

## Chapter 4

### Municipal Associations

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#### Introduction

Municipalities are an order of government in Canada; but their associations possess many of the characteristics of the other groups analyzed elsewhere in this book. The Canada-wide and Quebec municipal associations were among the cases studies undertaken by Meisel and Lemieux for the Royal Commission on Bilingualism and Biculturalism in the late 1960s.<sup>1</sup> Since then, these and other municipal associations have had to adapt their objectives and their methods of operation to reflect both the changing political context of Canadian federalism and changes in the linguistic reality of the country. This chapter analyzes the success of these adaptations, and their wider implications for Canadian society.

#### The Changing Municipal Context

Municipal associations are becoming more important in Canada because local governments are assuming greater importance in the governance of the country. Since the 1960s and particularly in the 1990s, there has been a decentralization of power in Canada, chiefly from the federal government to the provinces, and more modestly from both federal and provincial governments to local governments and the private and non-governmental sectors. This has been accompanied by further urbanization of Canada's population.<sup>2</sup> Neither federal nor provincial governments are well organized to deal with many of the resulting issues. Local governments, particularly in the more populous areas, have been gradually transforming themselves from their 1960s' role of delivering services to assuming responsibility for the economic, social, cultural and environmental health of their communities.

At the end of the 1990s there were some 3,700 municipal governments in Canada. Their structure and average size varied widely from province to province, both because of historic and geographic characteristics, and because provincial governments have exercised their control of local governments in different ways.

The first national association of municipalities was created in 1901, and one or more associations of municipalities have been active in each province for most of the twentieth century. In 1999, there are 17 provincial-municipal and territorial-municipal associations. Some provinces have more than one, often reflecting the divergent interests of large urban areas and smaller municipalities. Most municipal associations

worry about the largest cities bypassing the associations and taking all of their concerns directly to the federal or provincial governments.

In recent years, linguistic issues have given rise to separate associations for primarily francophone municipalities in New Brunswick, Ontario, and Manitoba. At the end of the 1990s, close to 700 municipalities belong both to a provincial association of municipalities and to the national body, the Federation of Canadian Municipalities (the Canadian Federations of Mayors and Municipalities, CFMM, from 1937 to 1976, and the Dominion Conference of Mayors from 1901 to 1937).

### **What the Research for the B and B Commission Said About Municipal Associations**

In their study, Meisel and Lemieux concentrated on relationships between anglophones and francophones within the Canadian Federation of Mayors and Municipalities and between the CFMM and l'Union des municipalités de la province du Québec (UPMQ). The study showed that until the 1960s, there were few tensions between the pan-Canadian association and the Quebec association. Municipalities in Quebec often joined both associations. But tensions increased in the 1960s as a result of the rise of Quebec nationalism and ensuing tensions within the Canadian federal system. Quebec municipal leaders were caught in a debate about the relationships between Quebec municipalities, their provincial associations, and the federal and provincial governments.

#### *The Canadian Federation of Mayors and Municipalities*

With respect to the CFMM, Meisel and Lemieux concluded that:

- The crisis in the CFMM and the loss of some of its Quebec membership in the 1960s was primarily produced by the changing political climate in Canada rather than by internal causes.
- The CFMM's internal vision and method of operating was too rigid to adjust successfully to the changing circumstances in Canada.
- One of the reasons for this rigidity was the centralist outlook of the CFMM's long-term executive director, who was sensitive to the bilingual nature of the country but not to the differing objectives of many francophone Quebecers.
- Many of Quebec's active participants in the CFMM were older, small-town mayors who were unrepresentative of the changes taking place in Quebec in the 1960s.
- Some of the more nationalistic younger mayors of Quebec were much more attuned to the decentralist views of the Quebec government than to the outlook of the CFMM.
- As a result, when faced with a choice between some of the advantages of CFMM membership and the political "penalty" of supporting a seemingly centralist organization, many Quebec municipalities withdrew from the CFMM.

The Meisel-Lemieux report concluded that the CFMM was not adapting well to Quebec's Quiet Revolution. Several factors contributed to this. Perhaps the most important was the personality of the Executive Director. George Mooney was described in the report as:

a person of exemplary goodwill insofar as [English-French] relations were concerned." He "spoke both languages, assured the publication in both languages of the association's literature, and saw to it that the Federation was one of the earliest pan-Canadian organizations to translate the speeches of its members at conventions. But while he was linguistically aware, he was insensitive to the different objectives sought by members belonging respectively to the two ethnic groups and he therefore failed to perceive the need to alter his own centralist outlook and that of his Federation.<sup>3</sup>

The result was insensitivity within the CFMM to the emerging quest for more provincial autonomy in Quebec and the consequent declining interest among its Quebec members in securing better federal treatment of local government across Canada. Meanwhile, the Union des municipalités de la province du Québec (UMPQ) embraced the Quiet Revolution. It became more unilingual and more supportive of provincial positions.

George Mooney died in 1965 after 27 years as Executive Director of the CFMM. The following three and a half decades could be loosely characterized as 17 years of turbulence followed by 17 years of relative tranquility. The pivotal event may have been the appointment in 1982 of James W. Knight as Executive Director, a position he continued to hold—later named Chief Executive Officer—into the 21st century. There were several executive directors between Mooney and Knight. None was able to inspire the board of the day to address effectively the waning size and influence of the organization. A vicious circle involving loss of membership and loss of influence had begun with the withdrawal of Montreal from the CFMM in 1961. Membership loss became particularly pronounced during the 1970s. At the lowest point, in 1981-82, fewer than 200 municipalities belonged to the FCM, compared with more than 300 belonging to the CFMM in the 1960s and more than 700 in the 1990s.<sup>4</sup>

The 1970s saw a greater reaching out to francophones within the CFMM-FCM than ever before. Federal grants made possible simultaneous interpretation at annual conferences and other meetings to become the rule, as well as translation of most documents. The *Official Languages Act* of 1969 had presaged growing acceptance of bilingualism in English Canada, which had influenced CFMM-FCM and made the grants possible. The CFMM also received research support and backing from the ill-fated federal Ministry of State for Urban Affairs for a series of national conferences in the 1970s. These conferences caused problems for the CFMM with most provincial governments and especially that of Quebec.

