

WHO'S AFRAID OF ASYMMETRICAL FEDERALISM ? – A SUMMARY DISCUSSION

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Foreword

The federal Liberal Party's 2004 general election platform heavily emphasized issues that are mainly subject to provincial competence under the constitution (e.g. health care, child care, cities). Since the federal government lacks the authority to implement detailed regulatory schemes in these areas, acting on these election commitments frequently requires federal-provincial-territorial (FPT) agreements.

A controversial question that arises when considering all intergovernmental agreements is whether they should treat all provinces and territories similarly or whether the agreements should be expected to differ from one province/territory to another. This issue of symmetry or asymmetry arises at two levels. The first is whether all provinces should be and should be viewed as "equal" in legal and constitutional terms. The second relates to the political and administrative level and the intergovernmental agreements it generates. When should Canadians expect all provinces/territories to be treated similarly in these agreements and when should difference be the rule?

Given this political context, it is timely to reconsider the factors that are relevant to the issue of symmetry and asymmetry. We are doing this by publishing a series of short commentaries over the first half of 2005. These papers will explore the different dimensions of this issue- the historical, the philosophical, the practical, the comparative (how other federations deal with asymmetrical pressures), and the empirical. We do this in the hope that the series will help improve the quality of public deliberation on this issue.

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Recently a group of experts at Queen's University² reflected on whether current developments in Canadian politics and administration amounted to a resurrection of asymmetrical federalism, and what the implications of these findings might be. The federal government led by Prime Minister Paul Martin is pursuing national policy approaches that allow for special arrangements for individual provinces, most notably Quebec. This is seen most clearly in the First Ministers agreement on Health Care of September 2004 and the March 2005 federal-Quebec agreement on the use of employment insurance funds for parental leave. There is also the January 2005 agreement of the federal government to revise the funding arrangements for the two provinces of Nova Scotia and Newfoundland and Labrador covering offshore oil and gas revenue – and calls since then for new financial arrangements from the provincial governments of Saskatchewan, Ontario, New Brunswick, Quebec and British Columbia.

Do these special arrangements point to a major shift in favour of more asymmetrical federal-provincial relations? Why are they emerging now? Are such arrangements a good idea? What works and what doesn't in these approaches? In short, who's afraid of asymmetrical federalism? Drawing on the discussion held at Queen's and a range of views expressed recently on this development,³ this paper takes stock of the concept and its recent practice.

² The Royal Society of Canada and the Institute of Intergovernmental Relations co-hosted a discussion among about 20 specialists in federalism and intergovernmental relations on May 12, 2005. Except where individuals are explicitly cited, the views expressed in this article are the author's alone and do not necessarily reflect those of the participants in this discussion. A list of the participants is appended to this article.

³ For a series of short papers on the issue of asymmetrical federalism, see the website of the Institute of Intergovernmental Relations, Queen's University: www.iigr.ca

Drawing Distinctions

Federalism is about the combination of unity and diversity. Federalism scholars have for years used the terms of symmetry and asymmetry to describe institutional arrangements in federations, or federal-type political associations such as the European Union. These arrangements are symmetrical when the entities becoming united or being governed by a federal or central government are treated identically in law or policy, asymmetrical when the constituent units of a federation are treated unequally or non-identically. Given that there is significant diversity among the units in all federations, it should not be surprising that asymmetry crops up in virtually all federal constitutions and in the continuing application of law and policy, to a lesser or greater degree.⁴ Thus federations often treat their constituent units differently (asymmetrically) in terms of legislative powers, rights and obligations, and how they are represented in central institutions. These amount to *de jure* asymmetrical features, i.e. provisions entrenched in constitutional law. More common, however, are *de facto* arrangements, not entrenched in constitutional law, but providing the application of fiscal arrangements and administrative devolution or centralization. Canada provides examples of both *de jure* and *de facto* asymmetry.

