Good Democratic Governance at the Municipal Level in Canada:

The Halifax Regional Municipality and Governance Structure Reform

by

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Abstract

Canada is a predominantly urbanized and urbanizing country, with consistent expansion in recent decades in its major cities' populations and geographic size. Major cities have been advancing claims for, or have already been granted by their provincial governments, greater autonomy in the responsibilities assigned to them under provincial legislation. Urban municipalities' legislative frameworks are gradually becoming more permissive, making urban governments and governance structures a highly relevant topic, particularly given the trend of amalgamation that occurred in some major cities in the 1990s which significantly altered municipal governance structures. The Halifax Regional Municipality (HRM), amalgamated in 1996, has commenced a mandatory Governance and District Boundary Review Process to be completed by the end of 2010. The thesis develops a necessarily flexible set of criteria of good democratic governance for the municipal level through consulting the literature on urban governance in Canada and the trends that characterize the experience and consequences of municipal restructuring, particularly amalgamation. A case study of the HRM's unique context and governance structure challenges results in the following reform recommendations: should the HRM seek greater effectiveness in decision making and clearer lines of accountability, regional council should be significantly reduced in size, community councils should be granted greater formal authority to set rates and make decisions beyond land-use issues, and the formal executive power of the office of the mayor should be significantly strengthened.

List of Abbreviations Used

CFH – Citizens For Halifax

CMA – Census Metropolitan Area

FCM – Federation of Canadian Municipalities

GCR – Global City Region

HRM – Halifax Regional Municipality

KBE – Knowledge Based Economy

NS – Nova Scotia

NSUARB – Nova Scotia Utility and Review Board

UNDP – United Nations Development Programme

Chapter One: Introduction

Canada is a predominantly urbanized and urbanizing country, with consistent expansion

in recent decades in its major cities' populations and geographic size. Immigrants are

more often than not attracted to the diversity of cities. The trend of Canadians

undertaking rural-urban migration in search of employment, too, has led to rural

population decline and urban growth and expansion at a steady rate: 80 percent of the

population now resides in major cities or urban areas (Statistics Canada, 2010).[1] These

trends are not expected to halt. If anything, they will likely increase and intensify, posing

new challenges to local municipal governments' ability to not only manage growth and

expansion, but to meet such growth and challenges with a capacity to govern in line with

principles of good democratic governance.

In short, it is impossible to avoid appreciating the importance of Canada's cities.

Large, urban, increasingly diverse and steadily growing, cities hold a prominent place in

political and academic discourse. There is no shortage of argumentation as to just how

crucial Canada's cities are economically and politically. Tom Courchene (2007), for

example, notes that "[t]he new global order – globalization and the information

revolution, which together [can] be referred to as the knowledge-based economy, or KBE

– is leading to the economic, political and even democratic ascendance of Canada's

global city regions" (9). Additionally, Canada's major cities, or global city regions

(GCRs), are obviously where one finds "the requisite dense concentrations of human

capital – information technology, research and development, high-value-added services,

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[1] Statistics Canada defines 'urban' as communities that have 1000 or more residents.

[meaning that] GCRs can become the coordinating and integrating networks in their regional economies, and the national nodes in the international networks that drive growth, trade and innovation" (ibid). Such assertions, arguably, should be taken as obvious: by virtue of their size – most Canadians live in cities – they are the centres in which the Canadian economy is most stimulated and most dependent.

Indeed, Courchene (2007) asserts that city growth and the increased attention cities receive in academia have been "[p]ropelled by the momentum arising from the principle of subsidiarity and the dictates of the knowledge-based economy," and that "...global city regions are increasingly hailed as the new dynamic motors of the information era" (8). Provinces depend heavily on the success of their cities, as does the federal government, and therefore so does the country as a whole. Andrew Sancton (2004), too, notes that "much of the concern about municipal governance in Canada during the last decade has been caused by the realization that what goes on in our cities is now more crucial to economic well-being than what goes on in our mines, farms and fishing boats" (30).

Many major Canadian cities have been advancing claims for, or have already been granted by their provincial governments, greater autonomy in the responsibilities assigned to them under provincial legislation. Examples include the Vancouver, Toronto, and Halifax City Charters, although these cases are very different from one another. Vancouver's Charter, for example, dates to the late nineteenth century, whereas Halifax's is quite recent and not particularly permissive or empowering. As Canada continues its transition to a primarily service/knowledge-based economy, cities naturally become the focal point: it is to cities that most knowledge and human capital flock. With increases in

population size, economic activity, regional and global economic integration and, accordingly, one might think, autonomy or legislative permissibility, cities become a prime topic of interest for students of contemporary local Canadian politics. This topic is highly relevant as urban municipalities' legislative frameworks gradually become more permissive.

Institutional reforms, particularly those that occurred in some Canadian cities in the 1990s, combined with growth and some increases in autonomy in cities, make them an interesting research area for students of local and urban governance. Despite the undeniable importance and rapid growth of Canada's major cities, they can sometimes be characterized as falling short of institutional arrangements, or a governance structure, that sufficiently facilitates the practice of good democratic governance. Particularly with respect to clear lines of accountability, promoting or facilitating strong leadership, and having effective governance and decision making structures, one might argue that large cities in Canada are faced with some significant challenges.

Still, perhaps given the variance in Canada's municipal systems, there are no conclusive arguments regarding how municipal urban governance ought to be structured. Debates abound on issues ranging from the type of governance structure most appropriate for particular municipalities, to the amount of autonomy municipalities ought to possess. Most of these debates involve a trade-off between alternatives. An example would be whether a municipality should opt for a smaller elected council to achieve increased effectiveness in decision making at the cost of reducing the degree of political representation. This thesis is *not* an attempt to advocate in favour of more, or less, city/municipal/local autonomy, but an attempt to question, particularly in the context of

the Halifax Regional Municipality (HRM) which was amalgamated in 1996, which potential reforms, if any, are best suited for the HRM's unique context and governance challenges.

In the opening chapter there is developed a flexible framework, or set of criteria, of good democratic governance by consulting the academic literature regarding municipal governance in Canada. This process will be general in nature and will focus on the broad debates that are relevant to Canadian municipalities. Following this, in the second chapter, there is a literature review to focus on some of the common issues and challenges in urban governance. The literature yields a broad understanding of shared concerns facing municipalities and how they relate to municipal governance structure and the patterns of reform that have occurred in recent years. This section, like the opening chapter, will also be general but will begin to specify, through reference to the literature on urban governance and particular Canadian examples, the pressures on municipalities related to governance and the trends in institutional restructuring that have occurred in recent decades. In the third chapter is stressed the importance of considering the unique context of a city when discussing reforms by conducting a case study of the HRM. In the final chapter are potential reform recommendations that illustrate that a trade off between alternatives is inevitable.

In short, the question that the thesis asks is: given the variance among municipal governments and governance structures in Canada, how might an informed literature review of urban governance, coupled with flexible criteria of good democratic governance and a case study, inform a review and assessment of the HRM's governance structure? Some main themes that will be threaded throughout the thesis are the notions

that good democratic governance is a necessarily flexible concept, reform considerations must be tailored to account for the unique context of the community and, perhaps particularly at the local level, establishing good democratic governance and an appropriate governance structure involves a balancing act among different alternatives (or the acceptance of trade-offs).

The question is particularly relevant given that the HRM is currently in the midst of a mandatory governance and district boundary review process which occurs every eight years to adjust the regional municipality's governance structure to adapt to population growth and other changes. The HRM is also under-studied in the literature on urban governance, which may be due to the fact that its amalgamation (1996) was relatively recent. The HRM has recently seen debates surface regarding its governance structure, regional council size, and the function and form of other elements of its regional government (mayoral power, community council power, and even the potential for outright de-amalgamation, to name a few). The thesis asks which reforms, if any, might be warranted based on the criteria, the literature review, and an understanding of the HRM's particular context in a case study and residents' opinions.

This thesis finds that the HRM sorely lacks a governance structure which promotes an effective decision making process, strong leadership, and a regional outlook coupled with formal recognition of the municipality's diversity. Regional council is too large and divisive, both in the eyes of its residents and in comparison to similarly populated cities in Canada. Effectiveness, at least in decision making, might be significantly increased by trimming the number of councillors, or even by simply structuring regional council so that there are an odd number of voting members. The

HRM's community councils serve solely an advisory function, which is problematic given the diversity of the region, the low levels of local political participation, and the fact that the number of community councils will likely be reduced in number and increased in size by year's end. Granting community councils more flexibility in their formation, some taxation power, and/or more formal decision making power might reduce the need of regional council to focus on issues that are trivial or of local concern while potentially improving avenues available for residents to participate. The mayoral position lacks a level of formal executive power reflective of the challenge involved in a council of 23 highly independent regional councillors who represent many different communities. There are different reform avenues available to strengthen the position, such as having the mayor selected from elected councillors by a majority vote following a municipal election, providing the office with some powers of appointment, establishing an executive committee (similar to cabinet to assist the mayor), or establishing an even number of voting members and having the mayor vote only in the event of a tie. Most importantly, any and all of these reform avenues are interrelated, the HRM's unique context must be taken into account, and all potential reform options must be perceived as a trade-off, or a balance between alternatives.

Municipal Variance in Canada

Canadian municipal systems and cities' place within them are highly diverse. Andrew Sancton and Robert Young (2009) make this clear at the outset of their collection of essays on municipal government in Canada by noting that their endeavour was "fraught with challenges, not the least of which are the huge differences in the

populations of the provinces and the resulting variations in what their respective

municipalities are expected to do" (3). The only shared characteristics among municipal

governments and governance structures in Canada's large cities are, at the most basic

level, that they consist of an executive leader (usually a mayor, or head of council), and a

council of elected representatives, or councillors, who create policies that are

administered and implemented by the municipal public service. Additionally, most large-

city municipalities in Canada share the same formal dependence upon, and subordination

to, their respective provincial governments. Provincial legislation assigns municipalities

their responsibilities and can subject them to reforms unilaterally. Another similarity is

that municipalities' main flow of revenue comes from property taxes and user fees. From

this point, Canadian municipal government structures, values, and their capacity to

facilitate good democratic governance diverge in many directions, as do their mayors'

leadership capability relative to council and the municipal public service. Obviously,

cities in Canada also differ in economic and resource capacity, population and population

growth, and degree of independence from provincial oversight, to name only some of the

many ways in which they vary.

This leaves students of local government curious as to why is there such massive

variance among municipal government structures and systems and, more specifically and

importantly, what can students (and local governments) learn from such variance?

Furthermore, in order to attempt to answer these questions, a framework or criteria must

be developed through which they can be evaluated. If a municipality was debating

reforms to its governance structure, where should it look for evidence for/against certain

routes? Prior to examining these questions and the many debates that rage around them, it

is necessary to outline briefly the general functions with which municipal governments are tasked and the two most common scholarly perspectives of them.

Views of Municipal Governance in Canada

Young notes that there are two basic views of what municipal governments in essence are expected to do. The first perspective understands municipal governments as "simple providers of services to people living in geographical proximity" (2009: 497). Regarding such a perspective, David Cameron asks "are municipalities essentially administrative units carrying out largely mundane, if important, service functions, or are they also political institutions seeking to chart the future shape and style of human communities?" (Cameron, 2009 in Sancton and Young, 2009: 497). The second perspective is one where municipal governments are viewed as "the means by which a local community can express and address its collective objectives," or that they are "about collective choices that represent the will of the community about its future direction" (ibid). Young further asserts that the latter perspective clearly implies that a "solid democratic foundation for these decisions is essential" (2009: 498). Indeed, some views of municipalities have minimal concern for local democracy or a firm concept of good democratic governance, and place a higher priority on a simplified cost/benefit analysis of the delivery of services, particularly those related to property, as property taxes and user fees account for the bulk of most municipal governments' revenue sources.

The position which sees local government as necessitating a firm democratic foundation, just like its higher-level government counterparts, is arguably the most appropriate and the perspective that this study will take as a given. Regardless of the

perspective one may take while discussing municipalities, local democracy is crucial, just as it is wherever public funds are being collected and spent, and where eligible voters are selecting who will represent them through democratic and electoral processes. Young asserts that "whichever view is taken, the quality of local democracy is vital," and he links both perspectives to the necessity of good democratic governance:

> In the first view, it is essential that citizens receive the mix of goods and services that they want, and have them supplied in an efficient manner. This requires democratic mechanisms that accurately send signals about service preferences and that provide for close political oversight of municipal administrations. In the second view, it is obvious that vigorous debate and broad participation are required in order to ensure that important collective decisions are representative and legitimate (2009: 497).

There is broad agreement that municipal politicians, like any in a representative democracy, should be representative of their residents and interests. Given the rarity of Canadian municipal political parties or organizations that could aggregate interests and needs, it is without a doubt that significant variance among municipal governance structures will illustrate similar diversity in a given system's ability to facilitate good democratic governance. The very concept of 'good democratic governance' needs to be defined in detail. In addition to formal, legal, political, or institutional factors, which will be the focus below in this thesis in developing the aforementioned concept's definition, there is another that warrants brief mention.

C. Richard Tindal and Susan Nobes Tindal (2009) assert that looking at a local government's set of institutions or a certain structural arrangement is not necessarily the best approach to observing or assessing the degree to which a local government is capable of facilitating good democratic governance. Values, or what can be called the local political culture, can be equally indicative, depending on one's objective. Tindal

and Tindal assert that "[i]t is increasingly recognized that the way things are actually done is less a reflection of the formal municipal structures in place than it is of the prevailing organizational culture and the values embraced by the local community" (2009: 284). Values are best conceived as "enduring beliefs that influence the choices made by individuals, groups, or organizations from among available means and ends ... [and] organizational values are not always spelled out in any formal way" (Tindal and Tindal, 2009: 284).

Values permeate governmental activity, policy development and decision making, and will therefore be reflected in local governance. It remains difficult, however, to determine conclusively or define which values are present in a given urban municipality, let alone why. The only approach to this would be a historical analysis of what might or might not have been the values that motivated certain changes at certain times. Tindal and Tindal note that "[m]easuring the existence and nature of a local culture is a far from precise exercise, but a social or ideological approach would focus on individual values and beliefs including political party preferences, liberal or conservative leanings, lifestyle choices, tolerance, and religious values" (2009: 284). Still, they also firmly assert that "...values are arguably the most important factor in determining how – and how well – a municipality operates" (2009: 284).

Culture or values cannot be rapidly altered by institutional changes, or changes to a municipality's governance structure, and usually overlap numerous generations. Despite the clear relevance of a community's values in gauging the capacity to facilitate good democratic governance, the greater relevance and importance of formal, institutional, governmental structures cannot be ignored. Power is paramount, and usually

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(ideally) clearly defined in legislation for any governing body. Values, despite the fact that they permeate virtually all elements of governance, are difficult to measure and assess. Hence, this study will be concerned primarily with formal and institutional municipal governance structures, how they encourage or inhibit good democratic governance, and how these might be altered or reformed should deficiencies of any sort be recognized. Whether certain approaches do or do not facilitate good democratic governance depends heavily on how the concept is perceived. In order to do this, criteria of good democratic governance will be employed in a case study of the HRM, in light of the many debates that currently converge in and on the municipality.

Conceptualizing 'Good Democratic Governance'

It is difficult to define an all-encompassing or nationally applicable concept of good democratic governance at the local level due to the variance found among Canadian city municipalities and the challenge of data/information collection. A general and flexible set of criteria will be presented. Sancton notes that "there is a wide variety of municipal structures in Canada and very little evidence that one form is better than another" (2004: 26). His analysis frequently points beyond or above the municipal, particularly to provincial and federal levels of government, to address the governance challenges facing large Canadian cities.[2] Nonetheless, the fact that there is little evidence that one form is better than another speaks to the aforementioned point that governance structures must draw on knowledge gleaned generally from the literature and other cities'

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[2] Sancton argues in *The Limits of Boundaries: Why City-Regions Cannot be Self-Governing*, for example, that cities "are *not* governed by municipalities … [because] municipal governments always share functional responsibility … with other levels of government," namely, the Provincial and Federal Government. (2008: 32).

experiences, and then be tailored to the unique governance circumstances and histories of the cities themselves.

Sancton asserts that "[d]isputes about the internal structures of municipalities carry on almost as a kind of background noise in the local politics of most cities ... is the council too large? Should councillors be elected at-large or by ward? Should the city manager (or chief administrative officer) be recognized as the sole link between council and administrative staff or should council have direct and equal access to the heads of all major line departments?" (2004: 28). Indeed, although parallel debates usually exist regarding municipal governance structure in all major Canadian cities, it would be far-fetched to conceive of a system that would address the governance challenges faced by each unique government.

Canadian municipal governments are diverse in the ways that they are governed, populated, funded, and structurally comprised. A brief comparison will serve to clearly illustrate this point. The central city of Vancouver, for example, accounts for 27.5 percent of the population of the Vancouver CMA (census metropolitan area) (Sancton, 2004: 31). The Vancouver CMA is governed by a ten member council, has an at-large election system, and its municipal vote is organized in a municipal party system; "its police force is run by the city but water, sewer, and transit services are provided by agencies associated with the Greater Vancouver Regional District" (ibid). Winnipeg and Calgary, however, each comprise about 92 percent of the populations of their CMAs, both have councils elected in a ward system and no functioning political parties exist at the municipal level (Sancton, 2004: 32). The mayor of Winnipeg also maintains the authority

to choose the members of city council's executive committee, which is an executive power-strengthening ability unavailable to other Canadian mayors.

It is clear, as Sancton notes, that "it is not at all obvious that one of these [municipal] government arrangements is superior to any of the others, although there are strong arguments to suggest that Vancouver might be better off with a ward system so as to ensure that all areas of the city receive equal representation" on council (2004: 31). Furthermore, "institutional arrangements matter and we need to pay attention to them," notes Sancton, but he also cautions that "Canadians have probably paid for too many studies searching for the ideal municipal structure" (2004: 31). In a general sense this is true. But, as this thesis will illustrate, speaking generally about municipal government structures and potential reforms is a beneficial undertaking if and only if the information and knowledge gleaned from it is applied to a particular context. Coupling a broad understanding and review of the literature on municipal governance in Canada with a context-specific case study will yield an informed set of recommendations for the HRM in its consideration of potential reforms. There is no ideal municipal structure in a general sense, but paying close attention to the unique context and challenges of a given municipal government when coupled with knowledge gleaned from the more general literature on municipal government in Canada, as well as experiences in comparable big-city municipalities, should lead to some informed reform recommendations.

To again note the importance of examining institutional structure when assessing governance, Tindal and Tindal note that "[i]nstitutional structure is important because it is the vehicle through which the basic purposes and values a society wishes to pursue through local government are carried out ... it is thus presumed that institutions matter—

that political and policy outcomes will differ as institutional structure differs" (2009: 245). Looking carefully at variations between urban municipalities' internal governance structures ought to reveal that particular circumstances or challenges are best addressed with certain structural or institutional arrangements, which should aid an attempt to provide a position on local government reforms in the HRM. Prior to doing so, consulting Kennedy Stewart's (2006) suggestions on how to best design and assess indicators of good democratic governance will aid in developing the criteria that will be employed in this study in two ways. First, he provides a general guide to conceptualizing and assessing governance for students of local government. Second, his analysis includes the indicator of citizen participation, which will be discussed in this study in the context of the HRM, particularly in the third chapter when analyzing resident survey results. Following this, the United Nations Development Programme's Urban Governance Index will be consulted to develop a working, flexible definition and analytical framework of 'good democratic governance' for the local/municipal level. The main components in this framework will be citizen participation, effectiveness, and accountability/transparency.

Stewart notes that "[t]hose developing good urban governance indicators face at least four major challenges: concept definition, measure choice, sample choice and indicator evaluation[;] ... [w]hile data collection and manipulation are often of primary concern, normative considerations are at least equally important insofar as they establish which indicators best represent 'good' urban governance and the standards by which selected indicators should be judged" (2006: 196). This study will not be quantitative in nature, but it is obvious that, as Stewart indicates, citizen participation is usually easily

quantifiable and undeniably one of the most important elements of any criteria or framework of governance.

Stewart develops the concept of 'good *urban* governance,' which can, for the sake of this definition's development, be considered synonymous with 'good *democratic* governance,' given that municipal governments in Canada are obviously democratically elected and all Canadian citizens are equal under the Canadian Charter of Rights and Freedoms. Stewart uses the term governance to describe "the process by which collective decisions are made" (2006: 198). As will be seen, collective decisions in Canadian municipal governments are made in council; hence the governance structure of the HRM will be the focal point. The United Nations Development Programme's *Users' Guide to Measuring Local Governance* provides a similar but more detailed definition of local governance, stating that it is

> ...the result of interactions, relationships and networks between the different sectors (government, public sector, private sector and civil society) and involves decisions, negotiation, and different power relations between stakeholders to determine who gets what, when and how. The relationships between government and different sectors of society determine how things are done, and how services are provided. Governance is therefore much more than government or 'good government' and shapes the way a service or set of services are planned, managed and regulated within a set of political social and economic systems (UNDP, 2009: 5).

Stewart also notes that in defining the concept of good democratic governance, 'good' "...provides the evaluative portion of this term [or concept] and does so in two ways: by describing the standards by which governance indicators are assessed and [by] establishing the components crucial for any complete assessment of governance" (Stewart, 2006: 198).

As will be articulated throughout this project, the standard or threshold that indicates a concept in the framework of good democratic governance being considered to be 'good' will be difficult to determine decisively. However the main assertion throughout will be that it is certain that trade-offs among the criteria will occur. For example, a municipality may seek streamlined policymaking and clearer lines of accountability (perhaps through a smaller council and strong formal mayoral power) in exchange for a reduced degree of representation (in that there are fewer councillors, meaning that a single councillor represents more residents, and has a larger constituency). Reversed, the same municipality could opt for a much larger council (higher representation ratio) at the cost of potentially having a more divisive and less effective council (more councillors, interests, debate, and discussion, which increases the potential for conflict).

These examples speak to the normative debates that exist regarding urban governance, and, as will be seen, there are no conclusive or unanimously accepted solutions. Trade-offs, or a balance between alternatives (both of which depend on the objective at hand and how it is related to good democratic governance), are inevitable. This recognition of the inevitability of choosing among alternatives, or deciding between various tradeoffs, is a theme that will permeate the entirety of this thesis. Once this is taken into account, it becomes clear that in many ways it is impossible to develop a rigid concept of 'good democratic governance.'

Nonetheless, the discussion will now proceed with a deconstruction of the concept of good democratic governance by examining indicators that must be taken into consideration when making an assessment. Most importantly, this should not be

considered an inflexible concept or set of criteria. Given the inherent variance among municipal governance structures and the unique circumstances found in each, the framework must be flexible and adaptive to different settings. Indeed, it is merely a guiding analytical framework, or collection of relevant concepts and ideas to be analyzed, through which local governance can be examined and assessed. The primary motives for including these criteria and a working, flexible concept of good democratic governance are to illustrate that trade-offs and the many different options and alternatives can yield different results relative to what is 'good' democratic governance.

