

BUILDING A UNITED CANADA

Strengthening Intergovernmental Relations



JARED WESLEY, PhD | jaredwesley.ca/igr

INTRODUCTION

FEDERALISM

COLLABORATIVE
NEGOTIATIONS

HOW IT
WORKS

PREPARING TO
NEGOTIATE

MANAGING
THE PROCESS

OBJECTIVE

Develop new perspectives on Canadian federalism, and build a more collaborative form of IGR.

**ROUND
TABLE**

AGENDA

Introductions

- Where are you from?
- What's one thing you'd like to learn?

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Or use QR code

TODAY'S PLAN

What are the different perspectives on Canadian federalism?

TOMORROW'S PLAN

How do we conduct collaborative intergovernmental relations?

FEDERALISM

DEF'NS

ORIGINS

VIEWS



How would you explain federalism to a British teen?



What's a short, high-level definition?

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How would you explain the origins and value of Canadian federalism?

Why do we have it?



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**Compact
view**

- symmetrical

**Deux
nations
view**

- asymmetrical

**Confederate
view**

- equal orders

Devolution view

- federal
paramountcy

**Treaty
Federalism view**

- nation-to-nation

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Canadian Federalism

Shared and home rule make Canada a complex country to govern.



DYNAMICS

REGIONALISM

MANAGING THE
FEDERATION

FISCAL FEDERALISM

EXERCISE

How centralized is Canadian federalism?