The degree of institutional asymmetry in any particular federation reflects both facts on the ground and prevailing political values. In Canada the facts include greatly diverse geographic, economic, cultural and social conditions. Most obviously Quebec, as the territorial homeland of the largest concentration and only majority of French-speaking people in North America, is factually asymmetrical to the other provinces where English-speakers are the majority. But other differences among the units are also important – including geographic regionalism, economic disparity, urban

concentration, and ethnic and religious diversity, whether at the time of union or later through immigration. Some of these facts were reflected in the original “confederation” of 1867 and in constitutional amendments since – the protections of the French language in Quebec, New Brunswick, Manitoba and the federal Parliament; the English language minority rights in Quebec; minority education rights in Ontario, Quebec and Newfoundland; the differential Senate representation; the transportation guarantees in the terms of union for British Columbia, Prince Edward Island and Newfoundland; and the civil law jurisdiction in Quebec; -- to list the most significant. Others are reflected in regionally differentiated federal policy or administration, including historically such matters as freight rates and more recently employment insurance benefits.

The extent to which asymmetry is politically acceptable and legally and administratively legitimate is also driven by political values. How far should diversity be reflected in governance? Federations such as Germany and Australia place a high value on “uniform living conditions” which has led in those countries to a centralization of policy norms and less room in national programs for asymmetrical treatment. Federations such as Switzerland or the United States deal with diversity by providing for greater decentralization in the first place (even if in some respects they are both more centralized than Canada). And in political unions such as Spain and the United Kingdom, asymmetry of powers is applied more generally rather than being the exception.

The difficulty for Canada –and why asymmetrical federalism is such a flashpoint here –is that as a federal country we do not have a strong political consensus as the best point on the spectrum between centralization and decentralization. Quebec in particular, and increasingly other provinces such as Alberta, have sought to preserve provincial autonomy enshrined in the 1867 Constitution and to resist the encroachment of federal spending schemes and national programs. Yet elsewhere in Canada strong support continues to be found for federal nation-building initiatives, including programs

⁴ See the piece in the above noted series by Ronald Watts, “A Comparative Perspective on Asymmetry in Federations”; also John McGarry, “Autonomy, Asymmetry and the Polynational State” unpublished paper, May 2005.

that redistribute income between individuals and regions. Put simply – no doubt too simply -- we have had a continuing tug of war between a vision of a more decentralized federation in which provincial autonomy is intact but with less commitment to national sharing, and more centralization in which the federal government develops and determines national norms and redistributes income. Between the two and often in a very uneasy compromise, has been asymmetrical federalism.

A History of Quebec and “Opting Out”

Some see asymmetrical federalism in the Canadian case as something just for Quebec. And this is exactly what is in the text of the statement attached to the 2004 first ministers health care agreement, entitled “Asymmetrical federalism that respects Quebec’s jurisdiction.” This agreement defines asymmetrical federalism as “flexible federalism that notably allows for the existence of special agreements and arrangements adapted to Quebec’s specificity”⁵. As Tom Kent reminded our symposium,⁶ it was this form of separate treatment for Quebec alone that was the innovation of the Pearson governments in 1963-68.

Three key developments illustrate the Pearson era approach to Quebec. First was a general devolution (“abatment”) of tax room to Quebec alone, consisting of 18 tax “points” in compensation to Quebec for going its own way in already established program areas such as hospital insurance, welfare and education. Thus Quebec opted out of the national cost-shared programs that were applied in all of the other provinces.

Second was the example of new national social programs such as student loans and youth allowances, where Quebec was allowed to

operate its own program (with considerable similarity to federal programs), and received the same sort of funding available to other provinces to participate.

Third was the case of contributory pension programs. In 1951 the federal government and all the provinces had agreed to a constitutional amendment providing for concurrent jurisdiction in this field, but with provincial paramountcy. This enabled the federal parliament to pass legislation in this field, but provincial legislation would prevail in the event of a conflict. Through this method, in 1965 all of the provinces but Quebec agreed to join the federal government’s Canada Pension Plan (CPP) scheme, while Quebec established its separate Quebec Pension Plan (QPP).

