctions in federal studies;
- Describe the evolution of the federal features of Canadian politics;

- Explain how public policy-making is shaped by federalism;
- Analyze the competing pressures in an intergovernmental negotiation, and apply class learning to create appropriate bargaining strategies;
- Evaluate the capacity of federalism in Canada to respond to claims arising from a multinational polity.

Required Materials and Texts

Class materials are mostly available on-line through the library website or directly from a hyperlink in this outline. The remainder will be available on the course's Avenue page.

Class Format

Monday and Thursday classes will be lecture based. Most Thursday classes will have time devoted for groups to meet in order to plan and assemble their group work.

Course Evaluation – Overview

1. Provincial Context Paper – 15%, due February 6
2. Provincial Strategy Paper – 15%, due March 4
3. Simulation Reflection Paper – 15%, due March 23
4. Participation – 10%
5. Final Exam – 45%, scheduled by the Registrar

Course Evaluation – Details

Provincial Context Paper, (15%), due February 6

Please see the detailed description on the Avenue Course page. This assignment will be completed as part of your provincial group and submitted collectively. This paper will provide a 10-15 page (double spaced) assessment of the province's historical and contemporary positioning in intergovernmental relations.

Provincial Strategy Paper, (15%), due March 4

Please see the detailed description on the Avenue Course page. This 12-15 page assignment (double-spaced) will be completed with your provincial group and submitted collectively. It will include four parts: an opening speech, two policy field strategy analyses, and an overall provincial strategy analysis.

Simulation Reflection Paper, (15%), due March 23

Please see the detailed description on the Avenue Course page. This 6-8 page paper (double-spaced) involves reflecting on lessons learned from the simulation, and the discussion of these lessons in dialogue with course readings and course content.

Participation, (10%)

Please see the detailed description on the Avenue Course page. This grade will be a composite of self-assessment and instructor assessment of participation during the simulation, including at the preparatory group meetings.

Final Exam, (45%), April 2020

The final exam will be scheduled by the registrar in the final exam period. Questions will be closely tied to the weekly learning outcomes.

Weekly Course Schedule and Required Readings

Week 1 (January 6, 9)

January 6: Introduction

January 9 – What is federalism?

Readings:

Ronald L. Watts, [*The Federal Ideal and Its Contemporary Relevance*](#). Kingston: Institute of Intergovernmental Relations, 2007.

Learning Outcomes:

- Describe the features that make a political community a federation.
- Distinguish federations from other forms such as unitary states or confederations.

Week 2 (January 13, 16)

January 13, 16: Normative and Theoretical Issues

Readings:

John McGarry, "Federal Political Systems and the Accommodation of National Minorities," in *Handbook of Federal Countries 2002* (Ottawa: Forum of Federations, 2002), 416-47.

[*The Federalist Papers, no. 10*](#), no. 51.

Christine Forster, "[Gender Equality and Federalism](#)."

Learning Outcomes:

- Distinguish between models of territorial and cultural/multinational federalism; of coming together and holding together federalism; of constitutional and treaty federalism.
- Assess the relevance of Madison's argument for federalism for states with significant national minorities.
- Compare the arguments that see federalism as positive for reaching gender equality and those that see it as a blockage to gender equality.

January 16: First meeting of groups, discussion of simulation

Simulation reading: Richard Simeon, *Federal-Provincial Diplomacy: The Making of Recent Policy in Canada* (Toronto: University of Toronto Press, 2006 [1971]), ch. 8 and 9. This reading is essential for understanding the context of intergovernmental relations that we will be simulating. It should be completed by week 5.

Week 3 (January 20, 23)

January 20, 23: Historical Development of Canadian Federalism 1

Readings:

Eugénie Brouillet, "The Negation of a Nation: The Quebec Cultural Identity and Canadian Federalism." In David Cameron, Jacqueline Krikorian, Robert Vipond, Marcel Martel and Andrew McDougall (eds.) *Roads to Confederation: The Making of Canada 1867*. Toronto: University of Toronto Press, 2017. 40-67.

Peter Russell, *Constitutional Odyssey* 2nd Ed. (Toronto: University of Toronto Press, 1993), ch. 4.

Learning Outcomes:

- Explain why federal features were included in the 1867 Constitution.
- Describe why the 1867 Constitution was considered "quasi-federal".
- Evaluate the relative contribution of the JCPC to the retreat of Macdonald's centralist design compared to other causes named in the literature.