Go to

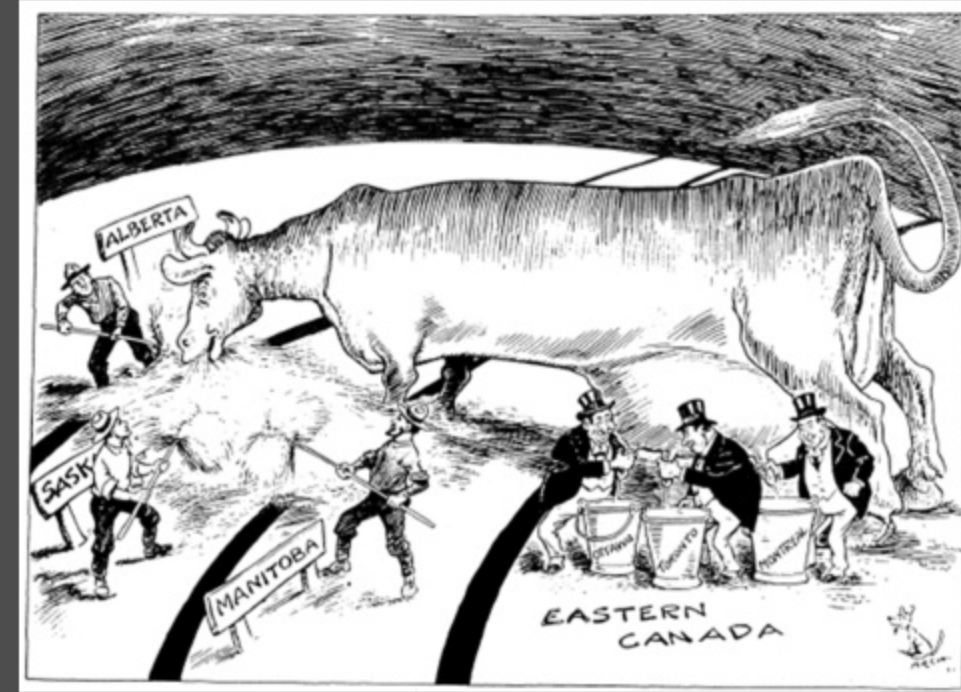
www.menti.com

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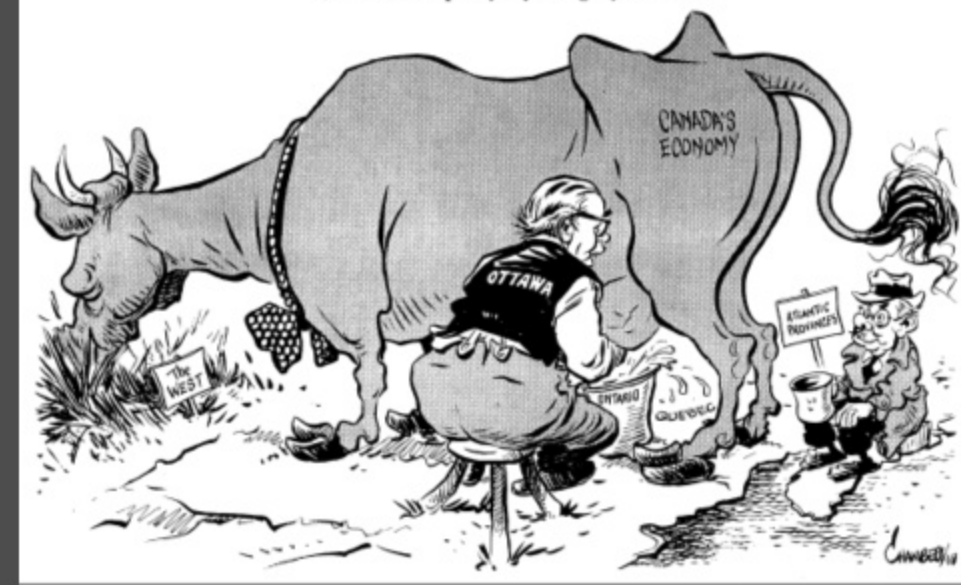
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Or use QR code



"Just sit there quietly - you'll get your share."



