Articles

The Challenge of Equity in Canadian Social Welfare Policy

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Résumé : *L'avènement du TCSPS (Transfert canadien en matière de santé et de programmes sociaux) a fait nettement reculé l'équité nationale parmi les citoyennes et les citoyens du Canada. Il ne s'est pas agi cependant d'une anomalie dans l'histoire de la politique sociale. Les forces qui ont contribué au TCSPS ont fait partie de la politique sociale canadienne à travers le vingtième siècle. Les intérêts économiques continuent à triompher des préoccupations sociales comme le démontre le rôle prédominant du ministère des Finances. Le fédéralisme canadien signifie que les intérêts territoriaux et régionaux ont la préséance par rapport aux intérêts de classe, souvent fragmentés selon des bases régionales.*

Cet article analyse les forces qui ont contribué au TCSPS, ainsi que l'impact de celui-ci sur la sécurité du revenu des pauvres. Le gouvernement fédéral a-t-il abandonné sa responsabilité constitutionnelle d'assurer à tous les Canadiens et toutes les Canadiennes l'accès à des services conparables, quelle que soit leur province de résidence ? Quel a été l'impact de la TCSPS et des compressions budgétaires sur la suffisance et l'accès à des prestations de soutien du revenu au niveau provincial ? Enfin, il s'agira de commenter l'avenir des programmes sociaux et le besoin de redéfinir le cadre au sein duquel la question est débattue.

Introduction

Globally, nationally, and locally, a competitive economy is the compass which guides society's priorities and government's policies. Growth in GNP, low inflation, a favourable trade balance, increased productivity — these are the measures of success. In such a context, social concerns take a back seat to economic concerns.

The 1995 federal budget was a watershed budget for Canadian social policy, and widely regarded as a triumph of economic concerns over social ones. The budget contained substantial cuts in federal transfer payments to the provinces for social programs. More importantly, it formalized a process of devolution and decentralization of social programs that began in the 1970s. The replacement of the Canada Assistance Plan (CAP) and Established Programs Financing (EPF) with the Canada Health and Social Transfer (CHST) was a significant setback for national equity among Canadian citizens.

It was not, however, an anomaly in the history of social welfare policy. Forces which contributed to the CHST have been part of Canada's social policy for most of this century. Several of these forces will be explored in this article. In addition, the impact of the CHST on national equity for the poor will be examined. Finally, some suggestions will be made for reframing the debate between economic and social concerns.

Social Welfare Policy and the CHST

State and Societal Forces

There are two forces in the history of social welfare policy in Canada that were significant in shaping the development of the CHST. First, economic concerns continue to dominate social concerns as evident in the predominant role played in social policy by the Finance Department. Second, Canadian federalism means that territorial and regional interests have precedence over class interests, which are often fragmented along regional lines.[1]

There are generally two primary explanatory theories which account for changes in social welfare policy.[2] First, in *state-centred theory* change originates in the role played by the institutions of the state such as the bureaucracy, and the nature of federal-provincial relations. The impact of Canadian federalism on social policy belongs to this theory. Second, in *society-centred theory* change originates in the decisive role of societal forces, such as language, region, class and gender. The dominance of economic concerns over social ones belongs to this theory. In addition, class and other societal forces intersect with state forces such as federalism in unique ways in Canada and this also merits examination.

Dominance of Economic Concerns over Social Concerns

The introduction of the CHST is regarded as an example of the power of the Department of Finance to set social policy, and more specifically for the purposes of this article, income security policy. Rumours of a block funding proposal surfaced in late 1994 during the consultations around the 1995–96 budget. The final report of the Social Security Review was being drafted at this time and about to be released by the Human Resources and Development Committee. Any suggestions for reforming social programs coming from the Axworthy review were effectively sidelined by the federal budget process and the introduction of the CHST by the Finance Department.