The framework will give a general sense of the basic structures, institutions, and processes that are involved at the municipal level. In the second chapter the framework will be threaded through an academic literature review of urban governance to outline with greater specificity the alternatives and inevitable trade-offs that any level of government faces when considering reforms and the objectives sought following their implementation as they relate to good democratic governance. Following this, an application of the same framework to the HRM through a case study, with reference and comparison to other city/municipal governments in the Canadian context and their experiences, will allow for a detailed analysis of the reform debates and options currently facing the HRM.

Citizen Participation

Stewart (2006) divides citizen participation into two distinct types, and notes that "although there are many ways for citizens to participate in their own governance, there are only two broad categories into which all participation can be broadly classified:

electoral and extra-electoral" (198). He also notes that while "both categories of

participation would seem central to include in any complete assessment of good urban

governance, [his article] explores only electoral participation, as elections are the key

mechanisms through which policy decisions in modern mass society are made" (Stewart,

2006: 198). Extra-electoral participation will also be included in examining the HRM

through the criteria of good democratic governance, as the community councils, or their

form, number, and function, are currently under scrutiny and are also a reform topic. This

and the many other potential reforms will be discussed below and in much greater detail

in chapter three (the case study).

Stewart cautions that those planning to explore voter participation in assessing

good urban governance face a number of distinct choices when developing indicators:

"[for example], while 'ballots cast' is the most commonly used numerator, there is much

debate over which denominator generates the most appropriate voter turnout measure"

(2006: 198). He elaborates using the case of Vancouver municipal elections, noting that

"...139,761 Vancouver voters cast ballots in 2002 whereas only 132,072 participated in

the 2005 Vancouver civic election: a difference of 7000 (ibid). Although the difference is

likely much greater due to significant population increases (which reinforces his overall

point), this serves as a good example. He notes that "[u]sing 'total population' accurately

reflects this small difference between the two elections, but artificially lowers both scores

by including non-eligible residents (i.e. people under the age of 18 and non-citizen

residents)" (2006: 198). Furthermore, employing the measure of 'eligible population'

"also accurately reflects the small difference, but distorts accuracy because they are often

based on estimates (here taking 70% of the population to account for ineligible residents

such as those under the age of 18) ... [h]owever votes cast divided by 'registered voters' produces an 18% difference (50–32%) in turnout rates between the two years while the raw figure indicate a much smaller difference" (2006: 199). Stewart's guidance through these examples illustrate how "even this single simple indicator of voter participation can be complicated on a technical level [and] [b]eyond the technical considerations, if one chooses to use anything but total population to calculate turnout, one enters into normative debates about eligibility restrictions" (ibid).

Normative debates regarding eligibility restrictions[3] and technical considerations will not be a concern in assessing the rates of citizen participation in the HRM, as the concept of citizen participation will be used more as an indicator to examine whether the level of citizen participation in local politics in the HRM is even moderately good. Normative accounts will feature prominently in the analysis of the other indicators that will comprise the analytical framework of good democratic governance, as this study will not be quantitative in nature. This study will assert that higher rates of participation from eligible voters in an electoral sense, as well as higher participation rates of individuals in an extra-electoral sense, are desired in the HRM. Discussions surrounding citizen participation at the local level will be discussed in greater detail throughout the HRM case study in chapter three.

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[3] The HRM's eligibility restrictions for voting in municipal elections are as follows: those eligible must be Canadian citizens, 18 years of age on election day, and have resided in the HRM continuously for the previous three months (HRM Municipal Website).

Effectiveness

A second important concept for an analytical framework of good democratic governance involves the effectiveness of numerous different processes and functions of local governance. To what degree does a local government exceed or come short of governing in an effective way? This question involves many different indicators, and consulting the UNDP's *Users' Guide to Measuring Local Governance* and its Urban Governance Index leads to employing some of the following indicators as measures of effectiveness: local government revenues per capita, local government revenue transfers (in this case, those from the provincial government), the predictability of transfers in local government budget, whether performance standards are published, and an examination of the results of customer/resident satisfaction surveys (UNDP, 2009: 57). This thesis will direct the bulk of its attention to the latter indicator, in that it will undertake a more qualitative assessment regarding effectiveness. This will be conducted primarily by looking at citizen surveys and opinion polls, rather than opting for a quantitative analysis that is primarily concerned with money and services/benefit received. Indeed, as mentioned at the outset, some perceptions of municipal government are concerned almost entirely with a cost/benefit effectiveness analysis, where the only real concern focuses on the bottom line. This will be outlined in greater detail upon consulting Tindal and Tindal's (2009) division of the two roles or images through which people tend to view municipal government.

Effectiveness, however, particularly in the democratic governance sense, has just as much to do with a municipality's ability to make good decisions and provide effective representation and leadership as it does with providing the cheapest and/or most cost

effective services. Rather than focus on the degree to which a municipality can offer the

cheapest services, the focus with this element of the criteria will be on residents'

perceptions on the work of their local democratic government: how do residents perceive

the work and vision of their elected representatives in council, their community councils,

and their municipal public service? In short, effectiveness can be just as much about

effectively and democratically reflecting the public's demands as it can be about dollars.

Indeed, money issues might be best captured in a measure of economy or efficiency – not

effectiveness. How effective is a municipal government and its governance structure in

consulting, channelling, and answering to the opinions of its residents and ensuring that,

by and large, the public is satisfied that they are being governed effectively? The best

way to gauge this is to consult citizen-based assessments on their municipality and its

governance.

Accountability

Along with effectiveness and avenues available for the residents to participate in

the governance process at the local level, the indicator of accountability (and

transparency) is a factor to examine when assessing governance and considering potential

reforms to a local governance structure. Also drawn from the UNDP's *Users' Guide to*

Measuring Local Governance and its Urban Governance Index are the following topics,

some of which relate to the degree of accountability and transparency in governance

processes: the degree of control or oversight of higher (provincial/federal) levels of

government (which is extremely high in Canada); the formal publication of contracts,

tenders, budgets, and accounts; a means for facilitating citizen complaints; and, finally,

whether or not there is a regular independent audit (UNDP, 2009: 57). Some of these indicators are relevant to this thesis, particularly avenues for facilitating citizen complaints. However, most of these indicators are economic in nature and, as mentioned, this thesis will be more concerned with a qualitative assessment of accountability in governance structure.

For example, of great concern will be an examination of the HRM's lines of accountability regarding decision-making on regional council. As will be seen, the HRM (like all Canadian municipalities) employs a weak mayor system, where the mayor has limited formal power and is essentially one among equals with the other elected councillors. It can be stated that weak mayor systems of governance blur the lines of accountability for voters and, when coupled with a large number of councillors, it can become difficult for residents to understand precisely who advances what policy, objective, or position. Not all votes on all issues are public, either, which can further increase the confusion for residents as they calculate whether or not to support a candidate in the next election. Other questions regarding the accountability of regional council can also be asked, such as whether regional council tends to be held more accountable to the residents/voters, or to their superior level of government, the province. Given that the analysis in this thesis will be primarily qualitative, the degree to which regional council is held accountable can be found by looking at citizen-based assessments of their municipal government and identifying shortcomings in its governance structure.

To gauge a local government's degree of accountability and the degree to which it is transparent, one must examine in detail the governance structure and the division of powers as per the provincial legislation that assigns and defines these responsibilities.

Again, as will be seen, Canadian municipalities vary greatly in their governance

structures, and so too do the levels of authority afforded to its council, executive, chief

administrative officer or city manager, and advisory groups, community

councils/associations, or similarly-titled equivalents. These more general topics will be

discussed in the following chapter, and a specific examination of the HRM will occur in

chapters three and four. Indeed, when looking at the HRM's governance structure, it will

become clear that lines of accountability are not as clear as they could be and that there

could well be some reforms made in this regard.

Case Selection: Why the Halifax Regional Municipality?

Selecting the HRM for a review and assessment through criteria of good

democratic governance is well-timed, interesting, and relevant for multiple important

reasons. First, the HRM is understudied in the literature on urban governance. The HRM

is also the largest municipality in Atlantic Canada, but significantly smaller in population

(though not in geographic size – it is roughly the same size as the province of Prince

Edward Island) than most of its other provincial capital and large city counterparts,

making parallels or comparisons difficult. The HRM is an outlier of municipal

government in the province of Nova Scotia, and in Atlantic Canada. New Brunswick, for

example, does not have large urban amalgamated municipal governments, and instead

has numerous separate municipalities neighbouring each other. In discussing the history

of Nova Scotia's municipal government and its characteristics, David Cameron and Paul

Hobson (2009) note that "the basic structure of municipal government in Nova Scotia

has, with a few notable exceptions, changed remarkably little over the past century and a

quarter ...[t]he foundation of the municipal system is the county, of which there are eighteen ...[and] [t]hree of these are now incorporated as 'regional' municipalities, containing both urban and rural communities in single-tier municipal units" (138). The HRM is the largest, most diverse, and most populated of the three notable exceptions.

The HRM, along with the Cape Breton Regional Municipality and Queen's County, are the three regional municipalities that were amalgamated in the mid-1990s. The HRM's experience following amalgamation has parallels with trends in provincial-municipal relations and municipal governance that were seen across Canada around the same time. Nova Scotia's *Municipal Government Act*, which was passed in 1998 and came into effect on 1 April, 1999, "attempted to bring the municipalities in the province more in line with a trend in municipal governance and provincial-municipal relations generally in Canada" (Cameron and Hobson, 2009: 148-9). The subtitle of the act speaks clearly to this fact: 'Progressive Powers for Municipalities' (ibid). Although the details and effects of this legislation vis-a-vis the HRM will be analyzed in detail in the third chapter, its stated purpose indicated that it was intended to give "'broad authority to councils ... and to respect their right to govern municipalities in whatever ways the councils consider appropriate within the jurisdiction given to them'" (Cameron and Hobson, 2009: 149).

Much debate exists as to just how 'progressive' this legislation actually was, or ought to be, and Cameron and Hobson note that "[w]hen it comes to the fine print, the legislation is not quite as progressive as the above quotations might suggest" (2009: 149). Additionally, and also a move that parallels other major cities in Canada, the HRM was granted a Charter, the *Halifax Regional Municipality Charter,* which came into effect on

January 13, 2009. The Charter followed and replaced the 'progressive' provincial legislation in the *Municipal Government Act*, which indicates that the province of Nova Scotia has taken moderate steps to increase the legislative permissibility of its major regional municipality. As mentioned at the outset of the chapter, selecting the HRM for an assessment and review through criteria of good democratic governance is highly relevant as the HRM, like other major city municipalities, is very gradually being granted greater legislative permissibility.

The most important motivation for selecting a review and assessment of the HRM through a framework of good democratic governance involves the requirement under the Municipal Government Act of Nova Scotia (and the Halifax Charter) that the HRM undertake a full district boundary review every eight years. Under section 364 of the HRM Charter, which references Part XVI Section 369 of the Municipal Government Act, this review, which is conducted by the regional municipality itself with some limited public consultation, must be submitted to the Nova Scotia Utility and Review Board (NSUARB) by December 31, 2010. The NSUARB permitted the HRM to undertake a "modified" review in 2006-2007, but "ordered that a full district boundary review be submitted to the NSUARB" by the end of 2010 (Halifax.ca, *HRM's District Boundary Review)*. Hence, it is clear that this study is well-timed to offer an informed set of recommendations depending on the objectives the HRM seeks and how these relate to the practice of good democratic governance. Furthermore, the HRM has conducted a detailed citizen survey in the past year which relates directly to the reform options on the table and the citizens' post-amalgamation experiences. Other recent surveys exist, too, including some single issue opinion polls and a 1999 citizen survey. These will provide a

main source for gauging HRM residents' perceptions of governance, which should be able to indicate what might or might not facilitate good democratic governance in the HRM, at least through the eyes of its residents.

The HRM created a Governance and Boundary Review Committee of Council, which is chaired by Mayor Peter Kelly, to review polling districts, their boundaries, and the governance structure of the HRM. 'Phase 1' of the committee's review is appropriately titled 'Governance,' and, as the HRM municipal website makes clear, "Phase 1 of the Governance and Boundary Review process is all about governance, which involves questions like the size of electoral districts, the role of district councillors, the power and size of Community Councils and Regional Council, and how Council can work best to serve you as citizens of the HRM" (Halifax.ca, *HRM's District Boundary Review*). Although this could easily be viewed as perhaps a relatively straightforward and bland undertaking, the ramifications of reform options are significant. Some of this significance can be attributed to two recent developments regarding the HRM.

In May 2009, then Progressive Conservative Premier Rodney MacDonald stated during the provincial election campaign that he intended to reopen the amalgamation debate and vowed to order an independent review of the HRM if his party were re-elected on June 9. This would seem unnecessary given the mandatory review that would commence the following year, but de-amalgamation is not one of the specific reform options of the governance and district boundary review of the HRM that is currently underway. MacDonald's statement clearly spoke to the fact that people have been questioning the effects of amalgamation for the HRM for some time.

MacDonald stated that he believes "...it's time to end the debate and in that way, we're going to put forward a review, an independent agency to look at the issue of amalgamation and deal with this issue once and for all" (CBC News: "Tories promise review of amalgamation if re-elected"). He also noted that "...there are concerns that people feel that they lost their community of interest, other concerns around the services they get for the taxes they pay and I believe they deserve to have input" (ibid). The fact that his party was electorally annihilated did not take the amalgamation debate off the table, as de-amalgamation is often discussed in the media, and similar ideas are sometimes advanced by local organizations.

Another development regarding governance of the HRM involves the recent formation of a non-partisan citizen action group called the Citizens for Halifax Society. Some of their stated objectives involve significant alterations to the current governance structure of the HRM, including strengthening the power of the mayor, reducing the number of councillors and polling districts, and de-amalgamating the HRM entirely into two separate units – one of which would govern and service the rural and previously titled Halifax County area, while the other would govern and service the urban and suburban areas located on and around the Halifax peninsula (CFH Online). The society argues that the HRM is composed of two 'natural constituencies' (urban and rural) and that there exists a serious lack of leadership on council (ibid). The HRM has never had an organized municipal party system, nor has it ever had a non-partisan coalition advance such bold political and structural reform objectives, which makes their appearance noteworthy.

Conclusion and Outline of Chapters

The HRM is formally considering significant reforms and alterations to its municipal government structure which will have equally significant results for the way in which its governance is practised. This makes a case study and assessment of the HRM's governance structure, coupled with a general review of the literature on urban governance, a well-timed and relevant undertaking. How might the literature regarding urban governance inform and guide a review and assessment of the HRM as it considers alterations to its governance structure and institutions? What types of challenges have faced other municipalities in Canada following consolidation? An analytical (and flexible) framework of good democratic governance, drawn from a discussion and review of the literature, will illustrate that it is difficult to develop a rigid set of criteria of good democratic governance in that the unique circumstances in a given regional municipality must be taken into account. Following the review, some general guiding principles as to what the objectives of reforms are, and how they might facilitate good democratic governance, will permit for a context-specific analysis through a case study and some informed recommendations. The most important consideration here is that trade-offs, or a balance between various alternatives, will yield different results depending on the objectives.

The rest of this study will proceed as follows. Chapter two will involve a general review of the academic literature regarding urban governance, during which the following assertion will be made: one can conceptualize good democratic governance at the local level through a general discussion, and doing so greatly aids in understanding local governance, but each element or indicator of the concept must be flexible and

adapted to a particular case study if one wishes to move from the general to the particular.

The indicators outlined in the deconstruction of the concept of good democratic governance will be linked to, or threaded though, the many issues, topics, and debates related to urban governance and potential reforms. De-amalgamating the HRM, for example, would have significant consequences relating to the provision of services and the amount of representation afforded to its residents. It is unclear whether the province would even support de-amalgamation, so this issue is given little consideration. Shrinking or increasing council size, or introducing independent taxation or rate setting powers for community councils, would also have significant consequences.

Chapter three will apply the information and knowledge gleaned from the academic literature review to a case study of the Halifax Regional Municipality. The main theme developed in this chapter will be that depending on a government's objectives when considering structure and governance reforms, and how these objectives relate to the degree to which good democratic governance is present or possible, they need to strike a balance between alternatives.

The fourth and final chapter will build on the knowledge from the literature review and the specific circumstances of the HRM case study. At this point it should be possible to recommend or discourage certain reform avenues, based on the analytical framework of good democratic governance and how certain approaches might be better than others. The chapter will be organized around the criteria introduced above, and the governance structure of the HRM will be discussed in detail, its specific elements having been brought into the discussion in chapter three.

Chapter Two

Literature Review: Municipal Governance in Canada

Good democratic governance is anything but a stable concept. It varies according to context and always involves striking a balance between various alternatives that, if taken, will lead to different outcomes. Exploring the literature pertaining to governance at the municipal level, primarily through illustrating that trade-offs will occur, will aid in developing an understanding of this inevitability when considering reforms. This chapter will review numerous overarching municipal governance issues including the degree of autonomy possessed by municipalities and the normative debates surrounding this. Also included will be an analysis of the two dominant perspectives on municipal governments, and the most common issues associated with reform options at the municipal level. As will be seen the most common and debated issue in recent years involving municipal governments in Canada, particularly in the 1990s, has been the occurrence of consolidation.

The main theme articulated herein will be that although there exist many common or parallel governance issues and challenges facing urban municipalities in Canada, a broad discussion must move beyond the general to the context-specific case 'on the ground,' or 'in the council' in each unique locale if seeking to make reform recommendations. The objective here is to gain an understanding of municipal governance structures and processes in Canada that relate to the institutions potentially targeted when considering reforms (almost always the council size/structure, the function/form of sublocal governance institutions, and the role/strength of the mayor). This review will now proceed with an examination Tindal and Tindal's (2009) discussion

of two different images or perceptions of municipal government, and two roles of municipal governments' functions. It will also touch on how maintaining a balance between the two (always competing) sides is crucial. Following this, the review will consult some of the leading scholars in municipal and urban governance in Canada to compare their perspectives and outline some of the debates regarding municipal autonomy and a municipal governments' capacity to govern. Following this, the review will discuss the main debates that focus on an occurrence that has perhaps been evident in more major city Canadian municipalities than any other: municipal restructuring and metropolitan government, particularly through amalgamation.

The Municipal Balancing Act

Tindal and Tindal provide a great starting point in defining and discussing the two perspectives noted at the outset of this thesis which pertain to municipal government (simple service providers versus placing priority on establishing and maintaining a firm democratic foundation) (Young, 2009). They then further specify each image or vision by aligning it with the two actual types of functions that all municipal governments carry out. Of crucial importance here is the fact that municipal governments, by virtue of their democratic electoral process and regardless of their size, structure, location, or any other variable, endorse and practice both visions. No municipal government in Canada is appointed or acts solely as a business that only provides services to those that pay for them, and no municipal government only fulfills a representative, political, or democratic function. The two roles and visions converge in municipal governance, although it will be

clear that some scholars lend greater emphasis or importance to one perspective than the other. Likewise, this thesis, too, will lend greater emphasis to one side over the other.

Tindal and Tindal note that "[t]he challenge for municipalities is to maintain a balance between two contrasting visions of what they are and how they should operate and a balance between the two primary roles that underlie these visions" (407). They provide interesting metaphors to illustrate the necessity of striking balance. The two visions, Tindal and Tindal note, can be characterized as the vending machine and the barn raising. These metaphors illustrate numerous issues that must be taken into consideration, and they relate directly to the two perceptions of the role of municipal government also discussed in the opening chapter. Some view the municipal level as mere service providers, usually to property, while a different perspective sees them as a level of government that necessitates a solid democratic foundation and regular, meaningful consultation with residents.

The image of a vending machine aligns well with the first perspective: it "reflects the municipality's role as service provider ... [t]his view has always been prominent and it has received even greater attention in recent years with the emphasis on municipalities being more businesslike and taking care of the customer" (2009: 407). Such a perspective has gained considerable sway in the literature and also in politics in the last couple decades, largely due to the dominance of new public management and the rise of neoliberalism generally. Indeed, the "vending machine view is essentially an extension of public choice theory, focusing on individual choice through markets" (ibid). Public and rational choice theories have advocated bringing businesslike practices to the processes of governance. Essentially, "people drop money (tax payments) into the municipal

vending machine, and the machine dispenses services ... [s]ometimes the machine doesn't work, or is out of a particular product that people want, and they grumble and kick the machine" (Tindal and Tindal, 2009: 407).

Tindal and Tindal make clear that this perspective – that of the municipality being similar to a vending machine or 'simple service provider' – ensures that "there is nothing to encourage a close allegiance between citizens and the municipal vending machine ... it is just a service provider [and] all it wants is for people to deposit their money in exchange for the products [while] all the people want are the products that satisfy their needs" (407). Although very simplified, this is an accurate depiction of the arguably pessimistic or minimalist perspective of local governments and governance. This is not the perspective that this thesis intends to advance. However, this perspective illustrates a key component of good democratic governance in that efficiency cannot be dismissed as unimportant: few customers would return to a vending machine that failed to provide the product they paid for or if it dispensed the wrong one.

In other words, as Enid Slack (2003) notes, people might "vote with their feet," or move, which is the assertion by public choice theory that people will "move to the jurisdiction with the tax and expenditure package that most closely resembles what they want" (6). However this argument, Slack asserts, is based on numerous assumptions: "it assumes that there is a large number of small, homogeneous local governments [for people to choose from]; [that] the cost of mobility is zero; [and that] there are no externalities ['freeriders' in an adjacent jurisdiction, or a spillover of a cost or benefit which a municipality does not anticipate or factor into their decisions]" (ibid). Indeed, although the vending machine perspective is persuasive when assessing a local

government along strictly economic, cost/benefit terms, it lacks relevance when considering the importance of the quality of local democracy, representation, effectiveness in decision making, and other (non-financial) elements of municipal governance.

The second image analogous to a perspective or vision of municipal government is that of the 'barn raising' – a communal gathering that sees most or all able citizens assisting in the construction and maintenance of a barn which most of them (or the greater community) would benefit from having. The barn raising "incorporates the notion of citizen and community responsibility ... [p]eople have collective needs and concerns" (Tindal and Tindal, 2009: 407). Tindal and Tindal elaborate on this metaphor, which clearly indicates a high degree of concern for citizen input, participation, and, ultimately, a sufficient degree of good democratic governance: "[t]echnical staff can write a strategic plan but only the citizens of a community can provide the vision that illuminates such a plan ... [s]torefront operations, efforts to involve and empower local groups and associations, initiatives to promote partnerships amongst groups to tackle community issues – all of these actions reflect the barn raising model [which is] consistent with the notion of the municipality as an extension of the community, the community governing itself" (Tindal and Tindal, 2009: 408). Other examples that parallel this image could include things like 'adopt a highway' projects for garbage clean-up, community policing initiatives, or even the establishment of a local food bank or soup kitchen: all involve collective action for the benefit of the common good. Taken further, and more related to democratic representation and local governance, the 'barn raising' image could be illustrative of a citizens' petition, or the holding of a plebiscite, consultative and

meaningful town hall meetings, or the formation of a group or society which seeks to advance shared objectives in the community.