All three of these initiatives were designed as ways to preserve Quebec’s jurisdiction over important social program areas, while allowing cooperative schemes for national programs to proceed between the federal government and the other provinces. In each case the asymmetrical arrangement was embedded in, and part of a larger negotiated national scheme. These entailed at least a minimum of coordination and cooperation between Quebec, the federal government and the other provinces. For example, in the case of student loans, pensions, or hospital insurance, these arrangements maintained full portability of benefits when a resident of Quebec moved to another province or vice-versa. They were not merely bilateral deals. Moreover – and in contradiction to the often perceived notion – in none of these approaches did Quebec make any net fiscal gains. Thus, there were no additional financial resources to Quebec, just different ways of delivering federal funding. Yet they allowed Quebec to benefit from national redistribution without centralization of its jurisdiction.

Under the Trudeau governments, the federal government largely abandoned asymmetry in favour of Canada-wide rights and entitlements, reflective of Trudeau’s commitment to individual liberalism, a strong central government and opposition to Quebec nationalism. This move back to symmetry

⁵ For text of the agreement see the website <http://pm.gc.ca/>, and follow the links for “First Ministers Meetings” (accessed May 20, 2005).

⁶ Holding a variety of positions in the federal government, Tom Kent was Prime Minister Lester Pearson’s key political and policy advisor in 1963-66.

became cemented outside Quebec by the uneasiness with – indeed hostility to any formal recognition of Quebec’s specificity. This was most notably shown in the rejection of the Meech Lake Accord in 1990. Nonetheless, many who became alarmed at the threat to national unity and the sustainability of the federation posed by Quebec *independantistes*, continued, despite the Trudeau vision of the country, to advocate Quebec-specific asymmetrical federalism as a way of keeping the country intact. The Calgary Declaration of 1996 in which the Premiers embraced asymmetry so long as any province could avail of the privilege if it so wished, indicates that some of that resistance has declined. But clearly asymmetrical federalism remains a controversial concept, as the debate in the past few months attests.

Finally and significantly, the concept of asymmetrical federalism has been extended by some to include the recent trend to federal-provincial bilateral agreements, ad-hoc and unique arrangements to deal with apparently special cases involving one or two provinces alone. The two accords with Nova Scotia and Newfoundland and Labrador are important examples. They deal with the asymmetrical fact of the offshore resources which are jointly managed by the federal and these two provincial governments alone, and seek to redress the perverse effects of complex equalization provisions in ways that reflect specific fiscal need. Yet many at our symposium would not classify such deals as constituting asymmetrical federalism, because they were not reached as part of a broader national program. What’s more, several of our participants found this trend to be worrisome. In their view the tendency of the Martin government to seek such ad-hoc bilateral arrangements contributes to a lack of policy cohesion, to beggar-thy-neighbour competition among the provinces, and is destructive of fair treatment in the long run. More on this below, but first let us return to the question of why asymmetrical federalism is being revived now.

Some New (and Some Old) Drivers of Asymmetrical Federalism

In our discussions, the participants noted that there were both proximate and deeper, or more longer-term, drivers of the latest developments in asymmetrical federalism. The proximate drivers are the election of at least two governments seeking more flexible federalism. The Martin Liberals in Ottawa have an ambitious social policy agenda, but wish to distinguish themselves from Trudeau and Chrétien’s more centralist approach. And there is the Charest Liberal government in Quebec City, seeking to return to a more pragmatic nationalist stance in Quebec, and to workable support for federalism within Canada. Thus both governments goals coincide in a willingness to embrace asymmetrical federalism, in particular the for-Quebec variety.

