Canadian Federalism: A System of Flexibility and Adaptability

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The current edition is largely based within a Canadian context, though we did receive article submissions from as far away as Russia. Specifically, change is a recurring theme underlying and tying the various articles in this edition together. Federalism is not a stagnate form of governance, especially within a large, diverse polity such as Canada. In this regard, Canada serves as a case study of the challenges faced by other conciliatory federations. The current journal has been ordered chronologically to provide a stream of historical and contemporary accounts that demonstrates the constant need for adaptation to deal with change within the Canadian federal system. Though some issues researched in this journal may seem to be nothing more than historical, their impacts on Canadian politics still resonate today for each author, while researching a specific topic is at the same time addressing generic concerns about the nature of the Canadian Federation; concerns that need to be addressed for they have not been resolved.

Issues such as federal-provincial transfer payments, disputes over governmental areas of jurisdiction, and constitutional amendments still dominant, to varying degrees, the Canadian political landscape, testing the flexibility of our federal polity to deal with these challenges within a country of constant political transition. At the heart of the matter lies the relationship which exists between the two autonomous levels of government in Canada. Though usually in disagreement over various matters, the nature of how the federal government and their provincial counterparts work with one another in large part dictates how well our system can absorb shocks such as the separation crisis in Quebec in the early 1990s or the rebalancing of the fiscal equilibrium. Co-operation is essential for political stability and, thus, territorial integrity. Saying that, co-operation, ultimately, depends on a sense of identity, a belief in working together for mutual benefit.

There have been and mostly likely will always be identity issues in Canada. Indeed, Canada could be argued to be one of the federal states with the lowest sense of an overarching national identity, what Edwin R Black explains as the "...stillbirth of Canada as a nation-state"(1). The Canadian public is divided between various identities such as those to one's community, province, region and country. The diverse nature of the Canadian polity, which is a function of mainly, but not exclusively, regional and social cleavages challenges the degree to which we identify, and thus work together. Though there are concerns as to the neglect development of a well defined and broadly accepted Canadian identity, federalism in Canada, demonstrating a willingness to operate under the Canadian construct, does exist. This willingness is most likely as a result of shared common values held by Canadians in general, particularly the belief in the use of the federal system. The ability to develop institutions and procedures to supply flexibility to

this system provides an avenue in which people, regions and governments can utilize to solve political issues, justifying maintaining the current system even in the absence of a strong pan-Canadian identity.

System maintenance, however, is not a static construct for Canadian federalism must be able to aggregate a wide variety, and in many cases conflicting, interests from across the country. For example, with respect to equalization payments, while Alberta and Ontario believe they are contributing too much and receiving too little in the present payment mechanism, the eastern provinces and Quebec feel they are not receiving enough. Issues such as these demand a system that is adaptable to provide political utility to all involved, justifying its existence. The regions and provinces across Canada must believe that though the system is not perfect, it is the best one that is currently available to govern their regions; if not, independence and separation may very well become policy options, threatening the survival of the Canadian state. Though this threat does to varying degrees loom over the Canadian Federation, as the following in depth articles explain via specific issues, Canada has been and still is a country which is adaptable and flexible in meeting a wide spectrum of political challenges.

Be it concerns over Quebec separation, the fiscal imbalance or devolution of the northern territories, the Canadian federal system provides a forum in which interests can be aggregated and negotiated in a way which further solidifies the nature of the Canadian federal system. The Canadian Federation demonstrates a remarkable ability for innovative thinking, creating methods in which to further combine the interests of its diverse regions. Constructs such as ‘mega constitutional’ measures and the annual First Ministers Meetings are examples of the ingenuity inherent within our conciliatory system to deal with a number of issues in a manner which enhances the level of communication between the levels of government, ultimately supporting the utility of a flexible and adaptable system. There are, however, legitimate concerns over the ongoing process of subsidiary within Canada (and in other federal states as well), specifically the challenge to the political utility of a central government amidst the growing powers of their regional counterparts and the potential creation of other levels of government such as municipalities and/or Aboriginal self-government (2). Though decentralization may in the future alter the power relationship which exists between the federal and provincial governments (and perhaps others created), the belief in the Federation is strong due to its ability to resolve, as the following articles indicate, although sometimes quite slowly, issues from coast to coast.

As has been stated earlier, federalism as a political form of governance has a mixed record. Even though Canada is considered a conciliatory federation, in which, unlike in mature federations such as the US or Germany, the exact areas of jurisdictions between the two levels of government are still somewhat undefined, this ambiguity has given the country the flexibility necessary within the system to address concerns with very innovative measures. A lack of constitutional rigidity, therefore, should not be viewed necessarily as an inhibiting force in the establishment of a stable federation. This ability to maintain a flexible and adaptable system, therefore, has allowed us to survive a

multitude of political challenges, some threatening the very fabric of the country. When reading this edition, therefore, try to not only understand the specific issues being addressed, but see the larger, generic challenges facing the Canadian Federation. It should not be assumed that because Canada is in constant political change that the system is unstable. Instead, the ability to adapt to these changes by having a flexible structure demonstrates in many respects how stable our polity really is.

Footnotes

(1) Black, Edwin R Divided Loyalties: Canadian Concepts of Federalism (McGill-Queens University Press: Montreal, 1975), p.1.

(2) Stevenson, Garth, Unfulfilled Union: Canadian Federalism and National Unity, Third Edition, (Gage Educational Publishing Company: Toronto, 1989), pp.14-15.

References

1. Black, Edwin R “Divided Loyalties: Canadian Concepts of Federalism” (McGill-Queen’s University Press: Montreal, 1975).
2. Stevenson, Garth, “Unfulfilled Union: Canadian Federalism and National Unity”, Third Edition, (Gage Educational Publishing Company: Toronto, 1989).