Quebec, meanwhile, was becoming more unilingual. In 1973, the provincial government decreed that French was to be the sole official language (except where the constitution provides otherwise). Language rules were strengthened following the election of the first

separatist government in 1976. What was now the Union des municipalités du Québec (UMQ) became almost entirely unilingual.

### *The pivotal year*

Nineteen eighty-two was the pivotal year for the CFMM-FCM: after 17 years of continuous decline, there would by 1999 be 17 years of growth. In retrospect, Knight's appointment was an obvious turning point, but several other factors may well have contributed.

The annual conference in Halifax in 1980 set a record for attendance, with three quarters of the membership present and a delegate count 24 per cent above that for the previous year. FCM was finding its *raison d'être*, focused now on delivering value to members rather than on fruitless and divisive quests for constitutional recognition or on the arcane and unsuccessful rearrangements of the membership structure that had been a feature of the 1970s.

Another factor was the enthusiasm and skill of members of FCM's board. It was especially well led by the then Mayor of Quebec City who was president during the critical year between the annual conferences of June 1982 and June 1983. An aggressive and effective membership campaign reached into every part of the country, set clear targets, and made good use of existing members. Several larger municipalities helped the campaign by contributing funds beyond their membership fees. The president was able to report to the 1983 conference that FCM had experienced its first net gain in members since 1975: 25 new or returning members, but still 15 withdrawals.

A 1984 assessment of the membership indicated that in simple numbers Quebec was holding its own with other populous provinces; for example, each of Quebec and Ontario had 41 of a total of 254 FCM members in that year. However, Ontario's members were much larger: its 41 members embraced 4.5 million or 52 per cent of Ontario's 8.6 million population; Quebec's 41 members embraced only 1.4 million or 22 per cent of that province's 6.4 million population. The continued absence of the City of Montreal was a particularly strong factor in this discrepancy.

But that was soon to change. The long-serving Montreal Mayor, Jean Drapeau, retired in 1986. Among the first acts of his successor, Jean Doré, was to lead the new council to rejoin the FCM. This was no federalist gesture—Doré had been René Lévesque's press secretary—but rather a practical move that acknowledged the continuing importance of the Government of Canada for Montreal and the advantages of dealing with that government through a strong Canada-wide municipal organization as well as through the Government of Quebec.

Part of the attraction of the FCM for the City of Montreal was the emergence of the Big-City Mayors Caucus. It met the need of the mayors of Canada's dozen or so largest cities to meet regularly, share common problems and approaches, and apply collective pressure on matters such as gun control and homelessness. Although the Big-City Mayors Caucus has served both the mayors and the organization well, it has also

brought some problems. For example, pressure for federal action on social policy can run counter to Quebec's insistence that such matters are entirely a provincial prerogative and, as a consequence, put the mayor of Montreal in a difficult position.

By 1990, the FCM had almost tripled its numbers compared with the nadir of 1982. The *proportion* of Quebec members had declined, although the absolute number had increased to its highest level ever. Now, with Montreal and the rest of the Montreal Urban Community on board, well over half of Quebec's population was represented compared with the 22 per cent in 1984.

Meisel and Lemieux had compared resolutions moved at annual conferences by Ontario and Quebec members as a measure of involvement in the organization. They noted that "the Quebec delegations were considerably less active than their Ontario colleagues and that their participation in recent years had declined."

We were able to examine resolutions moved at eleven annual conferences distributed across the period since the mid-1960s. Of the total of 725 resolutions presented to the eleven conferences, only 17 (two per cent) were proposed by Quebec municipalities. In this respect, Quebec participation remained at a low level. (We have been told that we should not be surprised by the lack of resolutions from Quebec municipalities. It is not the way things are done in Quebec. Relatively few resolutions are presented for consideration at UMQ conventions.)

In other respects, the level of Quebec participation and support was high. FCM delegations and presentations to federal ministers and parliamentary committees usually included representation from Quebec, often with great effect. In particular, the participation of Quebec mayors and councillors was critical to achieving favourable arrangements with respect to the GST rebate.

#### *FCM and official languages*

At its 1984 annual conference, the FCM reaffirmed its commitment to protect and promote official language rights. By the end of the 1990s, the two official languages have become essentially equivalent within the administration of the FCM. French is heard at the FCM offices almost as often as English; no official documents are in one language only. At conferences, workshops, and board and committee meetings, the predominant language is English, reflecting the balance of numbers within Canada, but simultaneous interpretation is almost always available, and French is used readily.

The acid test for FCM was the existence of a unilingual francophone on the national board of directors for four years in the 1990s. This councillor participated fully at the board level and on committees. She said she felt a high level of comfort when participating, and became a firm believer in the effectiveness of the FCM as a vehicle for securing municipal objectives. She also praised the FCM for its promotion of understanding between francophones and anglophones and between Quebecers and people from other provinces.

