

POLICY BRIEF

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Taking the political pulse of the nation as it turns 150

As the federal Liberals approach their two-year anniversary in power this October, the Queen's Institute of Intergovernmental Relations (IIGR) will use its biennial State of the Federation conference to assess Liberal progress to date. And since 2017 is Canada's 150th birthday, conference participants will also look more broadly at how well our democracy is functioning in its sesquicentennial year.

The Liberals promised several measures to revamp the country's democratic and federal institutions. The centerpiece of their agenda was the replacement of Canada's "first-past-the post" electoral system. In addition, they promised to revitalize relations with the provinces; bring indigenous peoples into the intergovernmental fold; and change the ways in which Senators and Supreme Court Justices are appointed.

How has the Liberal reform agenda fared? Has it resulted in a more effective and democratic set of political and federal institutions? Or has it largely failed to deliver on these objectives? From a longer-term perspective, what is the current state of Canada's democratic institutions and practices a century-and-a-half after Confederation?

A pivotal event in Queen's *Public Policy and Canada's 150* program, the conference will take place June 16 and 17 at the university's Donald Gordon Centre, and will include a number of the country's leading scholars of federalism, indigenous governance and electoral reform. This brief identifies key themes and issues to be explored.

The Liberals abandon promise on electoral reform

In 2015, the Liberals declared the upcoming federal election would be the "last" under Canada's first-past-the-post (FPTP) voting system. They also announced that, if elected, they would convene an all-party Parliamentary committee to review alternatives to FPTP.

The post-election committee received reports from MPs, conducted online consultations, heard copious expert and citizen testimony, and issued a lengthy and controversial report. Their main recommendation was to hold a national referendum on replacing FPTP with proportional representation (PR) – though the precise form of PR was never specified. The government ultimately rejected this call, arguing that "a clear preference for a new system, let alone a consensus, has yet to emerge" and that "without a clear preference or a clear question, a referendum would not be in Canada's interest."

Selection of Senators and Supreme Court Justices

In other areas, the Liberals have managed to fulfill their election promises. Among the most notable examples are new processes for selecting Senators and federal Supreme Court Justices. In both cases, the Liberals established independent boards to advise the Prime Minister on appointments.

More recently, the current government broadened the process to allow for self-nomination. For the Supreme Court, the reforms were meant to increase the transparency of appointments and the diversity of Supreme Court Justices. For the upper chamber, they were meant to bolster trust in the body and to ensure Senators were appointed on the basis of merit rather than partisanship.

Re-engaging the provinces

The election of the Liberals also had major implications for relations between the provinces and the federal government. For better or worse, the Harper Conservatives sought to avoid negotiating with provinces over sensitive policy issues. The Liberals, by contrast, have embraced it, by, among other things, holding three first ministers' meetings on climate change; negotiating changes to the Canada Pension Plan; and meeting with the provinces to hammer out a new healthcare accord.

Not surprisingly, negotiations have, at times, been tense. In December 2016, for example, the provinces and territories rejected the federal government's offer of 3.5% annual increases to the Canada Health Transfer and an additional \$11.5-billion for mental health, homecare and other areas over 10 years. The federal Liberals stood their ground, going on to sign a series of bilateral deals that did not significantly differ from their original proposal. Only Manitoba has yet to agree to new terms.

Repairing relations with Indigenous Canadians

Perhaps the most challenging aspect of the Liberals' reform agenda is improving relationships with indigenous peoples. Some promises, including the inquiry into missing and murdered indigenous women, have been kept. Others, including the promise to renew nation-to-nation relations and to use these processes to improve educational, health and other outcomes, will be more difficult to keep. But efforts are afoot.

In February 2017, the federal government established the Working Group of Ministers on the Review of Laws and Policies Related to Indigenous Peoples. The group is intended, among other things, to help the Crown realize its constitutional obligations on Aboriginal and treaty rights and to support the Truth and Reconciliation Commission's Calls to Action.

A crucial Canadian conference

Our 2017 State of the Federation conference will provide an opportunity to reflect on these and other issues at the heart of the federal Liberals' democratic reform agenda. It will also provide a platform for our distinguished roster of speakers to assess the state of Canadian democracy and federalism.