Bob Chambers, The Halifax Herald, 19 February 1968



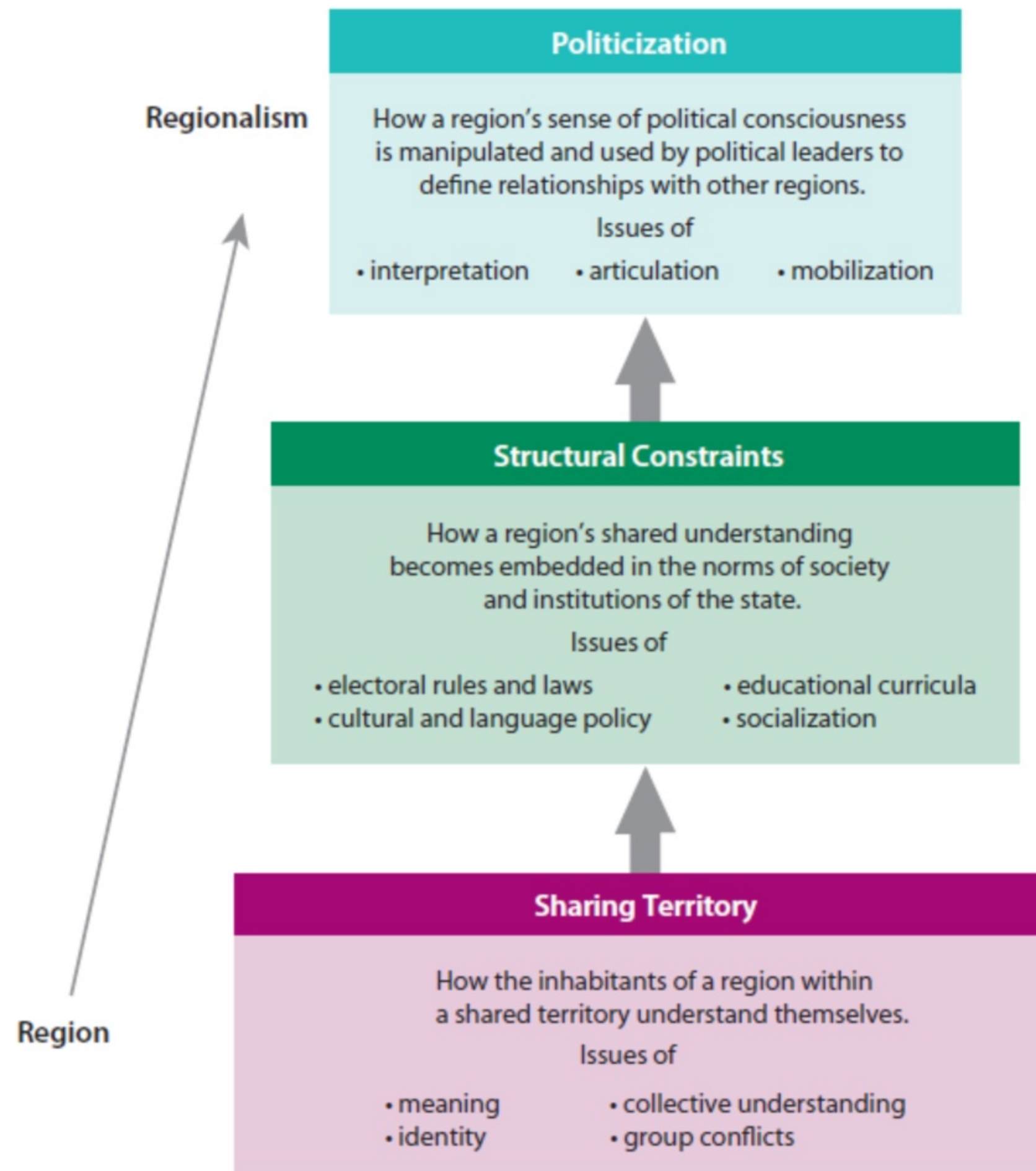


Figure 4.4 | The Origins of Regionalism

Source: Adapted from Figure 2.1 in Harry Hiller, "Region as a Social Construction," in *Regionalism and Party Politics in Canada*, ed. Lisa Young and Keith Archer (Don Mills, ON: Oxford University Press, 2002), 36.

INTRA- STATE



INTER- STATE



Table 3.1 Federal and Provincial Powers in Canada

Federal Jurisdiction	Provincial Jurisdiction	Concurrent Jurisdiction
- any mode of taxation - census and statistics - criminal law - currency and banking - fisheries - Indians and Indian lands* - marriage and divorce - military and defence - navigation and shipping - postal service - trade and commerce - treaties - weights and measures	- administration of justice - direct taxation - education - hospitals - incorporations and commercial licensing - local works - municipalities - natural resources - property and civil rights - public lands - solemnization of marriage	- agriculture - immigration

* The use of the term "Indian" here for First Nations people preserves the language used in the relevant legislation.