January 23: Groups meet to divide tasks and plan

Week 4 (January 27, 30)

January 27, 30: Historical Development of Canadian Federalism 2

Readings:

Adam Harmes, *The Politics of Fiscal Federalism: Neoliberalism versus social democracy in multilevel governance* (Montreal: McGill-Queen's University Press, 2019), chapter 5.

André Lecours, "Dynamic De/Centralization in Canada, 1867–2010," *Publius: The Journal of Federalism*, 49:1 (2019), 57-83.

Learning outcomes:

- Explain why the federal spending power has been seen as illegitimate by successive Quebec governments since at least the 1950s.

- Explain why Canadian federalism moved from a more cooperative to a more competitive basis from the 1950s to the 1980s.
- Assess whether Canadian federalism has become more centralized or less centralized over time.

January 30: Groups meet to assemble the first draft of their context paper

Week 5 (February 3, 6)

February 3, 6: Executive Federalism and Intergovernmental Relations

Readings:

Jennifer Wallner, [19th Century Division of Powers, 21st Century Problems: Understanding Canadian Intergovernmental Relations](#). Montreal: The Federal Idea, 2014.

Robert Schertzer, Andrew McDougall, Grace Skogstad, "Multilateral Collaboration in Canadian Intergovernmental Relations: The Role of Procedural and Reciprocal Norms," *Publius: The Journal of Federalism*, 48:4 (2018) 636-663.

Sanjay Jeram & Eleni Nicolaidis. "Intergovernmental relations on immigrant integration in Canada: Insights from Quebec, Manitoba, and Ontario." *Regional & Federal Studies*, 29:5 (2019) 613-633.

Learning Outcomes:

- Compare the character of intergovernmental relations across policy fields, and explain the causes of differences between fields.
- Evaluate the democratic character of executive federalism.
- Evaluate proposals for reform of Canadian intergovernmental relations.

Notes: **Context paper due February 6**

Week 6 (February 10, 13)

February 10, 13: Fiscal Federalism

Readings:

Daniel Béland, André Lecours, Gregory P. Marchildon, Haizhen Mou and M. Rose Olfert, *Fiscal Federalism and Equalization Policy in Canada*. Toronto: University of Toronto Press, 2017. Ch. 2.

Alain Noël, "Balance and Imbalance in the Division of Financial Resources." In Alain-G. Gagnon (ed.) *Contemporary Canadian Federalism: Foundations, Traditions, Institutions*. Toronto: University of Toronto Press, 2009), 273-302.

Erich Hartmann, Jordann Thirgood and Andrew Thies, [*A Fair Fiscal Deal: Towards a more principled allocation of federal transfers*](#). Toronto: Mowat Centre, 2018.

Learning Outcomes:

- Describe and distinguish horizontal and vertical fiscal imbalances.
- Explain how the equalization programme and federal-provincial transfers relate to horizontal and vertical fiscal imbalances.
- Evaluate whether provincial claims for changes in fiscal federalism reflect normative principles or short-term self-interest.
- Apply Adam Harmes' arguments to evaluate whether Quebec nationalists' preferences on fiscal federalism share more in common with conservatives or social democrats.

February 13: Groups meet to share information about their policy area and their government's general position

Week 7 (February 17, 20)

Reading Week: No Class

Week 8 (February 24, 27)

February 24, 27: Federalism and the Social Union

Readings:

Peter Graefe, "Corporatization and Federal-Provincial Relations." In Jamie Brownless, Chris Hurl and Kevin Walby (eds.) *Corporatizing Canada: Making Business Out of Public Service*. Toronto: Between the Lines, 2018.

Donna E. Wood and Thomas Klassen, "Accountability Regimes in federal-provincial Labour Market Agreements 1995-2015." *Canadian Public Administration* 60:1 (2017) 7-27.

Jennifer Wallner, "Cooperation without the Leviathan: Intergovernmental policymaking in Canadian education," *Regional & Federal Studies*, 27:4 (2017) 417-440.

Learning Outcomes:

- Explain how the spending power is related to social citizenship in Canada.
- Evaluate whether hierarchy is necessary in order to develop accountability in intergovernmental policy-making.
- Describe the new federal tools for shaping the social union and assess their effectiveness.

February 27: Groups meet to discuss scenario and craft strategy paper

Week 9 (March 2, 5)

March 2, 5: Federalism and the Energy-Environmental Union

Readings:

Monica Gattinger, "A National Energy Strategy for Canada: Golden Age or Golden Cage of Energy Federalism?" In Loleen Berdahl, André Juneau and Carolyn Hughes Tuohy (eds.) *Canada: The State of the Federation 2012*. Kingston: Institute of Intergovernmental Relations, 2015. 39-70.

