



NEWS RELEASE

Any province—including Alberta—has ability to mandate constitutional negotiations on equalization, other issues

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For Immediate Release

CALGARY— Despite popular misconceptions, particularly in Central Canada, Alberta (or any province) can compel other provinces and the federal government to negotiate aspects of the Constitution including equalization—but they must do it the right way, finds a new essay released today by the Fraser Institute, an independent, non-partisan Canadian public policy think-tank.

“If Alberta charts the correct course, it can bring otherwise reluctant governments to the table to discuss fiscal federalism,” said Rainer Knopff, professor emeritus of political science at the University of Calgary, Fraser Institute senior fellow and author of the essay [*Refining Alberta’s Equalization Gambit*](#).

The Alberta government is considering a provincial referendum to support removing equalization from the constitution. According to a 1998 Supreme Court judgment (known as the *Secession Reference* in a case about Quebec separation), provincial referendums can trigger the “duty to negotiate”—but only when the question concerns secession.

However, Knopff’s essay demonstrates that the Court also provides an alternative trigger for this duty; one that applies to *any* amendment initiated in the manner prescribed by the Constitution Act, 1982—that is, by legislative “resolution.”

The essay argues that while Alberta can still hold a provincial referendum, it must be followed by a legislative resolution, which would trigger the duty to negotiate.

“If other modes of political negotiation do not suffice, there’s a clear path for Alberta to launch formal discussion about the state of federal-provincial transfers,” Knopff said.

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