

FINAL FINAL FINAL VERSION

**CLERK AS RÉVÉLATEUR:  
a panoramic view**

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“...he was born poor, died rich,  
 begat a new form of art  
 and hurt no one along the way”

Duke Ellington at Louis Armstrong’s funeral

## **Introduction**

The way a socio-economy governs itself is defined by a composite of private, public and civic mechanisms, practices, norms, organizations, institutions and regimes. This amalgam constitutes an ecology of governance – “many different systems and different kinds of systems interacting with one another, like the multiple organisms in an ecosystem” (Anderson 2001: 252; Hubbard & Paquet 2002). As Anderson suggests, such arrangements are not necessarily “neat, peaceful, stable or efficient...but in a continual process of learning and changing and responding to feedback”.

From the time it became a country in 1867, Canada has had a variety of ecologies of governance. The relative importance and the architecture of the public sector (the machinery of government, organization, processes, and personnel) have evolved both as a result of external and contextual circumstances, and of the transformation of the guiding values and norms in good currency at any particular time. The public sector (federal, provincial, local) acquired an increasingly significant weight over this period. Some have argued that it was because the public sector could do most things better than other sectors (Hardin 1974). In the recent past, this sort of assumption about the superiority of the public sector has been questioned, but it remains a significant factor in the governing of the country.

The last three decades have brought new and even more daunting challenges for the public sector: the need to accommodate deep diversity, globalization, and the citizens’ rising desires to be ‘kept in the loop’ have increased the pressure to adjust both more substantially and more rapidly (Hubbard & Paquet 2005). This has led to public sector reforms throughout the world.

The Clerk of the Privy Council (the Clerk), who is also the Secretary to Cabinet and head of the (federal) public service in Canada, is a central figure in the federal government-cum-state governance apparatus. The incumbent sits at the heart of “federal government” and holds many of the key levers that can redefine the “shape” of the public sector.

The current duties of the Clerk are wide ranging and are described as follows: “... the senior civil servant in the government and the Secretary to the Canadian Cabinet. The Clerk of the Privy Council acts as the Prime Minister of Canada’s Deputy Minister and provides impartial advice to the Prime Minister and is in charge of the Privy Council Office. As Secretary to the Cabinet, ...(he/she)... provides impartial advice to the Ministry and oversees the advice and policy support given to Cabinet and its committees.

As Head of the public service, the Clerk is responsible for other deputy ministers and the provision of non-partisan, expert advice to the government as a whole.” (Wikipedia 2005). The Clerk also has responsibilities for providing advice to the prime minister on the senior appointments that fall under the latter’s purview, and on the organizational arrangement and design of government.

In a Westminster-type system, the prime minister, as leader of the political party that forms the government (the executive), is quite powerful. The executive formally ‘governs’ with the consent of Parliament, and many key positions (including those of deputy ministers and many heads of crown corporations) are filled *de facto* by the prime minister. The power carried by the position is especially great if the distribution of seats in Parliament is based on a ‘first past the post’ system of election (as is the case in Canada). Such a system tends to produce a majority for one political party in the legislature. In such situations, the Clerk also can carry enormous power and influence within the formal machinations of government.

Following the evolution of the role of Clerk through history can provide interesting insights into the ways in which Canada has coped with the challenges of change. The Clerk is obviously neither the sole site of power, nor necessarily the most important in a federal system that leaves much of the public sector under provincial and local dominium, but the incumbent has a privileged vantage point.

He/she can observe the interactions among the different forces at play (private, public and social; federal, provincial, local), as well as the strains that they impose on the existing governing architecture, and the incumbent has a vast array of direct and indirect levers with which to influence the strategies that have been designed by all these actors to cope with these strains.

These levers are dependent – for their weight, usefulness, and scope - upon the goals and nature of the prime minister the Clerk serves, as well as upon his/her own. Like a seismograph, the Clerk registers much of what happens in the environment, and perceives and acts on, both challenges and opportunities with varying degrees of effectiveness.

Our strategy is to look at the *Clerk as révélateur*.

This chapter provides a panoramic view of the evolution of the Clerk’s role at the federal level in Canada since Confederation. The first section sketches some key aspects of the evolving context; section two identifies the different Clerks and Prime Ministers who worked in tandem and highlights some markers for the different periods. In the third section, we put forward hypotheses about the contextual forces at work, and the demands that they impose on societal governance, and suggest ways in which these forces have shaped the evolution of the core role of the Clerk. A fourth section provides a ‘windshield survey’ of the different periods in support of the plausibility of our hypotheses. Finally, we speculate on the future of Clerk’s function, and the governance it underpins.

## 1. An evolving context

Before exploring the evolution of the role of the Clerk, it is crucial to identify a number of interdependent sets of forces that have shaped the social architecture of governance in Canada over the last century or more.

First, external forces have rocked the country: two world wars, the depression of the 30s, the internationalization of production, decolonisation, etc. These have commanded a number of important transformations in the governance system. Moreover, the frames of reference have evolved and gradually transformed Canada's very notion of its capacity to govern itself. The emergence of Keynesian economics turned economic thinking on its head with the notion that government could and should manage 'aggregate demand'. This has underpinned the rise of the welfare state in the developed world. Later, as governance failures came to be ascribed to the failures of the public sector, 'New Public Management' swept the Western world, and modified the very notion of the public sector.



Second, the various shocks that hit the Canadian socio-economy revealed that the federal arrangements hammered out in the 19<sup>th</sup> century were not satisfactory for coping with 20<sup>th</sup> century crises. A long series of commissions – from the one on the relationship between capital and labour in the 19<sup>th</sup> century, to the Rowell-Sirois Commission established in 1937, to a variety of task forces and working groups – have suggested ways to respond to the need to take better account of all sorts of imbalances and dysfunctions.