The other significant near-term factor is the minority federal parliament, which has increased the leverage of individual provinces (and others) seeking redress for specific grievances. The best example is the case of the Premiers of Newfoundland and Labrador, and of Nova Scotia, who in June 2004 extracted election campaign promises from three national party leaders (Liberal, Conservative and NDP) to reopen the financial provisions of the offshore revenue-sharing agreements of the 1980s. Had a majority Liberal parliament been expected or occurred in 2004, it is unlikely that Prime Minister Martin would have made the commitment, or have followed through with it in quite the same way –regardless of the merits of the provincial case.⁷

⁷ For background on the rationale from the provincial perspective for revised financial terms related to offshore resources, see Government of Newfoundland and Labrador, *Report of the Royal Commission on Renewing and Strengthening Our Place in Canada* (St. John’s: Queen’s Printer, 2003), chapter 11; for commentary on that report and the lead-up to the bilateral deal, see Chris Dunn “Why Williams walked, why Martin baulked: the Atlantic Accord dispute in perspective” *Policy Options*, February 2005; 26(2): 9-14.

More significant perhaps are the longer-term reasons for a return to asymmetry. Three developments in Canadian politics and the evolution of our federalism point to increasing pressure for more asymmetry. First is the effect of economic globalization and continental economic integration on the traditional east-west integration in Canada. Rapidly increasing north-south trade and investment mean that the provincial and local governments must increasingly respond to competitive patterns that differ according to the region in question. Thus what makes sense for competitiveness –and therefore for tax, regulatory and social policy, in Ontario and the Great Lakes region, is going to be different than what works for the Atlantic Provinces and their competition in New England, or for British Columbia and its competition in the Pacific northwest, and so on. In other words, there is increasing asymmetry on the ground, leading to increasing asymmetry in policy responses among the provinces.⁸

Second, is the increasing tolerance for asymmetry –or more accurately perhaps, flexible devolution -- in the practice of governance more generally. In most policy fields centralized norms and procedures imposed on citizens and lower levels of governments have been discredited.⁹ Instead there is the effort to “open coordination”, of learning from diverse solutions, of realizing that one size does not fit all. Some may see this as merely decentralization in another guise, but in reality it is a response that implicates the federal government significantly to ensure that *national* policy goals are articulated, that national policy coordination occurs, but allowing considerable flexibility in how those objectives are met.

⁸ For his original discussion of this concept see Tom Courchene, *From Heartland to North American Region-State: The Social, Fiscal and Economic Evolution of Ontario* (Toronto: Faculty of Management, University of Toronto, 1998). See also his “Pan-Canadian provincialism and the new federalism and the old constitution” *Policy Options* (November 2004) 25(10): 20-28.

⁹ See Peter Graefe’s article in IIGR series “The Scope and Limits of Asymmetry in recent Social Policy Agreements”

The third, and most significant long-term driver of asymmetry is the oldest one: the continuing need to recognize the linguistic and cultural diversity of Canada. Many of the participants in our discussion at Queen’s University acknowledged that there has been a deepening and intensification of what has been called “identity politics” in Canada over the past generation. In this political discourse, identity recognition trumps older political divisions such as class or region. And to the traditional identity markers of religion, ethnicity, race and language, are added gender and sexual orientation. The upshot of this discourse is a challenge to universal citizenship norms based on a notion of equality as requiring identical and standard treatment by the state. Instead there is an emphasis on equality as requiring the recognition of difference, including differential treatment by the state in several important respects. One of the broadest expressions of such politics of difference is known as “multinational federalism”, whereby Canadian federalism embraces Quebec nationalism and aboriginal nationalism as co-existing with Canadian political nationalism.¹⁰ Taken to its logical conclusion, this vision of federalism would entail significantly more asymmetry than is currently on offer.

Of course there is no consensus and indeed considerable resistance in Canada to the ideology of difference. It runs up against the earlier universalist and liberal notions of formal equality of individuals, as well as the movement – strong especially in western Canada –for the formal equality of provinces. These forces, both pro-Charter and pro-provincial equality, were essentially what killed the Meech Lake and Charlottetown Accords in 1990-92, and which would undoubtedly amass again at any renewed attempt to formally entrench asymmetrical difference and recognition in the Canadian constitution. And they would also contribute to

¹⁰ The most distinguished academic proponent of this view is Will Kymlicka. See for example his book *Finding Our Way: Rethinking Ethnocultural Relations In Canada* (Toronto: Oxford University Press 1998).

imposing limits on what could be achieved by way of *de facto* asymmetry.