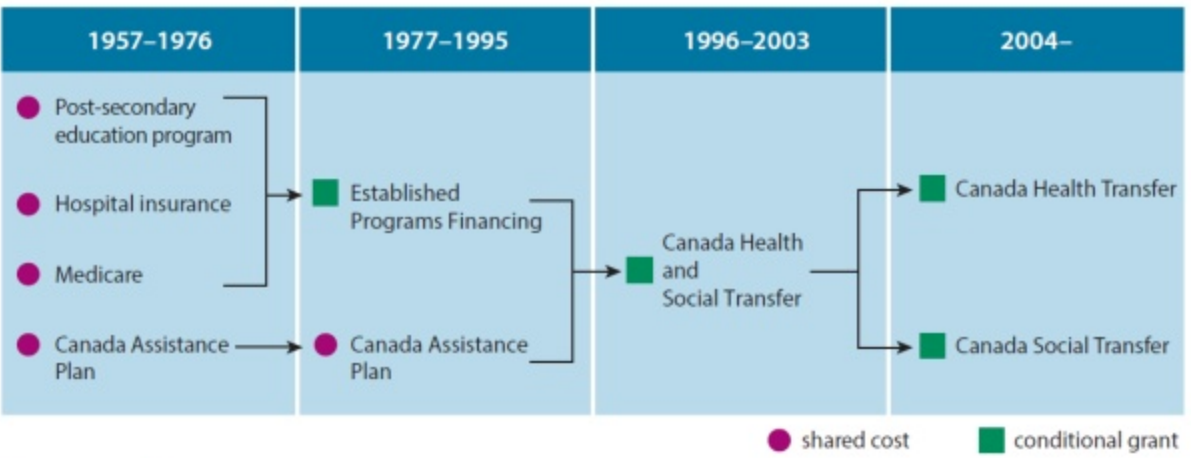


Figure 3.3 | The Evolution of Vertical Transfers

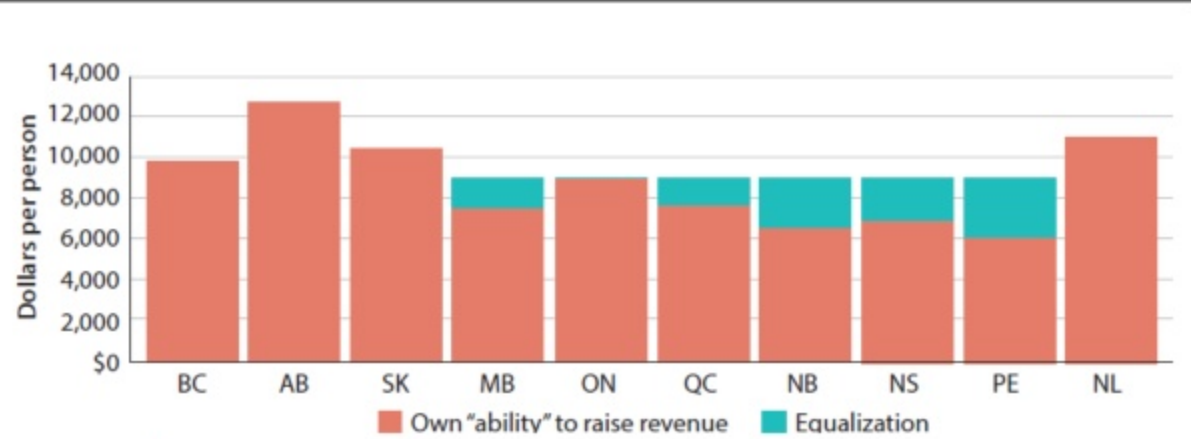


Figure 3.2 | Fiscal Capacity and Equalization, by Province (Fiscal Year 2018–19)

Federal equalization payments bring have-less provinces up to the national average in terms of revenue-generating capacity. But have-more provinces still generate far more revenue per capita, due largely to health natural resource endowments that translate into greater government revenues (royalties and personal and corporate income taxes).

Note: Displays each province's own fiscal capacity, the equalization payment required to bring it up to an "average" level, and the "adjustment payment" to fix the pool of equalization paid. In 2018/19, adjustments totalled \$1.76 billion.

Source: Federal Equalization Workbooks, Table 1, Graph by Trevor©trevortombe



Download "Smiley Exercise" at: jaredwesley.ca/igr

Region	Total Voters	Votes For New Policy	Votes Against New Policy	Result	
				Unitary System	Centralized Federalism
A	250,000	165,000	85,000	No policy change	No policy change
B	125,000	25,000	100,000	No policy change	No policy change
C	75,000	40,000	35,000	No policy change	No policy change
D	25,000	13,000	12,000	No policy change	No policy change
E	25,000	2,000	23,000	No policy change	No policy change
Total	500,000	245,000	255,000		

Region	Total Voters	Votes For New Policy	Votes Against New Policy	Result	
				Unitary System	Decentralized Federalism
A	100,000	60,000	40,000	No policy change	New policy
B	100,000	30,000	70,000	No policy change	No policy change
C	100,000	80,000	20,000	No policy change	New policy
D	100,000	65,000	35,000	No policy change	New policy
E	100,000	10,000	90,000	No policy change	No policy change
Total	500,000	245,000	255,000		

Region	Total Voters	Votes For	Votes Against	Result		
				Unitary System	Centralized Federalism	Decentralized Federalism
A	250,000	225,000	25,000	No policy change	No policy change	New policy
B	125,000	5,000	120,000	No policy change	No policy change	No policy change
C	75,000	5,000	70,000	No policy change	No policy change	No policy change
D	25,000	3,000	22,000	No policy change	No policy change	No policy change
E	25,000	2,000	23,000	No policy change	No policy change	No policy change
Total	500,000	245,000	255,000			

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COLLABORATIVE NEGOTIATIONS

IGR IS
ABOUT
CONSENSUS

IT'S NOT
ABOUT
COMPROMISE

What is consensus?



Consensus requires common
interests and common
understandings, despite
differing **perspectives**.

ZERO SUM ARGUMENT

OUTCOMES



I WIN

OR

YOU LOSE

Characteristics	Distributive	Integrative
Outcome	Win-Lose	Win-Win
Motivation	Individual gain	Joint and individual gain
Interests	Opposite	Different but not always opposite
Relationships	Short-term	Short and Long-term
Issues involved	Single	Multiple
Ability to make trade-offs	Not flexible	Flexible
Solution	Not creative	Creative

**GROW
THE PIE.**

**DON'T
ASSUME.**

INTEGRATIVE VS DISTRIBUTIVE NEGOTIATIONS





Effective negotiations lead to commitments.