A unilingual francophone councillor would have been unlikely to have sought membership of the FCM board before the mid-1990s. Had it happened, it is doubtful the comfort level would have been as high. There is still reluctance among Quebec mayors and councillors to put themselves forward for board membership but the reluctance manifestly lessens with the passing years.

Part of the comfort level of Quebecers with the FCM arises from the structure of the organization. One of its five table officers is always from Quebec. In one year, a Quebecer will be third vice president, in the next year, second vice president, and so on through first vice president, president, and past president. It is usually but by no means always the same person who goes through this cycle. Representatives of the other four regions—Atlantic; Ontario; British Columbia and Yukon; and Prairies, Northwest Territories, and Nunavut—go through the same cycle. Nominating committees over the years have been especially sensitive to requests to avoid Quebec's occupancy of the presidency at times of heightened tension over sovereignty issues such as the periods around referenda.

The relative regularity of accession of Quebecers to the FCM presidency—Quebec presidents, all francophones, were elected in 1978, 1982, 1987, 1992, and 1998—is in sharp contrast with the previous decades, when Quebec presidents of CFMM were elected only in 1953, 1962, and 1971.

Questions of Quebec's distinctiveness have rarely raised themselves in FCM's discussions in recent years. The leadership of the FCM has become skilled at focusing the attention of the organization on matters of concern to municipalities throughout Canada. The everyday predicaments of Quebec municipalities differ little from those of their counterparts in Nova Scotia or Saskatchewan. Once the mission of the FCM had been clarified in the early 1980s, it became much easier to steer activity away from matters that evoke the differences between Quebec and the rest of Canada and towards areas in which Canadian communities face similar challenges.

#### *What caused the turnaround*

Meisel and Lemieux attributed many of the difficulties experienced by the CFMM in relation to Quebec municipalities to the insensitivities of George Mooney, who served as executive director from the CFMM's founding in 1937 until his death in 1965. The CFMM declined further during next 17 years. James Knight became executive director in 1982 and the organization has prospered since then. The personality and skill of the executive director of an organization such as the CFMM-FCM are profoundly important, but there are other factors at play too.

Knight soon proved himself to be a master organization builder with unusually well-developed sensitivities as to the nuances of both Canadian federalism and the aspirations of municipal governments. As an organization builder, he saw the need for members, members, and more members. They would come, above all, through visits by representatives of member councils to non-member councils at which the many advantages of membership could be explained. This meant having a strong case and

strong staff support, both of which Knight supplied. He also saw the need for symbols of permanence, hence the move to purchase a landmark headquarters building. He saw the need too for a major expansion of activities, such as a dynamic International Office, which often dealt in French with the Canadian International Development Agency (CIDA) and with francophone countries. His handling of Quebec issues was especially deft. He understood well that Quebec was not like the other provinces, and he understood equally well just how far this view was shared in the rest of Canada. The strength of the opposition in Quebec to establishing the FCM's International Office provided a powerful lesson, if one was needed, as to how matters concerning Quebec had to be handled.

Having said this, we should also add that much of the organization's growth during the 1980s may have happened with just about whoever was the executive director. The FCM was ready for growth, and other organizations—e.g., the UMQ—grew at this time. The growth may have been greater with Knight than it might have been with another executive director, but the FCM would surely have grown, or died away altogether.

Knight's particular value to the FCM may have been during the 1990s, when the fierce storms that have buffeted municipalities were weathered. The strength and effectiveness of the administration he had built during the 1980s have been invaluable to the FCM. The combination has enabled the organization to thrive in difficult times, although it has attracted some criticism that the organization has become overly prudent and cautious. The robust survival of the FCM during the difficult 1990s made it possible to think about new roles for the organization, one such being the development of a stronger research capacity with respect to current and emerging issues of local government.

*The dynamics of affiliation of Quebec municipalities to the CFMM-FCM*

Despite some positive developments, there is no avoiding the fact that the weight of Quebec members within the FCM has fallen slowly and steadily over the last four decades, from being over-represented in relation to Canada's population in the 1950s to being under-represented today. Now, about 15 per cent of FCM members are Quebec municipalities. A weighting by municipal size would bring this up to near 20 per cent—largely on account of the City of Montreal—slightly below Quebec's proportion of Canada's population. It should be stressed again that the decline has been *relative*. As CFMM-FCM's overall membership weight has fallen and then risen, so has the membership from Quebec. Indeed, the current level of membership from Quebec, while being relatively the lowest for decades is also absolutely the highest, at close to 100 municipalities.<sup>5</sup>

Meisel and Lemieux emphasized the impact of events in Quebec on the participation of Quebec municipalities in the CFMM. A more complete view should also give weight to the extent to which the organization is seen to be useful to its members, whether in Quebec or in the rest of Canada.

The basic dynamic of affiliation of Quebec municipalities to the CFMM-FCM during the period studied is thus as follows. The overwhelming feature is that Quebec was like any other province, in that the number of its municipal members rose and fell in parallel with rise and fall of the overall membership of the organization. A second, much weaker feature is that over time there has been a very gradual disengagement of Quebec municipalities. The third fact has been the departure and re-joining of Montreal, which, in the years it happened, overshadowed everything else.

### **Provincial Associations of Municipalities**

During the 1970s, the municipal associations in the provinces had been less dramatically affected by the events that had been so traumatic for the CFMM/FCM. By and large, their focus was maintained on their day-to-day relationships with their provincial governments. In Ontario and Quebec, they had to cope with the creation of regional governments and urban communities, which added a new type of upper-tier municipal government. Quebec also transformed the system of counties by creating 96 new regional county municipalities. Municipalities and their associations also had to cope with a harsher fiscal environment and resulting constraints on provincial-municipal transfers than had been the case in the free-spending 1960s.