Third, the role of the state itself has changed as a consequence of these developments: from being an important player operating in a relatively narrow range of the governance terrain to one that occupied center stage in the 1950s and 60s. It has actively (and some would say intrusively) set up programs to give expression to the welfare state, and has presumed itself to be the premier spokesperson and guardian of the public interest.

More recently, concerns about government overload, legitimacy deficit, and social limits to growth imposed by the welfare state have given rise to experimentation with new ways of governing strategically (Paquet 1996-7). After almost a century of expansion of the idea of the centrality of the state, there has recently been a reversal of the trend: one can observe an underlying drift from big (G) Government to small (g) governance. Table 1 illustrates some important characteristics of this drift (Hubbard & Paquet 2006a).

The old assumption that the public sector could always outperform the private sector has been challenged. In lieu of a top-down state-engineered soft egalitarianism, based on rights and predicated on centralization (i.e., in order to redistribute resources, they must first be brought to the centre), a new bottom-up governance framework has emerged, in response to weakening east-west economic ties and rising deep diversity among segments of the country. This new framework of governance has been woven around the notion of needs and the principle of subsidiarity (Paquet 1999a).

**Table 1 -- The drift from G to g**

		DRIFT 	
		<b>G</b>	<b>g</b>
Key Characteristics 		Public sector $\geq$ (better than) private	Private sector $\geq$ (better than) public
		Redistribution on the basis of rights	Redistribution on the basis of needs
		Soft egalitarianism	Subsidiarity
		Centralization	Decentralization

These strands of experience suggest a provisional partitioning of the Canadian experience into four distinct periods.

To use a very crude architectural metaphor, one might say that the first period (1867 – 1940) can be seen as one of basic construction of the federated house; the second (1940 – 75) as one of dramatic expansion of the house with key rooms being completed; the third (1975 – 1994) as one during which the house becomes more and more ill-suited to the family needs; and the more recent fourth period as one in which the federal house is gradually restructured into condos, but *dans le désordre*. The combination of these four periods, and some examples of key events in each one, are set out in Table 2 as background for our discussion.

Table 2 – Three interdependent threads – some examples

Period	External forces	Strains on the federation	Role of the State
<b>I (1867 – 1940)</b> <b>G</b> <b>Building the house</b>	<ul style="list-style-type: none"> <li>◆ Gaining the authority to govern itself: WW I, Charnak (1922), Imperial Conference (1923),</li> <li>◆ Westminster Act (1931)</li> <li>◆ social programs sweep Europe</li> <li>◆ Keynesian economics (1936)</li> </ul>	<ul style="list-style-type: none"> <li>◆ early wounds: Manitoba schools (1880), Riel Rebellion (1885), conscription (1917), residential schools</li> <li>◆ Rowell-Sirois Commission on fiscal imbalance begins work (1937)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Activist government: last half of the 19<sup>th</sup> century – twenties, infrastructure (railways, harbours, navigations) and tariffs</li> <li>◆ Maritime subsidies and special freight rates (1926)</li> </ul>
<b>II (1940 – 1975)</b> <b>Expanding the house and finishing key rooms</b>	<ul style="list-style-type: none"> <li>◆ WW II</li> <li>◆ Canadian Supreme Court final arbiter (1949)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Rowell-Sirois rejected (1940) except for UI</li> <li>◆ Tax powers borrowed WW II, took decades to return</li> <li>◆ conscription (1944)</li> <li>◆ Status Indians get the right to vote (1960)</li> <li>◆ white paper on Status Indians rejected (1969)</li> <li>◆ Peter Lougheed, Alberta (1971)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Rise of welfare state: UI (1940), Family Allowances (1945), OAS/GIS (1951), modern equalization (1957), medicare (1966), CPP (1966), the DREE (196)</li> <li>◆ Rise of individual rights: Bill of Rights in federal jurisdiction (1960), OLA (1970).</li> </ul>
<b>III (1975 – 1994)</b> <b>House ill-suited to the family's needs</b>	<ul style="list-style-type: none"> <li>◆ Thatcher (1979 – 89)</li> <li>◆ Reagan (1981 – 89)</li> <li>◆ New Zealand reform (IMF driver)</li> <li>◆ UK - executive agencies</li> <li>◆ Australia – 5 yr terms for deputies</li> </ul>	<ul style="list-style-type: none"> <li>◆ Regional maturity: <ul style="list-style-type: none"> <li>- René Lévesque, Que (1976)</li> <li>- Frank McKenna, NB (1988)</li> <li>- Ralph Klein, Alberta (1992)</li> </ul> </li> <li>◆ Aboriginal aspirations acknowledged (1991)</li> <li>◆ Quebec opposes patriation (1982)</li> <li>◆ Quebec referenda: getting closer to 'yes'</li> <li>◆ Meech Lake (1987), Charlottetown (1992)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Belt tightening begins late 70's</li> <li>◆ NEP (1980)</li> <li>◆ Charter of Rights &amp; Freedoms (1982)</li> </ul>
<b>IV (1994 - )</b> <b>Condos?</b>	<ul style="list-style-type: none"> <li>◆ Blair – devolution</li> <li>◆ North American economic integration accelerates</li> </ul>	<ul style="list-style-type: none"> <li>◆ provinces/territories start saying no (Gun Registry (1995) and Kyoto (1998))</li> <li>◆ Nunavut (1999)</li> <li>◆ Council of Federation (2003)</li> <li>◆ BC Citizens' assembly on electoral reform (2003)</li> </ul>	<ul style="list-style-type: none"> <li>◆ Program Review (1994)</li> <li>◆ Deficit eliminated 1995-96, not to return</li> <li>◆ Big, centralized government with differences: <ul style="list-style-type: none"> <li>- innovative funding</li> <li>- restructuring, retooling, reframing</li> <li>- infrastructure</li> </ul> </li> <li>◆ Fiscal imbalance again (three levels)</li> <li>◆ Federal money flows to problems: health, cities, 'have not' provinces</li> </ul>

This commingling of forces has given rise to two ‘meta-phenomena’.