Adam M. Wellstead "Mechanisms of environmental policy change in a federal system: The case of open federalism and the 2006–15 Harper government," *Regional & Federal Studies*, 28:2 (2018)177-197.

Dwight Newman, "Pipelines and the Constitution: Canadian Dreams and Canadian Nightmares." *Macdonald Laurier Institute Commentary*, April 2018.
https://macdonaldlaurier.ca/files/pdf/MLICommentary_April2018_Newman_FWeb.pdf

Learning Outcomes:

- Apply Gattinger and Wellstead's articles to understand recent intergovernmental disputes over carbon taxes and pipelines.
- Explain the sources of intergovernmental conflict and consensus in these policy areas.
- Evaluate the possibility of developing robust public policies in these areas.

March 5: Start of Simulation: Opening Speeches

Notes: Strategy Paper Due March 4

Week 10 (March 9, 12)

March 9: Simulation: Meeting of Policy Committees

March 12: Simulation: Delivery of the Joint Communiqué

Learning Outcomes:

- Describe the factors that shape provincial strategies in intergovernmental negotiations.
- Explain how constitutional and institutional factors create bargaining dynamics that affect the development intergovernmental consensuses and agreements.

Week 11 (March 16, 19)

March 16, 19: Federalism and Plurinationalism: Minority Nations

Readings:

André Lecours, [*Multinationalism and Accommodation: Analysis of a Canadian Success*](#). Montreal: The Federal Idea, 2014.

Karlo Basta, "The State between Minority and Majority Nationalism: Decentralization, Symbolic Recognition, and Secessionist Crises in Spain and Canada," *Publius: The Journal of Federalism*, 48:1 (2017) 51–75.

Kenneth McRoberts, *Misconceiving Canada* 2nd ed. (Toronto: Oxford University Press, 2019), ch.9.

March 19

In-class film: *Referendum Take Two*.

- Describe and compare the strategies used by the central state to recognize or contain the claims of national minorities.
- Compare André Lecours and Karlo Basta's arguments about central state responses to minority nations and evaluate whether recognition necessarily leads to secession.
- Analyze the normative implications of particular forms of accommodation for freedom and democracy in plurinational societies.

Week 12 (March 23, 26)

March 23, 26: Federalism and Plurinationalism: Indigenous Peoples

Readings:

Gina Starblanket, "The Numbered Treaties and The Politics of Incoherency." *Canadian Journal of Political Science* 52(3): 443-459.

Martin Papillon, "Canadian Federalism and the Emerging Mosaic of Aboriginal Multilevel Governance." in Herman Bakvis and Grace Skogstad (eds.) *Canadian Federalism*. Toronto: Oxford 2012, 284-301.

Hayden King, "New Treaties, Same Old Dispossession: A Critical Assessment of Land and Resource Management Regimes in the North." In Martin Papillon and André Juneau (eds.) *Canada: The State of the Federation 2013*. Kingston: Institute of Intergovernmental Relations, 2015. 83-98.

Notes: Reflection paper due November 22.

Learning Outcomes:

- Describe the various proposals for integrating Indigenous peoples into the institutions and practices of Canadian federalism.
- Describe how processes of decolonization interact with the institutions of Canadian federalism.
- Compare the idea of “treaty federalism” or nation-to-nation relationships with their implementation to date.

Week 13 (March 30, April 2)

March 30, April 2: Federalism and Plurinationalism: Non-territorial identities

Readings:

Daniel Béland and André Lecours, “Federalism, nationalist politics, and social policy: How ideas and institutions shape federal dynamics.” In Arthur Benz and Jörg Broschek (eds.) *Federal Dynamics: Continuity, Change, and the Varieties of Federalism*. Oxford: Oxford University Press, 2013. 209-228.

Karen Celis and Petra Meier, “Other identities in ethnofederations: women’s and sexual minorities’ advocacy in Belgium.” *National Identities* 19:4 (2017) 415-432.

Learning Outcomes:

- Compare the arguments for the advantageous and disadvantageous features of federalism for non-territorial interest groups and social movements.
- Evaluate whether federalism helps or hinders welfare state development. Explain whether the mononational or plurinational character of the federation matters in this regard.

Week 14 (April 6)

April 6: Course conclusions and review

Readings:

John McGarry and Brendan O’Leary, “Must Pluri-national Federations Fail?” *Ethnopolitics* 8:1 (2009), 5-25.

Course Policies

Submission of Assignments

Papers are to be submitted to the appropriate submissions folder on the course’s Avenue to Learn page by **11:59 pm** on the due date.