- interdependence
- same perception of conflict
- shared outcomes

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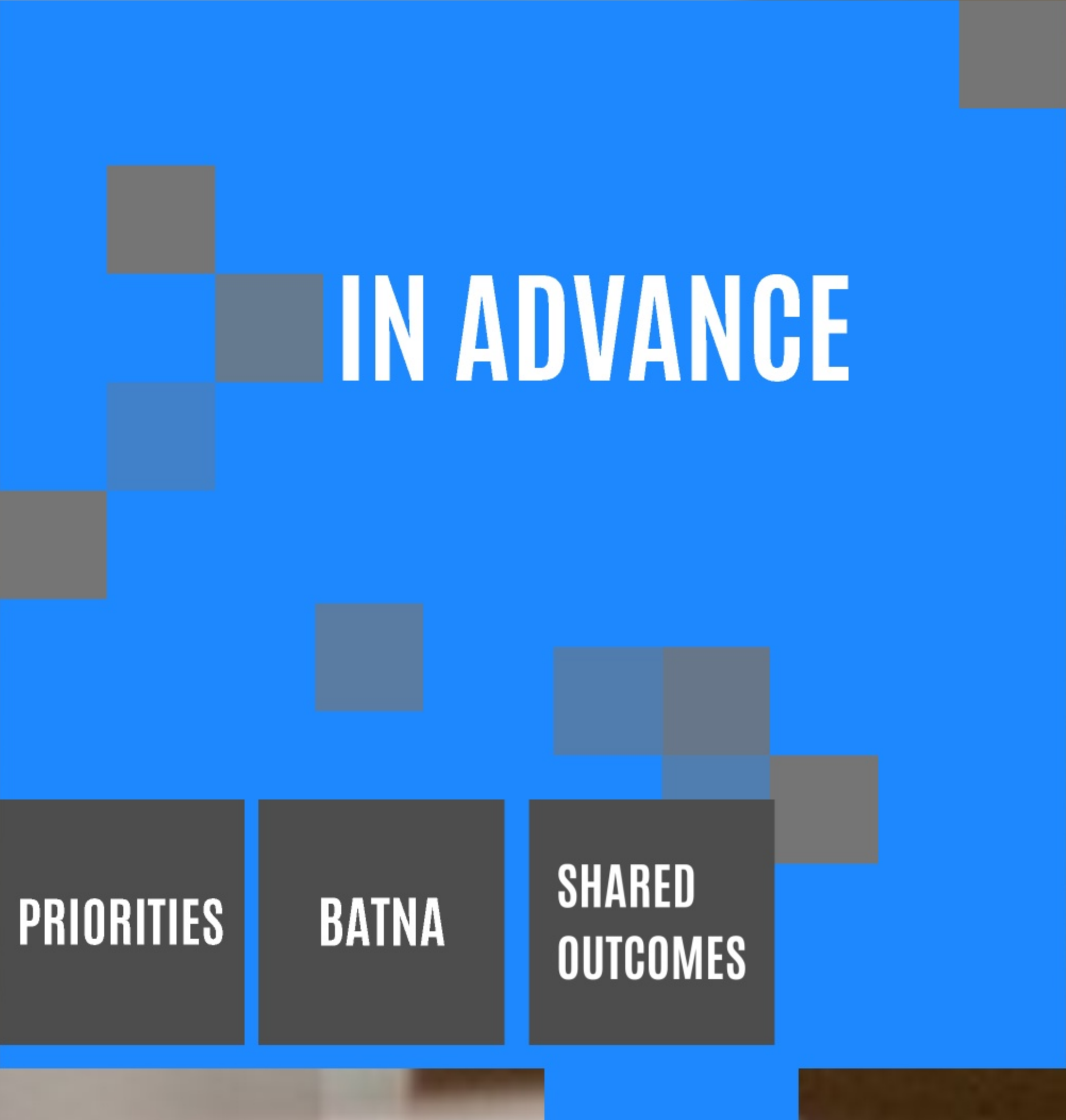
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IN ADVANCE

PRIORITIES

BATNA

**SHARED
OUTCOMES**

KEY VARIABLES

What is "in play"?