Tindal and Tindal further assert that these two visions are, not surprisingly, always in conflict with each other, and they further detail this analogy to attach it to perceiving how governance ought to occur at the local level by denoting the two actual roles of municipal government. The two roles of municipal government in this case are described as representative and administrative. No level of government is aligned entirely with one role or the other, and examining any would reveal that they clearly fulfill both roles, although to varying degrees and with varying levels of emphasis on each. Tindal and Tindal note that "[u]nderlying the two contrasting images of a barn raising versus a vending machine are the two [actual] roles of municipal government: representative/political and administrative/service delivery – and they are also in conflict" (2009: 408). The first role obviously denotes a greater degree of, or emphasis on, local democratic (electoral or extra-electoral) participation: "if the first role is emphasized, the municipality is seen as a vehicle used by the community to address its collective concerns [which] [c]onveys the notion of collective action to deal with shared problems and challenges (consistent with the image of the barn raising)" (ibid). Indeed, this role sees municipalities as being viewed as "...local democratic institutions that respond to collective public concerns by providing public services financed from taxes ... the ultimate measure of their performance is how effectively they respond to the elusive public interest" (ibid).

Effectiveness and accountability, key components outlined in the analytical framework of good democratic governance, would be the indicators examined to try to

determine the degree to which a municipal government is fulfilling its political

obligations, but not strictly in an economic sense. A local government that represents the

interests and needs of their residents by channelling them into service delivery, while also

providing strong leadership and vision for directing the community, would be an example

of government with a high degree of effectiveness. In this sense efficiency, or economy,

or a cost/benefit analysis would be of a lesser concern, as the main assessment criterion

would be whether or not the objective of a particular action, be it the implementation of a

service, reform, program, agenda, or vision, for example, was achieved. Also, whether or

not a local government actually completed such processes in a timely manner would be

an indicator of effectiveness. How much it costs would feature in the assessment, but the

decisive factor would be whether or not those that work within the governance structure,

and perhaps the governance structure itself, encourage effective governance. The second

role – that of the administrative/service delivery approach – also warrants discussion

here, and the main objective of including it as well as the more democratically-oriented,

representative/participatory role, is to illustrate that no examples exist where only one

role is emphasized or sought after by a municipal government.

Tindal and Tindal caution that "[i]f the administrative role is emphasized, as has

certainly been the case in recent years, the municipality is seen as but one of many

players in a competitive marketplace in which individuals are free to pursue their

personal interests by seeking out the services that they find most attractive" (2009: 408).

Again, like the vending machine metaphor, "the image is manifestly not one of the

collective identification of issues and collective responses ... a variety of [usually private]

alternative service providers is seen as offering the range of choice needed for consumers

of services to pursue their best interests" (ibid). Usually in the case of the strictly administrative/service delivery role, "[c]harging user fees for these services is favoured over payment through taxes, because the former allows individuals to select only those services they want to use, and to pay accordingly (as in the vending machine analogy) ... [t]he ultimate measurement of performance is how efficiently municipalities deliver services as reflected in their bottom line" (Tindal and Tindal, 2009: 408).

Unlike the previous role, which to assess its level of success would involve determining how effective a municipal government was in achieving its stated objectives and consulting with residents to determine what these ought to be, the role of the municipal government that places great emphasis on service delivery would be more concerned with efficiency. Essentially a cost/benefit analysis, or looking at delivering services as efficiently as possible, would be the primary concern. A municipal government that embodied this role would in theory have low, if any, taxes, and would maintain its services by charging user fees to those that used them, or have them contracted out to private businesses and removed from the public realm. Examples might include transit in the municipality: those that use the transit system would pay, much like a toll highway or hiring a private security company rather than being taxed and having the municipality maintain roads or a police force. This perspective is one that disregards the importance of having elements of democracy, representation, effectiveness, accountability, and participation. These are arguably more important than economic concerns if doing an assessment of good democratic governance. In essence, the two perspectives would be good cost-effective service provision, and good democratic

governance. It can be asserted that the former cannot possibly occur, let alone be successfully achieved, without the latter being firmly established.

Again Tindal and Tindal provide superb analysis in illustrating first that striking a balance is essential and, therefore, that serious dangers exist if a municipal government pushes too far in one direction or another. For example, they note that "the second role, of municipality as servicing agent, contains within it both positive elements and potential dangers, depending on the extent to which its key features are pushed ... [t]he benefits of a competitive atmosphere have long been evident in the public sector, and public choice proponents are persuasive when they contend that the choice for citizens is enhanced when there are multiple local service providers" (2009: 409). They also caution that "[o]n the other hand ... whatever efficiency benefits there may be from a fragmented municipal structure are potentially offset by problems caused by the lack of a unified approach to intermunicipal issues ... this structural arrangement may also allow the creation or preservation of communities of relatively wealthy individuals who need minimal government services and are taxed accordingly, and who aren't obliged to contribute" (ibid). If a municipal government structure abandons key democratic, representative, participatory and accountability elements in its approach to governance, it runs a serious risk: "carried to an extreme, this can result in a kind of social apartheid, in which the elite feel increasingly justified in paying only what is necessary to ensure that everyone in their community is sufficiently well educated and has access to the public services they need to succeed" (2009: 409-10). It becomes clear that efficiency and effectiveness are crucial elements to consider when examining or assessing municipal government, but moderation, or a balance between options, is important.

Tindal and Tindal grant more sway to the democratic, participatory, and representative role of local government, as does this thesis: they "believe that the representative/political role should be paramount, but the features of the service delivery role are also valuable in moderation and within the framework of the first role" (2009: 411). In sum, and like any level of government, the municipal government ought to consistently attempt a balancing act between both images and roles in its governance practices, being careful not to abandon the core principles that both sides are rooted in. The degree to which municipal governments in Canada possess the authority, or legislative permissibility, to freely determine their governance approach varies, and this warrants a discussion to gain a better understanding as to how perspectives in the literature perceive municipal autonomy and the place of municipalities in the federation.

Municipal Autonomy and Legislative Permissibility

Perspectives vary as to how much autonomy municipal governments in Canada actually possess, as do the normative debates regarding how much they ought to possess. It is certainly clear, as Sancton (2009) notes, that "[w]e all acknowledge that provincial legislatures can do whatever they want with municipalities," since their "...statutory authority in this field would appear to be virtually unlimited ... but provincial ministries, including the ministries that deal explicitly with municipal affairs, can regulate and control municipalities only to the extent that they are authorized to do so by statute" (11). Like the discussion earlier regarding the variance that characterizes municipal systems in Canada, particularly their diverse institutional make up, Sancton notes with reference to

their level of autonomy that, while "most provinces have some form of quasi-judicial body that acts as an appeal board for municipal land-use decisions, the authority of such boards [also] varies dramatically from province to province" (12). Sancton cites the Ontario Municipal Board (OMB) as being "famously the most powerful" of the provincial oversight or quasi-judicial bodies, as "even routine zoning decisions by the city of Toronto are appealed to the OMB and it is not unusual for the city council to be overruled" (ibid). He also notes that, for example, the government of British Columbia "is usually content simply to leave municipalities alone" – an approach which "has its attractions to those who generally favour municipal autonomy, but [one that] can be frustrating to advocates of strong provincial action" (ibid).

    Some might dismiss the local government, or the municipality, as irrelevant in the broader context of the Canadian federation, at least in comparison to its higher-level counterparts, notably provincial governments: the local government is merely a constitutionless corporation that services property – a powerless subject of its provincial government and one that plays a minimal role in the important decisions governing the country and individuals' day-to-day lives. Although such a perspective would be extreme, it is clear that Sancton's (2004) discussion about looking "beyond the municipal," or to the broader context of the Canadian federation, echoes similar ideas:

> [f]or some, there is a mistaken belief that the fate of our cities is in the hands of municipal governments. It is true that in theory municipal governments could do much damage — by failing to maintain municipal infrastructure, for example. No one wants to invest in a city where the sewers don't work or where it is impossible to move on the roads. But municipal governments are rarely guilty of such sins, except perhaps when they are so starved for funds that they have no choice. The point is that very few of these resources are subject to direct municipal influence or control. Municipal councils have no control over the main levers of economic policy (interest rates, corporate tax regimes, immigration levels) and only very limited involvement with policies

and institutions relating to research (universities), health care (hospitals) and major cultural facilities (museums, art galleries, opera houses). This is why policymaking for successful competitive cities involves so much more than what the most effective and efficient of municipal governments could ever possibly accomplish (30).

Not quite so, say others, who advance a different perspective by suggesting that the local level of government matters in that it is often closest to the citizen, and like any level of government in a democratic federation, involves important democratic processes that have important implications for the lives of Canadians. For example, Tindal and Tindal (2009) note that there is a "compelling reason for municipalities to reassert their political role and to reforge links with their citizens" because "[e]xperience has shown that there is little to be gained by relying on the provincial and federal levels and waiting to see what may trickle down from above" (412). If the definition of autonomy is strictly jurisdictional or constitutional, local governments possess very little. But if one considers the effects of informal power, or the ability of a local government to assert and increase its agency in governance and policy processes, it can be said that municipal governments possess at least more than is commonly perceived in the 'creatures of the provinces' conceptualization.

Simple logic suggests that if most people in a state live in its major cities, and these cities are growing steadily in both population and diversity, as well as in importance given their economic contribution to the state as a whole, they must matter. Sancton (2008) for example, presents two assumptions commonly found in the work of global city analysts: a) cities are governed by municipalities; and b) because cities are growing in importance, municipalities are (or should be) growing in importance, just as sovereign states are declining in importance (2008: 31). Bluntly, and accurately, Sancton

notes the weakness of the first assumption—that cities are "*not* governed by municipalities ... [because] municipal governments always share functional responsibility ... with other levels of government" (2008: 32). This is particularly relevant in the Canadian context, given that municipalities are constitutionless creatures of the provinces in the federation. Even in unitary states, students studying topics in urban or municipal autonomy/government must recognize that "municipalities will always only be *part* of a multi-level system of government for cities;" once this is acknowledged, Sancton notes, "we will realize that there is nothing inevitable about the future role of municipalities" (2008: 32).

The questions, more specifically, are to what degree do they matter, to what degree are they autonomous and able to democratically determine their futures, and to what degree are reforms, if any, warranted? Fortunately for students and scholars of urban governance, there is a sufficient pool of literature to consult. This review will proceed with a discussion of the current state of Canadian cities, the structural restraints on their autonomy and leadership capacity, and the nature of the challenges facing them.

Arguably, the most important issues and challenges in Canadian politics converge in and on its cities: they are the economic centres that are increasingly stimulating the rapidly growing knowledge-based economy. Cities are also the magnets which attract most immigrants. Kristin Good (2005) notes, for example, that "...since immigrants tend to gravitate overwhelmingly to Canada's largest city-regions, questions surrounding fair and effective immigrant settlement arise most immediately in cities and suburbs in these regions;" furthermore, "...census data indicate that while immigrants constitute about 18 per cent of the Canadian population as a whole, they account for 49.4 per cent of

Toronto's population and 44.9 per cent of Vancouver's population" (261). Regardless of where one stands on the degree of autonomy that cities possess or should possess, and why, one cannot deny the importance of the Canadian city's success to the stability and success of the Canadian federation. It is both objective and obvious to assert that cities matter.

Caroline Andrew (2001), in making clear the importance of responding appropriately to the challenges in Canada's cities, especially those regarding social diversity, polarization, and the welfare of the most marginalized, notes that there is undeniable evidence that a) cities are increasingly diverse and b) that this diversity is not solely in an ethno-cultural sense but also an economic one. Andrew advances the claim that recognizing the importance of Canada's cities is long overdue. She in fact goes further in noting, generally, that their importance and the intensity of challenges faced within them warrant more autonomy, policy capacity, and legislative permissibility.

Advocating what is essentially an argument of subsidiarity or decentralization of power – that the lowest level of government possible ought to craft, implement, and administer its policies, programs, and services – Andrew illustrates with clarity one of the core debates in urban governance: ideally the closest capable level of government ought to govern, but are cities capable, financially and structurally, to do so? She asserts a resounding yes to this query, resting her claim on the fact that cities have been progressively adopting more significant policy roles, such as in Toronto where "[t]he endorsement by the [former] mayor, Mel Lastman, and council of Toronto of the Toronto Charter, with its broad list of powers that Toronto would like to have, is an illustration of the growing frustration of an urban population wanting to act and yet conscious of the

lack of political will on the part of senior governments;" it is also a "traditional example of power politics" on the part of a local mayor in an effort to "get more resources from the provincial government" (2001: 106). Likewise, and also regarding the city council of Toronto, Feldman and Graham's study examining potential governance reforms explicitly placed high importance on the principle of subsidiarity and a strengthened mayoral role in an effort to make service provision as efficient and locally-tailored as possible (2005: 4). This type of reform will resurface in the concluding chapter.

In considering one of Andrew's options for a restructuring of city government, she notes that "provincial governments have imposed new structures [on local government, usually amalgamations], arguing not so much for better capacity to act but for less expensive city government" (2001: 107). Indeed, Sancton makes an interesting observation regarding the contemporary place and function of Canadian provincial governments relative to their 'creatures'—the municipalities—noting that they are "the kind of intermediate mechanisms between the national state and local municipality that other [unitary] countries sorely lack or have only recently created" (2008: 136). This implies that a mediating or go-between level of government is beneficial to lower level government, especially in a federation. But he goes on to state that it is perhaps because "provinces have been with us for so long and have had ample opportunity to err and to annoy" that they are frequently viewed as the level of government we "could do without" (2008: 136).

Through his perspective it is clear that provincial governments play the most direct role in controlling the expansion and structuring of city-regions in Canada (in that they determine through legislation what the constitutionless local/municipal level can

do). However, Sancton simultaneously questions their ability to provide the flexibility and capacity to govern that advocates like Andrew claim is needed at the local level: "[i]t is not obvious that [the provinces] are now in the process of becoming the much-needed governments of city-regions, especially when they still include such immense expanses of lakes, rocks, and trees within their boundaries" (2008: 136-7).

As large cities grow, their capacity to control their growth is compounded by both their lack of autonomy and the lack of assistance from the provinces. Ideally, urban autonomy advocates like Andrew would hope to receive both, but it is unlikely that this will occur. Furthermore, as will be articulated below, there is no blanket approach applicable to solving any challenge faced by local governments: they all have different governance structures, different politics, and different relationships with their provincial governments. Although Andrew is speaking broadly about the 'shame' of ignoring the cities, this seems to miss the point: are all provinces ignoring their cities? How does a level of government so financially dependent on one or more of its major cities' success ignore them? Furthermore, it is misleading to polarize debates regarding urban issues along a local autonomy – strong central government spectrum. It is also problematic for a municipal government to lean too far toward the service delivery role, or the more political/representative role. One must also refrain from prescribing blanket solutions in a federation as diverse and fragmented as Canada. Like any alterations to the structures and processes involved in governance, caution is important. Indeed, the complexity and diversity of Canada's cities and their local governments compounds the challenge of reform.

Perhaps the effects of reforms would be easier to predict (or at least easier to study) if there existed any degree of similarity or uniformity among Canada's major city municipalities in their structures or the challenges they face; the fact is that no such similarity exists. Aside from their deference to their provincial governments (which itself varies: witness the Toronto, Vancouver, Halifax, and Winnipeg City Charters, particularly the latter's ability to employ tax increment financing and receive a portion of Manitoba's income tax), and the weak mayor system (which also varies), local governance structures have little in common.

Generally stated, provincial legislative frameworks concerning municipalities are becoming more permissive, but this response is both slow and arguably overdue. There has indeed been a noticeable trend in recent years in Canada wherein some of its major city municipalities have gradually been granted greater legislative permissibility. More often than not this permissibility comes in the enactment of a city charter, or constitution-like legislation outlining with greater clarity the roles, responsibilities, and areas of jurisdiction for the city municipality. Such legislation takes a municipality outside of the general provincial municipal government act, and often occurs in amalgamated, large city municipalities. Louise Quesnel (2002) summarizes this trend through examining four Canadian cities' experiences following amalgamations, noting that "[r]ecently, Canadian provinces have undertaken major amalgamation reforms in metropolitan regions ... be it to form a megacity (in Toronto) or a unicity (in Winnipeg), the governmental reforms [are] aimed at increasing the administrative capacity at the local level while putting in place conditions favourable to the emergence of a collaborative and cohesive approach to urban planning in the metropolitan region" (1).

**Municipal Restructuring, Metropolitan Governance,
and the Amalgamation Experience in Canada**

Although the specifics in governmental structures in each city are varied, they can all be categorized in two camps: single-tier and two-tier structural arrangements, the latter of which is touched on below. Quesnel (2002) notes that "[i]n some cases, the structure of the amalgamated city is divided into two levels: the central city level and the sublocal level ... two structural models therefore have been implemented: the unified model with centralized services only, and the two-level model with decentralization" (1). Although described using the term 'decentralization,' more often than not the sub-local level possesses minimal, if any, formal legislative or taxation authority. Indeed, as will be seen in the HRM, this is precisely the case. Nonetheless, they serve an important function relating to the criteria of representation and citizen participation in the framework of good democratic governance, in that they (in theory) act as a closer, participatory link to citizens in a particular district or region of a Canadian city.

Quesnel provides a valuable description of the sub-local governance institutions in Canadian cities and their functions, and although they are termed differently ('community councils,' 'resident advisory groups' or 'borough councils'), they serve very similar purposes. She notes that "[sub-local governance entities] are basically described by five characteristics: geographical identification with a portion of the city, [being] endowed with a certain number of responsibilities, [possessing] no capacity to raise [their] own revenue from direct taxation on income or property, [their] major source of revenue [takes the form of transfers] from city government, [and their] decision-making capacity is in the hands of locally elected officials and dedicated staff" (2002: 2).

Quesnel's descriptive study examined sub-local entities in four Canadian cities following amalgamation: Toronto, Halifax, Ottawa, and Quebec City. Although there is much variance in these four selections (for example, Ottawa does not actually have any sub-local entities) and "[t]he selection of cases is not representative in statistical terms of the whole of amalgamated cities in Canada," her analysis nonetheless raises a pertinent question regarding municipal sub-local entities where they exist: where should the line between city-wide and local interests be drawn? (2002: 2, 11). She notes that "the responsibilities of borough [or sub-local] councils are often described as those concerning matters of interest to the community as opposed to the city as a whole ... in the cases examined in [her] research, the city council is authorized to establish the strategic breaking point where city and community interests are differentiated, at the risk of creating tensions" (Quesnel, 2002: 11). This tension can be expected in any Canadian city with sub-local entities, and hopefully "...the experience will move toward a harmonious and non-competitive division of responsibilities and integrated processes where the boroughs and the city level will find a mutual modus vivendi" (ibid). Indeed, where sub-local entities have minimal, if any, authority, it can become difficult to distinguish which concerns might be of a local nature and which might be of a regional nature. This is a challenge that has occurred in the HRM following amalgamation, as its community councils are sublocal entities but it is a single tier regional government.

Undoubtedly one of the most common experiences among major Canadian cities has been the process of amalgamation, or the consolidation of multiple municipalities into a single governmental and territorial unit. Indeed, Tindal and Tindal (2009) note that "the pressures of growth and change brought many complex challenges, especially in

relation to rapid urbanization, extensive sprawl, and global competition," but it was

"particularly through municipal amalgamation and restructuring that most provinces

attempted to address perceived local problems" (83). Young (2009) further affirms this

trend in stating that "[f]or good or ill ... most of our urban areas are governed by a single

tier of municipal government ... [h]ow large these municipalities should be has been a

topic of great debate in recent years in Canada" (4). Robert Bish (2001) summarizes the

most common justification employed in advancing amalgamation as the best means of

restructuring, which he also notes were common in the earlier part of the twentieth

century only to reappear in the latter decades:

> Small governments were considered unprofessional and inefficient, and
> fragmentation of authority, either within a government or among multiple
> local governments, was viewed as a source of weakness that would prevent
> coordination. Only with a single, professionally organized government, it was
> believed, could an urban area be governed properly and public services
> produced efficiently. These ideas dominated the first half of the twentieth
> century and reappeared from time to time in the second half (3).

Although restructuring responses can be grouped into three general categories (the

creation of intermunicipal boards, the establishment of regional or metropolitan two tier

municipal systems, and the amalgamation of two or more municipalities), the

amalgamation experience is both the most recent and most common in large cities and

urban areas. As Bish (2001) also notes, even amalgamated regional or metropolitan

governments are, to some extent, two tier, in that they usually employ some form of sub-

governmental representation below the all-encompassing regional level: "[t]hese two-tier

systems were of two types ... one superimposed a metropolitan government on top of

independent municipalities — as was done in Toronto in 1953 and in Winnipeg in the

early 1960s," while "[t]he other abolished the existing municipalities and imposed a

metropolitan government with some kind of provision for community representation within the larger structure, as was done in Winnipeg in 1972, more recently in Halifax in 1996, in Toronto in 1998, and is currently proposed for five areas in Quebec" (4). Amalgamation, however, is most relevant to this discussion as the concentration in the following chapter is a case study of the HRM.

Examining this experience will illustrate, again, the dominance of the provincial level of government over the municipal. The discussion here will now survey the amalgamation experience through different perspectives and then evaluate the restructuring experience generally. The reasons for focusing primarily on the amalgamation experience and assessing the arguments often presented in favour of amalgamation are that the HRM underwent this process, and that amalgamation is the most common and most recent reform route when municipalities have been subject to restructuring in Canada. It is also the most debated and discussed, by far, among municipal restructuring or reform avenues. Indeed, Harry Kitchen (2003) makes this very clear as he summarizes the Canadian experience, and he also characterizes the typical public reaction with this occurrence:

> At the local level in Canada, nothing has stirred up public reaction like restructuring, especially where it has been a large scale amalgamation imposed by the province. Every amalgamation has brought out a number of supporters and a larger number of critics. Their comments have generated countless newspaper stories, reports, articles and even books highlighting arguments in support of restructuring and laying out arguments against it. Supporters, like critics, have not come from specific segments of the population – both can be found among provincial politicians, municipal politicians, local residents, academics and policy analysts. Public reaction has been swift and heated. Rational debate and reasoned discussion seldom surfaced. Instead, arguments were often illogical and passionate, frequently degenerating into political innuendo, personal accusations and even threats (11).