Grades

Grades will be based on the McMaster University grading scale:

MARK	GRADE
90-100	A+
85-90	A
80-84	A-
77-79	B+
73-76	B
70-72	B-
67-69	C+
63-66	C
60-62	C-
57-59	D+
53-56	D
50-52	D-
0-49	F

Late Assignments

Four days grace will be given for most late papers, in order to accommodate the common reasons for late submission, including those giving rise to the use of the MSAF. After four days, the assignments will be assessed a penalty of 2 percentage points per day, including each day of a weekend. The exceptions are the Provincial Context Paper and the Provincial Strategy Paper, which must be submitted on time. If there are reasons why it is incomplete (for instance, someone fell ill at the last minute), this needs to be explained in a covering note making clear what material is missing as a result.

Absences, Missed Work, Illness

Students are expected to attend class and to complete all class readings. University policies around absences due to illness will be respected. Students should speak with an advisor in their faculty office (e.g. the Faculty of Social Sciences office for students enrolled in Political Science) if they are dealing with complicated health, mental health or life situations that might affect their ability to meet the normal course deadlines.

Avenue to Learn

In this course we will be using Avenue to Learn. Students should be aware that, when they access the electronic components of this course, private information such as first and last names, user names for the McMaster e-mail accounts, and program affiliation may become apparent to all other students in the same course. The available information is dependent on the technology used. Continuation in this course will be deemed consent to this disclosure. If you have any questions or concerns about such disclosure please discuss this with the course instructor.

Turnitin.com

In this course we will be using a web-based service (Turnitin.com) to reveal plagiarism. Students will be expected to submit their work electronically to Turnitin.com and in hard copy so that it can be checked for academic dishonesty. Students who do not wish to

submit their work to Turnitin.com must still submit a copy to the instructor. No penalty will be assigned to a student who does not submit work to Turnitin.com. All submitted work is subject to normal verification that standards of academic integrity have been upheld (e.g., on-line search, etc.). For more information please refer to the [Turnitin.com Policy](#).

Academic Accommodation for Religious, Indigenous or Spiritual Observances (RISO)

Students requiring academic accommodation based on religious, indigenous or spiritual observances should follow the procedures set out in the RISO policy. Students requiring a RISO accommodation should submit their request to their Faculty Office normally within 10 working days of the beginning of term in which they anticipate a need for accommodation or to the Registrar's Office prior to their examinations. Students should also contact their instructors as soon as possible to make alternative arrangements for classes, assignments, and tests

University Policies

Academic Integrity Statement

You are expected to exhibit honesty and use ethical behavior in all aspects of the learning process. Academic credentials you earn are rooted in principles of honesty and academic integrity.

Academic dishonesty is to knowingly act or fail to act in a way that results or could result in unearned academic credit or advantage. This behavior can result in serious consequences, e.g. the grade of zero on an assignment, loss of credit with a notation on the transcript (notation reads: "Grade of F assigned for academic dishonesty"), and/or suspension or expulsion from the university.

It is your responsibility to understand what constitutes academic dishonesty. For information on the various types of academic dishonesty please refer to the [Academic Integrity Policy](#).

The following illustrates only three forms of academic dishonesty:

1. Plagiarism, e.g. the submission of work that is not one's own or for which credit has been obtained.
2. Improper collaboration in group work.
3. Copying or using unauthorized aids in tests and examinations.

Academic Accommodation of Students with Disabilities

Students who require academic accommodation must contact Student Accessibility Services (SAS) to make arrangements with a Program Coordinator. Academic accommodations must be arranged for each term of study. Student Accessibility

Services can be contacted by phone 905-525-9140 ext. 28652 or e-mail sas@mcmaster.ca. For further information, consult McMaster University's Policy for [Academic Accommodation of Students with Disabilities](#).

Faculty of Social Sciences E-mail Communication Policy

Effective September 1, 2010, it is the policy of the Faculty of Social Sciences that all e-mail communication sent from students to instructors (including TAs), and from students to staff, must originate from the student's own McMaster University e-mail account. This policy protects confidentiality and confirms the identity of the student. It is the student's responsibility to ensure that communication is sent to the university from a McMaster account. If an instructor becomes aware that a communication has come from an alternate address, the instructor may not reply at his or her discretion.

Course Modification

The instructor and university reserve the right to modify elements of the course during the term. The university may change the dates and deadlines for any or all courses in extreme circumstances. If either type of modification becomes necessary, reasonable notice and communication with the students will be given with explanation and the opportunity to comment on changes. It is the responsibility of the student to check his/her McMaster email and course websites weekly during the term and to note any changes.