The first is the evolution of the relative importance of the federal government within the public sector apparatus in Canada. As major infrastructure projects proved essential, and world wars and economic crises unfolded after Confederation, the federal government had to shoulder an ever-greater portion of the state action. Indeed, by the end of the 1930s, a need was felt for fiscal transfers from the provinces to the federal government to enable it to do its job. The valence of the federal government within the public household sector in Canada grew steadily until the 1960s.

Since then, especially as social issues (such as health, education, and quality of life) have come to dominate the state agenda, provinces and local communities have faced increasing strains, and have demanded and received a growing portion of the fiscal pie. As provinces/territories have acquired new capacities, the relative importance of the federal portion of the public sector has declined. Recent discussions about the problems of fiscal imbalance call for yet more fiscal transfers from the federal to the provincial and local governments, so that they can perform their legitimate job adequately.

The second meta-phenomenon is the slow and silent revolution that has seen the executive branch acquire more and more real power and control over the public sector.

One might legitimately speak of a drift from a parliamentary democracy to a governmental democracy. This drift is not unique to Canada, but in this country, the executive branch has absorbed the power of the legislature to a greater extent than elsewhere: Parliament has become more and more a spectator to the government’s operations. Importantly as well, within the executive in Canada, power is increasingly seen as concentrated around the Prime Minister.

These two meta-phenomena have had a significant impact on the role of the Clerk. On the one hand, the slippage in the valence of the federal government has reduced the scope of the Clerk’s power, and it has transformed his/her role into one calling for a greater capacity to cooperate (a shift from power over to power with). On the other hand, the growing authority of the executive, and the centralization of power around the Prime Minister, have significantly increased the Clerk’s power and relative influence.

On balance, the potential for the Clerk’s influencing the federal public sector’s architecture and operations (and therefore the whole governance system) has probably grown. This does not mean, however, that the political masters of the day have allowed the Clerks to employ the full sweep of their potential powers, nor does it mean that their usable powers have been exploited as well as possible, or to the fullest extent that they might have been.

## 2. Le tableau d'honneur

In the period from 1867 to 2005, seventeen Clerks (sixteen men and one woman) have occupied the position of Clerk of the Canadian Privy Council, and have served governments led by twenty different prime ministers. To help keep the names, relationships and periodic challenges in mind, Table 3 (A-D) co-relates the Clerk-Prime Minister tandems for this long historical stretch partitioned into four periods with a sample of the challenges faced by the governance apparatus of Canada in each time frame.

The Clerk has been called upon to play quite different roles in each of these four eras.

We shall attempt, in the next two sections, to identify the dynamics underpinning this broad evolution, and to probe each of these periods provisionally to gain an appreciation of the *vraie nature* of each period, as well as the ways in which the Clerk can serve as a useful *révélateur* of the constellation of forces at work, of the *habitus* of the period, and of the propensity to deal with issues in a particular way.



Table 3A -- CANADIAN CLERKS THROUGHOUT HISTORY  
**Period I (1967 – 1940)**

Year	Clerk	Prime Minister	Key Events
1867 – 1872	W.H. Lee	J.A. Macdonald (C) (1867 – 1873)	British North America (BNA) Act. Power split: UK parliament, fed & prov governments
1872 - 1880	W.A. Himsworth*	A. Mackenzie (L) (1873 – 1878)	Activist state last half 19 <sup>th</sup> century, first two decades of 20 <sup>th</sup> . Federal focus infrastructure (railways, harbours, navigation) and tariffs.
		J.A. Macdonald (C) (1878 –1891)	
1880 - 1882	J. O. Côté		
1882 - 1907	J.J. McGee	Abbott (C) (1891 – 1892)	
		Thompson (C) (1892 – 1894)	
		Bowell (C) (1894 – 1896)	
		Tupper (C) (May – Jul 1896)	
		Laurier (L) (1896 – 1911)	External affairs established (1909)
1907 - 23	R. Boudreau	R. L. Borden (C,U) (1911 – 1920)	WW1 (1914 – 18). Canada full partner at Paris peace conference.
			Conservative-Liberal coalition (begins 1917)
			Civil service reform (1918,19) modern Civil Service Commission (PSC) begins
		Meighan (U) (1920-1921)	Coalition formally ends
		King (L) (1921 – 1926)	Charnak crisis (1922)
			First crown corporation: CNR (1922)
			Imperial War Conference (1923). Another step to independence.
1923 - 40	E.J. Lemaire		King/Byng affair (1926)
		Meighan (C) (Jun – Sep 1926)	Brief minority government
		King (L) (1926 – 1930)	Great Depression (1929 – 1939)
		Bennet (C) (1930-1935)	Westminster Act (1931) cuts apron strings
			Bank of Canada & public broadcasting (1935)
		King (L) (1935 – 1948)	Rowell Sirois established 1937
			WW II (1939-1945)

\* Note: The PCO website incorrectly spells his name “Hinsworth”