Sancton provides a comprehensive analysis of three provinces' recent moves to amalgamate, or merge/annex two or more separate municipalities into a single municipal unit with a single municipal government. Dismissing explanations that amalgamation policies are implemented either in response to the pressures of globalization or internal political pressures, Sancton argues that "recent municipal amalgamations in Canada can only be explained by a state-centred account of policymaking ... [provinces] sponsored amalgamations because they thought this was the right policy in the circumstances, even though there was little or no societal demand for such policy and even though there were many other courses of action" (2006: 126).[4]

Municipal governments can be subject to unilateral provincial alterations, and the case of amalgamation in Halifax, which created the Halifax Regional Municipality, illustrates this: "[the 1996 amalgamation] began in a context of conflict between the provincial and municipal governments and was implemented without municipal consent through legislation by the Nova Scotia government" (Poel, 2000: 32). Dale Poel, in assessing survey data following three years' experience with the amalgamation, noted widespread opposition to the amalgamation; in fact, "the 1999 HRM Citizen Survey shows that opposition to the amalgamation legislation and its outcome not only continued, but actually increased since before amalgamation took place" (2000: 34). Poel concludes that "most citizens in 1999 did not have a favourable assessment of the HRM amalgamation decision or the performance of their council, individual councillors or

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[4]Christopher Leo, however, might disagree with this assertion. He posits that trade liberalization through international agreements have decreased the state's ability to insulate or protect its economy, which prevents very real and very serious challenges to all levels of government. Municipalities are anything but exempt from these competitive pressures, and in fact may take the hardest hit: "there are compelling reasons for cities to evolve economic development strategies and social supports" for their unique problems, since "as national governments weaken, the focus of economic development shifts ever more obviously from the nation to the urban-centred region" (2006: 484).

mayor, did not see the geographical, social, and economic diversity of the HRM region as a strength and ... did not link amalgamation in a positive way to municipal service improvement—most considered most services to have stayed the same" (2000: 44). This experience, particularly with reference to survey data, Poel's analysis, and a more recent 2010 citizen survey, will be examined in detail in the case study on the HRM in the following chapter. That chapter will deal specifically with the HRM and more recent survey data as the governance and district boundary review committee prepares to submit its recommendations.

As mentioned, there is a newly founded non-partisan coalition in Halifax that advances *de*-amalgamation as one of its core objectives. The Citizens for Halifax coalition asserts that, "in addition to a serious lack of leadership on council, the current municipality has serious structural problems related to the size of council and the urban/rural split on council" (CFH, 2010). They suggest that the HRM's council should be "drastically" reduced in size and that the HRM "should be divided into its two natural constituencies; one, a city municipality for urban residents, and two, a county municipality for rural residents" (ibid).

Sancton asks an important question pertaining to this very issue and speaking to the fact that municipalities are generally limited by provincial monitoring boards and legislative changes in that, even without majority support, provincial governments can enact legislation with minimal consultation, let alone debate: "[i]s it a good idea for provincial premiers to be able to do what they want without having to mobilize political support? Or is the municipal sector ... unique or unusual, such that similar state policymaking autonomy would not be possible in other sectors?" (2006: 134).

Amalgamations are a significant alteration to the territorial jurisdiction and governmental structure of municipalities, and even if met with cynicism they "very likely will not be reversed" (Poel, 2000: 44).

One might wonder if provincial approaches to municipal reform may have more to do with political or electoral incentives than any concerns regarding autonomy or interests. Indeed, Warren Magnusson takes a very assertive position regarding amalgamations and provincial legislative alterations, in addition to a lack of knowledge among residents regarding their effects: "it is not clear to people that local self-government is actually at stake when provincial governments fiddle with municipal boundaries or change municipal powers" (2005: 23). His arguments rest in the democratic right to self-government which is somewhat in contradiction to the constitutional provision (Section 92) which provides exclusive jurisdiction to provinces over municipal institutions. Analogous to Aboriginal/indigenous rights to self government, Magnusson claims, the local government is constitutionally and constantly subject to "totalitarian provincial control" that detracts from "the principles of a free and democratic society" (2005: 6). Arguments against amalgamations and provincial alterations of local government structures can be made that are not so concerned with direct, participatory democracy, and have more to do with economic competition.

Bish flatly rejects what he perceives as the antiquity of provincial governments' logic, suggesting that amalgamations create democratically deficient, "large and centralized governments" that are less economically efficient while being "further removed from their voters and less able to respond effectively to local needs and choices" (2001: 1). Bish's opposition to amalgamations rests partly in democratic ideals, but with

an equal emphasis on economically conservative principles, including free competition

and service delivery coordination where possible and economically feasible. This is a

perspective that advocates decentralization of decision making to smaller, competing

local governing and service-providing bodies. This was discussed in the Tindal and

Tindal analogies earlier (the service delivery model/role) and is echoed in Bish's

assertions here.

Cities and urban municipalities in Canada are diverse and, Bish argues, one

should never assume homogeneity of interests and challenges within them. This is

evidenced in the many different variations of the sub-local level of governance entities in

most amalgamated big cities. Indeed, federalism divides jurisdictions, and Bish employs

a parallel claim for the local level: premised on the notion that "no single organization"

can possibly coordinate and provide the myriad specific needs of small municipalities in

metropolitan areas, he notes that "when there is a multiplicity of small municipalities in

metropolitan areas, the costs of governance are lower, not higher, and, moreover, the

political system is more representative" (2001: 1). Like the discussion of Quesnel's

analysis of sub-local entities, local tailoring and knowledge are crucial to creating an

appropriate governance structure, and, following Bish's detailed empirical assessment of

the cost of government in municipalities ranging in the low thousands to over 100,000

across the country, he concluded that

> ...there is no evidence that per capita costs are lower in large municipalities or
> that they are better able to meet their residents' demands for services than small
> municipalities ... [and] ... there is no reason to sacrifice the benefits of greater
> citizen participation and representation that are a feature of small governments
> only to create a larger government that costs more and provides services that are
> less likely to meet local preferences (2001: 18).

The overarching reality here is that provincial governments can (and do) unilaterally alter their municipalities through amalgamations and other types of legislative changes[5] which can have serious implications for local government. There is consensus in the literature that local governments possess a low degree of formal autonomy and the occurrence of provincially imposed amalgamation illustrates this.

Assessing or discussing the effects of amalgamation depends largely on which indicators are measured or examined. There is no doubt, however, that consolidation drastically alters the local political landscape. A municipal consolidation and its effects can be presented as either a positive and negative occurrence, or a bit of both. For example, Tindal and Tindal (2009) note with reference to the case of the HRM that "[f]ar from saving money, the Halifax Regional Municipality saw amalgamation costs of some $40 million in the early years, increased taxes and user charges, and low levels of satisfaction with post-amalgamation services" (2009: 122). However, although increased costs would probably be viewed by most as being a serious shortcoming, when balanced against the fact that "...there is no doubt that Halifax has a stronger political voice and that [the HRM has] a stronger capacity for policy analysis and management," the effects of amalgamation can be interpreted, or presented, in a positive light (ibid).

Tindal and Tindal (2009) provide great analysis on the trends that characterized municipal restructuring efforts in Canada, including amalgamation. Included here will be a general review of some of the arguments frequently advanced by amalgamation proponents. This examination will be particularly relevant to the following case study of

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[5] An example of arguably drastic and democratically deficient alterations to a municipal government structure occurred in Winnipeg's 'Unicity.' Following amalgamation in 1972 (the first of its type in Canada), Unicity's government had 50 councillors plus the mayor. The number of councillors was reduced by the province to 29 in 1977 and to 15 in 1992; over the same period of time, Unicity's population *grew* by 15.2% (Tindals, 2009: 97).

the HRM, as most of the issues discussed will prove to be present throughout the HRM's experiences since amalgamation. As firm advocates of considering alternatives to amalgamation, or at least seeking verification for the arguments advanced in favour of amalgamation, Tindal and Tindal summarize the municipal restructuring experience in Canada as follows:

> Municipal restructuring efforts in Canada have been limited in a number of respects – in the reforms actually carried out; in the emphasis on amalgamation (especially in the 1990s); in the alternatives approaches to reform that have received too little attention; in the broader, external changes that should occur and often haven't; and in the internal changes and innovations that have been relatively neglected because of the preoccupation with boundary changes (2009: 129).

Tindal and Tindal also note that the main justifications for pursuing amalgamation focus on reducing costs or generating savings, addressing the problem of sprawl, eliminating intermunicipal clashes and turf wars, reducing bureaucracy and having less government, and competing more effectively in a global world (2009: 137). The latter rationale was already covered and dismissed in the discussion of Sancton's analysis of amalgamation, so the focus here will be on the other reasons.

As for generating savings through the amalgamation of two or more (often many more) municipalities, Tindal and Tindal note that "the efforts of newly amalgamated municipalities, not surprisingly, have been largely devoted to the pursuit of the promised savings ... with, at best, mixed results" (2009: 138). They note that those proposing amalgamation on the grounds of savings frequently anticipate the emergence of economies of scale (where a per unit cost of delivering a service falls as the quantity of the service provided increases) and fewer costs associated with having less employee salaries to pay and less duplication of services (ibid). Pursuing amalgamation in an effort to create economies of scale "is a problematic choice," Tindal and Tindal assert, because

"while the larger municipality that results may be more efficient for delivering some municipal services, it will be less efficient for delivering others" (2009: 139). This could be especially problematic if the new municipality includes a large rural area that, upon being annexed, is entitled to services provided in the urban core.

Assuming that a larger, merged municipality will lead to savings arising from a substantial cut in staffing and the number of elected officials "is also elusive," because "staff layoffs or buyouts result in increased costs in the early going [due to] the severance packages that must be paid" and "there [will likely be] strong upward pressures on these costs after amalgamation" (2009: 139-40). They cite an example of this where the two-tier government of Hamilton-Wentworth was amalgamated into a single-tier City of Hamilton. In this instance, union contracts following amalgamation resulted in wages that "moved up to the highest level found in any of the six former municipalities that were merged" (ibid). Another rise in costs might occur if there is a reduction in the number of councillors for a geographic area following amalgamation, as although there may be fewer elected officials and, some might assume, lower costs, those remaining will inevitably require more staff to govern and oversee a larger constituency and/or more citizens. Although amalgamation is the most common and most discussed restructuring option, it is clear that it does anything but guarantee savings, especially in the short term.

As for the objective of controlling urban sprawl, which is when property development of all sorts "spills over the boundaries of a central city to adjacent suburban municipalities and beyond," Tindal and Tindal, and Sancton, provide sufficient argumentation to refute amalgamation as a proper solution to this municipal challenge (2009: 143). Amalgamation is frequently advocated as a means to unite the entire area

under one municipal jurisdiction so as to better coordinate and control development. Tindal and Tindal caution that "[w]hile such a response is more likely under a unified jurisdiction, one should not assume that an amalgamated municipality would necessarily tackle the sprawl issue effectively," and they add that "the same forces contributing to sprawl over the decades (including public preference for single family homes on large lots) would still be at play within the enlarged municipality" (ibid).

Sancton also refutes amalgamation as a solution to sprawl, noting that "it is now impossible to define the outer limits of urban expansion," and this is also the main point on which he builds his case against urban or city-region self-government (of any sort): "if there is no end in sight to a city's growth, it is difficult to construct coherent boundaries" (2008: 56). Sancton argues, by extension, that any government needs a territory explicitly drawn with official and stable boundaries. Although municipal borders, especially for diverse and growing cities, were arbitrary when created and might be arbitrary today (perhaps even more so with large amalgamations), provided a city continues to grow and expand (which they do in Canada – over 80% of the population lives in cities and this trend has never reversed), amalgamation does not necessarily aid in controlling sprawl. It may temporarily accommodate some expansion, but the inevitability of expansion questions this rationale for advocating amalgamation: "amalgamating municipalities as a means to controlling sprawl would mean having to restructure on a continuing basis, constantly expanding boundaries outward in an attempt to catch up with the ongoing population overspill" (Tindal and Tindal, 2009: 144).

Amalgamation may, however, be a successful means of eliminating inter-municipal clashes, or at least it might have done so in the HRM. There was conflict

between the municipalities of the old Cities of Dartmouth and Halifax to have a Costco store locate in their respective business parks, and the fact that amalgamation occurred after this dispute (and the fact that there are now Costco stores in each of the former municipalities) suggests that amalgamation may be an appropriate means of reducing or (potentially) eliminating inter-municipal conflict of this sort.

However, as will be repeatedly seen in the following two chapters, this is debateable. Amalgamations may appear to reduce conflict, but more often than not following amalgamation community councils or committees are formed (like in the HRM) as sub-local governing entities. Although the HRM's community councils were drawn so as not to correspond with the pre-amalgamation municipal boundaries, in any amalgamated area "[t]hese bodies will attempt to ensure that the particular interests and concerns of their area are not overlooked by the new, enlarged municipality – and fulfilling this role is presumably why they were established in the first place" (Tindal and Tindal, 2009: 154). Indeed, this perfectly characterizes the HRM, and, as will be seen, "it must be appreciated ... that amalgamation doesn't eliminate difference and clashes; it brings them inside a single council chamber" (ibid). This statement will be echoed in looking at the HRM's road to amalgamation, and, further, it will essentially be proven true in looking at the current governance structure of the HRM in the fourth and concluding chapter as division and conflict in regional council will be seen as perhaps the best way to characterize the HRM's governance structure.

Conclusion

This discussion and review has been general and concerned primarily with providing an overview of some of the challenges and issues facing Canadian municipalities, especially those related to amalgamation, and how they can be conceptualized with the different images and roles of municipal governments as articulated by Tindal and Tindal. The review serves as a broad summary of some common obstacles and challenges relating to governance which Canadian municipalities face. As will be seen below, the effects of these challenges are evident in the HRM's governance structure as its governance and district boundary review process is underway. The general discussion of the literature provides an appropriate point from which to transition to a specific case study of the HRM, wherein the governance structure, particularly regional council, community councils, and the mayoral role, can be assessed according to the analytical framework of good democratic governance which, above all, stresses a balance among alternatives. Furthermore, as mentioned in chapter one, the HRM is currently considering many significant reform options in the process of the governance and district boundary review which could have equally important consequences on its ability to provide good democratic governance, particularly in line with the criteria of participation, effectiveness and accountability.

The following chapter will link specific debates and issues currently under scrutiny in the Halifax Regional Municipality to the roles, images, and challenges that have been discussed on a more general level thus far. Again, a key theme that will emerge is the importance of balancing among options and restraining from placing too much emphasis on one objective or another, or one municipal government role or

another. The ideal circumstances for the provision of good democratic governance at the local level must, above all, maintain balance between the two perspectives or roles of how local governance ought to be conducted, and must take the particular context of a community into account.

Chapter Three

Case Study: The Halifax Regional Municipality (HRM)

The study now turns to a context-specific examination, in the form of a case study, of the HRM. This chapter will commence by providing a brief history of the municipal legislative evolution from the late 1800s to the 1970s, noting some of the characteristics of the province's approach to its municipalities. Following this, the discussion will turn to the amalgamation of four separate municipalities (the cities of Halifax and Dartmouth, the Town of Bedford, and Halifax County) in 1996, and a review of provincial-municipal relations before and during the consolidation. Much of this information will be gleaned from Cameron and Hobson's (2009) detailed essay on local governments and governance in the province of Nova Scotia. It will become clear that legislative change in Nova Scotia relating to municipalities tends to occur a bit slower than many might like, or expect. In the 1990s, however, this changed rather abruptly, as the province rearranged the municipal government system significantly with the establishment of three regional municipalities, one of which was voluntary (Queen's), one of which has been widely accepted as necessary (Cape Breton Regional Municipality), and one of which was certainly not voluntary and in which the dust has not settled on the debate regarding its consequences or necessity (the HRM).

The focus will then turn to an analysis of the institutional structure of the HRM, during which it will be shown that the HRM's particular context, its large size and the urban-rural split, must be taken into consideration when thinking about reform alternatives. This is followed by an evaluation of some trade-offs according to the criteria of good democratic governance developed earlier. Throughout the following analysis it

will be clear that the HRM's unique context and characteristics make it an interesting

regional municipal government to study, and, further, that this compounds the challenge

of identifying which reform options, if any, might be warranted as regional council

continues its district and boundary review process. Following this, the study will examine

and analyze HRM citizen surveys from 1999 and 2010, from which some general trends

or changes in citizen perception can hopefully be identified.

Municipal Government in Nova Scotia

The basic structure of municipal government in Nova Scotia, which was

established by the County Incorporation Act of 1879 and then the Towns Incorporation

Act of 1888, has always been one based on the county unit (Cameron and Hobson, 2009:

138). The former piece of legislation brought about the incorporation of eighteen

counties, of which three have since been incorporated into regional municipalities which

contain both urban and rural communities in single-tier units (ibid). The latter piece of

legislation brought about the incorporation of at least eight towns between 1873 and

1886, which led the province to standardize and regulate the process in 1888, since which

many towns have been incorporated (ibid). Cameron and Hobson note that the municipal

government system in Nova Scotia has, "...with a few notable exceptions, changed

remarkably little over the past century and a quarter" (2009: 138). Indeed, until what

began in the 1970s with the Graham Commission, there have been very few alterations to

municipal institutional structures, but there has since been significant change to the

province's two most populated, urban areas. The recommendations observed in

municipal-provincial relations in the 1970s can be seen as the roots of similar alterations that eventually occurred in the 1990s, although the latter case was the creation of regional municipalities, which this discussion will turn to shortly.

The Liberal provincial government of Premier Gerald Regan, elected in October 1970, established a three-person Royal Commission on Education, Public Services and Provincial-Municipal relations. The Commission was chaired by Dalhousie professor of economics Dr. John Graham. The commission released a "massive" report thirty-eight months later that contained a package of three notable recommendations which Cameron and Hobson (2009) characterize as, had they all been implemented at that time, constituting nothing short of a "virtual revolution in municipal government and provincial-municipal relations in Nova Scotia" (143). These trends observed in provincial-municipal relations resonated in the municipal restructuring which was eventually seen in the 1990s.

The first of these recommendations is best described as suggesting that the province draw a "sharp, if arbitrary, line between what it considered to be local and general services," with the province being responsible for services deemed general in nature (Cameron and Hobson, 2009: 43). These general services included education, public health and hospitals, public welfare, the administration of justice, and civil defence. Secondly, the report suggested that a number of support services, which were "integral to the taxing authority of municipalities," be assumed by the province, including "responsibility for property assessment, tax collection (including local improvement taxes), capital borrowing, and the administration of pension plans for municipal

employees" (ibid). It was estimated that the rearrangement of service provision would cost the province an additional $80.6 million, so the province planned to offset this by assuming the administration of the taxation of non-residential (commercial and industrial) property (ibid). Additionally, it was proposed that the province abolish its municipal grant system, as the commission's report recommended "scrapping virtually the whole hodgepodge assortment of existing grants and substituting a comprehensive equalization formula," which was framed much like the existing federal-provincial scheme (ibid).

Cameron and Hobson note that "the second recommendation seemed oddly juxtaposed against the first ... [as the commission] proposed that municipalities be stripped of virtually all of their 'general' and support services, [but] ... turned around and recommended that municipal boundaries should be considerably enlarged" (2009: 143). To no surprise, the report was met with strong opposition, most of which was directed at the consolidation of municipal units. To much surprise, however, the legislative committee tasked with reviewing the document was "unable to reach consensus and issued no report of its own ... [s]ome of the recommendations were implemented over the next few years, but on a piecemeal basis" (Cameron and Hobson, 2009: 144). In short, there was minimal notable change in municipal government structure in Nova Scotia until the 1990s, and although this suggests that provincial governments were originally hesitant to undertake extensive change to their municipalities, this was clearly not the case in the restructuring of that decade.

The Road to Amalgamation: Service Exchange and Consolidation

As mentioned in the previous chapter, municipal government restructuring trends in Canada in the latter part of the twentieth century are best characterized by the dominance of consolidation, or the amalgamation of different municipal jurisdictions into single-tier governments. Nova Scotia was not exempt from this trend, as provincial legislation in the mid-1990s created three regional municipalities: Cape Breton Regional Municipality, Queens Regional Municipality, and the Halifax Regional Municipality. In 1991, the Nova Scotia Minister of Municipal Affairs created a Task Force on Local Government to balance the design and implementation of a new structure of local government in accordance with provincial settlement patterns. The municipal reform objectives for the province were:

- To preserve and develop vital urban centres with a wide range of services, including social, educational, commercial, cultural, governmental and recreational amenities

- To deliver services to the communities of Nova Scotia based upon their needs, taking into account the differences in population, environmental circumstances and type of community

- To achieve an equitable, effective and fiscally sound system of municipal government to deliver community services (Nova Scotia 1992 in Poel, 2000: 32).

In April 1992, the Task Force's report was made public, wherein it had developed a strategy for the design and implementation of an "appropriate form of local government for Nova Scotia," that would seek to

- Define clear lines of authority for service provision, to ensure that each level of government would be held accountable to its taxpayers. More specifically, service of general benefit (universal service or people services) would be provided by the provincial and/or federal governments, while

services of more local concern should be provided by municipal governments.

- Rationalize municipal boundaries to match settlement patterns. (The most far reaching of the Task Force recommendations was that a unitary or amalgamated government was required in Halifax County to focus one level of decision-making on regional problems and challenges, and to ensure the financial ability of the region to pay (History of HRM, available online at the HRM municipal website: Halifax.ca).

The issues of consolidation and the significant alterations regarding services provided by the municipal and provincial levels of government were the most widely opposed and controversial of the task force's report and recommendations. Sancton (2009) makes the significance of the service exchange clear, noting that "over the last two decades [Nova Scotia has] been involved in a difficult process of rearranging functional responsibilities between the provincial and municipal levels," and that "municipalities ended up with responsibility for a great deal of roads that had previously been under provincial jurisdiction" (5). It will come as no surprise, therefore, that concerns about infrastructure renewal and repair, particularly those regarding infrastructure, roads, and public transport, feature prominently in the results of the 2010 citizen survey discussed below as top areas of concern by residents of HRM.

During the era of provincial-municipal restructuring and service exchange, Nova Scotia municipalities lost responsibility for social services while gaining the responsibility for public education, making the province an exceptional case in Canada: "[i]n many developed countries, municipal governments have direct responsibility for public education ... [but] [t]his is nowhere the case in Canada except that in Nova Scotia ... there are special provisions requiring the Halifax Regional Municipality to contribute municipal funds to the local school board" (Sancton, 2009: 8). Interestingly, most of the

Graham Commission's recommendations from the 1970s were, at this point, being

brought about some twenty years later, except for its suggestions regarding governmental

responsibility for public education: "[i]t seemed that the spirit, at least, of Graham's royal

commission report would finally see the light of day," but the "notable exception was that

education, by far the most expensive of the services Graham had recommended be

transferred wholly to the province, was not part of this exchange" (Cameron and Hobson,

2009: 145).

The rationale behind the significant service-exchange alterations between levels

of government can be attributed to the occurrence of fiscal downloading, which, in the

1990s especially, and advanced with the emergence of new public management and

tighter budgets, helped advance amalgamation as an often cited solution: "[a]s the federal

government shift[ed] a greater portion of the financial burden to the provinces, the

provinces readjust[ed] their own financial structure by placing greater financial

responsibility for local service delivery on the municipalities" (Vojnovic, 2008: 265).

Furthermore, during this process of fiscal reorganization, provincial governments sought

to rationalize the delivery of municipal functions, which increased pressure for

consolidation or amalgamation to a single-tier government.