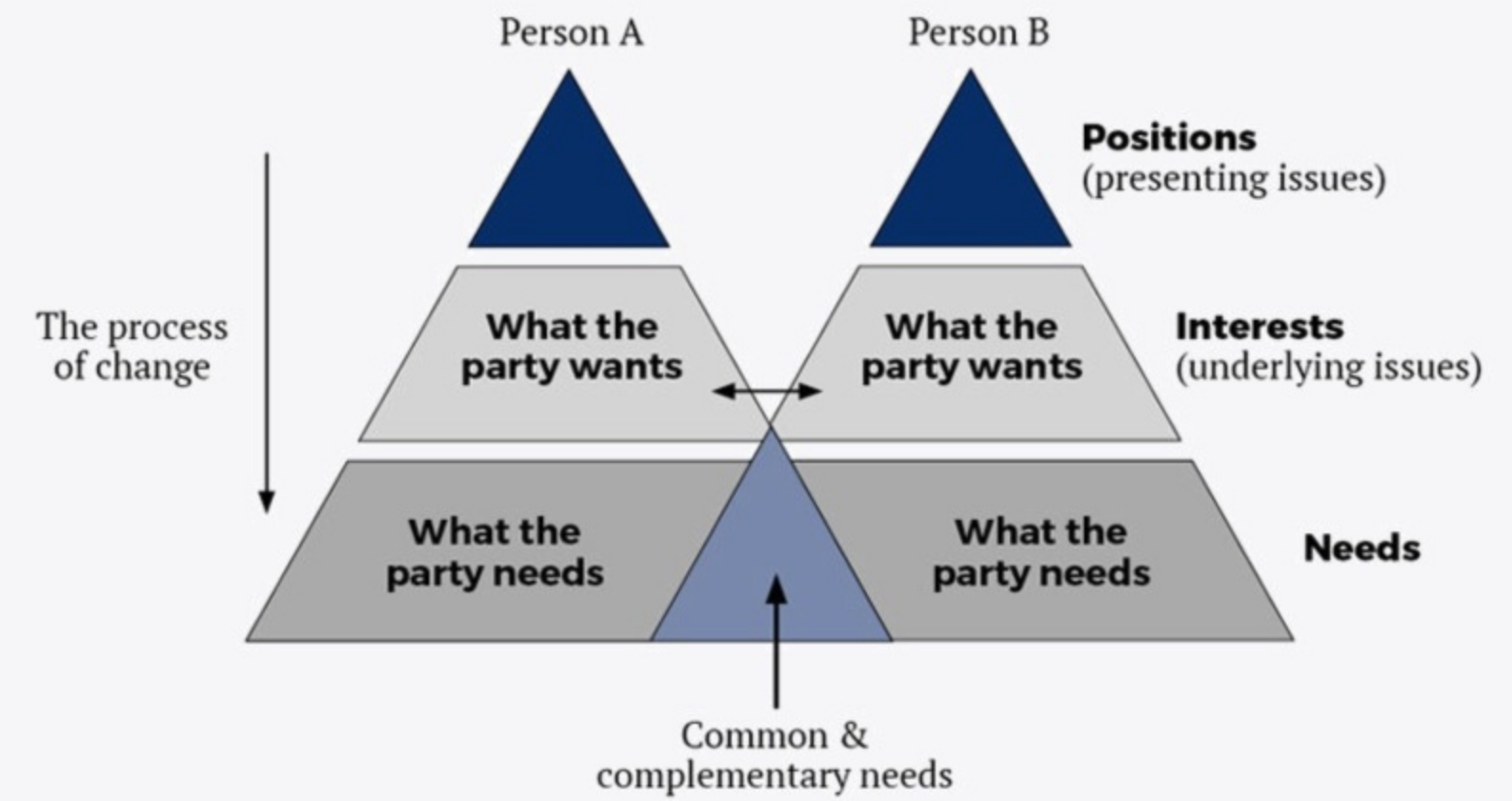
full list

their priorities

your priorities

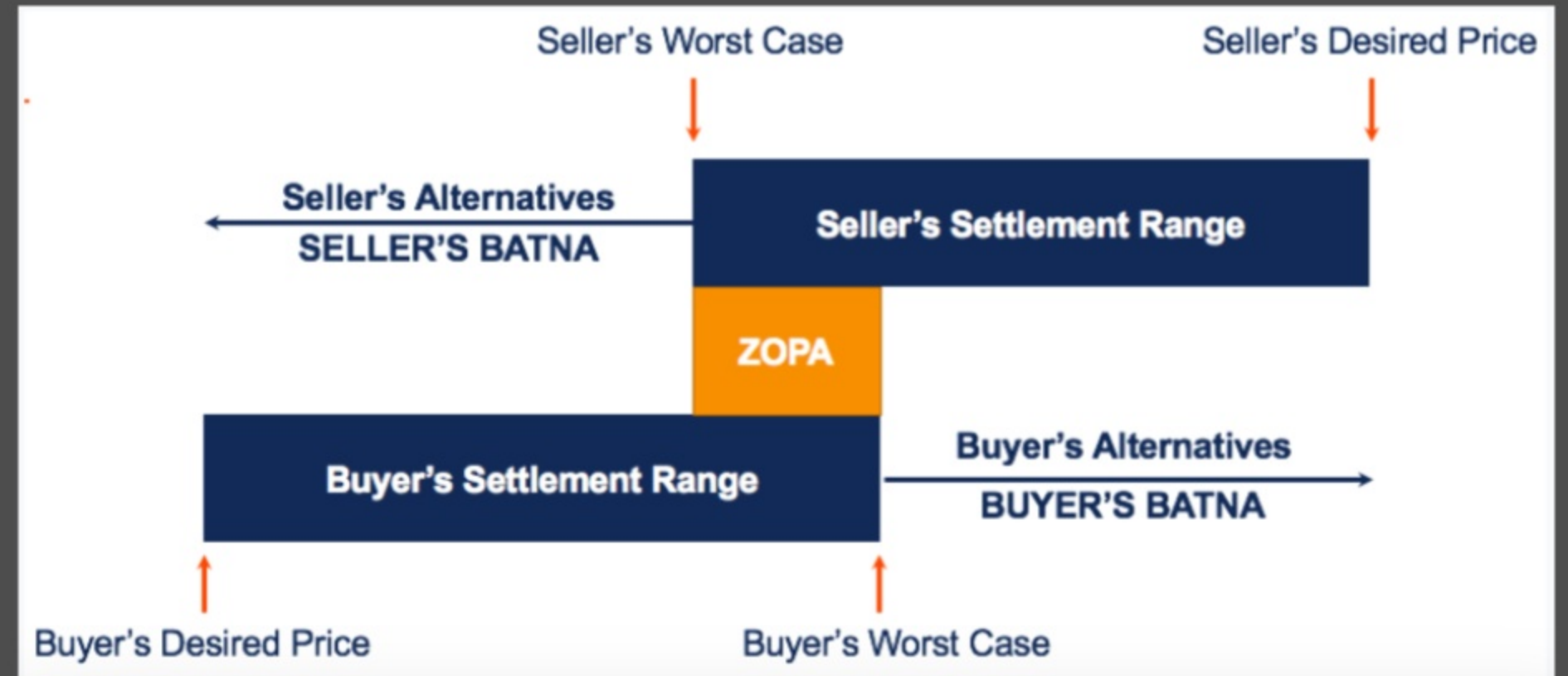
trade-offs & linkages





BATNA

Best Alternative to Non-Agreement



Building Shared Outcomes

- Build rapport and common purpose.
 - "Seek first to understand."
 - Brainstorm together.
 - Signal desire for agreement.
 - Emphasize common needs & interests.
- Candour and openness are assets.
 - Exchange information about needs/priorities.
 - Acknowledge & commit to others'.