**TABLE 3B – CANADIAN CLERKS THROUGH HISTORY**  
**Period II (1940 – 1975)**

Year	Clerk	Prime Minister	Key events
1940 – 49	A. D. P. Heeney	King continues	Provinces relinquish tax room for WWII Rowell-Sirois reports 1940 (Que, Ont & Alberta boycott it) Rise of the welfare state: UI (1940), Family allowances begin (1944)
		St Laurent (L) (1948 - 1957)	
1949 - 52	N. A. Robertson		Supreme Court becomes final arbiter (1949) OAS / GIS begins (1951)
1952 - 53	J. W. Pickersgill		
1954 - 63	R.B. Bryce		Modern equalization program begins (1957)
		Diefenbaker (PC) (1957 – 1963)	Height of Cold War, Cuban Missile crisis Glassco (1962) ‘let managers manage’
1963 - 75	R. G. Robertson	Pearson (L) (1963 – 1968)	CPP begins mid 60’s (QPP analogue) Medicare begins 60’s Constitutional reform efforts begin 60’s
		Trudeau (L) (1968 – 1975)	DREE established (1969) OLA (1970) Alberta starts asserting itself (Lougheed 1971)

**Table 3C -- CANADIAN CLERKS THROUGH HISTORY**  
**Period III (1975 – 1994)**

<b>Year</b>	<b>Clerk</b>	<b>Prime Minister</b>	<b>Key Events</b>
1975 - 79	P. M. Pitfield	Trudeau continues	PQ first elected in Quebec (1976)
1979 - 80	M. Massé	J. Clark (PC) (1979-1980)	Minority government
1980 - 82	P. M. Pitfield	Trudeau (L) (1980-1984)	NEP (1980) Quebec referendum defeated (1980) Constitution patriated effective 1982: last ribbons of empire, no Quebec support, Charter, symbolic recognition of aboriginals
1982 - 85	G.F. Osbaldeston	Turner (L) (Jun – Sep 1984)	Canada Health Act (1984)
1985 - 92	P. M. Tellier	Mulroney (PC) (1984 – 93)	FTA implemented (1989) Frank McKenna NB premier (88 – 98) PS 2000 TF's – 1989 Nielsen TF Meech Lake reform failed 1990 RCAP (1991)
1992 - 94	G.S. Shortliffe	Campbell (PC) (Jun – Nov 1993)	Quebec ref defeated (1992) (smaller percent) Ralph Klein (1992 – present)
		Chrétien (L) (1993 – 2003)	Charlottetown Accord defeated (1992) ▪ aboriginal as third order of government ▪ end of constitutional reform attempts Radical structural change, 32 departments to 23

**Table 3D -- CANADIAN CLERKS THROUGH HISTORY**  
**Period IV (1994 - 2005)**

Year	Clerk	Prime Minister	Key Events
1994 - 99	J. Bourgon	Chrétien continues	2 <sup>nd</sup> Quebec referendum defeated (1995) 50.4% to 49.6%
			response to RCAP (1996)
			Post Kyoto process approved (1997)
			Canada signs Kyoto (1998)
1999 - 02	M. Cappe		Program Review to eliminate deficit, renewal of policy capacity, La relève
			Alberta opposes fed/prov communiqué on climate change
			Nunavut established (1999)
2002 - 2006	A. Himelfarb	Martin (L) 2003 - 2006	Romanow & Kirby on health care (2001)
			BC Citizens' assembly electoral reform begins (2003)
		Harper (C) 2006 -	Council of the Federation (2003)
2006 -	K. Lynch	Harper (C) 2006 -	Sponsorship scandal, strengthening public management, democratic deficit, cities agenda
			Minority government took power Feb. 2006

### 3. Through an iconoscope...a guiding hypothesis

To explore the evolution that has taken place, we would like to use an instrumentation similar to a 19<sup>th</sup> century *iconoscope* – a crude optical instrument that accentuated differences the better to appreciate them. The design of our iconoscope is inspired by the work of Emery and Trist (1965), Metcalfe (1998) and 6 et al (2002), in the sense that it borrows some elements of their neo-institutional approach, and uses them to co-relate some of the central activities connected with the different governing and management functions of the Clerk with the texture of the environment.

a. Our basic hypothesis is that, as a society moves from a placid to a clustered- or disturbed- reactive, and then to a turbulent environment, the nature of its governance changes, and the role of the Clerk (with the predictable leads and lags) registers and reflects, with varying degrees of accuracy, both the extent to which the governing apparatus has evolved, and the extent to which it has kept up with the challenges to be met.

In a relatively placid environment, self-conservation and preservation prevail; when the environment is clustered, disturbed and reactive, governing entails some adjustments in the functioning of the organization; but when the environment becomes turbulent, double-looped social learning is necessary, and a morphological transformation in the

structure and purpose of the organization is required (Emery and Trist 1965; Paquet 2005a: ch. V).

In a relatively placid environment, with state power clearly allocated to multi-level governments that can operate in relatively airtight compartments, the Clerk can be a simple note taker and recorder of decisions taken by his/her federal political masters.

But as the environment becomes more complex, it requires different governance capabilities and interventions. To meet this need, the Clerk (and his/her entourage) become the co-leaders (with the prime minister of the day) of the architectural team, and is also a key member of the strategic team. While the compartments of different levels of government can still operate relatively effectively, some overhaul is essential.

In high-risk and more or less turbulent environments, combining uncertain threats with unimaginable ones (Dror 1999), major transformations are in order. The shift from G to g becomes necessary. But it is not always easy to effect: major forces of dynamic conservatism (by persons and groups who would be badly served by the changes) may effectively slow down the process of reform for quite a while.

As the degree of turbulence in the environment increases (Type 4, in the language of Emery and Trist 1965), operational, tactical, and strategic management reforms are no longer sufficient. What is required is the development of capacities for collaborative action in managing large scale re-organizations and structural changes at the macro level (Metcalf 1998). In such environments, the ground is in motion. The private, public and social sectors and the multiple levels of government acting independently not only cannot ensure effectiveness, but they may make things worse and amplify tendencies toward disintegration. What is required (in the language of Emery and Trist) is collective action by “dissimilar organizations whose fates are, basically, positively correlated”.