#### *Quebec*

The Quebec government, especially after the election of the Parti Québécois in 1976, was resolutely opposed to the concept of tri-level conferences and to most of the aspirations of the federal Ministry of State for Urban Affairs. The UMQ was careful to steer clear of any formal involvement in the national tri-level experiment. The Liberal Minister of Municipal Affairs of Quebec, a former mayor, however, gave a laudatory impromptu statement at the first tri-level conference in 1972, but his sentiments were quickly disavowed by the provincial government.

During the early 1970s, the federal government tried through various means to establish a more direct presence in local communities, partly in an effort to appear more relevant to voters (especially in Quebec and in urban areas) and partly to overcome regional disparities within Canada. These efforts produced a strong reaction from the provincial Ministers of Municipal Affairs, who issued a declaration protesting federal interference in municipal activities.

During the first term of the Parti Québécois government after 1976, the Quebec minister of Municipal Affairs Jacques Léonard introduced legislation to prevent Quebec municipalities from dealing with the federal government without going through the provincial government. The legislation also provided that any direct transfer of funds to a municipality by the federal government would be deducted from provincial transfers to that municipality. Léonard had wanted even tougher legislation to counter what he saw as federal interference through direct aid for municipal infrastructure under winter works and regional economic development programs.

The UMQ, led by Francis Dufour, the separatist mayor of Jonquière, led a fight against the more extreme elements of Léonard's proposed legislation. Eventually, an agreement



was negotiated between the UMQ and the Quebec government. In this agreement, the municipalities accepted the general principle that the federal government should not be involved in municipal activities and that municipalities would not seek federal money, but that common sense exceptions would be permitted.

Although the law is still on the books, it is no longer a major source of tension. The need for day-to-day practical communications between some municipalities and federal agencies (e.g. some 40 per cent of the Quebec city downtown is federally-owned property) on matters such as ports and canals has been recognized informally.

Closer relations developed between the UMQ and the FCM in the 1980 and 1990s. The executive directors of the UMQ from 1978 on, Luc Lacharité (1978-86) and his successor, Raymond L'Italien, both developed good working relationships and a mutually agreed scope of activity with their counterpart at the FCM, James Knight. This relationship was strengthened with the return of Montreal to the FCM. Two Quebec mayors (Jean Pelletier and Jean Corbeil) served as presidents of both the UMQ and the FCM during this period.

The “no” results of the Quebec referenda of 1980 and 1995 each led to a more relaxed atmosphere for Quebec municipalities and their associations in their dealings with the FCM. The message of the referendum results even to supporters of Quebec independence was that Quebeckers should work constructively within the existing constitutional framework at least “until next time”.

The UMQ has developed a mutually beneficial relationship with the FCM. The Quebec association believes that the FCM has been useful to Quebec municipalities because it has been effective in dealing with some difficult issues with the federal government such as the GST and payments in lieu of taxation on federal property. It has also been useful in providing benchmarking information from experiences in other Canadian municipalities.

At one point the government of Quebec attempted to impose a provincial coordinating committee to review the international activities of Quebec municipalities, particularly those organized through the FCM. The committee, which was to have been made up of provincial civil servants and staff of the UMQ and the UMRCQ (l'Union des municipalités rionales de comté et des municipalités locales), was to approve any CIDA funding that might have gone to Quebec municipalities. The UMQ boycotted this technocratic approach and tried to persuade the provincial government to permit municipalities to take part freely in international programs. (Montreal and Quebec City had engaged in international activities well before the CIDA-supported FCM international municipal cooperation program.)

Because the Quebec government did not provide funding for an alternative Quebec-based international municipal cooperation program, Quebec municipalities continued to participate in the FCM program. In the 1990s, the UMQ itself was operating one FCM-managed, CIDA-supported, international cooperation program involving collaboration on

staff training with the Association of Municipalities of Chile. Staff from the FCM and UMQ worked together in a program to strengthen the municipal association of Vietnam. The FCM has also dealt directly with l'Association des directeurs-généraux municipaux du Québec. In some of these FCM programs, senior municipal staff in Quebec have taken leave—sometimes paid, sometimes unpaid—to organize and participate in international missions funded by CIDA.

Overall, the successful cooperation between the FCM and provincial associations in Quebec on international programs demonstrates that it is possible to accommodate conflicting views and achieve positive results through sensitive management.

These events suggest that the issues of the 1960s that bedeviled relationships among Quebec municipalities, their associations, and the federal and provincial governments have been overcome and that a new equilibrium has emerged in which the federal government is essentially absent.

#### *Ontario*

Since 1982, when it absorbed the rural and upper-tier associations, the Association of Municipalities of Ontario has been the acknowledged representative and voice of Ontario municipalities. It has been a traditional and effective association focused on service to the membership. In the 1990s AMO went through several ups and downs, several executive directors, and a fluctuating number of staff, particularly those devoted to policy and research. It has always had a somewhat smaller staff than the UMQ, even though in 1999 its membership covered almost all Ontario municipalities.

AMO presented a series of position papers in the early 1990s to the provincial government on the future of the municipal sector culminating in a proposed bill of rights for local government, the Ontario Charter. It called for a disentanglement of provincial and municipal responsibilities and a new municipal act that would treat municipalities as an order of government.