Battle and Torjman trace the prominence of the Finance Department in social policy to the cancellation of Lalonde's proposal for an income supplement to the working poor twenty years ago.[3] The history of social policy in Canada, however, reveals that Finance has dominated social policy for a considerably longer period.[4]

One of the first comprehensive proposals for social reform in Canada came in the form of the Leonard Marsh report released in 1943. (Although this report received a great deal of attention and has been given a significant place in the history of social policy, Owram points out that it did not reflect government policy at the time.[5]) The committee looking ahead to post-war reconstruction, the Economic Advisory Council, and the Finance Department opposed both Marsh's plan and the plans developed by McKenzie for health insurance. Owram comments:

> The economic planners in Ottawa were rapidly coming to the conclusion that social welfare had to take second place to, and be planned as, an instrument of economic management.[6]

In a more recent example, the Finance Department voiced early opposition to the 1960s initiative for income security reform.[7] This initiative aimed to combine categorical assistance into a comprehensive income security program, and eventually resulted in the Canada Assistance Plan. Finance, however, had championed a promise to Quebec in the 1963 election that the federal government would get out of cost-sharing arrangements with the provinces.

In a rare historical consensus, Quebec welfare officials joined other provincial and federal officials in seeking reforms to income security rather than an end to cost-sharing. It was only the unanimity among provincial and federal officials, as well as the intervention of Tom Kent with the prime minister, that led to the adoption of the Canada Assistance Plan.[8] The Finance Department did succeed in blocking the attempt to put more specific national standards in CAP.

There is a last example which has direct parallels with the CHST process. The Social Security Review launched by Lalonde in 1973 resulted in the orange paper which proposed a guaranteed annual income for the working poor. This time there was not unanimous agreement among the provinces as to the actual working model for income support. When Lalonde took his proposal to cabinet, Simon Reisman of Finance objected vociferously.[9]

Reisman, with the support of the Minister of Finance John Turner, effectively took away Lalonde's ability to finance the proposal by making changes to the tax system in the next federal budget. He indexed the tax brackets so that the increased tax revenue which comes with inflation was no longer there. At the time Richard Gwyn noted:

> In effect [John Turner] has preempted Lalonde's [social] security review for at least 18 months . . . The peculiar process of budget-making made it possible for Turner to shape social as well as economic policy.[10]

In a parallel manner, the actions of the Finance Department in introducing the CHST in the 1995 budget effectively preempted any reform proposals stemming from the Social Security Review of 1994.

Territorial Concerns Fragment Class Interests

In addition to the opposition of the Finance Department, the effective representation of those without income security faces a second major challenge in the form of Canadian federalism, especially since class interests tend to be fragmented along regional lines. Simeon and Robinson identify two types of societal forces, those organized around territorial lines such as language and region, and those which cut across territorial lines such as class and gender.[11] In a federal system, the territorial interests tend to fragment issues of gender and class, both for institutional and societal reasons.

First, in terms of the institutions of federalism, the simple majority, one member per district electoral system exaggerates regional differences and rewards those parties which gear themselves to regional grievances. This phenomenon has been illustrated perhaps most clearly in the last two Canadian Parliaments, with the major opposition parties (Reform and Bloc Québécois) representing regional interests.

This parliamentary configuration also illustrates the way in which regional interests fragment class interests. The Province of Quebec has one of the more progressive social policy programs in Canada. The Reform Party would privatize much of Canada's social safety net. Yet the two parties join forces in the House of Commons to protest federal expansion (or retention) of social programs.

Second, in terms of societal reasons, class interests do not have the same access to political parties as do regional interests, nor do they have the economic clout of business interests. They require non-material resources such as a sense of moral outrage or a desire for justice.[12] They must appeal to powerful normative ideals in order to overcome this lack of access to economic and state power. In other words, their effectiveness depends on Canadian citizens sharing a sense of outrage about poverty. The sense of outrage in Canada today seems directed more against those who find themselves in need of assistance.

Responding to Quebec Has Led to Decentralization

Another way in which regional interests fragment the interests of the poor is found in the process of reaching agreement with the provinces on social programs, and in particular, dealing with Quebec's demands. Often attempts at social policy reform have been unsuccessful due, not just to the opposition of the Finance Department, but to an inability to reach agreement with the provinces. The federal/provincial squabbling acts to reinforce the position of the Finance Department.