In a catastrophe theory-type graph, Metcalfe has synthesized the predicament that a shift to a truly turbulent environment raises for organizations, and he depicts the major aspects of the issue in three dimensions: the degree of complexity of the environment, the degree of sophistication of management/governance capacities, and the level of governance effectiveness (Figure 1).

He shows that, as complexity increases, management capacities must improve to avoid disintegration. If these capacities already exist, they must be brought into use (a-b); if they do not exist, they must be developed (e-b). If they do not exist and no development effort is made (e-f) – or if the capacity building is inadequate (e-c-d) – then disintegration ensues. A type 4 environment requires innovations that strengthen *collaborative* relationships (Metcalf 1998: 29-30).

This framework shows how the dual task of group mobilization and building capabilities are integrally related. The architectural team, and the strategic team charged to make use of the new structures, are profoundly different: different in make-up (broader), in leverage (more indirect), and in scope (wider). It is not so much a team as *an ecology of*

*teams* that gradually, circuitously, and by trial and error feel their way along (learning well or poorly along the way). The emphasis is on the need for creative politics, for innovative institutions, and for new modes of coordination (Paquet 2005b, Part II).

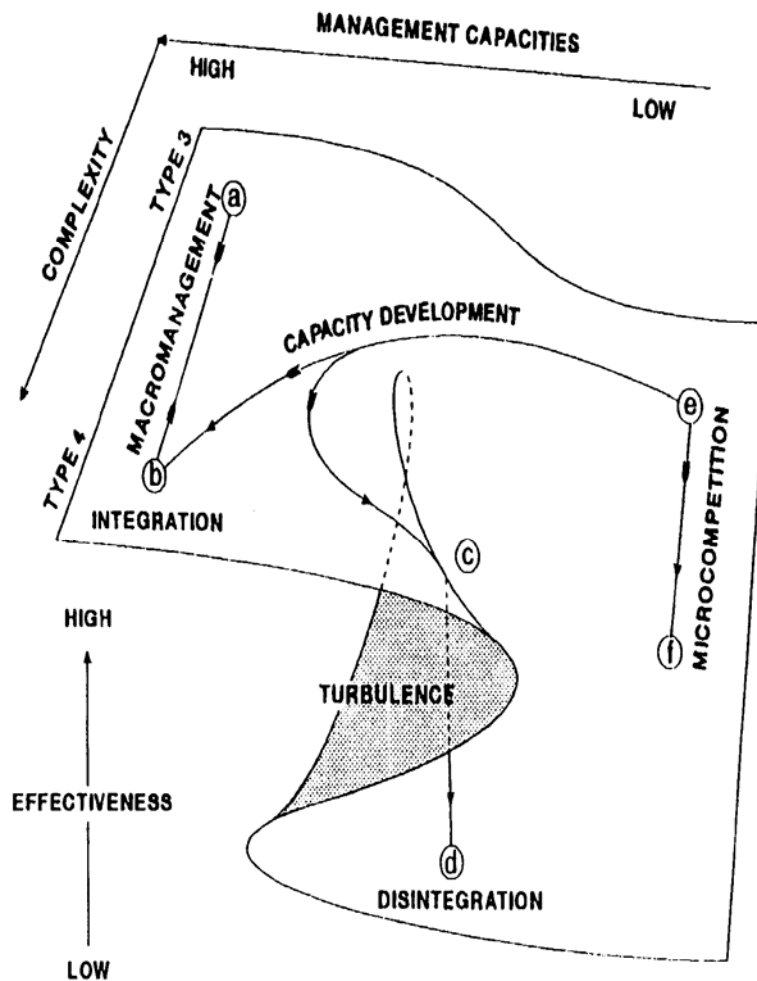


Figure 1

Les Metcalfe's catastrophe theory framework

Source: L. Metcalfe 1998 (p.28)

b. The Clerk, who stands at the interface between the environment and the political process, will “register” the tremors in the environment, and should/will be called upon to “respond” by playing a key role (directly or indirectly) in “shaping” the governance capabilities (and safeguarding the integrity of key state processes). It is possible that in disturbed environments the response may be made sharply and effectively, and that the appropriate stewardship may ensue. Turbulent environments, however, are a different matter.

Overall, we believe that it is possible to roughly characterize the pattern of evolution of the role of the Clerk in a two dimensional tableau, identifying the dominant challenges faced by the Clerk horizontally, and the dominant focus/foci of his/her activities vertically (Table 4)

**Table 4 -- The clerk as *r levateur* of the evolution of governance**

		ROLES OF CLERKS					
		Information	Coordination	Integration	Stewardship	Meddling	Management
<b>FUNCTION OF CLERK</b>	<b>Discontinuities</b>		Secretary to Cabinet (shaping cognition)	Inter-provincial coordinator (shaping institutions)	Social architect & engineer (shaping organizations)	Managing crises	Systems/ processes/ public service reform (shaping culture )
<b>G</b>							
<b>I Clerk as registrar</b>	Secretary to Cabinet →	CLERK AS REGISTRAR					
<b>II Clerk as partner</b>	Deputy To PM →		CLERK AS COORDINATOR	CLERK AS INTEGRATOR	CLERK AS STEWARD	CLERK AS CRISIS MANAGER	CLERK AS MANAGER
<b>III Clerk as mercenary</b>	Spin matters →						
<b>IV Clerk as fixer</b>							
<b>V Clerk as network</b>							
<b>g</b>							
		<b>NETWORKED</b> (provinces, territories, big cities)					

Note: Degree of emphasis in role increases with intensity of colour  little  some  heavy

On the horizontal axis, one may broadly identify the different forms of challenges – from concerns about information, to a need for coordination, to forms of integration and required stewardship (including safeguarding the integrity of processes, and guarding the political/policy boundary), to involvement in management on an ad hoc basis in times of crisis, to continuous monitoring and management.