MANAGING THE PROCESS



OPENING OFFERS

RECIPROCATE

EXERCISE 1

EXERCISE 2

OPENING OFFERS

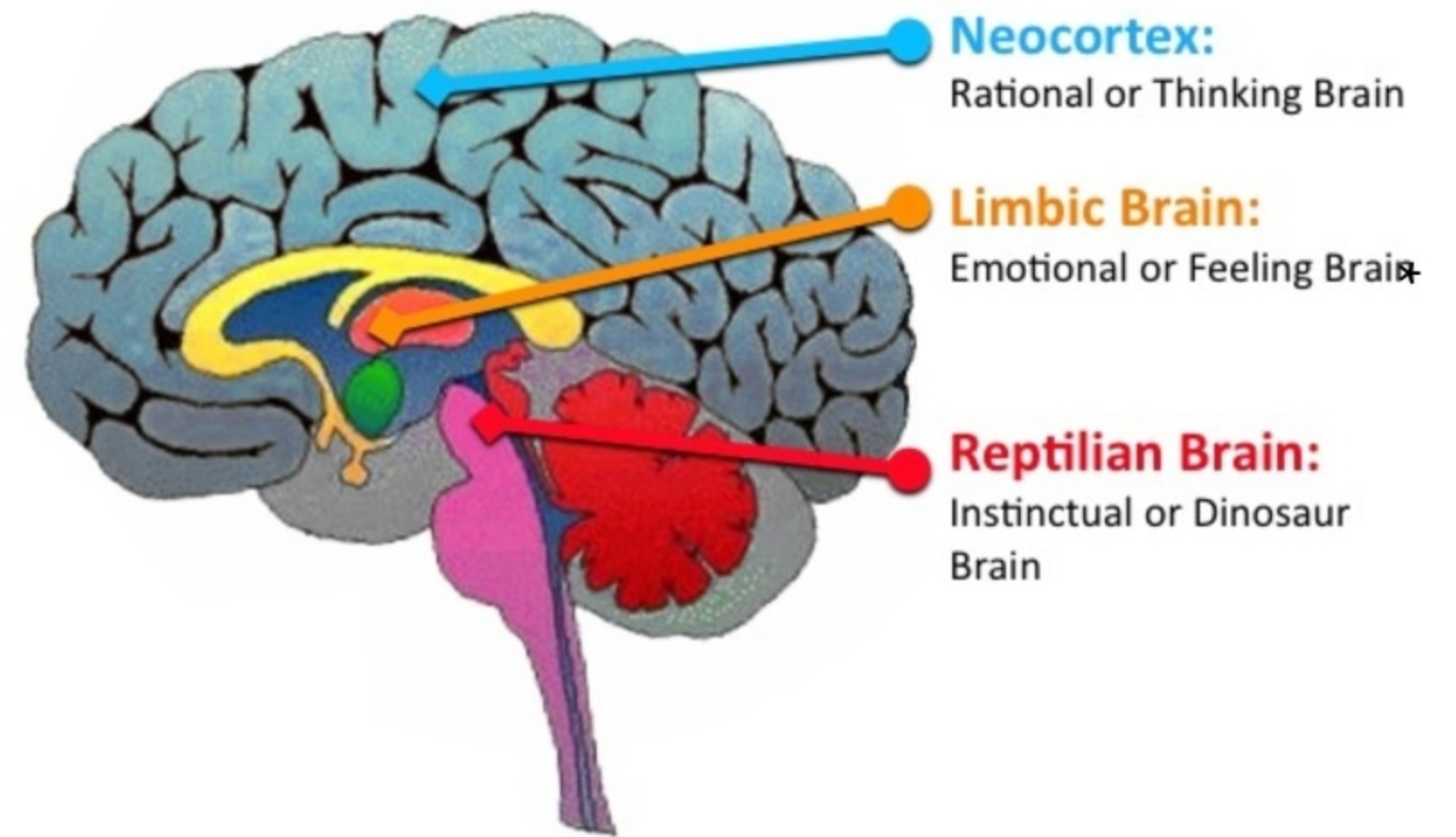
- Ask for what you want (MAX), tempered by what you think they will accept (BATNA).
- Never lead with your BATNA.
- Use packages, not ranges.
- Treat their offer as info, not an anchor.

COMPETITION vs COOPERATION

Recognize it, acknowledge it, mirror it.

3 BRAINS

**NEGOTIATOR'S
DILEMMA**



*Triggers: pop questions, safe spaces, coffee breaks (caffeine, rest), active listening, vocalizing emotions

Overcoming the NEGOTIATOR'S DILEMMA

		Negotiator B	
		cooperates	competes
Negotiator A	cooperates	Both +	A -- B ++
	competes	A ++ B --	Both -

LABEL IT

RECIPROCATE

SIGNS OF COMPETITION

- signaling lack of need/interest
- criticizing / blaming / threatening
- refusing to accept responsibility
- refusing to acknowledge other's interests
- manipulating or concealing information
- Boulwarism (take-it-or-leave-it offers)
- manipulating BATNAs
- stalling

**IF THEY WON'T
COOPERATE**

**REBUILDING
TRUST**

MAKE IT KNOWN

- You will reward cooperation.
- You will not comply with competition.
- You are willing (and do) concede.

KEEP TRACK

- Note the pace, order, magnitude of concessions.

MIND YOUR PRIORITIES

- Trade-off on your least important concerns.
- Make concessions known.

AGREEMENT JUJITSU

- Ensure your message is understood.
- Don't attack their position, look behind it.
- Don't defend your position, invite advice.
- Recast attacks on you as attacks on the problem.
- Reduce the appeal of their BATNA.
- Get face-to-face.

REMEMBER...

- Competition doesn't mean conflict.
- Cooperation doesn't mean servility.

GETTING BACK ON TRACK

- establish and revisit the common purpose
- their problem is your problem
- negotiate the process
- start with small (easy) areas first
- use examples to probe preferences ("Suppose we...")
- make the first offer of information
- take breaks
- strategize about face-saving measures
- use a single negotiating text

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KETTLE CREEK BRIDGE

A few reminders:

- identify variables
- identify priorities
- set common outcomes
- don't assume
- set BATNAs
- mind anchors
- focus on trade-offs
- record moves
- reciprocate
- grow the pie



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40-minute Exercise

- 10 minutes pre-planning
- Three 5-minute bilateral sessions
 - FG and NL
 - FG and RB
 - NL and RB
- 3 minutes planning
- 12 minute multilateral session

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