Despite clear opposition, in December 1992 then-Premier Donald Cameron

announced that the provincial government intended to implement the recommendations:

"[t]he seminal conclusion of the Report [was] that the proposed reallocation of services

and municipal restructuring to a unitary government would provide financial benefits to

tax payers in Halifax County, and would also produce a more effective and efficient local

government" (History of HRM, Halifax.ca). Igor Vojnovic (2000) points out that although John Savage, who replaced Cameron as premier in 1993, was not initially "as sympathetic to municipal restructuring," and advanced the provincial position that the process would be slowed down for further public consultation, just days after the 1994 municipal elections, "Premier Savage's government announced 1 April 1996 as the amalgamation date for Halifax, Dartmouth, Bedford and Halifax County ... the announcement was met with considerable disapproval by the public and all four municipal mayors in the Halifax region" (401). In May 1995 Bill No. 3, *An Act to Incorporate the Halifax Regional Municipality*, was passed by the Nova Scotia House of Assembly (ibid).

Cameron and Hobson (2009) note that "[t]here has been much speculation as to the reasons for the Halifax amalgamation" (146). While "the reason for merging the Cape Breton municipalities was obvious: several of them were virtually bankrupt, dependent on special grants from the province," there were no clear ones for Halifax presented by then Premier Donald Cameron when serious discussions began (ibid). Sancton (2009) argues convincingly that the creation of the HRM was a clear case of "autonomous state action [made] possible because there was neither organized support or opposition" (in Cameron and Hobson, 2009: 146). Despite this, there was another "very practical" reason for the province going ahead on the task force's recommendation: "[t]he net effect of the rationalization of service responsibilities would favour Halifax, Dartmouth, and Bedford but disadvantage Halifax County ... amalgamation would mask this" (Cameron and Hobson, 2009: 146).

Sancton asks an important question pertaining to this very issue and speaking to the fact that municipalities are generally limited by provincial monitoring boards and

legislative changes in that, even without majority support, provincial governments can enact legislation with minimal consultation, let alone debate: "[i]s it a good idea for provincial premiers to be able to do what they want without having to mobilize political support? Or is the municipal sector ... unique or unusual, such that similar state policymaking autonomy would not be possible in other sectors?" (2006: 134). Amalgamations are a significant alteration to the territorial jurisdiction and governmental structure of municipalities, and even if met with cynicism, they are likely here to stay. However, over the last few years, the topic of reversal, or de-amalgamation, has garnered some attention in the context of the HRM, especially following former Progressive Conservative Premier Rodney MacDonald's suggestion in June 2009 (prior the Nova Scotia provincial election) that the HRM de-amalgamation debate be re-opened if he were returned to government. This can be dismissed as last-minute campaign rhetoric in the face of a likely (and actualized) NDP provincial majority government. This is not to say, by any means, that the (de-) amalgamation debate is insignificant, as it has garnered attention since the provincial election campaign and will be touched on later in the thesis, but that former Premier MacDonald's timing raises questions about whether it was a sincere pledge or an attempt to attract votes in the face of electoral defeat.

It can be assumed that the HRM will not be de-amalgamated, as discussed below in Poel's (2000) citizen survey analysis. Arguably, no other municipalities could conceivably be expected to take on, or annex, the predominantly rural old Halifax County, as this would be an unlikely endeavour cost-wise as the population is too dispersed and comparatively small to form a sufficient tax base (which is why it was included in the HRM amalgamation in the first place). It might be possible for the

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province to offer services and create an unincorporated area there, but there exists no evidence to suggest that this is a priority. Indeed, Poel (2000) notes with reference to the old Halifax County that "the amalgamation decision also was a response to the politically unacceptable consequences of provincial-municipal service exchange in which the former suburban and rural County of Halifax would have experienced a net negative impact of $4.4 million, while the Cities of Halifax and Dartmouth would have experienced a combined net positive impact of over $12 million (Vojnovic, 1999 and Nova Scotia, 1993 in Poel, 2000: 33). Not surprisingly, the large geographic size of the HRM, its relatively large council, the urban-rural split, and the immense diversity of the region are the most discussed and debated issues when talking about the HRM and potential reform alternatives.

Context is Key

The HRM is characterized by numerous important features that must not be overlooked when considering how it might best position itself according to the criteria of good democratic governance. Indeed, in discussing the importance of context when considering different structures or models, Slack (2003) affirms the importance of refraining from generalizations and taking specific locale into consideration:

> Discussion of [local] government structure around the world makes clear that different structures have worked in different places at different times. Indeed, individual cities have tried different structures at different times. It is thus very difficult to generalize ... because there is not one model that stands above the rest. The appropriate governing structure in any one municipality will depend on its specific characteristics – the nature of the services it provides, the revenue sources available to it, the size and location of the municipality, the size of the municipality relative to the state/province or

country as a whole, the nature of intergovernmental relations, the history of cooperation with neighbouring municipalities, and other factors (5).

This discussion will show how the HRM's particular context must be taken into consideration when thinking about reform alternatives and maintaining a balance with respect to each element of the criteria of good democratic governance.

The amalgamated Halifax Regional Municipality in 1996 had a population of about 343,000 which was spread over nearly 6,000 square kilometres, making its geographical boundaries about the same size as Prince Edward Island, and the largest municipality by territory in Canada (HRM District Boundary Review, 2010). The HRM's regional council has responsibility for the Halifax Regional Police Department, the Halifax Public Library, Fire and Emergency services, Halifax Regional Water Commission, Metro Transit, parks and recreation, as well as public works and waste management. The HRM is remarkably diverse in virtually all respects aside from ethnicity, as its geographical area combines "...an urban core, suburban neighbourhoods and 'big box' shopping centres with small communities, villages, farm land and wilderness ... [i]t is diverse in its economy and geography, [and the] regional economy includes the financial centre of the Atlantic region, six universities, the provincial capital, a container port, the Canadian Navy, lobster fishing and dairy farming," as well as numerous telecommunications and information technology firms (Poel, 2000: 32).

Currently the HRM's population is over 398,000 residents, and by the next municipal election in 2012, the total population is projected to be over 410,000 (HRM District and Boundary Review, 2010). Steady population growth and development are the main reasons why the HRM is required to conduct a district and boundary review every

eight years. In terms of population, Poel (2000) notes that "[the HRM's] population density, if expressed as an average, would be completely misleading," referring to the large rural section of the HRM that was the old Halifax County prior to amalgamation (32). This urban-rural split is perhaps the most interesting, controversial, and challenging aspect of the HRM when discussing both the expectations and results of amalgamation, and potential reform alternatives.

Interestingly, there is a newly founded non-partisan coalition in Halifax that advances de-amalgamation as one of its core objectives. The Citizens for Halifax Society assert that "in addition to a serious lack of leadership on council, the current municipality has serious structural problems related to the size of council and the urban/rural split on council" (CFH FAQs, 2010). They suggest that the HRM's council should be "drastically" reduced in size and that the HRM "should be divided into its two natural constituencies; one, a city municipality for urban residents, and two, a county municipality for rural residents" (ibid). Despite the fact that Citizens for Halifax has a clear political objective, it has provided some informed positions from which this discussion can gain a sense of the unique challenges facing the HRM, particularly the urban-rural question. They have also conducted some surveys and polls, which will be included in the final chapter.

Citizens for Halifax provide three reasons for deeming the current HRM structure to be deficient: the first is that amalgamated, single-tier municipalities are not inherently better or cheaper (which was discussed in detail in the previous chapter with reference to

Tindal and Tindal's assessment of amalgamation proponents' main arguments[6]); second, they assert that "large councils can make bad decisions, and large staffs can be too bureaucratic," in that governance and lines of accountability can become blurred when a large number of councillors are at work (CFH *Urban-Rural Question*, 2010: 3); third, they assert that "local government is about more than supplying services" – that multiple smaller municipalities and the councillors working within them would be closer to their constituents, interact with them more often, and be better poised to discover which services residents want and how much they are willing to pay for them, an argument which was also included in the previous chapter, primarily from Bish's (2001) analysis (ibid). In the concluding chapter on reform options for the HRM's governance structure and balancing the trade-offs among good democratic governance criteria, the reforms and ideas advanced by the Citizens for Halifax Society will feature prominently as almost all of their goals and position statements explicitly target the main structures and institutions that make up the HRM, and how they might be altered.

Governance Structure and the 2010 District Boundary Review

Some key institutional features of the amalgamated HRM warrant a discussion here, and they are highly relevant to the criteria of good democratic governance, particularly the citizen participation, accountability, and representative elements. These will be discussed again in the conclusion below as some reform alternatives and an

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[6] Tindal and Tindal (2009) note that amalgamations tend to raise—not lower—costs, because they level costs up to the highest common denominator that existed in any units prior amalgamation, and that additional staff as a result of fewer councillors overall may lead to increased costs.

illustration of the inevitable trade-offs are analyzed. The provincial amalgamation implementation commissioner, William Hayward, recommended that the provincial legislation which created the new regional municipality include the establishment of community councils (Hayward, 1993 in Bish, 2001: 25). Each of these must contain at a minimum three regional councillors (soon to be five), usually those who represent constituencies in close proximity to each other, based on the logic that they would be facing similar challenges, or holding common objectives.

The HRM community councils "have limited authority to make recommendations on budgetary priorities as well as to make certain decisions on land-use planning ... [but] they have no independent taxation power" (Cameron and Hobson, 2009: 147). More specifically, community councils' powers are limited to "monitoring the provision of services within their respective communities, and making recommendations as a result ... they are subcommittees of council, representing areas distinguished more by geography and previous municipal status than by socio-political identification" (ibid, 177-8). These can be considered sub- or mini-councils that effectively have no formal authority, but deal with local planning and land-use issues only: community councils "consider local matters, make recommendations to Regional Council, and provide opportunities for public input" (Halifax.ca, "Community Councils").

Bish (2001) notes that the HRM amalgamation included important provisions for "decentralized community councils ... but their minimum size of three ridings with a population of 45,000 is very large in the Halifax context, and their boundaries do not correspond to the historic communities of Bedford and Dartmouth" (25). Surprisingly, the governance and district boundary review committee is recommending that community

councils be increased in size. Regarding the current structure of community councils and related to Bish's assertion above, Quesnel (2002), clarifies that the "sublocal entities' boundaries were drawn in order NOT to correspond to those of the former municipalities," which makes sense given that one of the objectives for the province pursuing amalgamation of the four previous municipalities was to encourage region-wide planning and outlook, and to eliminate inter-municipal conflict (3).[7] The HRM community councils range in size from three to seven councillors/districts and there are currently six in total.

Community councils in the HRM possess no formal, legislative, or taxation authority, and Quesnel (2002) summarizes their predominantly advisory function as follows: "[t]he community councils may monitor the provision of [regional] services and make recommendations thereof, recommend appropriate by-laws and other administrative measures for the community, recommend user charges for the different parts of their territory, and respond to invitation to express an opinion on any matter referred to it by council" (4). It is clear that their main function is one of a recommending and advising body and, as will be seen below in the survey analysis, participation by HRM residents in community council meetings (of which at least one is mandatory per year, though there are usually many more), is very low: Poel (2000) found that a mere 7% of respondents had attended a community council meeting (38). Still, Quesnel (2002) assesses the HRM community councils in a mostly positive light based on the fact that their rate of meeting has increased "steadily" since they were created and that they have

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[7] One of the inter-municipal conflicts often cited as a reason for amalgamation was the competition between the old municipalities (City of Halifax and City of Dartmouth) to construct a big-box, Costco store in their business/industrial parks.

"heavy agendas" (4). The low turnout among HRM residents to these meetings draws some scepticism regarding this assertion.

Bish (2001) outlines some of the problems "likely to move into the fore in the HRM in the near future," which include "whether or not to continue to use the wealth of the central city of Halifax to subsidize rural areas [and] how to accommodate different preferences on matters not delegated to community councils," the latter of which refers to a perceived ineffective, divisive, and sometimes borderline dysfunctional large regional council (25). Again, the urban-rural split is a dominant issue in the governance of the HRM. Bish also makes the importance of the decentralized, sublocal community councils clear, and how they are a vital (albeit currently weak) institutional feature of the diverse and fragmented HRM: "[c]learly, the long-run success of such a large and diverse local government will depend greatly on how well the internal decentralized structure ensures that communities within the HRM pay for the services they want and do not attempt to get additional services just because they are paid for by the entire area, which would likely lead to high-cost local government (2001: 25). Potential reforms for community councils, which would require an amendment to the Provincial legislation concerning the HRM and the HRM Charter, include the power to recommend budgets, or the power to approve spending (HRM District Boundary Review, 2010).

Overall, the community councils in the HRM promote a healthy local democracy as they enable residents to determine, or at least have the option to influence, the characteristics of the service packages provided in their districts (Vojnovic, 2000: 67 and Quesnel, 2002: 5). It is important to note that experience elsewhere in Canada suggests that community councils, or sublocal entities of some form that exist below a single-tier

metropolitan government, are not always viewed as inherently democratic, let alone necessary institutions. This was the case in Winnipeg's amalgamated Unicity, which came into existence in 1972. Originally Unicity's council was 50 members plus the mayor, but was reduced to 29, and then again to 15, in 1977 and 1992 respectively (Tindal and Tindal, 2009: 97). In addition to the council size reductions, Unicity had community committees that were reduced from 6 to 5 in 1992, and resident advisory groups (much like HRM's community councils) which were abolished outright; speaking to this, Tindal and Tindal note that "[t]he bold experiment in citizen participation launched in 1972 was all but gone 20 years later!" (ibid). The Resident Advisory Groups were elected groups of citizens whose purpose was to advise and assist Unicity's community councils in their decision making, largely an effort to decentralize politically while centralizing the administration of services. In short, it is hoped from a perspective that values good democratic governance and the existence of numerous avenues for citizens to participate (both electorally and extra-electorally), that the HRM avoids a similar reform path. Unfortunately, as will be seen in the final chapter, one of the District and Boundary Review Committee's recommendations is that the number of community councils be reduced from six to four. Provided that community councils are granted greater levels of authority, either through specific area rate setting or taxation powers, reducing the number of community councils may not be a huge problem.

The large territory of the HRM and the diversity of the region are the main reasons for the existence of community councils and a relatively large, 23-member regional council. This summer (2010), as part of one of the stages of the HRM's District and Boundary Review, the size of council was debated at length and voted upon by

regional councillors, so a brief descriptive analysis of this process must be included here, despite the fact that, ultimately, nothing changed.

Below are the potential scenarios for council size (districts and councillors) reform that were debated, with the councillor/resident ratio included (based on projected population in 2012, or 410,000). It should be noted that 'resident' does not mean 'voters,' and the number of actual voters represented by regional councillors would be 1,000-3,000 less than the number of residents depending on the amount of residents below the age of 18 living in each district:

1. 26 Councillors: 1 / 15,600

2. (Current) 23 Councillors: 1 / 18,000

3. 18 Councillors: 1 / 22,700

4. 15 Councillors: 1 / 27,300

Prior to regional council's debate, the Boundary Review Committee, chaired by Mayor Peter Kelly, recommended that council be reduced to 20 members, three fewer than the current configuration (*The Coast*, Aug. 5, 2010: "Halifax councillors reject reducing the number of councillors"). It remains unclear why the committee recommended a reduction in councillors to 20, aside from the fact that there has been clear public demand for such a reform. Some councillors, not surprisingly, strongly objected to virtually any decrease, arguing that such an alteration would decrease representation and create a democratically deficient regional council. Ultimately, the size of council, the strength of community councils, and virtually any other institutional elements of the HRM are entirely subject to the Nova Scotia Utility and Review Board, which can act unilaterally. Some might say

that councillors debating and voting on what could be conceived as whether they should 'keep their job' is inherently a blatant conflict of interest.

Indeed, regional councillor Tim Outhit, who was a member of the committee but quit over "philosophical differences" supported reducing regional council to "15 or 17 councillors," which "sounded about right;" he went as far as noting that "there is a real appetite in metro for a smaller regional council," and that "the flaw in the system" is that councillors could cast a vote – or not – that ultimately affects whether they retain their own jobs (*The Chronicle Herald*, "Mayor predicts testy debate over council size." Monday, Aug. 2, 2010). Oddly, the committee was composed entirely of regional councillors, and Outhit added that "…that's another reason why I left the committee – because I think there should have been members of the public on that committee and perhaps it should have been done by another level of government" (ibid). Furthermore, Mayor Peter Kelly himself advocated reducing regional council, and noted that he would "like to see fewer than 20 members on regional council – perhaps 16 to 18 people" (ibid). Councillor Jackie Barkhouse's remarks from the lively debate indicate the other side of the debate, or at least the debate from within regional council itself:

> I believe in democracy and democracy occurs when people have different opinions and represent different points of view. Dictatorship, on the other hand, occurs when people are represented without adequate debate or different opinions. And in this case, debate is being portrayed as a bad thing and something that creates process and inefficiency. Residents are being ill advised and are being misinformed. I'm going to tell you right now, and I want it to be on the record, this is not about me trying to save any job that I have, because I'll have a job whether I'm here or not. This is about democracy (*The Coast,* Aug. 5, 2010: "Halifax Council rejects reducing the number of councillors").

It did not come as a huge surprise that regional council voted down three different proposals to reduce council size to 16, 18, and 20, and, when the vote for maintaining the status quo was conducted, Councillors Sue Uteck and Reg Rankin left the meeting, allowing for a supporting vote of 12-10 to pass, which maintained the current configuration of 23 (ibid, and CBC News, Aug. 3, 2010: "HRM Council votes to maintain its size").

Interestingly, during the peak of the debate regarding the size of regional council and when public awareness of the issue was likely at its highest levels, an online poll taken in Nova Scotia's *The Chronicle Herald* in the first week of August, 2010 asked 'What do you think Halifax should do with the size of its regional council?' A mere 8% (182 respondents) chose to 'leave it as is' with 23 councillors plus the mayor; even fewer, or 2% (34 respondents) chose to 'add councillors;' an overwhelming majority of 90% (2016 respondents) chose 'trim the number of councillors' (*The Chronicle Herald* poll, 2010).

Regional council's persistence in refraining from altering the size of council contrasts strongly with a general online poll found in the most widely read newspaper in the province. That poll was, however, accessible to anybody, anywhere, with an internet connection, so the results are not necessarily indicative of HRM residents' opinions. However, prior to the online *Chronicle Herald* poll, Corporate Research Associates, Inc. conducted an independent poll of 400 residents in the HRM from May 6 to 20, 2010 and found that, despite the lack of publicity at the time regarding the debate on council size, "it is clear that the vast majority of those living in the municipality would like to see Council significantly reduced in size" (Corporate Research Associates, Inc., "Clear

support for significantly smaller council in HRM"). Indeed, the results speak for themselves: on average, residents suggested a council of 15, and of those who provided a definite response (81% of those surveyed), "nearly two-thirds (62%) suggested a council or fifteen or less ... [o]nly 15% suggested the status quo and 83% suggested a smaller council than is the case today" (ibid).

This and other polls, both by Corporate Research Associates, Inc., and those done by the Citizens for Halifax Society, will feature in the concluding chapter when examining specific reform options and how they may fit with HRM citizens' opinions. This chapter (below) focuses primarily on Poel's (2000) analysis of the 1999 HRM citizens survey and citizens' perspectives on the amalgamation experience, followed by the author's analysis of the 2010 citizens survey. These two are included here because neither of them is a single-issue poll, both draw from much larger sample sizes and, despite some limitations in direct comparability, both deal with the most comparable issues and topics regarding governance.

The main trade-offs evident in these debates, particularly those regarding council size, are commonly perceived as increased effectiveness in policy and decision making (with a reduced number of councillors, and, possibly, a less divisive, less time-consuming council), as opposed to maintaining 23 (or adding more) regional councillors so as to ensure that residents maintain sufficient representation on council and the possibility of a close relationship with their regional council and councillor. These and other trade-offs will be analyzed in detail in the following concluding chapter, during which other alternatives will be considered, especially the power afforded to the mayor of the HRM. Furthermore, some recommendations regarding the interrelationships of regional council,

community councils, mayoral power, and how reform alternatives could be considered, will be provided. It is first necessary to gauge citizens' perspectives as accurately as possible so as to combine knowledge gleaned from the criteria of good democratic governance, the literature review on municipal governance in Canada, and the unique context of the HRM as discussed through a case study with how its residents perceived the experience of amalgamation and how they feel currently about the status quo.

Looking at the history of the HRM's inception, its unique features and context, and its current institutional structure has provided insight as to what governance issues face the regional municipality in the future, but it is best to consult the citizens' opinions first, so the discussion now turns to an analysis of survey data from a 1999 survey on the amalgamation experience and a 2010 citizens survey on the HRM.

Citizen Responses: The 1999 and 2010 Surveys

A common limitation associated with studying urban municipal governance, particularly in comparatively less populated city municipalities, is the minimal amount of survey data available on the topics that relate to municipal government and governance. Fortunately, there is sufficient literature on the amalgamation experience in the HRM, some of which has already been discussed, and some of which draws from a 1999 HRM citizen survey to analyze the amalgamation experience. There was a citizen survey conducted this year (2010) during the HRM District Boundary Review process, which should be of great assistance to gauging the effects of amalgamation and HRM citizens' responses to questions both about governance and the HRM generally, especially when compared to previous results.

Despite the relevance and value of academic discourse on municipal restructuring, survey data is perhaps the best source from which to make an assessment regarding the HRM's record and status quo relating to the good democratic governance criteria. It may further assist in informing which reforms, if any, may be warranted based on the inevitability of trade-offs between alternatives. First, the thesis will discuss Poel's (2000) detailed analysis of the results of the 1999 HRM Citizen Survey, which was a cooperative effort between HRM and the HRM Amalgamation Project of the School of Public Administration at Dalhousie University, to assess citizen perspectives on the HRM after three years of having a regional municipal government. Following this, the 2010 Citizen Survey results will be analyzed using a similar approach to Poel's with reference to the good democratic governance framework, and it is hoped that some trends or indicators cans be drawn from comparing the 1999 and 2010 results.

There are significant differences between the 1999 and 2010 surveys being discussed below, namely, that the latter did not deal as specifically with questions regarding amalgamation (as the HRM had been in existence for fourteen years), and that they had significantly different response sizes: 752 and 2420, respectively. Despite these differences, some general trends should be evident given that the 2010 survey did ask citizens questions regarding issues relevant to this discussion, particularly those regarding governance, and many topics that relate directly to governance, such as representation, perception of the direction of municipal government, and size and structure of regional council, among others. It is hoped that some general conclusions regarding citizen perception can be drawn, from which some potential reform options may be discussed in

reference to the framework of good democratic governance in the final concluding

chapter.

Poel (2000) asked two important research questions pertaining to the 1999 citizen

survey: "how did HRM citizens assess amalgamation after three years of experience?

[and] What factors best explain citizens' views towards amalgamation?" (31). As

discussed in the literature review earlier, municipal governments can be subject to

unilateral provincial alterations, and the case of amalgamation of four municipalities,

creating the HRM, clearly illustrated this: "[the 1996 amalgamation] began in a context

of conflict between the provincial and municipal governments and was implemented

without municipal consent through legislation by the Nova Scotia government" (Poel,

2000: 32). In assessing survey data following three years' experience with the

amalgamation, Poel found clear and widespread opposition to the amalgamation; in fact,

"the 1999 HRM Citizen Survey shows that opposition to the amalgamation legislation

and its outcome not only continued, but actually increased since before amalgamation

took place" (2000: 34).