On the vertical axis, there is a corresponding transformation in the role of the Clerk as registrar, partner, mercenary and fixer: from simple recorder of decisions and collective memory, to - with varying degrees of emphasis – the shaping of cognition as Secretary to Cabinet, an active intermediation role at the federal-provincial interface, shaping enabling institutions, acting as policy advisor and shaping policy directions, becoming involved in crisis management as the over-viewer of the management of the public household, and involvement in operations proper, and shaping the emotions and affects of the public service.

While confronting all these sorts of challenges may be fundamentally important in certain circumstances, the central mandate of the Clerk pertains to integration and stewardship. Our hypothesis suggests that, as the environment has evolved, the challenges have also evolved, but that the Clerk and entourage have not been able to play their part fully. There has been a slow slide into governance regimes that have not ensured a goodness of fit between the formal governing apparatus and the societal governance challenges.

The center of gravity of the role of the Clerk has drifted significantly from the role of registrar and recorder of information in Period I to the role of partner in shaping institutions and organizations in Period II. In Period III, the federal fortress came under attack. As a result, there was a blunter use of command and control, sometimes to no avail as circumstances meant that these instruments were not able to resolve much. This was also translated into even stronger links between the prime minister of the day and the Clerk, emphasizing the dimension of ‘personal deputy minister’, as opposed to the others.

The shift in focus during this period allowed the Clerk to indulge directly or indirectly in a mix of coordination and meddling: the coordination role revealed the new difficulty in orchestrating the collaboration among the different levels of government and among the private, public and social sectors, while the meddling in operations became more and more prevalent as the search for mechanisms likely to help in meeting these challenges seemed to lead more and more often to stalemates.

This drift in the center of gravity has been ascribable both to the failure to fully develop a sound diagnosis of the *malaises* generated by the new environment, and to the growing lack of capacity for a renewed macro-management/governance of issues. As a consequence, towards the end of that period, the federal government was led to piecemeal experimentation with management instruments at the micro level (such as alternate service delivery vehicles (ASD’s)).



The most recent period (IV) has been as chaotic as period III, but in a less obvious way. By Period IV, the shift from big G government to small g governance had become a fact of life. The role of the state in advanced democracies everywhere had begun slowly and painfully to move away from center stage, towards the smaller (but absolutely crucial) role of nurturing, supporting, enabling, catalyzing, and acting as societal failsafe.

But political leaders in Canada were in denial, both about the inevitable shift in the role of the state, and about the lessening of federal influence within the federation. Even had the Clerk understood what was happening, he/she would have been discouraged from speaking up (even privately), prevented from stimulating and encouraging the overhaul of governance of the country as much as was required, and forced into a good deal of social work as the public service and the provincial/territorial, and local governments were savaged in the name of deficit and debt reduction.

This in turn led, to the involvement of the Clerk in human resources management to a greater degree than heretofore, to helping to put out brush fires, and to a dominant concern with process over substance.

Indeed, to some extent in Period III, and most importantly in Period IV, the Clerk developed a bifocal approach to his/her burden of office: on the one hand, putting an emphasis on shaping cognition as Secretary to Cabinet and Deputy Minister for the Prime Minister, and, on the other hand, meddling in detailed files as crisis manager and person responsible for the public service. This has meant a relative retrenchment from the core function of integration and stewardship.

If this reasoning holds, the Clerk of the future may have to refocus his/her burden of office on the central functions of integration and stewardship, and to recognize that, in any event, such a burden of office can no longer be carried out in one place. The Clerk may have to move to a post-modern version of the network governance of Period II.

#### **4. A windshield survey**

A serious review of the last 140 years of Canada's life-world experience, through the lens of the Clerk, would require a book length exposé. A more detailed analysis will have to await a more extensive examination of the historical files.

What we can present in these few pages is a 'through the windshield' view of this experience that seems to support our hypotheses.

This brief summary is limited to highlighting some of the significant changes in the Clerk's role that appear to echo particularly important features in the evolution of the environment, and to providing a provisional assessment of the extent to which the adjustment has been inadequate and why.

a. The world of the Clerk

According to Gordon Robertson, who held the office from 1963 – 1975, a good clerk must have “... apart from a sound record and knowledge of the public service, ... good judgment, a temperament compatible with the prime minister’s, and complete reliability.” (Robertson 2001: 215). And to be successful, Robertson explains, it is necessary to have “... the sure confidence of ... the prime minister (and) of ministers and heads of departments.” (Robertson 2001: 305).

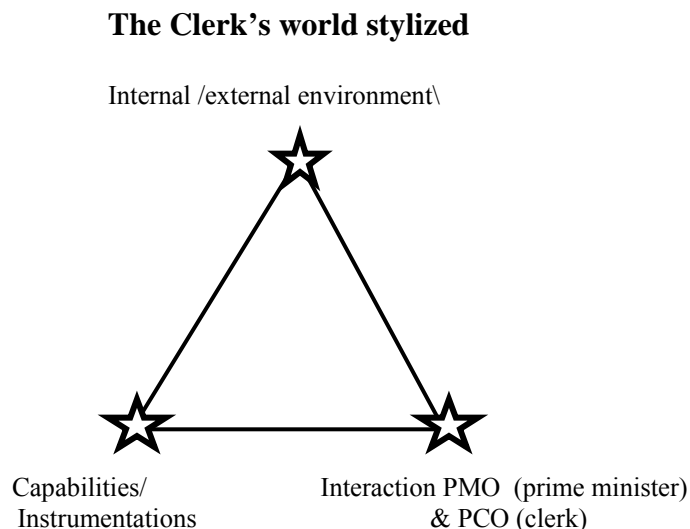
This point of view is unduly limiting. It speaks only about a portion of the Clerk’s world. It does not throw much light on the role of the clerk as *révélateur*.