In 1997 the Ontario government, as part of its policy of deregulating, simplifying, and downsizing government, reshaped the entire framework of provincial-municipal relations. It responded to AMO's disentanglement position and to the AMO position in a provincial-municipal "who does what" exercise, by abolishing almost all conditional grants to municipalities, assuming more provincial control over education, but giving municipalities unfettered responsibility for most local services. It brought forward a draft municipal act along the lines of AMO's proposal, and reduced the number of municipalities in the province from 820 to fewer than 590. Among the dramatic actions it took was the amalgamation of Metropolitan Toronto and its six local municipalities to create a single city of 2.4 million people, from January 1998.

These changes will have an impact on AMO and the FCM. The increased size and strength of municipalities provides a potential base for stronger municipal associations. On the other hand, creation of a city the size of Toronto (more populous than six of the

ten provinces) opens the potential of an increase in the direct relationships of the city with the provincial and federal governments, bypassing the associations.

National linguistic issues have had an impact on AMO. In 1986, linguistic tensions were raised by the passage of Ontario's *French Language Services Act* and the reaction to it by groups like the Alliance for the Preservation of English in Canada. The *French Language Services Act*, which came into full effect in 1989, gave Ontario francophones the right to receive provincial government services in French in municipalities with at least 5000 francophones, or where at least ten per cent of the population had French as their mother tongue. The *Act* does not provide for an absolute right to French-language *municipal* services in the designated areas, but allows municipalities to opt in to the *Act's* coverage.

A linguistic "crisis" was provoked in January 1990 by Mayor Joe Fratesi of Sault Ste. Marie—among the largest designated centres—who persuaded his council to adopt a resolution declaring the city to be unilingually English (eventually rescinded in August 1999). After a campaign by the Alliance for the Preservation of English in Canada, 66 other municipalities followed Sault Ste. Marie in adopting English-only resolutions. These municipal actions were covered extensively in the Quebec media and in the French-language media in Ontario and were probably one of the causes of the loss of support in the public of both provinces for the Meech Lake constitutional accord. They also gave rise to resolutions in 75 other Ontario municipalities supporting the principle of the *French Language Services Act* and opposing the position of the "unilingual" municipalities.

One result of these controversies was the establishment of L'Association française des municipalités de l'Ontario (AFMO), which grew to some 28 members. Its basic objective is to promote the use of French within municipal governments and in the delivery of services and to protect the rights of francophones to municipal services in French. It provides a forum for francophone municipal councillors and administrators and advises Ontario government ministries and agencies on French language service needs. Its operating language is French.

AFMO became an associate member of AMO. Almost all of its members who had left AMO in 1990 rejoined. AFMO also intended to seek affiliate membership in the FCM and the right to appoint a member to the FCM board as is the case with the francophone municipal association in New Brunswick, which is noted below. Following the creation of AFMO, linguistic issues virtually disappeared from the AMO agenda. AFMO claims that AMO is unilingual English. AMO claims to have some bilingual capacity but that financial constraints have prevented it from becoming a bilingual association. It has rarely adopted a bilingual format for its events.

AFMO has neither the strength nor the recognition its New Brunswick francophone counterpart enjoys. Nevertheless, it has added an important element to the preservation of the francophone society in Ontario. Its members are drawn primarily from Eastern and Northern Ontario, but its heart is in the Ottawa area with leadership from Vanier and

Gloucester. It maintains close links with other francophone organizations in Ontario and with its sister municipal organizations in New Brunswick and Manitoba. A representative of the UMQ is always invited to its annual meetings.

#### *New Brunswick*

There are now three associations of municipalities in New Brunswick, the Union of Municipalities of New Brunswick, l'Association francophone des municipalités du Nouveau-Brunswick, and the Cities Association. This structure reflects the dual nature of New Brunswick society where the Acadians have over the last generation established francophone educational, social and economic institutions. UMN and AFMN by and large reflect the towns and villages of the anglophone south and the francophone north of the province respectively. The Cities Association, with its seven members, represents larger centres where the two language groups meet.

Before 1989 there had been no linguistic split in the structure of municipal associations in New Brunswick. The provincial government in the late 1980s had been against the establishment of a francophone association. But after the election of 1992, Premier McKenna appointed a francophone minister and deputy minister of municipal affairs, and soon after the provincial government formally recognized the AFMN.

Linguistic tensions lessened in New Brunswick towards the end of the 1980s. By the 1990s, the provincial government and its services were bilingual; the Confederation of Regions Party, which opposed bilingualism, had virtually disappeared; and there was general acceptance of a dual society. Latterly, studies and actions relating to municipal amalgamations raised some linguistic issues. A proposed amalgamation of the greater Moncton area fell through because of the opposition of francophone Dieppe and anglophone Riverview.

There is a harmonious relationship between the FCM and the three New Brunswick municipal associations, each of which is represented on the FCM board. The provincial-municipal associations appreciate FCM support on networking, advice, information on what is happening elsewhere, and on issues where federal government programs apply.

## **Analysis and Conclusions**

### *A Relative Success*

Our most important finding is that municipal associations in Canada, and particularly the Federation of Canadian Municipalities, have helped Canadians to connect and understand each other. Unlike many other national organizations, the Federation of Canadian Municipalities has not only held together but has strengthened since the 1960s. The FCM has changed from an organization within which English was the rule, with some bilingual services, to an almost completely bilingual organization in which a unilingual francophone is almost as comfortable as a unilingual anglophone. The Federation made significant gains in respect and influence between 1982 and 1999 as the Canada-wide voice of municipalities. When it counts, Quebec members have been at the forefront of FCM initiatives and approaches to the federal government. Unlike the 1960s and 1970s, there has been almost no conflict between the FCM and the provincial associations of municipalities. The FCM stays close to federal issues and

*never* deals with a provincial government or issue without dealing through the respective provincial-municipal association. Also unlike the 1960s and 1970s, there has been virtually no questioning of the value of the FCM among its members or other municipalities.