Finally, there is another driver, if not of asymmetry for Quebec as such, then for the bilateralism of recent months. And that is the continuing fiscal situation faced by the provinces and territories, with chronic deficits in many provinces, and the continuing budgetary surplus in Ottawa. The debate over what has been termed “vertical fiscal imbalance” – increasing disparity between provincial revenues and their spending responsibilities, is well beyond our scope here.¹¹ However, several in our group recognized that the fiscal conditions faced by most if not all provinces has increased the incentives –in the absence of more comprehensive fiscal reform -- to cut their own deals with the cash-rich federal government. Of course since the mid-1990s the provinces have indeed sought that more comprehensive reform. And since December 2003, their efforts have been more effectively coordinated through the new Council of the Federation. While in some respects just a repackaging of the Annual Premiers Conference, the Council nonetheless has seen some major accomplishments, in particular the health care accord of last September. The bilateral negotiations on the offshore revenues took place outside the new Council, and underscores that interprovincial consensus can only go so far in meeting specific regional needs. However, if the Council continues to build on recent multilateral negotiations on fiscal matters, it can do a great deal to discipline the need for, and influence the result of such separate bilateral deals.

How much asymmetry is feasible?

There is considerable conceptual and empirical room for asymmetry in Canada, especially in light of the variety and depth of such arrangements in other federal systems. We already have, as noted above, the specific *de jure*

asymmetrical features from 1867 onwards. Also, and intriguingly, our constitutional provisions for asymmetry include section 94 of the Constitution Act of 1867 inviting the legislatures of the majority English-speaking provinces to unify their laws on property and civil rights, and on court procedure, essentially opting in to federal control. In a sense this is the obverse side of the coin of any special status or asymmetrical treatment for Quebec alone – that it allows the other provinces to proceed with centralization or standardization more in keeping with their notions of a Canadian nation-building process. However, section 94 has never been taken up. The fact that it has not been used speaks to the will among the other provinces to resist such centralization. In any case, it is confined to the one area of civil law and property rights. Still, the existence of the provision could form the basis in the future of a more comprehensive “opting in” version of asymmetry in Canada.¹²

To attempt to change the constitution to add more *de jure* asymmetrical features seems a risky proposition at best. Canadians remain deeply divided over the issue of differential recognition, particularly where the connotation is one of granting privilege, or where citizen entitlements are deemed to be at stake.¹³ They recognize that federal-provincial flexibility is a good thing, but shrink at any connotation of unequal rights or status.

In the view of one of our participants, what killed the continuation of the Pearson-era asymmetry for Quebec was the perceived desire of Quebec to have its cake and eat it too: to have both more power in Quebec and more say in Ottawa. In the 1960s, francophone Quebecers promoted “french power” in a then-anglophone dominated Ottawa, but some Canadians think that increased asymmetry with respect to Quebec should mean less, not more influence in the federal government. This is the case for

¹¹ See Harvey Lazar and France St-Hilaire and Jean-Francois Tremblay (2004) “Vertical Fiscal Imbalance: Myth or Reality?” in Lazar and St-Hilaire eds. *Money, Politics and Health Care: Reconstructing the Federal-Provincial Partnership* (Montreal: IRPP).

¹² On this concept see articles in the IIGR series by each of Guy LaForest, David Milne and Joceyln McClure.

¹³ For more detailed analysis on public opinion see the article by Leslie Seidle and Gail Bishop in the IIGR series.

example, with the more recent practice in the European Union where member states that do not wish to go as far with integration as other members, pay the price in terms of reduced decision-making authority over those aspects of integration. Thus the United Kingdom which remains outside the monetary union, does not participate directly in joint decisions about monetary matters.¹⁴

To date our asymmetrical arrangements have not extended to differential participation in central decision-making in the federal parliament. Having Quebec MPs participate in decisions on the CPP, for example, may in fact contribute to the integration of the QPP and CPP. In any case, few people seem to have a problem with the idea that measures specific to a particular region or province are continuously deliberated upon in the federal parliament by MPs from all provinces and regions. And they know that members vote more along party lines than regional lines in any case.