The overall pattern in the federal/provincial transfer relationship in the 1980s and 1990s has been one of unilateral federal actions to shift fiscal costs to the provinces. In this sense the CHST was the culmination of a pattern of events in recent federal/provincial relations.

The conversion of financing for education and health care into the block grant called Established Programs Financing (EPF) in 1977 is considered by several authors to be a pivotal event in the beginning of decentralization of social programs.[13] EPF represented a massive transfer of revenue and power to the provinces and meant the delinking of federal transfers and program conditions.[14] After the introduction of EPF, the conditions for health care became virtually unenforceable and resulted in provincial extra-billing.[15] Health Minister Bégin responded by introducing the Canada Health Act.

In terms of income assistance, the CHST is the culmination of a process that began with the 1989–1990 cap (a 5% growth limit) on transfer payments to Alberta, Ontario and British Columbia under the Canada Assistance Plan. While most provinces were receiving 50% of the costs of welfare, the federal portion of social assistance payments in Ontario, for example, dropped below 30%, as caseloads rose dramatically in the early 1990s.[16] In total, the cap on CAP cost British Columbia $1.3 billion and Ontario $4.8 billion.[17]

The off-loading of costs has been accompanied by a push from the provinces to gain more control over the program design and implementation. Compliance with provincial demands has the potential to be a convenient solution to the problem of Quebec separatism. Rather than tackling the difficult and politically risky task of providing greater autonomy for Quebec, the federal government simply transfers the control over programs that Quebec desires to all the provinces.

It is no accident that the expansion of the welfare state during the 1950s and 1960s took place when federal/provincial conflict was muted. Decentralization began in the 1970s, which is also when regional conflicts reemerged.[18]

Impact on National Equity

Constitutional Responsibility

One of the national purposes behind a federal role in Canada's social programs is national equity. Two kinds of equity are particularly important; equity between individual Canadian citizens and equity between regions of Canada. Equity between individuals, or vertical equity, is sought through redistributing income or opportunities.[19] This goal is achieved through a progressive income tax system, transfer payments to individuals and the provision of public services. Responsibility for vertical equity is outlined in Section 36(1) of the Constitution Act.

The federal government also works to achieve horizontal equity, equity between regions. Provinces have very different fiscal capacities in terms of their resource bases. In addition, sectoral variations in the economy mean that economic upheavals, such as the restructuring of the labour market, can translate into significant regional disparities.[20] Ensuring equity between regions through equalization payments enables regions to provide comparable services in spite of unequal resource bases.[21] This ensures that Canadians in similar situations have access to similar levels of service regardless of the province in which they live. Section 36(2) of the Constitution Act commits the federal government to equalization payments.

Impact of the CHST on Income Security

The CHST embodies changes to the federal-provincial funding arrangements that will have significant impact on income security for the poor in Canada. Federal funding under the Canada Assistance Plan came with four conditions for provinces: that income assistance be provided to all persons in need regardless of the cause of that need, that the amount of income assistance be based on budgetary requirements, that an appeal process be established for recipients, and that no residency requirements could be put in place. Of these four conditions, only the last one remains in the CHST.

Provinces are now free to impose work requirements on recipients of social assistance and to designate categories of recipients (such as single employables) as ineligible for assistance; a return to the worthy/unworthy poor distinction.[22] They are also no longer obligated to provide an appeals process.

Loss of Horizontal Equity

The CHST has the potential to erode national equity in several ways. With the loss of the minimal standards that were available under CAP, horizontal inequity may increase as restrictions on eligibility for assistance will be adopted that vary from province to province.