If there are caveats about the success of the FCM, they relate more to what could be done rather than to what has been done. There are nagging concerns that the FCM could be doing more to be an activist bridge between French-speaking Quebec municipalities and municipalities in the rest of the country and thereby increase its Quebec membership, which appears to have been declining slightly in relative terms. There is also a concern that the FCM may not be taking full advantage of its potential to be the only major national centre of municipal and urban expertise at a time when municipal and urban issues are becoming more pivotal to public policy, both in Canada and elsewhere in the world.

*The Futility of Engaging in “High Policy”*

In an essay entitled “How Canadians Connect,” Harvey Lazar and Tom McIntosh concluded that solutions to Canadian issues are more likely to be achieved through “low politics” rather than the “high politics” of national constitution or tax-sharing negotiations.<sup>6</sup> The FCM has learned to accept this truth, switching from the “high politics” of the 1970s to the pragmatism of the 1980s and the 1990s.

The FCM in the 1970s tried to negotiate with the federal and provincial governments on the *macro* level on the highly symbolic issues of the constitution and overall revenue sharing. These negotiations led to much symbolic posturing with few positive results for the municipal sector. The exercise got the FCM caught up in the constitutional exercise with a position totally contrary to that of Quebec and to a lesser extent, to the position of other provinces. The attempt by the FCM to involve itself and the municipalities—when the federal government and the provinces were focused on trying to find an accommodation between Quebec and the rest of Canada—was doomed to failure.

The eleven governments were at the same time trying to fend off demands by other groups, such as aboriginal and women’s organizations, to play a direct role in the constitutional process. To have allowed these groups or the municipalities into the constitutional process would only have magnified the difficulties of trying to find an accommodation with Quebec. Thus, the constitutional venture by the FCM was essentially undertaken without allies among federal and provincial governments. Although the venture may have had the marginally beneficial impact of raising the profile of the FCM, it undermined the FCM’s position with the provincial governments, the municipal associations in Quebec, and with many of its own members, especially in Quebec.

Much the same result came from the FCM’s emphasis through the tri-level negotiations on federal-provincial-municipal revenue sharing. The FCM had no allies among the federal and provincial governments—not even, on this issue, the federal Ministry of State for Urban Affairs—and no beneficial outcomes resulted for the municipal sector.

### *The Productive Benefits of Engaging in “Low Policy” Negotiations*

When municipal associations began to switch their policy priorities in the 1980s to a lower level, by negotiating on sectoral issues, and began to concentrate their lobbying efforts on provincial governments, they started to get better results. As for the FCM, it became more adroit in its relations with the federal government. By focusing on issues where that government had direct responsibility and could act pragmatically, as in the case of the GST or payments in lieu of federal taxes, the FCM succeeded in negotiating direct benefits for its members and for the entire municipal sector. In the case of the municipal infrastructure program in 1994, the FCM was able to assist the federal government with the implementation of a campaign promise in a manner that avoided the opposition of the provinces and yet was of great benefit to its members. In the case of municipal international cooperation programs, the FCM has been able to use its expertise and legitimacy to assist in delivering a program that the federal government would be unable to undertake directly without opposition from Quebec and other provinces.

By declining to become involved in matters within provincial jurisdiction, the FCM has adapted itself to the changing political context in Canada. It has assisted in reaping the benefits of a disaggregation of the state and a new form of governance where more public policy decisions are made at the local level, sometimes with the public sector being only one actor among several.

## **Municipal Associations and Language**

### *The FCM*

What has happened on the language front reflects the gradual adaptation of Canadian society to a linguistic equilibrium. The FCM has improved both its formal and informal linguistic capacity so that it now operates both externally and internally in both languages (something that would be much more difficult to imagine if the head office were not in Montreal or Ottawa). Its permanent staff are almost all functionally bilingual and most of its official external communications are in both English and French. Because of a predominance of unilingual anglophones among its members, its activities (except for the international office) are carried out more in English than in French. Nevertheless, it has reached a point where a unilingual francophone member of the executive committee can be both comfortable and effective. This is a major difference from the situation described in the research for the Meisel-Lemieux report, wherein the CFMM was an organization which provided some bilingual services, but within which English was the rule. This transformation is not unlike that which took place within the federal government in Ottawa from the late 1960s to the late 1990s.

### *Quebec*

L'Union des municipalités du Québec has not experienced linguistic crises over the past thirty years. It was never a formally bilingual organization and has not had formal policies requiring simultaneous interpretation or publications in both languages. Its key staff people have always been bilingual and able to communicate in English with the declining anglophone proportion of the membership. The UMQ (and its sister

organization representing regional county and rural municipalities) has followed overall trends towards a more unilingual “official” Quebec. At the 1999 Annual Conference of the UMQ in Montreal, French was virtually the universal language of the formal sessions and in the corridors.

In 1997, a group of suburban municipalities in the Montreal area broke away from the UMQ. Because many of these municipalities were primarily anglophone, the newly formed organization operates in both languages. What may be of interest here is that the breakaway took place because of financial, not linguistic, issues.

#### *New Brunswick*

Municipal associations in New Brunswick have followed the path of language practice in the province. From an essentially unilingual English language framework for municipalities and their associations in the 1960s, there are now parallel francophone and anglophone municipal associations for the smaller local governments. The third association (of the seven largest cities) is more informal, and even though the membership includes both primarily francophone and primarily anglophone cities, it operates mainly in English.