The decision-making issue aside, the Canadian public will likely support more *de facto* asymmetry in ordinary legislation, policy and administrative procedure. They would accept the need for flexible adaptation of national norms to local conditions, to respond to wide differences in terms of program needs and implementation strategies across the federation. Thus, for example, the federal government has a general program in support of provincial labour market programs, but its implementation differs significantly according to the terms of federal-provincial agreements with individual provinces. The key ingredient is some sense of overall cohesion and coordination. To take another example, in the significant case of the separate Canada and Quebec Pension Plans, the design of the plans nonetheless entails considerable coordination between them. That coordination has been sustained through the recent reforms to the present day. Yet it is the very lack of

cohesion and coordination in the recent spate of financial deals between the federal government and individual provinces that has been derided by the critics.

Fiscal federalism is meant to be about flexibility, and so it may be uniquely suited to asymmetrical application. Indeed fiscal solutions are usually easier to find –after all, money is divisible in an infinite number of ways. In fact in the Pearson era (as well as both before and since) asymmetrical federalism for Quebec alone has almost always had a significant financial component. But today, the idea of a federal government of any party stripe giving in to a key Quebec demand for greater tax room, for example, without also offering the same tax room to all the other provinces – seems a nonstarter. And one must underscore that the September 2004 health care deal, which included that side deal on specific implementation in Quebec, is nonetheless strictly symmetrical in its per capita cash transfers of additional federal funding to the provinces. As the recent controversy over financial deal-making outside the established programs illustrates, overly differential treatment in fiscal matters raises considerable regional jealousy and recrimination, unleashing ugly demonstrations of beggar-thy-neighbour attitudes, and zero-sum rhetoric. This again would argue for the need to try and contain financial negotiations within the multilateral context of the Council of the Federation, acting with the federal government.

It may be, in the traditional fashion of elite accommodation and brokerage politics, that special treatment in financial terms –even in the most merited cases –is better obscured than advertised. In federalism a little ambiguity can go a long way. However, this traditional mode is now much less acceptable in our evolved political culture. It runs directly counter to another major trend in governance, even more prominent in light of recent federal funding scandals, that of greater accountability and transparency in the disposition of public funds. Asymmetrical approaches can be sold to Canadians, but likely only as part of a broader and visible vision of federalism which also stresses fundamental notions of fairness and

¹⁴ See Peter M. Leslie (1999) “Abuses of Asymmetry: Privilege and Exclusion” in Karlheinz Neunreither and Antje Wiener (eds.) *European Integration After Amsterdam: Institutional Dynamics and Prospects for Democracy* (Oxford University Press), chapter 11.

common entitlement. Delivering on that vision in terms other than empty platitudes is, of course, a tall order.

Where To From Here...?

In the short term, what happens to asymmetrical federalism is highly dependent on federal electoral politics. As this article is written, the Martin government has survived the votes on its 2005 budget bills, and pundits are predicting that it will stay in office at least until an election early in 2006. This provides more time for Canadians to judge the relative merits of the Liberal approach to an alternative Conservative government under Stephen Harper. This electoral contest is unlikely to hinge on asymmetrical federalism, but the latter is not irrelevant either.

As noted above, asymmetrical federalism in a general sense is a compromise between centralist and decentralist federalism. If Harper becomes Prime Minister, one can expect a more decentralist approach, particularly on fiscal matters, which should appeal to the Quebec government, as well as to Alberta, British Columbia and probably Ontario. How the smaller provinces and territories fare out of a more decentralized fiscal regime in turn may depend on the future of the equalization program. In any case, this scenario would foresee less need for asymmetrical approaches for Quebec, less bilateral deal-making for the rest, and likely a strengthened multilateral governance between the Ottawa and the Council of the Federation. The fly in the ointment, difficult to fully predict now, is the effect that a Conservative victory without significant (possibly without any) representation in Quebec would have on the federation. Conceivably the national unity rationale for being more open to Quebec's specificity would again come to the forefront, but again, one would expect on balance that Quebec's aspirations would be more effectively met through greater decentralization overall.