Our view of the Clerk’s world is more complex. In our read of the evolution of the function, we take into account a fuller perspective that recognizes the centrality of the Clerk’s role as a mix of maven, connector, and salesman (Gladwell 2000), and as a person in need of a sextant that takes into account the three sets of constraints imposed by the environment, the governance capabilities, and the character of the Prime Minister.

To the extent that his/her knowledge base is incomplete and the learning stunted, to the extent that the community of practice of which he/she is a part is limited, and to the extent that the ability for contagion and charisma are inadequate, the Clerk is less than ideal: he/she will have a lesser grasp of the richness of the environment, will be less able to tap fully into a larger community of practice, and be less able to communicate effectively with all those who are meant to carry out the various stewardship functions, and to inspire them.

In a world of learning, connection and persuasion, the Clerk has to balance three sets of forces in defining viable strategies (Figure 2).

**Figure 2**



First, the environment (external forces, strains on the federation and the role of the state) imposes its diktats. The Clerk will have to be well informed about its changing parameters. Not all Clerks have been equally apt at this capacity for profound appreciation of context. Furthermore, as the complexity of the environment has grown, more and more sophistication has been required for there to be any reasonable degree of understanding.

Second, the capabilities and kinds of instrumentation that are available to cope with the environmental challenges have to be appreciated. At first, much of the apparatus (and the community of practice underpinning it) was informal, fluid, and highly personalized. But as the country matured, and the environment became more complex and more turbulent, there was a gradual crystallization of these capacities. They became instituted in organizations and institutions that gradually acquired a life of their own. Eventually, rigidity set in, and loyalty to the broader underlying purpose gave way to loyalty to the organization/institution itself. As a result, over time, change came to be experienced by the apparatus as an attack on its vested interests, and the Clerk had to gain an appreciation of the extent to which he/she might or might not be able or not to make use of it.

Third, the continuing tension between the prime minister of the day and the Clerk, between the politicians and the bureaucrats, is omnipresent. Depending on personalities and on the goodness of fit between their personal values and plans, the tension might be greater or lesser, but it is never absent. Over the last 140 years, the Prime Minister has not always been at one with the Clerk: in some cases, it led to the Clerk leaving the post entirely. Also, as the public sector expanded, additional sources of expertise arose within, and prospered outside government, so that politicians could and did benefit from advice from many sources other than the Clerk.

Thus, the Clerk requires a great deal of environmental intelligence, a mental agility that enables him/her to make the highest and best use of existing capabilities while being conscious of the pitfalls of principal-agent relationships, and a large reserve of wisdom to dovetail his/her work with the priorities, predilections, and style of the prime minister of the day.

When broad changes in any of these contexts are registered, the Clerk has to re-triangulate his/her own position, and redefine what is likely to succeed.

b. The first two periods

During the first period (1867 – 1940), internal and external pressures forced the Canadian state to adjust rapidly. Canada was continuously gaining authority and independence from Britain throughout this period, and building internal capacity (e.g., income tax on the occasion of the First World War, Civil Service Commission 1918-19). The federal government's intentions to be pro-active in the fight against poverty, social injustice, and inequalities, were on the agenda even by 1919. But it was mainly the need to react to the ravages of the Great Depression in the 1930s that triggered a new kind of activism.

In the pre-1940 era, the basic social architecture that had existed since before Confederation was periodically “tweaked” on an ad hoc basis.

The Clerk does not seem to have played any role of great significance – other than the traditional one of registrar that he had played since before Confederation. Politicians had their hands firmly on the rudder, and the degree of complexity neither was, nor appeared to be such that it required a particularly elaborate governance apparatus. Crises were handled by special committees of inquiry, and there were pieces of legislation in which the Clerk must have had a hand, but only to the extent of rigorous and careful processing.

There appears to have been little overwhelming accumulation of knowledge having an impact (except of a technical sort), nor of intermediation, nor any form of leadership in any of these files. Indeed, some holders of the office seem to have taken pride in their lack of interest in policy. In short, the Clerks were not called upon to be the mix of maven, connector, and salesman, or even helpmate to the Prime Minister of the day (except in a narrow sense) until the role of secretary to cabinet was added to their functions at the beginning of period II.

Faced with external and internal challenges towards the end of this period, Mackenzie King reached for a few people to help, calling on those persons (like the father of A.D. Heeney – the person who was to become the first Clerk who cumulated the role of Secretary to Cabinet – and O. D. Skelton) who had impressed him, and whose thinking he shared. This led over time, to the arrival on the scene of ‘social architects’ such as Skelton (Under-Secretary of State for External Affairs from 1925 - 1941), and then later Clifford Clark (Deputy Minister of Finance beginning in 1932), and Graham Towers (first governor of the Bank of Canada beginning in 1935). In this way, the seeds were planted (primarily by Skelton) for the development of the network of intelligent generalists who helped make Period II’s effectiveness possible.

The activism triggered by the Great Depression and the challenges created by World War Two, dramatically changed the terrain of operations. Momentous challenges like these could not be handled by *gifted amateurs*. And something needed to be done to address King’s notorious lack of organization in the face of the need to take decisions and execute them quickly. The dual mandate of Clerk and Secretary to Cabinet that King gave to Heeney in 1940 meant that the Clerk and a network of mandarins around him were able to significantly redesign the house between 1940 and 1975.