A second reason for expecting increased horizontal inequity is an historical one. When the federal role in social programs expanded significantly in the postwar period the result was reduced variation in benefits available to citizens. According to Banting social assistance benefits became far more uniform under the Canada Assistance Plan.[23]

There will likely be a short-term and a long-term scenario regarding horizontal equity. Variation in eligibility and assistance will increase in the short run as provinces engage in relief reform and in reductions in budget commitments to match the federal reductions. In the long run, however, horizontal equity may return as provinces engage in a race to the bottom and each province restricts eligibility and reduces benefit levels in the light of the federal withdrawal. Reductions and restrictions across the country will eventually mean that poor Canadians face an *equally* dismal scenario regardless of where they live.

Loss of Vertical Equity

There are a number of arguments being made as to why the CHST is expected to decrease vertical equity. In a federal system, provincial and local governments tend to provide less income redistribution than a national government would because there is a fear that if one jurisdiction offers more generous assistance, it will attract poor people from other jurisdictions. In his report on the Economics of National Standards, Osberg pointed out that for programs which involve entitlements for residents of a particular jurisdiction, there is an incentive to cut entitlements in order to save costs.[24]

Secondly, because the CHST is a block transfer with no designated funds for income assistance, provinces are free to redistribute funds intended for welfare to other priorities. Welfare tends to rank consistently behind health and education as a priority for declining funds, therefore one would expect expenditures in this area to decline.[25]

Finally, another impetus for vertical inequity to increase is seen in the targets of the federal government cutbacks. While programs directed to regions (equalization payments) have not been cut, programs to individuals in need (employment insurance and transfer payments for social programs) have been cut. These changes imply an acceptance of higher levels of inequality among individuals. The distribution of well-being among different income classes is now a matter of local significance, rather than a national concern.[26]

It is important to note that although addressing regional and individual inequity are complementary goals, they are very different policy objectives. Equalization reallocates funds from wealthier provinces to poorer provinces. A majority of poor Canadians live in the three richest provinces, however, so addressing regional disparities does not address individual poverty. (Again we can see how regional concerns fragment class interests.) Social programs in Canada need to achieve a balance between addressing regional disparities and individual inequities.

Loss of a National Social Minimum

Provincial welfare programs have seen significant cutbacks in recent years, beginning in the early 1990s.[27] The early cuts are not in direct response to the CHST (implemented in 1996) but in response to cuts in transfer payments, the cap on CAP and rising welfare caseloads. The CHST adds to this momentum by effectively removing any restriction that stands in the way of more radical welfare reform. What has become of vertical equity and horizontal equity in income security under the CHST?

Although it is not a perfect fit, eligibility for social assistance can serve as a proxy for horizontal equity in income assistance. In other words, persons in the same situation may be eligible for welfare in one province but not in another. Benefit levels for income assistance can serve as a proxy for vertical equity; whether those who are less well off are actually being made better off.

First, in terms of eligibility, the following changes (the first changes occurring in 1993) have taken place:[28]

- Seven provinces have increased their surveillance of welfare recipients, either through hiring more fraud investigators or establishing a "snitch line" (Newfoundland, Nova Scotia, Quebec, Ontario, Manitoba, Alberta, British Columbia).
- Three provinces have revamped their appeals process with New Brunswick and Ontario refusing to hear appeals on cases of emergency assistance.
- Many provinces have instituted a form of workfare which imposes work or volunteer activities as a requirement of receiving assistance or reduces benefits for non-participation. Currently, New Brunswick, Quebec, Ontario, Alberta, Manitoba and British Columbia have work incentive programs in which participation is required to receive benefits and/or benefit levels are tied to participation.
- Alberta, New Brunswick and Quebec are requiring welfare recipients between 60 and 65 years of age to apply for early Canada Pension Plan benefits.

In terms on impacts on vertical equity, the following changes have been made to benefit levels:

- Six provinces have reduced the rates of assistance for all or for selected groups of recipients with Ontario's cut of 21.6% being the most severe (Prince Edward Island, Nova Scotia, Ontario, Manitoba, Alberta, Quebec).
- A number of provinces have made cuts to shelter allowances with four provinces (Newfoundland, Prince Edward Island, Nova Scotia, Manitoba) cutting the shelter allowances for single employable persons.
- Seven provinces (Newfoundland, Nova Scotia, Prince Edward Island, Quebec, Manitoba, Ontario, Alberta) have made cuts to special assistance available to welfare recipients (prescription drugs, eye glasses, dental care, moving expenses, school supplies, etc.).