Alternatively, the continuation and re-election of the Martin government is likely to cement and extend asymmetrical approaches for

Quebec in particular – indeed these are already being contemplated in such areas as a deal with the cities, child care, and probably also in post-secondary education programs such as student support. On the other hand, the potential lack of support for the Liberals in western Canada, indeed potential anger at the re-election of the Liberals, would place a limit on how far the federal government dares reach agreements with Quebec alone. In Alberta the Liberal re-election could provide further support for Alberta's opting out of federal programs – i.e. asymmetry on its terms.¹⁵ However, continuance of the Martin government's frenetic pace of bilateral financial deals seems less likely, in part because official Ottawa will try and rein in these deals and impose a greater sense of cohesion and coordination to intergovernmental relations, in part also because Canadians are noticing the trend and many do not approve. And as noted above, the Council of the Federation will also try to impose greater discipline. Should the Liberals be returned with a majority, the incentives for bilateral dealing will also likely decrease.

The longer term factors are more difficult to sketch out, and will depend on whether any of the three drivers identified above intensify or drop away over time. These are the effect of continental competitiveness on regionally-specific policy needs, the trends in governance to greater flexibility, and the significance of identity politics including the acceptance or not of a broader vision of multinational federalism. These factors can be compounded if they are increasing or decreasing simultaneously. If the pace by which these challenges come upon the federal system drops off or is still manageable, so too will be the response. However, if the pace accelerates and confounds a timely response, more radical solutions, including for example, a renewed push for Quebec secession, can be expected.

To conclude: who's afraid of asymmetrical federalism? While there has been a sharp but relatively limited debate in the past few months, it seems that there continues to be sufficient

¹⁵ See Ted Morton's article in IIGR series "Equality or Asymmetry? Alberta at the Crossroads".

support for asymmetrical approaches provided that they are transparent, coherent and pragmatic. However, there seems much less support for grand, symbolic initiatives, at least in the near term. Similarly, flexible deal making is an acceptable device in Canadian federalism, but beware regional jealousies lying underneath the surface. Such flexibility is clearly in the eye of the beholder: what is perceived in one quarter as a fair adaptation to special circumstances will be seen in another as unfair privilege. What is really needed is a lot more perspective all-round. The concept of asymmetrical federation, like many aspects of our federalism, will continue to be contested. For all its awkwardness, it is a phrase that has entered our political lexicon, and can provide a further foundation for federal stability.

Appendix

“Asymmetrical Federalism: Is reviving an Old Idea Good for Canada?”, A symposium sponsored by the Royal Society of Canada, held at the Institute of Intergovernmental Relations, Queen’s University, May 12, 2005.

List of Participants:

Marc-Antoine Adam, Government of Quebec
Keith Banting, Queen’s University
Kathy Brock, Queen’s University
Douglas Brown, Queen’s University
Sean Conway, Queen’s University
Tom Courchene, Queen’s University
Patrick Fafard, Government of Canada
Roger Gibbins, Canada West Foundation
Gordon Gibson, Fraser Institute
Tom Kent, Queen’s University
José Lalande, Royal Society of Canada
Harvey Lazar, Queen’s University
Jean Leclair, Université de Montréal
Peter Leslie, Queen’s University
Christian Leuprecht, Queen’s University
John McGarry, Queen’s University
John Meisel, Queen’s University
Gilles Paquet, Royal Society of Canada
Richard Simeon, University of Toronto
Jennifer Smith, Dalhousie University
Hamish Telford, University College of the Fraser Valley
Ronald Watts, Queen’s University
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