A summary of Poel's findings from the 1999 survey make it clear that there was

majority opposition and overall dissatisfaction with amalgamation among those sampled:

> ...in 1999 a majority of HRM citizens remained opposed in some way to the
> amalgamation decision, favoured having a vote to undo amalgamation, did not
> think that the amalgamation had contributed to better planning for the region
> as a whole and did not see benefits flowing from the amalgamation decision
> that incorporated all these diverse social and physical regions into one
> municipality. But, a small majority believed it was "here to stay," and thought
> citizens and political leaders should "make it work" (2000: 35)

Poel firmly asserts that "most citizens in 1999 did not have a favourable assessment of

the HRM amalgamation decision or the performance of their Council, individual

councillors or mayor, did not see the geographical, social, and economic diversity of the HRM region as a strength and ... did not link amalgamation in a positive way to municipal service improvement—most considered most services to have stayed the same" (2000: 44). More specifically, Poel also compared the 1999 results to those of a similar 1995 survey, and found that a total of 66% of citizens "opposed" amalgamation in the 1999 survey, three years after the event occurred and representing an increase of 42% from the 1995 pre-amalgamation citizen survey (2000: 34). It is important to note that 39% "strongly opposed" the amalgamation decision, indicating beyond doubt that there was clear "persistence of citizen opposition to the decision of the provincial government" (ibid). Bish (2001) also found that "[s]urveys of residents of the HRM reveal that they neither regard the entire region as a single community with much in common nor are they satisfied with the level of services the post-amalgamation government is providing (except in the case of solid waste management, where improvements were made before the amalgamation)" (25). He cautions, like Poel, however, that "[i]t is important to remember ... that it may take several years for the consequences of this amalgamation to be evaluated" (ibid).

It does not come as a surprise that citizen opposition to unilateral provincial municipal restructuring was high in the immediate years following amalgamation, but Poel's conclusions suggest that opposition was drastically high and that "[t]he explanation of citizens' position on amalgamation lies in their assessment of external factors, not on their personal attributes" (2000: 44). Poel found no notable differences between different genders or different locations of residence in the municipality, nor did he find any variance based on economic standing or whether the respondent lived in a

rural, urban, or suburban community. Poel did find notable differences among respondents of different ages: those that had "lived in the community for a longer period of time, were older, and who were not in the workforce were more critical of amalgamation [whereas] [y]ounger citizens who were in the workforce and had lived in the HRM regions for a shorter period of time were more supportive of amalgamation" (2000: 42). Turning now to the 2010 citizen survey results, some trends can be observed and analyzed.

2010 Citizen Survey Results and Analysis

The 2010 HRM citizen survey was conducted over a six week period that ended on February 7, 2010, and it was sent to 23,400 households within the HRM. Of these, a total of 2420, or 10.3%, completed the survey, which provided a sample size sufficient to recognize some key issues and trends (HRM, 2010). The survey was commissioned by the HRM to inform regional council and the District and Boundary Review Committee while they continue their mandatory district and boundary review process. It should be noted at the outset that some of the results below raise questions regarding the respondents that made up the 10.3% sample size that completed the survey, and these limitations must be addressed. Some of the results, particularly those regarding participation rates (times a respondent has contacted a regional councillor or the mayor, and times a respondent has watched or attended a regional council meeting or community council meeting) are surprisingly high. This is obviously not an inherently negative occurrence, but the participation rates based on the survey results tend to be very high. So, it should be mentioned at the outset that, based on the figures discussed below, it can

be assumed that the respondents in the sample were probably more politically active than the average HRM resident, which may explain why they (10.3% of people sent the survey) completed the survey in the first place. Residents who are very disinterested in local politics would probably be much less likely to complete the survey, which essentially means that the participation rates found in the survey are inflated and can be considered well above average.

This survey did not specifically address the issue of amalgamation, likely due to the fact that it has been over fourteen years since the HRM was created, and, as Poel (2000) noted in his analysis, the provincial decision "very likely will not be reversed" (44). Poel did note, however, that results regarding the variables of service provision, governance, and citizen participation and perception since amalgamation, provided these variables are improved upon and reflected in the regional council's performance, "may, over time, neutralize citizen criticism" of the overall experience (2000: 37). Interestingly, Poel also found that "the early years of HRM [were] noted for a degree of dysfunctional parochialism that has given citizens few substantive reasons for thinking the HRM amalgamation has been successful" and that, most importantly, "[t]here was a consensus that several municipal elections and turnover in Council membership would be required before HRM would be led by councillors who were not previously councillors in the former municipalities or led by a mayor who was seen to provide leadership to the entire region" (2000: 44). There has been some turnover, but it is interesting to note that in the 2008 HRM municipal election, of the 23 districts, four councillors were elected by acclamation and 13 of the winning candidates were incumbents, suggesting that overall

there is a slow to moderate turnover rate in HRM municipal elections (HRM Election Results, 2008).

The 2010 citizen survey questions can be divided into two basic types or topics: those that had to do with quality of life in the HRM (irrelevant to governance) and those that had to do with the quality of governance, or the direction of governance of the HRM's regional council. Obviously, questions that relate more to governance, including perceptions and degree of satisfaction of the performance of council, factors contributing to a worsened quality of life, perception of municipal and mayoral leadership, perception of the degree to which respondents felt represented on regional council, and perceptions on the size/structure of regional council as well as changes to council that might be desired, will be under analysis here. Worthy of note first are the results of the most significant things cited by respondents as contributing to a worsened quality of life in the HRM, as it was apparent that there were concerns regarding governance. When asked, the top five answers based on the rankings of respondents were, in descending order, crime/violence (53%), higher taxes/property taxes (26%), traffic congestion/traffic issues (25%), mayor/city council/poor leadership/management (10%), and other council issues (size, infighting, bureaucracy) (9%) (HRM Citizens Survey Consultant's Report, 2010: 4). It is clear that governance and structure concerns feature in the reasons why residents might be dissatisfied with the experience of living in the HRM, though not nearly as prominently as those to do with service provision, taxation, and infrastructure.

Also asked in the survey were questions pertaining to the direction of municipal government generally, and the response results suggest that there has indeed been the expected moderate improvement predicted by Poel, although the results here hardly

suggest a significant improvement. It can be stated that HRM residents are slightly more

likely to be satisfied than dissatisfied with the overall direction of municipal government:

about two-fifths of residents responded that they are either very satisfied (5%) or

somewhat satisfied (39%) with the overall direction of municipal government, whereas

about one in three respondents were either somewhat dissatisfied (24%) or very

dissatisfied (9%) with the overall direction of municipal government (HRM Citizens

Survey Consultant's Report, 2010: 5). Additionally, one in five respondents said they

were neither satisfied nor dissatisfied (20%), and a small number of respondents said they

were unsure (4%) (ibid). The citizens survey then asked more specifically what factors

made respondents dissatisfied with their municipal government the most, and 17% cited

what they perceived to be "a slow decision-making process," while 14% said Council

"spends too much time on trivialities," and 12% said their municipal government "lacks

direction" (HRM Citizens Survey Consultant's Report, 2010: 6).

As mentioned, the absence of questions pertaining directly to amalgamation

makes comparisons with Poel's (2000) findings of widespread opposition to the

experience difficult, but it can be said that there is certainly not *widespread*

dissatisfaction with the general questions relating to governance in the 2010 survey. It is

also interesting to note that, when asked what respondents thought of as the top issues or

challenges facing the HRM in the next five years, virtually no respondents cited any

institutional or governance-related issues, or any related to the structure or composition

of regional council. The top five responses to this question were all related to municipal

service provision and taxation and/or infrastructure: the need to improve the public

transportation system (24%), taxes/fair taxation (23%), crime and violence

rates/prevention/punishment (20%), roads, poor road conditions/infrastructure (15%), and traffic/congestion (14%) (HRM Citizens Survey Consultant's Report, 2010: 5). The questions were presented in an open-ended format and the results were grouped and presented according to their similarity. Governance and institutional reforms, therefore, did not feature as prominently as the aforementioned issues in open-ended response sections of the survey.

Respondents were also asked questions regarding their attitudes about leadership, and these are some of the results most relevant to this discussion: 35% of respondents ranked council performance as 3/5; furthermore, more than one in three respondents disagree that council is demonstrating effective leadership (34%) while almost one in four (24%) agree (HRM Citizens Survey Consultant's Report, 2010: 6). This does indicate some improvement from Poel's findings, although these questions were not related strictly to the amalgamation experience, but to the direction of municipal government overall. It should also be mentioned that these results may indicate a greater dissatisfaction with elected municipal officials themselves rather than the institutions, or structure, of regional council.

Perhaps most troubling are the survey results regarding representation in the general sense, as "[n]early half of HRM residents do not feel their voices are valued or reflected in municipal decision-making (45%)," and less than one in five residents agree that their voices are heard (18%) (HRM Citizens Survey Consultant's Report, 2010: 6). Not surprisingly, nearly nine in ten (86%) assert that local government is important—that "councillors must work to deal with local issues"—and an additional 84% said that "local councillors must also work to deal with important issues facing the entire region" (ibid).

The results of the 2010 survey indicate clearly based on these questions that local government is an important concern to HRM residents, although the earlier responses suggest that the top priorities that should be dealt with by council are primarily related to service provision and infrastructure. By looking at the survey results pertaining to council structure and size, some further trends are worthy of discussion.

Slightly over half of all respondents (52%) said that they feel adequately represented by the HRM's current council and community council structure, while 18% answered that they did not, and 29% said that they "don't know" (HRM Citizens Survey Consultant's Report, 2010: 6). These are relatively supportive trends of the status quo with HRM's council structure, as at least half were content, and the consultant's report of the survey further noted that "[r]esidents who believe they are well represented by the current council structure are more likely to be satisfied with the overall direction of municipal government in the HRM [and that] they are more likely to agree that the Council has shown effective leadership, has worked to successfully deal with issues important to the HRM, and to report that their opinion is valued" (HRM Citizens Survey Consultant's Report, 2010: 9). Still, a 52% satisfaction rate regarding representation leaves much to be desired. Of the previously mentioned 18% of all respondents who answered that they did not feel adequately represented by regional council's structure, when asked which changes might help them feel better represented, "40% said reducing the size of council would enhance its effectiveness," whereas a mere 8% cited a need for greater transparency, and only 5% "want either more balanced representation between urban and rural areas, improved work of Council or a focus on important issues" (ibid).

Most of the questions pertaining to governance, specifically those regarding the HRM's institutions and institutional structure, had a fairly significant and consistent (+/- 20-30%) of respondents answer that they did not know or were undecided, which is not overly surprising given that participation and interaction rates with the municipality, either through the mayor, regional council, a community council, special purpose body, or other municipal organization were quite low: 49% had never (in the past year) watched (on television) or attended a regional council meeting, 83% of respondents had never (in the past year) attended a regional council or community council meeting, 73% had never contacted any HRM offices or staff to express concern about a decision made by the municipality, and 57% had never contacted their councillor regarding an issue that affected their community (HRM Citizens Survey Consultant's Report, 2010: 8). These results, as mentioned at the beginning of this section, might indicate something important about the sample that completed the survey. According to the survey 51% percent of respondents had either watched or attended a regional council meeting in the past year, which either says that the people who completed the survey tended to be residents who were more politically active and aware than the average resident, or that local political participation rates in the HRM are actually quite high among all residents. It can be assumed that the most likely explanation is the former.

Conclusion

Overall, some general trends can be observed and some partial conclusions can be made regarding citizens' assessment of the HRM. First, although the survey data have obvious limitations (small sample size, likely completed by residents who have an above

average rate of political participation), they nonetheless provided both the most recent and most accurate possible indications of citizen perception regarding governance in and of the HRM. It can be stated that HRM residents have, based on this survey, reduced their level of opposition to the HRM amalgamation experience, and that it is widely accepted that a single-tier amalgamated regional government is here to stay.

Second, the HRM fared quite well in assessments regarding quality of life and socioeconomic indicators, which suggests that moderate levels of dissatisfaction with the degree of representation and the performance of regional council, or the direction of the municipal government, do not overshadow or outweigh the perceived advantages of living in the HRM for most residents.

Third, although the roughly 52% were satisfied with the direction of HRM currently as compared to Poel's findings of widespread dissatisfaction (66% opposed overall, 39% strongly opposed), this still leaves much to be desired, particularly given the fact that rates of participation within the municipality are extremely low, yet a clear majority of residents feel that local government matters. Furthermore, issues regarding regional council (divisiveness, focus on trivialities, etc.), featured in the top four reasons for residents being dissatisfied, although they were still behind concerns regarding infrastructure and service provision. These relatively important concerns (governance) among residents will be brought to the forefront of the discussion in the concluding chapter. It can be stated, though, that these latter concerns (infrastructure and services) outweigh those related to governance and municipal institutions or governance structure in priority to HRM residents. This suggests that HRM residents tend to be of the service provision, or the 'vending machine' perspective. There was a clear indication, however,

that local government matters to residents, and it is through regional council and community councils that these issues (services) are presented, debated, and decided upon, so the two general areas of concern according to the citizen survey results should not be considered exclusive, but inter-dependent. This brings us to question how the HRM might position itself appropriately during the governance and district boundary review process as it reviews the size and structure of regional council and the function and form of community councils. The degree of power afforded to the mayor will also be featured. Such questions will be confronted in the final chapter in the assessment of the HRM with the framework of good democratic governance. Emphasis will be placed on the criteria of citizen participation (which has been shown to be low), effectiveness, and accountability.

Chapter Four:

Balancing Reform Alternatives in the HRM

Before applying the flexible criteria of good democratic governance to the
structure of the HRM's municipal government, a brief recollection of what has been
discussed thus far in the thesis will be provided. At the outset it was noted that good
democratic governance is necessarily a flexible concept: there will inevitably be trade-
offs among alternatives and, depending on the objectives (citizen participation,
effectiveness, accountability/transparency, and leadership), the possible or desired routes
for reform will vary. A good example of this was a regional council opting for a smaller
number of councillors in exchange for a potentially less divisive council, faster decision
making processes, and clearer lines of accountability for residents at the cost of having a
weaker degree of representation. Such trade-offs are best conceived as a balancing act
between the two visions, images, or perceptions of municipal governance: simple service
providing corporations, or a level of government that necessitates a firm democratic
foundation, many avenues for citizen participation, clear lines of accountability, and
strong leadership.

The second chapter focused on the academic literature on urban municipal
governance, and surveyed the many issues and debates that converge on Canada's urban
municipalities. Some of these involved the degree to which municipalities can act
autonomously, a discussion and analysis of the trend of amalgamation in the 1990s and
the challenges that municipal consolidation brought about, particularly in the HRM. Also
discussed was the topic of metropolitan governance in Canada, and the chapter concluded
that discussion of municipal governance must move beyond the general, despite the

shared characteristics of the challenges faced by municipal governments, and examine the specific context of a community if seeking to recommend reforms to governance structure. In this case, the specific municipal government is the HRM, which is in the midst of debating, and 'consulting with the public,' as it considers reforms to its governance structure in the Governance and District Boundary Review Process.

The third chapter was a case study of the HRM, which involved a survey of the province of Nova Scotia's municipal government history, an outline of the HRM's characteristics, and a detailed examination of the road to municipal amalgamation in 1996. It also discussed the main institutions that form the structure of the HRM, some of which are under scrutiny in the review process: regional council, community councils, and the function and power of the mayor (which is not part of the official review). Most importantly, the case was made that the HRM's unique context, especially the diversity of the region, the urban-rural divide, and projected population increases must be taken into account when considering reforms.

Having developed the criteria of good democratic governance at the outset of this thesis, conducted a broad literature review on urban governance in Canada in the second chapter, and provided the specific case study on the HRM in the third chapter to stress the importance of context, the thesis now turns to assess the HRM through the criteria of good democratic governance while making recommendations accordingly as to how the HRM might best position itself and strike a balance between reform alternatives. Particularly given the current HRM District and Boundary review process, the topic of assessing the HRM through the criteria of good democratic governance and considering reform options is both relevant and well-timed.

This chapter, and the conclusions of the thesis, will be more normative in nature in recommending reforms and assessing the governance challenges related to the HRM's structure. Nonetheless, a constant assertion that has been advanced throughout this thesis is the necessity of striking an appropriate balance among alternatives. So, although normative arguments will be presented, they will be presented as a trade-off scenario. For example, should objective X be desired, reform Y is perhaps the best approach for achieving it. Given the assertion that flexibility in applying a criteria of good democratic governance is necessary, and that a trade-off among alternatives are inevitable, such normative assertions can be exactly reversed and still align with the approach of the thesis.

The HRM is a large and growing region, which presents serious governance challenges. No blanket solutions or cookie-cutter approaches are appropriate. Indeed, Slack (2003) makes this clear in her descriptive analysis of various governance and government models often found at the local level in Canada, noting that "[t]he optimal design of government structure depends on which criteria are to be satisfied," and that "[t]he challenge is to find the right balance among ... criteria in a way that meets the specific challenges faced [by a] community" (10).

The discussion will proceed with analysis of the HRM's potential areas for reform and with reference to the criteria of good democratic governance. To gauge how the HRM might best position itself during the District and Boundary Review process, the citizen surveys from 1999 and 2010 will be referred to, as well as other single-issue opinion polls regarding governance issues in the HRM. The chapter will be organized around three main topics: regional council, including the number of regional councillors

and number of districts; the number, size, and power of community councils; and, finally, the role and power of the mayor of the HRM. These three topics are those most directly related to democratic governance in and of the HRM, and they are the topics that, depending on their form and function, will alter how governance occurs: regional council and community councils are the elected representative bodies that give life to the democratic process at the local level, with the former acting as the region-wide governing body, and the latter acting as the decentralized governing institutions that deal with decisions at a more local level. The mayoral role is an interesting topic in local governance in the HRM, and an analysis of the system of government (the weak mayor system) which is employed across the country at the local level, will also illustrate that reforms to this position may be long overdue if effectiveness in governance and decisive leadership of the region is desired.

It is crucial to note that frequently discussion and debate regarding local government focus predominantly on a strict cost/benefit analysis, or a perspective that places the bulk of the importance on money spent and services received. This was outlined in detail throughout the thesis with reference to Tindal and Tindal's discussion of the two perspectives on local government: people tend to view local or municipal government as the vending machine (strict cost/benefit approach) or through the barn raising model (a perspective that places much greater emphasis on representation, accountability, local democracy, and community involvement/ engagement).

Much like Tindal and Tindal's point of view, this thesis takes the latter perspective as being more important, in that it advocates "keeping the vending machine in the back of the barn" (2009: 411). Tindal and Tindal outline the importance of this

perspective in stating that "we believe the representative/political role should be paramount, but that features of the service delivery role are also valuable in moderation and within the framework of the first role" (ibid). Therefore, although economic considerations are relevant, the bulk of this discussion will focus on assessing the governance structure of the HRM and how it fits the criteria of good democratic governance, particularly effectiveness, representation, and accountability. Indeed, even if emphasis were to be placed on the strictly economic, service-provision or 'vending machine' view, sufficient democratic mechanisms in the form of vigorous debate, resident participation, clear lines of accountability, a sufficient degree of effective governance and leadership all overlap in the common area of necessitating a firm democratic foundation.

Summary of Citizens' Assessment Surveys and Opinion Polls

It is crucial that any discussion of reforms regarding good democratic governance, whether they end up being actualized or not, reflect as accurately as possible what residents of the HRM assert as their opinions regarding their regional municipal government. Indeed, as this thesis has asserted, a firm democratic foundation at the local level is of utmost importance, and, although it is impossible to constantly assess the 'pulse' of HRM residents (i.e. what they want from their regional council and how they want it to be formed and function, in addition to how this changes over time), there is sufficient information from which to make some general conclusions and inform this discussion about reform options. As mentioned, there are limitations to the data and figures available in this regard (usually low sample sizes and very few broad or all-

encompassing, non-single issue opinion polls). The 1999 and 2010 citizen surveys discussed in chapter three gave a good indication of citizen satisfaction with their municipal government, what residents perceived as the top priorities for their regional council, and how important they consider local government to be. To summarize those findings before analyzing the current debates and trade-offs to be considered, below is a very brief recollection of citizens' perceptions:

- Residents were generally unsatisfied with the direction of their regional government, with 50-52% satisfaction levels being the highest noted.

- Residents expressed a strong desire for a reduced regional council size with less focus on local, community-specific, or trivial issues.

- Residents seem to want political leadership, political responsiveness, and administrative effectiveness simultaneously.

- Residents generally asserted that local democracy matters to them, and that while they expect their regional councillor to be able to respond to local concerns, they also want them to govern in line with a regional, HRM-wide outlook and agenda.

Examining the specific context of the HRM and its residents' opinions is paramount to considering which, if any, reforms or alterations might be warranted. The discussion now turns to look at some features of the HRM when assessed briefly with the previously discussed criteria of good democratic governance. The conceptual indicators developed earlier act merely as a guide to thinking of, and evaluating, potential reform alternatives as well as the status quo. Indeed, Vojnovic (2008) makes a similar point with reference to

the process of assessing amalgamations and metropolitan governments generally, as "the complexity of municipal restructuring allows no easy answer as to whether consolidation will lead to effectiveness and efficiency improvements in service delivery or municipal governance ... [u]ltimately, the success of consolidation in achieving greater efficiency and effectiveness will depend on the specific circumstances of the municipalities considering reform" (239).

The criteria developed earlier involve the following conceptual indicators: citizen participation (both electoral and extra-electoral), effectiveness, and accountability. The following assessments are brief and included as a transitional summary to begin a more detailed discussion of said criteria and the HRM specific governance structure, as well as potential reforms, below. These features are intended to give an accurate depiction of some recent events that have involved HRM's regional council and community councils.

As for rates of citizen participation, both electoral and extra-electoral, it can be said that the HRM fares poorly overall. HRM elections have a dismal turnout rate and so do community council meetings, HRM regional council meetings, and other municipal functions, as discussed in the analysis of the citizen response surveys above. In the 2008 HRM municipal election, overall voter turnout was a mere 37%, despite the fact that phone and online voting had been introduced in an effort to raise turnout and awareness (only about 10% of voters used these new methods) (CBC News, Oct. 20, 2008: "Voter turnout only 37% in HRM election"). Of an eligible 284,258 voters, slightly over 100,000 cast a ballot, indicating that less than four out of 10 participated (ibid). It is important to note that there had very recently been a federal election, and a provincial election was scheduled for the spring, suggesting that HRM voters might have been experiencing voter

fatigue. The 37% turnout for councillor elections in 2008 is much lower than the turnout at mayoral elections in both 2004 and 2008, which were 48.39% and 54.45%, respectively (HRM 2004 and 2008 Election Recap, available at Halifax.ca). These results suggest that residents tend to have a greater concern for influencing the choosing of the mayor, and perhaps that they perceive the mayor's authority to be greater than, or more important than, that of regional councillors. Informally, this is the case, but formally, the mayor is but one among equals. This topic will feature prominently below as the amount of formal power afforded to the mayor is discussed while considering potential reform alternatives (or the lack thereof).

