

Defining the federal government's role in social policy: The spending power and other instruments ^[1]

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Excerpt from the introduction:

Limiting the use of the federal spending power in areas of provincial jurisdiction, particularly social policy, was on the agenda of most of the constitutional negotiations that began in the late 1960s. The issue was of particular interest to Quebec, but a number of other provincial governments also resented some of the ways the spending power had been used over time. Although all governments agreed to certain limits in the Meech Lake and Charlottetown accords, the rejection of the latter in 1992 ended attempts to provide for constitutional limits on the spending power.

In the 2006 election campaign, the Conservative Party promised to adopt an open federalism approach in its relations with the provinces. It is in this context that the issue of the spending power was revived, with the commitment in the 2007 Speech from the Throne to introduce legislation to place limits on its use for new shared-cost programs in areas of exclusive provincial jurisdiction. This prompted the IRPP to commission two research studies and to hold a roundtable in Ottawa on June 12, 2007.

The event brought together academics, senior government officials and representatives of a range of national organizations active in health, post-secondary education and other policy fields. Earlier versions of the studies by Hamish Telford and Peter Graefe were presented at the roundtable, and Keith Banting was the rapporteur on the discussion of those papers and other comments by participants.

Since the Harper government did not introduce legislation before the 2008 election, the scope of the spending power remains an unresolved issue, and it is hoped that this publication will inform any future effort to constrain its use. Moreover, these studies address broader issues that affect intergovernmental relations, including ways in which the federal government seeks to influence the shape of social policies and programs and the role of intergovernmental processes in this regard.

Region: Canada ^[3]

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