#### *Ontario*

As in New Brunswick, an association of francophone municipalities was created in Ontario at the beginning of the 1990s, largely because of a perceived lack of sensitivity to the French fact in the province’s major municipal association. Unlike the situation in New Brunswick, however, the francophone association is not a parallel organization and does not replace the need for francophone municipalities to join AMO. The francophone association in Ontario has essentially restricted itself to lobbying and information activities specifically related to language issues. In this respect, the municipal association structure is closer to the institutional arrangements for Ontario’s language policy, where French-language provincial services are concentrated in areas with francophone populations.

### **Summary**

The four situations—in three provinces and at the national level—reflect the linguistic regimes and structures of the respective governments to a remarkable extent:

- In Ottawa there is a formally bilingual national association.
- In Quebec, the main association essentially operates in French but with an informal capacity in English.
- In New Brunswick, there are parallel francophone and anglophone associations for towns and villages.
- In Ontario, the main association essentially operates in English but a small francophone association operates in French for specific purposes.

### *Prospects for the Future*

The Government of Canada is becoming less involved in the day-to-day aspects of running the country and more occupied with the crucial task of trying to reconcile domestic needs with increasing international pressures. In this context, municipalities and particularly the major metropolitan centres are becoming more important players in determining what happens in the country. Their associations will continue to have important roles in building linkages among them and in acting as the municipal voice for the province or the country.

The structure of municipalities in Canada is undergoing changes that will have an impact on their associations. Most of the provinces have come to the conclusion that if municipalities are to undertake more responsibilities effectively they need to be large enough and sophisticated enough to plan and implement a greater range of programs than many now carry out. Consolidation of municipalities is taking place in several provinces, particularly in urban and urbanizing areas. Between 1995 and 1999 for example, the number of municipalities in Ontario was reduced from 820 to less than 590. A study commissioned by the Quebec Government on municipal finance released in the spring of 1999 recommended a sharp reduction in the total number of municipalities and the creation of strong regional governments around the major metropolitan areas.<sup>7</sup> The number of municipalities in Nova Scotia and New Brunswick has recently been sharply reduced.

Differences between rural areas and smaller centres, on the one hand, and the larger urban centres, on the other hand, are increasing around the world. Whereas Canada was less than 70 per cent urban at the beginning of the 1960s, it was almost 80 per cent urban by the end of the 1990s. Some two thirds of immigrants to Canada settle in three or four metropolitan areas. Toronto, Montreal, and Vancouver are becoming more like each other and less like the rest of their provinces. In these large multicultural metropolitan centres, old loyalties and old communities are no longer the sources of identity of the vast majority of their residents. In the debate over amalgamation of the City of Toronto, for example, the opposition was led by people whose roots in local communities were deep and long-standing. On the other hand, there was little apparent concern about the abolition of the former local municipalities among the hundreds of thousands of recent immigrants to Toronto whose new loyalties were to the metropolitan area and to the country. In the large metropolitan centres, and particularly among the young, French-English differences and the traditional themes of past constitutional debates are becoming less and less relevant. Change is the norm as people adapt to a more international and less parochial context.

The municipal governments of the large urban areas are facing similar issues:

- How to cope with new or downloaded responsibilities without new sources of revenue.
- How to deliver services sensitively to increasingly diverse populations.
- How to cope with urban sprawl, increased road traffic, and related matters.
- How to make urban transit systems viable.



- How to deal with an increasing polarization of incomes and an increasing incidence of poverty and homelessness.
- How to involve the private sector in the provision of infrastructure or the delivery of programs that were previously the sole responsibility of government.
- How to assist local employers to cope with the pressures of international competition.
- How to restructure their local government system to manage the economic, social and environmental challenges of their urban region.

Increasingly, the local governments are having to face these issues without the kind of federal or provincial government assistance that was often important in the past (e.g., the abandoning by the federal and most provincial governments in the 1990s of support for subsidized housing). Cities are increasingly looking to experiences of other local governments faced by similar challenges, rather than seeking assistance from the federal or provincial governments.

The de facto decentralization of government that has been taking place recently means that in future there will be probably even less direct federal-municipal program activity than in the past and less detailed provincial-municipal program relationships. This will mean that for most issues the Federation of Canadian Municipalities will be less relevant in future to the day-to-day concerns of local government than was the CFMM in the early 1960s. No matter how sensitively and effectively it may operate, the federal government will not likely be a day-to-day presence in municipal operations.

Traditional Canadian debates about dualism, on language or on relations between Quebec and the rest of Canada, are more easily resolved within provinces than in the federal-provincial or tri-level arenas. The necessary accommodations have already been arrived at within the FCM and in its relations within the UMQ. The pragmatic problem-solving relationship is much less likely to break down on questions of principle.

The municipal associations and their large urban or big city caucuses in particular are beginning to meet the growing need for forums where major centres can exchange experiences and develop common positions on the challenges that most of them face. Thus, the municipal associations have been building the agendas of their annual meetings and the caucuses of their large urban centres around issues like transit, homelessness, regional restructuring and public-private partnerships.

The federal and provincial governments are by and large not well structured to deal adequately with these urban issues. The federal government has no centre of expertise or responsibility in urban affairs and has dismantled the urban programs it once had. Most provincial governments are organized around traditional responsibilities reflecting their more rural and resource-oriented past. Their ministries of municipal affairs tend to focus on the concerns of smaller and more rural municipalities that have required more provincial technical assistance than have the urban centres. Provincial governments in the 1990s began to realize that their future economic competitiveness will increasingly

depend on the health and transformation of their major urban centres. This realization however, coincided with their abdication of responsibility from urban issues through programs of deregulation, downsizing and downloading.