With regards to effectiveness in governance, it will be shown that the HRM leaves much to be desired. A prime example of what could be considered a lack of effectiveness, or a focus on a triviality, occurred this summer when regional council spent a considerable amount of time debating whether or not a resident in an urban district should be allowed to have a chicken coop on his property, despite the fact that he had been ordered by the HRM to remove the coop (CBC News, July 23, 2010: "Halifax man fights for backyard flock"). It is clear that issues like this, which concern only specific areas and/or districts, ought to be handled by the appropriate community councils, as one man's chicken coop has no effect on the region as a whole; the region as a whole is what *regional* council is tasked with governing. Still, regional council debated the issue at length and, disturbingly, there was almost twice the number of residents present at this council meeting than there were for the public consultation session regarding the governance and district boundary review at City Hall (Feltes, 2010: "Revamping representation in Halifax: HRM's Governance and District Boundary Review process").

This example encourages looking closely at ways in which community councils might be strengthened as a potential reform option, especially in light of council size remaining at the status quo and with very low participation rates in/among residents.

On the other hand, speaking briefly to the service provision perspective, a recent Atlantic Institute for Market Studies (AIMS) municipal performance report in Nova Scotia was conducted. The HRM fared well in AIMS' assessment of municipalities in the province, which was based solely on "efficiency – how much things cost" and "effectiveness – what you get for your money, and how reliable those services are" (AIMS Municipal Performance Report, 2010). The HRM placed sixth in the province (of 47) with a final grade of B- overall, which was based on information from the years 2005, 2006, and 2007 (ibid). Some of the criteria used in the report included governance and finance, taxation, safety and protection, transportation, economic development, recreation and culture, among many others.

It should be noted that this study lacked data for many different areas of evaluation and numerous municipalities, and, most importantly, that the study itself cautions the reader that "[t]he final overall grades and rank do not tell the whole story and must be viewed within a wider context ... ultimately, only you can decide if you are happy with the balance between what you pay your municipality in the form of taxes and user fees and the services you receive" (ibid). Opinion polls discussed in the final chapter indicate that HRM residents desire being taxed according to the services they receive, and not according to the assessment of their property value. This issue (the debate/decision in regional council about tax reform – *not* the implications of the reform) will be a focal point here in discussing the criterion of effectiveness.

It should be briefly mentioned that the HRM appears to perform well in the area of equity and inclusiveness. One feature that suggests that the HRM performs well is the fact that there is currently a position on the Halifax Regional School Board reserved for an African Nova Scotian. Despite the fact that most elections for this position have been decided by acclamation (HRM School Board Election Information, 2010), ensuring that the HRM's Black community (roughly 3.59%) retains representation on the school board, it is a noteworthy feature (Statistics Canada, 2006: Community Profile - Halifax Regional Municipality). Interestingly, although the Halifax Regional School Board is not part of the HRM as a municipal corporation, there has also been discussion this summer regarding the possibility of reserving a seat on regional council for a Black Nova Scotian councillor (News957.com, August 2010: "Mayor proposes a representative for HRM Black community"). It remains to be seen how this might be implemented, given that the Black population is not confined to a single ward. Nonetheless, provided this proposal is serious and implementation is attempted, this is a clear step in the right direction with regards to equity and inclusiveness.

With regards to accountability and leadership, the governance structure of the HRM leaves much to be desired. As mentioned with reference to the arguments outlined against amalgamation in the previous chapter, and the positions of the Citizens for Halifax Society discussed above, large regional councils often blur lines of accountability and make it difficult for residents to assess their regional councillor's performance. The HRM's community councils serve almost as a second, lower (though powerless) level of government. Kitchen (2008) summarizes the other side of the argument, noting that accountability and clearer lines of responsibility can actually be improved in

amalgamated metropolitan governments "because there is only one level of municipal government and taxpayers know who is responsible for the vast array of local services" (4). This, however, will not be seen as a characteristic of the HRM's governance structure.

The study can now turn to examining and assessing the HRM in a much more detailed approach. During this, reforms and an illustration of the inevitable trade-offs among alternatives will be demonstrated. The primary focus will be on the HRM's governance structure and issues that involve it, particularly its regional council, community councils, and the position of the mayor. Following this, some recommendations can be made according to the same criteria, or, at the very least the multiple options can be assessed according to which objective might be desired.

The HRM's Governance Structure:

Regional Council

Perhaps the best topic to begin with regarding the HRM's Governance and District Boundary review is regional council, particularly its size. This topic is the most debated and, arguably, one of the most significant issues when discussing governance in and of the HRM. It was the first issue that regional council itself debated in the governance phase of the governance and district boundary review process, and there are numerous sources from which to gauge residents' perceptions on what the size of

regional council should be, so as to inform what potential reforms may be, depending on the objective.

Although some might dismiss debates about the size of regional council as irrelevant in the broader context of HRM governance, it is an issue that involves multiple elements of the criteria of good democratic governance. Furthermore, other potential reform avenues depend to a large degree on what, if anything, is done with regional council (such as the number and strength of community councils, and the power of the mayor). Size of council inevitably involves the criteria of effectiveness (in decision making and channelling residents' interests into decisions), and efficiency or economy in an economic sense (when considering budgetary concerns, as shrinking council size is often touted as a means to save money). Regional council size also affects the criteria of representation and accountability, as more or less councillors inevitably alters how well residents are represented, and how accountable regional council is to residents. Each of these issues will be discussed in turn.

Phase 1 of the Governance and District Boundary Review was about governance, with the second phase to be about district size and boundaries. Regional council debated two main scenarios for altering the size of council: a "regional model" of approximately 13-15 districts and councillors, and a "modified status quo model" of approximately 18-23 districts (HRM Governance and District Boundary Review). Two "guiding principles" were presented to council from the District and Boundary Review Committee, which were, first, that "regional council be of a size appropriate to decision making of a regional nature," and, secondly, that "regional council be of a size that supports a Community Council structure appropriate to community decision making" (ibid).

Emma Feltes, editor of *Spacing Atlantic,* an urban magazine dedicated to discussing

urban governance and community issues in Atlantic Canada, provides a good summary of

the actual regional council meeting during which council debated, at length, what should

be done with the size of council:

> Comparisons were made to the larger Canadian cities of Vancouver, Toronto, and Calgary, where the [representation] ratio is much higher, but later critiqued with reference to the increased staff and budgets these constituencies are granted. Perhaps too predictably, those who self-identified as representatives of the business community tended to advocate increased efficiency and a smaller Regional Council … while those who identified as residents or community members tended to stress more heavily the need for a diversity of opinions and the importance of a personal relationship between councillors and their constituents. [However,] …the majority noted a desire for more dynamic Council debates, better information leading up to debate, and a focus on quality rather than quantity (Feltes, 2009. *Spacing Atlantic,* "Revamping representation in Halifax: HRM's governance and district boundary review process").

It does not come as a surprise that the business community advanced the need for a

reduced council size, likely with the perception that this would streamline decision

making and reduce costs, whereas residents wanted a council size sufficiently large to

incorporate the diversity of opinions in council decision making. The two competing

views of municipal government are clearly at play here.

The Citizens for Halifax Society released a detailed comparative study of the

HRM's regional council and how it compares with other cities in Canada. Regional

councillors in the HRM currently represent an average of 16,211 residents, ranging from

a low of 13,382 residents in District 15 (Fairview – Clayton Park) to a high of 19,657 in

District 3 (Preston – Lawrencetown – Chezzetcook) (Citizens for Halifax, "How Many

Councillors."). The study asserts that the HRM has too many councillors and too many

districts for its population size, and that "[t]here have been suggestions that the Council's size has contributed to the questionable quality of debate at meetings; to time wasted discussing unimportant issues of little interest to the majority of residents; and to the lack of major accomplishments by the Council" (ibid). Indeed, a prime example of regional council focusing on what can easily be considered a trivial issue was the chicken coop issue discussed above. Such an instance of *regional* council focusing on clearly non-regional issues illustrates the problem of regional council wasting time debating issues that do not involve the region. What may be an acceptable occurrence, or service, or rate, in one community or area may not be in others.

Municipal government commentators also often point to a "'sense of entitlement' attitude on the part of some councillors: one of 'I can get what my constituents want' at the expense of the municipality at large ... [it also] appears they feel that they can vote for extensions of services or provision of new services in their areas because the costs will be distributed over so many other districts that the local higher 'price' for the increased services will be negligible" (ibid). This is a serious shortcoming in the HRM's governance model, and may be a result of both the large geographic size (with a population of +/- 400,000) coupled with a regional council of 24 voting members. Vojnovic (2000) gives a good analysis of this type of problem, and how the effectiveness of decision making, combined with appropriate local tailoring, is necessary to avoid this problem; in essence, a balance between alternatives is required:

> In order to be effective in the provision of services, a municipality must also be aware of the types of services that are considered necessary by its residents. The local government's role in identifying and reacting to public opinion is considered fundamental in ensuring local democracy. Within this

framework, an effective municipal structure is one that is accessible and fully capable of responding to the needs of its constituents (390).

With a current composition of 23 regional councillors plus the mayor, the HRM is over-governed in comparison with other Canadian cities of similar size and even with cities much larger in population than the HRM. For example, Calgary, which has a population of 988,000 residents, more than twice the population of the HRM, has 14 councillors (which gives a representation ratio of one councillor to 71,000 residents); Edmonton has 12 councillors to represent 730,000 residents (a representation ratio of one councillor for every 61,000); Mississauga is perhaps the "most extreme example of 'under-representation,'" as a mere nine councillors represent 669,000 residents, which amounts to a representation ratio of one councillor for every 74,000 residents (Citizens for Halifax, "How Many Councillors"). These three comparison cities average about 68,000 residents per councillor, which is more than four times the HRM's, which has an average of roughly 16,000.

Comparing the HRM's number of councillors/districts to cities with similar populations indicates that the HRM is comparatively over-represented: Brampton, with a population of 433,806, has 16 councillors; Surrey, with a population of 394,976 (the closest comparison with the HRM's population), has eight councillors; Laval, with a population of 368,709, has 21 councillors; and London, with a population of 352,395, has 14 councillors (Statistics Canada, 2006 Census and Citizens for Halifax, "How Many Councillors"). The average number of councillors in these four most comparably populated Canadian cities is 14.75. It is important to note that these population figures are almost five years old and, assuming that there has been low to moderate population

growth, the representation ratios are probably larger than these figures indicate. Also, some of these locations are suburbs of larger cities, but the representation ratio and populations are still comparable. Based on these comparisons, the HRM ought to have between 14 and 16 regional councillors.

HRM residents are over-represented in regional council, at least in comparison with other cities in Canada. However, as has been stressed all along with regard to the criteria of good democratic governance, the unique context of the HRM and its governance structure must be taken into account. It is easy to assert based strictly on comparisons that the HRM's regional council should be significantly trimmed, and that such a large council inevitably increases the potential for conflict, divisiveness, and a slow decision making process. The immense geographic and population density diversity of the HRM, however, might suggest otherwise. For example, the HRM's large and predominantly rural area (the old Halifax County and all other communities outside the peninsula and close urban and suburban areas that include Bedford, Dartmouth, and Sackville), coupled with the HRM's slow but steadily growing population, suggests that having a comparatively large number of regional councillors is appropriate if the objective is maintaining sufficient representation. Shrinking council size may well lead to isolating rural residents' input and/or reducing their avenues to be well represented on regional council. Unfortunately, this is an extremely difficult position to maintain when consulting some of the opinion polls of HRM residents which touch on what should be done with the size of regional council.

For example, *The Chronicle Herald's* online poll in the first week of August, 2010 asked 'What do you think Halifax should do with the size of its regional council?' A mere 8% (182 respondents) chose to 'leave it as is' with 23 councillors plus the mayor; even fewer, or 2% (34 respondents) chose to 'add councillors;' an overwhelming majority of 90% (2016 respondents) chose 'trim the number of councillors' (*The Chronicle Herald* poll, 2010. Available online). Recall also the results of the Corporate Research Associates opinion poll, a more reliable indicative source than the *Herald* poll (which was accessible to anybody online) that speaks clearly to residents' opinions: on average, residents suggested a council of fifteen, and of those who provided a definite response (81% of those surveyed), "nearly two-thirds (62%) suggested a council or fifteen or less ... [o]nly 15% suggested the status quo and 83% suggested a smaller council than is the case today" (Corporate Research Associates, Inc., "Clear support for significantly smaller council in HRM"). Furthermore, a growing percentage of those living in the HRM are either completely (12%) or mostly (31%) dissatisfied (43% in total, up from 38% in February 2010) with the overall direction of the municipal government in the HRM, according to the same opinion poll, which was conducted in May 2010 and had a sample size of 401 randomly selected adult residents (ibid).

These opinion polls align perfectly with the comparison of the HRM representation ratio with those of other cities. 14-16 councillors appears to be the appropriate size for regional council comparatively speaking, and, much more importantly, a council of this size is directly in accordance with residents' opinions. The same Corporate Research Associates poll conveniently accounted for variance in responses across the HRM, speaking to the diversity of the region, and the figures still illustrate a consistent average

response for the desired size of regional council: HRM overall (15.4), Halifax (15.9), Dartmouth (16.1), Bedford/Sackville (14.3), and other HRM (old Halifax County and outlying rural communities) (14.6) (Corporate Research Associates, Inc., "Clear support for significantly smaller council in HRM"). Furthermore, it can be assumed based on the opinion polls that reducing the number of councillors is politically attractive to residents in a time of economic restraint and, given that the HRM has existed for 14 years, it would appear that residents have had enough time to evaluate how effectively they think it works. There have certainly been examples where regional council appeared to be extremely slow, or very ineffective, in decision making.

An example of the HRM's regional council appearing to be extremely slow in making significant decisions and/or appearing to be divided within itself was the failure of regional council to adopt any type of tax reform. In October 2006 Councillor Sheila Fougere forwarded a motion, which was passed, to begin a process which would "rebuild the foundations" of the HRM's tax system (*The Coast*, December 10, 2009: "Why everyone loses under the city's new property tax plan"). The Tax Reform Committee met more than 30 times in the following two and a half years and, ultimately, regional council eventually voted against adopting *any* type of reform whatsoever (ibid). The actual implications of the potential tax reform plan are not the concern here. The example's point is to suggest that regional council is *anything but effective* in its decision making.

Despite nearly three years of debate and discussion, and 30+ committee meetings, nothing happened. One would think that such a commitment of municipal time, energy, and study to potentially reform the regional municipality's primary means of gathering

revenue would have yielded some type of reform. This all occurred despite the fact that a Corporate Research Associates poll conducted in May 2009 indicated that 60% of respondents wanted to be taxed according to the services they received, and not property value assessments, which is precisely what tax reform, had it passed, would have brought about (Corporate Research Associates, Inc, "Citizens of HRM Prefer Property Taxes Based on Cost of Services Received"). Furthermore, an online poll conducted by the Citizens for Halifax Society found that "78 per cent are for tax reform that more closely aligns taxes with the actual cost of services delivered" (Citizens for Halifax, "Online Poll Key Findings"). Their poll, conducted between September 23 and October 4, 2008, had 512 respondents; most (73%) were not members of Citizens for Halifax Society (ibid).

The issue here is not the content of the reform, but the extremely slow decision making process coupled with the fact that nothing occurred despite a clear indication that some type of reform was desired by both residents and members of regional council. Not unlike the tax reform proposal, HRM's regional council also voted down multiple proposals to reduce the number of councillors, and ultimately kept 23 councillors plus the mayor. There is clear evidence to suggest that, although there is an impressively high degree of local democratic representation in the HRM, this comes at a cost of having a regional council whose activities might be best characterized as do-little. The body is anything but effective in decision making, but it ensures that residents are well represented. This is a trade-off that inevitably occurs when considering reforms. Mayor Peter Kelly, Chair of the Governance and District Review Committee, released a statement August 3, 2010 on the decision to maintain the status quo in regional council, and it touches on the inevitability of trade offs:

> The decision to maintain the number of councillors representing the people of the region was not made lightly. The motion to continue with the same number of representatives for the municipality came forward on the basis that councillors should and could continue to maintain the close working relationship that current numbers have allowed between themselves and HRM citizens on the many grassroots and regional issues that fall within their jurisdictions (HRM Municipal website: News Release).

Overall, despite the fact that regional council did nothing regarding reforming council size, this maintains a high degree of representation for residents at the cost of a potentially more divisive and conflicting regional council. The occurrence of 'grandstanding' on Tuesdays, which is when regional council proceedings are broadcasted on television, will likely continue. Indeed, *Chronicle Herald* city hall reporter Michael Lightstone mentions in a story about the council size debate that "many city hall observers have said weekly regional council meetings can be unwieldy due to the number of members ... [grandstanding] is not uncommon and the sheer number of speakers can be counterproductive" (*The Chronicle Herald*, "Mayor predicts testy debate over council size." Monday, Aug. 2, 2010).

The discussion of the characteristics of HRM's regional council also align well with Slack's (2003) development of governance criteria and her comparative assessment of numerous different types of governance structures found at the local level. Slack notes that "[t]he main advantages that have been cited for one-tier governments include: better service coordination, clearer accountability, more streamlined decision making, and greater efficiency" (2003: 19). Particularly regarding the criterion of accountability and a more streamlined decision making process, it is difficult to see how the HRM has moved toward achieving these potential benefits, if at all. A regional council of 23 members encourages a very slow decision making process. This, combined with the facts that the

mayor has no formal or legal authority over regional councillors (discussed in detail below), and that there is an even number of voting members on regional council (24 - tie votes or stalemates are common) blurs the lines of accountability for residents and does *anything but* streamline decision making, which have been shown to be objectives of municipal amalgamation. This is precisely one of the precautions Slack advances in her assessment which, again, aligns perfectly with the experiences of the HRM: "[i]n terms of accountability, it has been argued that a large-scale one-tier government reduces access and accountability because the jurisdiction becomes too large and bureaucratic" (ibid). Community councils, or decentralized decision making bodies that deal with local issues, are a way to maintain access, and depending on how much power they are afforded, can provide clear lines of accountability, too.

Slack also notes that, like the HRM, in some cases "community committees are established to address local issues or satellite offices are distributed across the municipality where people can pay tax bills, apply for building permits, etc. ... [t]hese committees and satellite offices likely increase accessibility but it is less clear how they impact on accountability" (2003: 19). Community councils are discussed below and the criteria of accountability and effectiveness again will be involved: depending on the number, size, and power of community councils, these elements of the criteria are altered.

It would be beneficial according to the effectiveness and accountability elements of the criteria of good democratic governance that the HRM have a smaller regional council. Comparatively, and according to citizens' opinions, this is long overdue and the reluctance of regional council to respond and reform accordingly is unfortunate. Although maintaining a high degree of representation is beneficial in and of itself a clear

desire among residents for a reduced council size has been shown time and time again. Ignoring this is problematic from a perspective that values good democratic governance, even if the representation ratio remains high. There exists no ideal number in this sense, but in the future if the number of districts and regional councillors were to be reduced (or – hopefully not – increased) it would be beneficial for there to be an odd number of voting members so as to avoid the constant potential for tie votes.

Oddly enough, before amalgamation, the old City of Halifax Council had 12 aldermen, and the mayor only voted in the event of a tie (*The Chronicle Herald*, "Mayor predicts testy debate over council size." Monday, Aug. 2, 2010). It is unclear why regional council has consistently avoided employing such a straightforward and simple decision making structure and process so as to avoid tie votes. As discussed earlier, at least three different motions to reduce the size of regional council (to 20, 18, and 16 members) were all tie votes (12-12), and the motion to maintain the status quo only passed (12-10) because two councillors left the proceedings (for unknown reasons). It is difficult to see such occurrences as indicating anything but a chronically ineffective governance structure.

It appears that the HRM only satisfied one of the review process' two guiding principles for reforming regional council while neglecting another: council is definitely still of a size that supports a community council structure which is appropriate to community decision making, but the degree to which council is an appropriate size for regional decision making is questionable at best. The ultimate review process, however, may occur in the form of the municipal election in 2012.

It should be clear by this point that the size of regional council remaining unchanged can be considered both beneficial (for representation) and detrimental (for accountability and effective decision making). If it is considered beneficial that regional council remains as large as it is, the slow and divisive process of decision making could be offset by introducing reforms to the HRM's community councils and/or to the power of the mayor. Likewise, if it is considered detrimental that regional council remains as large as it is, it is still possible to balance or offset the potential deficiencies of a large regional council by enhancing or reforming the power of the mayor or community councils.

Those of the 'vending machine' persuasion would likely be discouraged by the maintenance of a large council, whereas those of the 'barn raising' persuasion would likely trumpet the value of representation and more avenues for residents to be able to directly contact or engage their elected representative. The objective is to come as close as possible to achieving the best of both perspectives, or, in other words, to maintain a balance between alternatives. Whether perceived as fortunate or unfortunate, there is still much to be discussed regarding community councils and the role and power of the mayor. Governance of the HRM primarily involves the interrelationships between these three institutions, and an alteration (or, unfortunately, the lack thereof) to one inevitably influences the functioning of the others. It also influences which reforms, if any, can or should be considered.

The HRM's Community Councils

Recalling the results of the 2010 citizen survey, which showed that "[n]early half of HRM residents do not feel their voices are valued or reflected in municipal decision-making (45%)," and that less than one in five residents agree that their voices are heard (18%) by regional council, it can be asserted that since regional council was unaltered in the review process significant reforms to the powers of community councils might be warranted (HRM Citizens Survey Consultant's Report, 2010: 6). Also important here is the fact that only about half of all respondents (52%) said that they feel adequately represented by the HRM's current council and community council structure, 18% answered that they did not, and 29% said that they "don't know" (ibid). As advanced earlier, a 52% satisfaction rate regarding representation leaves much to be desired. Of the 18% of all respondents who answered that they did not feel adequately represented by regional council's structure, when asked which changes might help them feel better represented, 40% said reducing the size of council would "enhance its effectiveness" (ibid). Given that this did not occur, the discussion can now turn to assessing the current community council structure and consider potential reforms. In fact, the reluctance of regional council to respond to clear and repeated citizens' demands for a smaller council almost necessitates reform to the community councils. Looking solely at the recommendations of the district and boundary review committee, it appears that reforms will occur.

The HRM currently has six community councils, which range in size from three to six districts/councillors in each. One fact that speaks to the diversity of the region is the overlap in some of the community councils' membership. For example, District 2

(Waverly – Fall River – Beaverbank) is in both the Marine Drive, Valley & Canal Community Council as well as being part of the North West Community Council. The geographic diversity of the HRM seems to necessitate such overlap (in that there are many shared issues involving communities in close proximity to each other) but also compound the challenge of enacting a clear division of jurisdictions, which would enhance accountability and potentially streamline the approval of motions of local community concern.