Recent Changes in Ontario

The most disturbing changes are being made in Ontario. The new Social Assistance Reform Act gives Cabinet sweeping powers. Rather than being incorporated into legislation, almost the entire design of the welfare system will be set out in regulations and policy directives by Cabinet. Cabinet now has the authority to designate whole classes of people ineligible for assistance.[29] The following summary of the legislation has been provided by the Ontario Social Safety Network:[30]

- Municipalities will be allowed to fingerprint welfare recipients.
- Participation in workfare will be mandatory.
- Rights to appeal will be curtailed. Decisions on basic assistance can be appealed. Money or services related to workfare, emergency assistance and many other benefits and welfare office decisions will not be appealable. The appeal process requires an internal appeal first, and there is a time limit for launching appeals.
- The fact that workfare decisions are not appealable must be combined with the fact that under the Ontario Works Act, workfare recipients are excluded from legislative provisions regulating employment, standards, and labour relations.
- The Social Assistance Review Board (SARB) has been replaced by the Social Benefits Tribunal. The Tribunal will be able to refuse cases they consider frivolous. They cannot interpret the law as the SARB could, but must follow Ministry policies. They cannot decide if a welfare law is unconstitutional or contravenes the charter, which the SARB could do.
- Eligibility officers have the power to apply for and execute search warrants of recipients' homes.

Changes announced as recently as June 1998 include:

- Pregnant women will no longer receive their $37 a month food allowance.[31]
- Homeless recipients who cannot produce rental receipts will have the $120 shelter allowance portion of their cheque taken away leaving only the $195 basic needs amount.[32]
- Single parents who do not or have not had a spouse and are living with their family will not be eligible for welfare. Only adults who have a spouse or have had a spouse are considered "financially independent". All others who live with their family, regardless of their age, will be cut off. Their children will continue to receive welfare.[33]

Who's Responsible?

Trading Responsibilities

It is clear from the above examples that the adequacy of benefit levels and the access to social assistance is beginning to vary significantly according to where a person in need lives. The CHST is paving the way for the federal government to sidestep its constitutional responsibility for horizontal and vertical equity among Canadian citizens. Provincial governments, who share the constitutional responsibilities outlined above, have been sidestepping their responsibilities by passing costs and services onto local municipalities.

In addition, the federal and provincial governments are trading responsibilities in a way that puts the poor in the middle. For example, employment insurance restrictions have placed many unemployed persons on welfare rolls who in the past would have been eligible for employment insurance. Figures from Human Resources and Development show that the percentage of unemployed workers receiving Employment Insurance benefits had dropped from 88% in 1990 to 43% by the middle of 1997 and this figure continues to drop.[34] Many provincial workfare programs, in turn, are geared to provide welfare recipients with a long enough work experience so they can be transferred back to (federal) employment insurance if they do not find a permanent job. In addition, seniors between 60 and 65 years of age on welfare must apply for early Canada Pension Plan benefits in some provinces, thereby transferring from provincial welfare rolls to federal pension benefits.[35]

Under the guise of "flexible" federalism, responsibility for the poor is being tossed back and forth between the federal and provincial governments. The responsibility of the federal government for national equity and for ensuring Canadians have access to a basic minimum has not disappeared because the CHST no longer acknowledges standards for income assistance. The federal government must be given persistent reminders of the worsening plight of the poor.

What Does the Future Hold?

The dilemma of Canadian federalism is that responsibility for the administration of social programs has been assigned to the provinces, but the provinces have very different capacities to fund social programs. In addition, equity between regions and individuals in Canada requires a federal presence and a national conception of well-being and fairness. Regions desire the ability to shape social programs to meet regional needs, but there are some kinds of equity that can only be ensured by a federal government.