When the Ministry of State for Urban Affairs was abolished in 1979, the most important source of funding and ideas in urban research in Canada was lost. Although there are several institutions in the country carrying out urban research, they are almost all in precarious financial situations. Many organizations that used to concentrate on Canadian urban issues have become increasingly dependent on funding by agencies concerned with international co-operation and have shifted their focus to urban issues in the developing world. The FCM has never been heavily research-oriented, but there is a gap that perhaps it is in the best position to attempt to fill.

Current issues in provincial-municipal relations as well as internal urban issues are similar in Quebec and in the other, especially the more urban, Canadian provinces. As for many other issues in Canada, the debate is taking place in Quebec in French and elsewhere in large part in English, albeit with insufficient cross-pollination. By and large, Quebec francophones are unaware that Canadians in the rest of Canada are dealing with the same issues. Anglophones outside Quebec who are much less bilingual are even less aware of the striking similarity in challenges currently being faced. The intense interest in Montreal in 1999 about the amalgamation debate in Toronto is a notable exception; it was stimulated by concerns that Toronto might be stealing a march in economic competitiveness. There was less awareness in Toronto that Montreal was going through parallel debates about possible amalgamations and regional institutions.

This changing context provides a greater opportunity for constructive bridge building by national and provincial associations in the field of municipal affairs than in most other Canadian fields of activity. The constitutional context that governs municipal activities and responsibilities is similar in Quebec to that in the rest of Canada. The pressures on local governments are similar, as are many of the demographic, social and economic trends. This is very different for example from the cultural area, where French-speaking Quebec and the rest of Canada tend to operate within two solitudes. For the last twenty years, municipal associations have by and large avoided the temptations of engaging in "high politics" and have attempted to pragmatically meet the concerns of their members. While this has not engaged Quebec municipalities with municipalities in the rest of the country to the extent that takes maximum advantage of common interests, it has avoided the ruptures that have occurred in other national associations and has steadily built on a few practical issues.

The current Canadian context leaves a large gap in dealing with and taking advantage of the potential of our urban and metropolitan centres, nationally and internationally. Much of the country's economic competitiveness, social cohesion and environmental sustainability will depend on how its urban regions are managed. Reaching the potential of the urban regions will depend in considerable part on taking advantage of the best examples from elsewhere and will require an enabling and supporting approach by the federal and provincial governments.

In the absence of a formal centre of responsibility for urban affairs in the federal government, a strong municipal association may be needed to reinforce the Canadian presence internationally on the growing number of issues where action at the urban level will be essential. Increasingly during the 1990s it seemed that implementation of the Kyoto climate change agreement could to a considerable extent depend on action by municipal governments. If Canada is to live up to its commitments in a renewed Great Lakes water quality agreement, action by local governments to deal with the impact of population and economic growth in the Golden Horseshoe may be vital. Many of the issues being discussed in bodies like the Organization for Economic Co-ordination and Development are issues where the responsible governments in Canada will increasingly be municipal.

At the United Nations City Summit in 1996, Canada was at a disadvantage because it had no institution within the federal government with expertise in or responsibilities for overall urban issues. That city summit concluded that in the 21st century—the world's first urban century—the major challenge will be how the world's urban regions will be managed. The challenge for Canadian cities will not only be how well a Halifax benefits from a successful experience in Victoria or Quebec City, but how its port arrangements can compete globally.

There is a great potential, therefore, for municipal associations in Canada to become stronger bridge builders across the language groups, cultures and regions of Canada. The Federation of Canadian Municipalities will have to respond to its membership, but there is a great opportunity for it to fill a gap in the Canadian governmental structure by becoming not only the national voice of municipalities, but also the centre of Canadian expertise on urban and municipal affairs. Influential and effective provincial associations of municipalities will increasingly be seen as the representatives of a level or order of government.

To live up to its potential, it will be necessary for the FCM to be a model of sensitivity and practice in its approach to linguistic and federal-provincial issues as well as taking the lead in ensuring that Canada has a centre of expertise on urban and local issues in a decentralizing but globalizing world. National and provincial associations of municipalities will have to fashion their activities and practices to meet the needs of both their urban and rural members as they represent and promote the interests of the municipal sector as a whole.

## End notes

<sup>1</sup> Meisel, John and Vincent Lemieux, *Ethnic Relations in Canadian Voluntary Associations*. Document 13, Studies of the Royal Commission on Bilingualism and Biculturalism. (Ottawa: Queen's Printer, 1972), 4.

<sup>2</sup> According to Statistics Canada, at <http://www12.statcan.ca/english/census06/analysis/popdwell/charts/chart5.htm>, the urbanized share of Canada's population rose from 67 percent in 1956 to 78 percent in 1996.

<sup>3</sup> Meisel and Lemieux, p234.

<sup>4</sup> For a discussion of the membership of the CFMM-FCM, see Appendix A of Stevenson, Don and Richard Gilbert, "Coping with Canadian federalism: the case of the Federation of Canadian Municipalities," *Canadian Public Administration Journal*, vol. 48(4), pp. 528-551, 2005.

<sup>5</sup> See Stevenson and Gilbert (Note 4).

<sup>6</sup> Lazar, Harvey and Tom McIntosh, "How Canadians Connect," State of the Federation 198-1999, Queen's Institute of Intergovernmental Relations, Queen's University, Kingston, Ontario, 1999.

<sup>7</sup> Bedard, Denis, *Pacte 2000 – Rapport de la commission nationale sur les finances et la fiscalité locale (Bédard Report)*. Québec: Les Publications du Québec, 1999.