Community councils in the HRM have very limited actual powers, and the description of their powers speaks to this fact: community councils "consider local matters, make recommendations to Regional Council, and provide opportunities for public input" (HRM Municipal website: "Community Councils"). For example, if a community council met and determined that there was enough support in the districts that hold membership in the community council to set up a new local area rate to introduce a new service in the area, the community council could recommend to regional council that this be adopted. The decision then falls to the entire regional council to pass the motion. The weak degree of formal authority afforded to community councils is somewhat paradoxical to their perceived purpose: they can recommend the introduction of new *local* service(s) but this is not in line with the purpose of *regional* council. In essence the process amounts to a powerless decentralized local body seeking approval from a centralized, powerful, diverse, and *regional* body for approval of a motion that only affects the districts of the community council, or local area.

The District and Boundary Review Committee summarized its findings from consultations with the public in the review process and made it clear that strengthening

the powers of community councils was a priority. This, coupled with motions passed to

increase effectiveness in decision making in regional council, suggests that some much

needed improvements to the HRM's governance structure might actually happen. The

four recommendations from the Committee are summarized below, and each will be

discussed in turn. The objectives of the recommendations are to "provide procedural and

legislative changes that will address the desire to make regional council and community

councils more *effective* (*The Chronicle Herald*, "Mayor predicts testy debate over council

size." Monday, Aug. 2, 2010. Emphasis added). The recommendations are as follows:

1. Seek amendments to the HRM Charter that will allow Halifax Regional Council
   to delegate general authority to Community Councils for local matters, with the
   intent that the delegation of this authority evolve over time.

2. Approve in principle the vesting of authority in Community Councils for the
   establishment of area rates for enhanced services deemed by Halifax Regional
   Council to be local, if the necessary amendments to permit this are made to the
   HRM Charter.

3. Approve the adoption in principle by Halifax Regional Council of the use of
   Consent Agendas, with the goal of achieving greater effectiveness at Regional
   Council meetings.

4. Approve the reduction of Halifax Regional Council to 20 Councillors plus the
   Mayor, with four (4) Community Councils each comprised of five (5) districts.

   (Source: "HRM's Governance and District Boundary Review – Phase 1 –
   Governance").

Effectiveness is by far the criterion that HRM's governance structure most sorely lacks,

and these recommendations, if passed, might go a long way in increasing effectiveness

and ensuring that regional council will focus on regional issues while community

councils can focus on community issues. The first two recommendations are essentially

the same thing: regional council will seek alterations to the HRM Charter so as to permit

the delegation of (actual) authority to community councils, specifically involving the ability to create and/or alter area rates or taxation depending on desired local services. The third recommendation is an interesting (and much needed) procedural change to making regional council proceedings more effective, and the fourth recommendation was rejected, although it does appear that number of community councils will be reduced to four. This latter revelation is problematic, as will be discussed below.

Slack (2003) asserts that single tier governments, like the HRM, "can mean that uniform services are provided throughout the metropolitan area *but this is not necessary* ... [p]articularly where the one-tier municipality has been created from the amalgamation of several municipalities, there is the option of maintaining differential services and service levels that existed in different parts of the city-region prior to the creation of one tier ... for example, rural residents will probably not necessarily receive all of the services available to urban residents" (19, emphasis added). Rural residents of the HRM do not pay rates for things like sidewalks, crossing guards, streetlights, fire hydrants, etc. Having locally-tailored rates is exactly what the current structure of the HRM is modelled upon: "[b]ecause services are provided at different levels in different parts of [the HRM] (especially between the urban and rural areas), there are [different] base property tax rates (urban, suburban, and rural), two additional customized rates for the two former cities, and over 60 area rates in the new municipality" (Slack, 2003: 21).

The diversity of the region is embodied in the rate and taxation structure, and this should also be reflected in the governance structure, particularly with more actual authority being delegated to the HRM's community councils. Recall that in the 2010 citizen survey there were troubling results regarding representation in the general sense,

as "[n]early half of HRM residents do not feel their voices are valued or reflected in municipal decision-making (45%)," and less than one in five residents agree that their voices are heard (18%) (HRM Citizens Survey Consultant's Report, 2010: 6). Not surprisingly, nearly nine in ten (86%) asserted that local government is important—that "councillors must work to deal with local issues"—and an additional 84% said that "local councillors must also work to deal with important issues facing the entire region" (ibid). Similar results were found during public consultation phases and presented by the District and Boundary Review Committee: "during public consultation the importance of having local issues addressed locally was expressed by many residents," and "Committee members felt strongly that enhancing the powers of Community Councils is key to a more effective Regional government and more effective citizen input into decision making" (HRM's Governance and District Boundary Review).

The third committee recommendation – that regional council consider the use of a consent agenda – is a much needed and long overdue reform given that regional council size was not reduced and there remains an even number of voting members. In many ways this recommendation indicates a good degree of common sense: a consent agenda involves regional council commencing proceedings with the tabling of an omnibus motion. This type of procedure is "used by other municipalities, boards, and committees to pass all items that are not considered to be contentious in one omnibus motion at the beginning of the agenda" ("HRM's Governance and District Boundary Review – Phase 1 – Governance"). The consent agenda does not reduce the degree of representation on regional council, and might speed up proceedings, amounting to more effective governance. A prime example of an organization that uses consent agendas during

meetings (and deals with municipal issues on a nation-wide basis) is the Federation of Canadian Municipalities (FCM Annual Conference Agenda, 2008). It would be a stretch to imagine any residents and/or regional councillors objecting to a proposal like this: it does not involve any HRM Charter changes, does not decrease representation, and may actually make regional council procedures much more effective in their decision making and allow more time for regional council to focus on regional issues.

As for the fourth recommendation, regional council size remained unaltered. However, it was also recommended that the number of community councils be reduced from six to four. At first glance this appears to be problematic from a representative or accessibility perspective: decreasing the number of community councils would inevitably increase the size and geographic area of jurisdiction of the remaining four, potentially amounting to community councils becoming more like regional council: diverse, divided and ineffective at dealing with local community concerns. Again, like the debate regarding regional council, quality is more important than quantity: if more and more diverse opinions are advanced at the community council level (which would inevitably happen with less of them), they move further away from the reason they were created in the first place: to deal with local concerns and the provision of local services that do not involve the entirety of the highly diverse region. In short, their quality (or authority) needs to be enhanced, and this is especially warranted if they are reduced in number.

The overlap of districts in different community councils speaks to the diversity of the region and the existence of many similarities. It also speaks to the fact that the quantity of community councils is not necessarily the issue. There could be any number of community councils as long as there were at the very least three or four, as the HRM is

clearly divisible geographically into numerous distinct areas (which is clear given that there are currently six community councils), and survey and opinion poll results discussed in the previous chapter often varied across the region. It is very difficult to determine precisely where, or how, these boundaries should or could be drawn, which perhaps suggests that there should be more than four community councils and that a rigid structure for them would not be beneficial. Still, what matters most is the quality of community councils and whether reforming them actually alters the governance structure of the HRM. The wording of the committee recommendations is not overly promising, given that regional council seeks 'in principle' to provide authority to community councils for the establishment of area rates, and that it seeks to 'delegate general authority' to community councils for local matters, with the intent that the delegation of this authority 'evolve over time.' If the number of community councils is reduced, which is what appears will happen, their powers could be enhanced as outlined in the review committee's recommendations, and perhaps altered in another way as well.

Placing emphasis on quality instead of quantity could be achieved by making community councils more flexible, or by refraining from creating them on a strictly geographical/jurisdictional basis. Surely there are times where districts and councillors may have converging or shared objectives regarding services provided in their areas and issues of local, non-regional concern. There may be other times where their interests diverge and coordination is difficult or impossible. Employing a form of community council structure that permits for ad hoc formation of community councils, or constructing community councils based on shared needs, interests, and desired services, may be more effective than simply lumping districts together according to proximity.

Obviously proximity is important, but under the recommendations of the review committee community councils (four) must each have a minimum of five councillors/districts. Some will have more than five (since regional council remained unchanged at 23 members), which encourages community councils to gradually develop a more regional, or semi-regional outlook. It is difficult to see how ad hoc community councils could work in a practical sense, but the ease with which regional council can alter their size and number suggests that permitting some degree of flexibility is not impossible.

Again, increasing the amount and diversity of opinions and interests might counter the purpose of having community councils in the first place. What would happen if two or three councillors/districts in a community council consisting of five different councillors wished to pursue the introduction of a new rate and service in their districts, and managed to get enough support in their respective districts to seriously pursue their objectives? A rigid community council governance structure combined with a reduction in number from six to four makes this problem predictable. Flexibility may permit a high degree of local tailoring and resident input, while also encouraging coordination on the part of the councillors who sit on the community council. Such flexibility might help to keep local decisions local, and let regional council work on regional decisions.

Let us recall Bish's (2001) assertion about the importance of community councils and how they are a vital governance feature of the diverse and fragmented HRM: "[c]learly, the long-run success of such a large and diverse local government will depend greatly on how well the internal decentralized structures ensure that communities within the HRM pay for the services they want and do not attempt to get additional services just

because they are paid for by the entire area, which would likely lead to high-cost local government" (2001: 25). It is becoming clear that, provided regional council is serious about becoming more effective in its governance and decision making, strengthening of the community councils is a necessity, especially if they are going to be reduced in number. Not enhancing the authority of community councils would be oddly juxtaposed against reducing the number of them while retaining a 23 member regional council. Indeed, it would be odd for the HRM to do nothing with the size of regional council, moderately (and only potentially) increase the effectiveness of regional decision making by introducing the consent agenda, and reduce the number of community councils while not delegating any actual authority to them.

Maintaining 23 regional councillors acknowledges that the region is very diverse and that a high degree of representation is good. However simultaneously decreasing the number of community councils is problematic because it inevitably makes them less locally-focused as they themselves will deal with a greater diversity of interests and, given that they will not be provided any taxation or rate setting authority, such reforms accomplish little, if anything, with respect to increasing effectiveness in regional council decision making or forging a closer link to residents through community councils. Such an approach moves community councils further away from residents and does little to keep community-specific issues outside regional council meetings.

Virtually every press release, comment from the mayor and/or regional councillors, and the entirety of the discussion and presentations about the governance phase of the year-long mandatory District and Boundary Review process repeatedly refers to 'increasing effectiveness.' Thus far very few significant improvements have

been made. It is hoped that regional council acts on the review committee's

recommendations, as although having such a large regional council maintains high levels

of representation, citizen assessments have indicated a clear level of dissatisfaction.

Enhancing the powers of community councils would provide regional council more time

to focus on regional issues and agendas, while the decentralized community councils

would be free to undertake more projects and introduce community initiatives that their

constituents agree to. This all hinges, however, on whether or not regional council

actually affords some independent taxation or rate setting authority to community

councils, the number of community councils that remain, (which will be decided by

year's end when the recommendations must be submitted to the Nova Scotia Utility and

Review Board), and how they draw the boundaries/districts in each community council.

Having discussed the first two main features of the HRM's governance structure under

analysis in this thesis and made clear recommendations, the discussion will now conclude

on another important feature, the power of the mayor.

Mayoral Power

The 2010 citizen survey asked which factors made respondents dissatisfied with

their municipal government the most, and almost one in five (17%) cited what they

perceived to be "a slow decision-making process," while 14% said Council "spends too

much time on trivialities," and 12% said their municipal government "lacks direction"

(HRM Citizens Survey Consultant's Report, 2010: 6). Respondents were also asked

questions regarding their attitudes about leadership, and these are some of the results

most relevant to this discussion: 35% of respondents ranked council performance as 3/5;

furthermore, more than one in three respondents disagree that council is demonstrating

effective leadership (34%) while almost one in four (24%) agree (HRM Citizens Survey Consultant's Report, 2010: 6). These results may indicate a greater dissatisfaction with elected municipal officials rather than the institutions, or structure, of regional council, but it is clear that leadership is lacking in the HRM's governance. Whether this is a matter of the governance structure or a matter of the individual councillors (and Mayor), is open to debate, but leadership is dependent on power, both formal and informal.

All Canadian municipalities employ a variation of the weak mayor system, and an examination of this type of government structure illustrates the shortcomings of such a system if viewed through a perspective that places importance on clarifying the lines of accountability in government and ensuring that a local government at least has the formal mechanisms in place to encourage the possibility of effective leadership, decision making, and a regional outlook or agenda. A brief look at the weak mayor system illustrates the necessity of focusing primarily on governance structure, and, particularly with the HRM, how this position in the governance structure might need to be reformed. Unfortunately, the power of the mayor is not included in the governance review process, but it is relevant to consider some of the shortcomings of the HRM's governance structure in this regard as poor leadership consistently featured in residents' complaints and reasons for dissatisfaction with the direction of their municipal government.

Unlike a prime minister or a provincial premier, the Canadian mayor is but one – not first – among equals. Although some mayors, such as Winnipeg's, have been granted some powers of appointment, mayoral "executive responsibilities ... are generally quite unclear" and weak; Sancton notes, however, that mayors do have a significant amount of sway over agencies, boards, and commissions in a municipality: it would be misleading "to suggest that mayors have no influence over local public institutions that are not directly part of the

municipal government structure" (Sancton, 1994: 176). Mayoral influence is best understood in terms of *informal* power: their electorate can often be larger than most federal electoral constituencies, and their success depends heavily on their connections to local sources of political and economic clout. Indeed, the Canadian mayor's informal power "derives more from their social and economic standing than from the legal status of the office they hold" (Sancton, 1994: 177). This power is still formally weak, but like any successful leader, perhaps more so than their provincial and federal counterparts with institutionalized and relatively clear executive responsibility, compromise, consensus building, and being in a unique position from which to coordinate policy and decision making permits mayors to exert influence on the process of local governance. Tindal and Tindal note that as a result of a lack of formal power, "heads of council in Canada must rely heavily on their personality and persuasive skills in attempting to provide leadership," and that "[e]xcept in those limited circumstances where organized political parties exist, a council is made up of a group of individuals with potentially different interests and concerns and no sense of cohesion or collective will" (2009: 253).

Perhaps, in the context of the HRM, it is the large, diverse regional council and the high degree of division and independence of regional councillors that explains the perceived lack of leadership frequently found in the resident assessment surveys and opinion polls. Indeed, Tindal and Tindal reference the case of Ottawa in 2000, where the new mayor's job was compared to "herding cats" since council was described as "divided by geography, political beliefs, urban-rural concerns, ethnicity, and specific interests" (ibid). Many parallels to the case of the HRM are evident here: a divisive council that represents a very diverse region.

Sancton divides mayoral leadership roles, like those of first and prime ministers, into three categories: "leadership—both real and symbolic—of a community of people within a

specified territory; leadership within a large governmental organization; and leadership of a party or faction dedicated to achieving certain declared political objectives" (1994: 175). Most mayors, however, are elected at large and have minimal formal influence on the direction of a municipal public service and a usually highly independent and divisive council. If mayors were selected by a majority among elected councillors, for example, they would have a clear and democratically determined mandate from which they could lead with majority support. Lines of accountability, however, are blurred when mayors are elected at large, separately from councillors, and, unfortunately for many mayors, including the Mayor of the HRM, they tend to bear the brunt of most public dissatisfaction with the local government's activities. This is despite the fact that they are rarely, if ever, the solely responsible public official.

Sancton (2004) notes, with reference to the council of the amalgamated city of Toronto, that "[m]uch attention has been focused on the possibility of enhancing the political and administrative authority of the mayor (through appointing council committee chairs and senior administrators) and/or creating a more politically powerful executive committee that could focus on providing strategic direction for the city" (29). However, Sancton also illustrates how such an alteration to power structure would inevitably alter the relationships between mayor and council, and the mayor/council and the municipal public service. In essence, a municipality would be faced with deciding among alternatives, or attempting a balancing act depending on what their reform objectives were: "[t]he main potential difficulty with such changes is that they would (rightfully) be seen as eroding the power of council as a whole and, therefore, of individual councillors" (ibid). A reform of this sort would inevitably be met with resistance from regional councillors in the HRM, but, based on residents' opinions and

the perception that regional council severely lacks leadership, this sort of reform may be long overdue.

Interestingly, Sancton's discussion here is in reference to some of the governance dilemmas of the post-amalgamation city of Toronto. Toronto faces challenges not unlike those in the HRM. Amalgamation can erode or weaken the ability of neighbourhoods and individual citizens to influence local decision-making as a region-wide metropolitan government is erected but, Sancton states, "it will be difficult – but perhaps not impossible – for such opponents of amalgamation to attempt to counter its obvious weaknesses by supporting *structural reform aimed at moving more power to the centre at the expense of the power of individual councillors*" (2004: 29, emphasis added).

It is clear that a trade-off is inevitable, but striking an appropriate balance is not impossible. Given the hesitancy of regional council to delegate and decentralize authority to the community councils, to significantly increase the effectiveness of decision making in regional council, and the likelihood of the number of community councils being reduced, reforms to the power of the mayor are unlikely. Nonetheless, it can be asserted that the HRM has been shown to have a clear lack of leadership on regional council and that this might have just as much to do with its governance structure as it does with municipal politicians themselves. Both the mayor and regional councillors can only work within the formal or legislated power afforded to them, and given that regional council remains at 24 voting members, and that it is best characterized as a do-little regional governing body, those desiring strong leadership in the governance of the HRM should not hold their breath.

HRM regional councillors are highly independent, which indicates that some reform avenues involving mayoral power are probably more appropriate than others. Simply basing the governance structure of regional council on the system like that which was found in the old City of Halifax, with an odd number of councillors and having the mayor vote only in the event of a tie would probably be the most acceptable. This would not challenge the power of regional councillors. Some powers of appointment for the mayor could be introduced, such as selecting members to stand on committees, or appointing senior municipal public servants. Altering the process for selecting the mayor of the HRM might also be an acceptable reform. An example of this would be scrapping the at-large election process for the mayoral position (which is where the legitimacy and power of the mayor primarily stems from), in exchange for the mayor being selected by a majority of elected regional councillors following a municipal election. This would have clear positive effects on accountability and the mayor would at the very least begin a term with majority support on regional council. Having majority support would increase effectiveness in decision making, too.

Similarly, another method of attempting to provide formal leadership often comes in the establishment of an executive committee, or cabinet-like structure. Although there are numerous different models that can achieve this, executive committees of council are essentially "an attempt to build in the elements of a parliamentary governing model, particularly in terms of a separate executive responsibility for providing leadership and answering to elected council" (Tindal and Tindal, 2009: 95). Such a model was suggested (but not adopted) for the amalgamated Unicity in Winnipeg in 1972: key provisions included "the stipulation that the mayor be chosen by and from the members of council ...

[so] mayors could provide leadership on council because of majority support," and that "executive committee members would be chosen the same way [and] with the mayor as chair, this body would be akin to the cabinet in the parliamentary system" (ibid).

Tindal and Tindal assert that "[b]ecause of the limited success of efforts to create effective executive committees, the most prevalent reform of coordinating machinery has been the chief administrative officer [(CAO)] system" (2009: 281). The CAO system is also the system employed by the HRM. The CAO in municipal government is essentially the manager of the administrative branch, and the position is often referred to as the city manager, commissioner, administrator, or director general; this position and system "is predicated on a complete separation of the policy and administrative activities of the municipality" which "involves the appointment of a professional administrator" who is delegated "complete responsibility for administering the programs of the municipality, including the coordination and supervision of all staff" (ibid, 269-70). Tindal and Tindal caution that "[n]o matter how well [the CAO] system works, however, it does nothing to strengthen political leadership and, to the contrary, may even detract from this objective by creating a bureaucratic system and by undermining the power and public status of the council" (ibid). This is clearly a characteristic of the HRM's current governance structure.

Having a mayor lead with majority support through an executive committee clarifies lines of accountability for residents, but employing a cabinet-like structure is very difficult without organized political parties at the local level, which is a very rare situation in Canadian local government. Organized political parties do not exist in the HRM, but the importance of having political parties to establishing and maintaining a

cabinet-like structure, or effective executive committee to clarify lines of accountability, is very clear. Indeed, the effectiveness of executive committees is "dependent upon their method of selection and whether or not they are reinforced in their position and activities by the existence of organized political parties on council" (Tindal and Tindal, 2009: 278). Having political parties provides "the potential for not only strong leadership but also more effective scrutiny of activities through an organized opposition or alternative governing group ... as a result there is a group within council pledged to scrutinize and criticize municipal activities" (ibid). As mentioned the HRM lacks a party system, so discussing whether an effective executive committee governance structure, rather than a CAO system, could be employed in the HRM is not warranted. The high degree of diversity in the region and on regional council, combined with the lack of political parties and the independence of regional councillors suggests that strengthening the power of the mayor's position, or establishing an executive committee, is probably unlikely.

The mayor of the HRM is the individual most frequently blamed for regional council's shortcomings, of which there have been many. Some of these shortcomings were included in this analysis (tax reform failure, a focus on trivial issues, and repeated tie votes on reforming regional council). Others include the failed Commonwealth Games bid, and the often criticized handling of water treatment facilities in the region. Directly challenging the power and independence of regional councillors is not something that should be encouraged, but bringing the formal power afforded to the mayoral position in the HRM more in line with what it is often perceived as being should not be that difficult of a reform objective. Indeed, it has been shown that there are many different ways to

approach this issue. Given the HRM's track record on enacting significant reforms,

however, the position of the mayor very likely will not be altered anytime soon.

Chapter Five: Conclusions

Based on what has been gleaned from the many different sources of HRM residents' opinions and a detailed analysis of the governance and district boundary review process, it is clear that HRM residents are demanding political leadership, political responsiveness, and administrative effectiveness simultaneously. There is a consistent and undeniable demand for the following types of reforms to the HRM's governance structure: a smaller, or at least more effective and less divisive regional council; greater attention to local issues, perhaps (and hopefully) through the strengthening and increased flexibility of community councils; and, finally, stronger leadership and a more regional outlook in decision making. Even moderately strengthening the power of the mayor without reducing the power of regional council would be a welcomed reform. Dividing, or de-amalgamating the municipality, either into two (urban/rural) or more separate jurisdictions may very well encourage some of the same conflicts that amalgamation was supposed to end and would likely not be supported by the province. Inter-municipal conflict, particularly in efforts to attract business and development, would be almost inevitable. Such a problem would require inter-municipal cooperation, which simply lends greater validity to maintaining the amalgamated scenario in the first place and possibly looking at ways to increase the strength and flexibility of community councils.

In sum, and based on the criteria of effectiveness and accountability criteria, in addition to the resident assessment surveys, the literature review on municipal governance in Canada, and having examined the specifics of the HRM and its governance structure, the ways in which the HRM may want to approach reforms to its governance

structure could be conceived as follows: regional council size should be reduced, community councils should be significantly strengthened, and the formal power of the mayor should match what residents (inaccurately) probably perceive it to be, without reducing the authority and independence of regional councillors. If the HRM passes on significant governance structure reforms during this review process, which they already seem to have done, it might (will) be another eight years before these topics surface again for serious debate and public consultation.

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