Historically Canada has balanced these tensions by having the provinces administer social programs while the federal government used its spending power, with basic conditions attached, to develop national social programs with national standards. In spite of some shortcomings, the Canada Assistance Plan and the Canada Health Act are examples of a successful balancing of these concerns.

The unilateral fiscal cutbacks of the federal government in the 1980s and 1990s has severely damaged this equilibrium. As the federal government has withdrawn from fiscal commitments, provinces have understandably demanded more control over the shape of social programs. Without fiscal commitments, the federal government does not have the legitimacy, nor has it demonstrated the backbone, to retain national standards particularly in the area of income and social services.

How will this disequilibrium be resolved? Simeon and Robinson suggest that the options available are in the form of two polar strategies. The federal government could centralize responsibility for social programs so as to better match the federal spending capacity and the distribution of the taxing power. Or the federal government could decentralize taxing powers so as to better correspond with the existing distribution of responsibilities.[36]

The outcome of a meeting between Paul Martin and the provincial finance ministers in December 1997 gives some indication of which strategy is being considered. At that time Martin agreed to a request from five provinces to allow the provinces to design their own personal income tax system.[37] The proposed changes would give the provinces control over the number of tax brackets, taxation rates, and tax credits. It would give provinces, such as Alberta, the flexibility to try a flat rate provincial income tax system. As an outcome of this meeting federal and provincial bureaucrats were commissioned to prepare a discussion paper, with 2001 suggested as an implementation target.

If decentralization extends to the tax system, new concerns about national equity arise. Many social benefits are delivered through the tax system. Will provinces be given the option to opt out or to adjust social benefits currently delivered on a national basis to all eligible Canadians? The question for the future is this: Will there be any access to needed social benefits or to a basic social minimum based on Canadian citizenship?

Reframing the Debate by Reassigning Economic Responsibility

Poverty policy in Canada is shaped by the forces of federalism and by the dominance of economic policy over social policy. An important task, particularly in response to the dominance of economic policy, is to reframe the debate so as to reassign responsibility to the economic sector.

One of the shortcomings of the discussion about the relationship of economic and social policy is that it is primarily a family squabble within the tradition of liberalism in Canada. The debate is essentially about the role of the state in response to the market. What this debate leaves out, as argued by Teeple, is a discussion of how the economy itself is structured:

> Social democratic solutions to the problems of capitalism have constituted forms of state intervention, not in the sphere of production in which the real economic power lies, but in the sphere of distribution . . . What this emphasis misses is the fact that the distribution of the social product has already occurred in the sphere of production.[38]

If the solution to economic dominance is to assert the dominance of other countervailing forces, one fails to grasp the essential task of reforming the economy itself. While reforming the economy could be the topic for another article, one brief observation may indicate how the debate might be reframed.

The accepted notion today is that social policy is bound by principles which promote human well-being, while economic policy is bound by principles which promote material prosperity. Social programs are supposed to pick up the pieces when the pursuit of material prosperity fails. In the global economy, for example, corporations are successfully socializing the costs of their production. In addition, corporations have successfully reduced their share of the revenue contributed towards social responsibilities.[39]

An alternative view is to propose that both social and economic policy should be bound by the same principles. Both policy areas are responsible to meet the requirements of equity, fairness, stewardship and community. When society's ills are divided into a social deficit and an economic deficit, the responsibility of the economic sector is curtailed. Fiscal shortfalls are defined as an economic deficit. Unemployment, poverty, ill health are all part of the social deficit. But this way of dividing things lets the economy and economic players off the hook.

Economic policies which lead to greater unemployment, for example, are not just socially detrimental, they are *uneconomic*. If equity, fairness, stewardship and community should be part of a healthy economy, then unemployment violates the principles of a healthy economy. Unemployment should not be passed off as a social deficit. To the extent that unemployment is driven by economic policies, it is an economic deficit and the costs should be borne by businesses who pursue those economic policies. One way to reframe the debate is by holding the economic sector responsible for the consequences of actions taken by that sector.

Notes

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