There were important weaknesses in capabilities and instrumentation. Heeney found cabinet operations inadequate when he arrived in 1940: “There was no agenda, no secretariat, no official present at meetings to record what went on, no minute of decisions taken, and no system to communicate the decisions to the departments responsible to implement them. ... It was obviously a system that could operate only where the pace of events was relatively slow and where matters requiring decision were not overly intricate or complex. Even so, it was a singularly inefficient and unfair way for a collective

executive to reach decisions for which all would share responsibility.” (Robertson 2001:76)

Granatstein describes Heeney’s contribution this way: “Almost single-handedly Heeney had carried the Canadian government into the modern era. ... In the process of doing this, ... (he) had converted the Privy Council Office from a minor functionary’s post into an executive secretaryship that handled the whole range of government business. He made the Clerk of the Privy Council and the Secretary to the Cabinet the invaluable servant of Prime Ministers, ministers, and the government, as well as an official with significant power in his own right. And Heeney established the non-partisan nature of the joint post, making its incumbent a civil servant like the others.” (Granatstein 1998: 207).

“In the East block itself, the mandarins created the mechanisms – notably in the Privy Council Office and the Prime Minister’s Office – through which the Prime Minister and Cabinet could shape, direct, and control the course of events in Canada to the extent they chose or were able. In the process they also created a central government structure and system in which great power flowed to them as well – a necessary, and probably not entirely unwelcome or unplanned, concomitant.” (Granatstein 1998: xxii).

Heeney had an enormous impact on both organization and policy, but other senior players (part of the network around him) were crucial as well: among them Lester Pearson, Jack Pickersgill, Norman Robertson, Clifford Clark, Gordon Towers, W. A. Mackintosh, and a bit later, Bob Bryce.

The dimension of guardian of the political/policy boundary in dealings with the government and the prime minister of the day, as well as modeller of classical ‘guardian’ values, were natural consequences. In effect, the public service as an institution (with the Clerk as its head) became a part of the checks and balances of the formal governance system<sup>1</sup>.

It was an era of collective leadership, based on friendship and trust by a group constituting an old boys’ network, which was well connected nationally and internationally. And they wielded enormous power. The network of partners is a mirror image of the clustered world of politics. And the very fact that one Clerk could become a minister of the Crown is a good indication of the closeness of the partnership, although at the same time they stood their ground as ‘keepers of the integrity of the system’. More importantly, this collection of people (along with some ministers) seems to have been imbued with a strong sense of the need to construct a propulsive state. In that sense, they reflected the Keynesian spirit of the times and the confidence that institutions could be built to manage the political economy.

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<sup>1</sup> For example on one occasion in period III the authors were told, the Secretary of the Treasury Board (and later, Clerk) intervened when political advisors wanted the President of the Treasury Board to issue a public report on expenditures in a way that downplayed or obscured ‘bad news’ and set things out in the most flattering light for the government. He advised the President that this overstepped the political/public interest boundary, would not be an acceptable action for the latter to take and could not be supported by the Secretary. The President agreed, and the credibility of the office was preserved.

It was only with Diefenbaker's arrival in 1957 that signs of diffraction began to appear. The then Clerk, Bob Bryce, earned Diefenbaker's trust, but was reportedly the 'universal joint' for virtually all of the other mandarins, who were never able to overcome the PM's mistrust (Granatstein 1998: 270 - 271).

Gordon Robertson, Bryce's successor, was the last clerk of this era. He was like the mandarins in terms of education (law at Oxford on a Rhodes scholarship), entry to the public service (External Affairs in 1941), entry to the 'corridors of power' as secretary to King in 1945 in the form of a public service secondment to the PMO (headed by Pickersgill), and later as advisor in the PCO to St. Laurent (Robertson 2001). He was also deeply aware of the guardian responsibilities of the role, as it had come to be defined.

But the times were different, and the period was drawing to a close.

The grand era of the mandarins, and of the *Clerk as network and partner* was coming an end. Robertson's contributions included adding more formality and structure to the functions of the PCO and the PMO.

The 1972 election - which Trudeau nearly lost – seems to have played a very important role in determining the shape of government at the very end of this period and the beginning of the next. The authors were told that when Gordon Robertson left the position in 1975, it was for two reasons: first, because Trudeau had lost interest in domestic politics (which is not inconsistent with what Bliss reports "... (the) crass, highly political, lavish, desperate side of Trudeau Liberalism emerged after (the nearly lost election of) 1972" (Bliss 2004: 260)), and secondly, because Robertson disagreed profoundly with Trudeau about Quebec. His departure heralded a shift in the mix of characteristics towards that of helpmate that has only deepened with time.

### c. The next two periods

The underlying drift from G to g was beginning to be fully felt during Period III. As early as the late 1960s and early 1970s, broad worldwide forces (inflationary pressures, the oil crisis) disrupted the environment, and revealed the inadequacy of both traditional understanding of the context, and of the capabilities and instrumentations to cope with these new challenges.

The mid-1970s was a time of major upheaval. The environment was growing turbulent.

International integration, urbanization on the national scene, and pro-active Keynesian policies had served Canada well until the 1950s. But by the 1960s, a Canada-made recession (à la Coyne) and world inflationary pressure, along with the demographic destabilization generated by the baby-boomers, the oil crisis, and an exuberant and dangerous monetary policy in the early 1970s, were ushering in a period of unravelling on many fronts.

Instability on the international front, a misguided pursuit of aggregate demand policies in the face of aggregate supply crises, a consequent decline of credibility in government and in the public service, led to much chaos at the center.

Period III was dominated by two strong and determined prime ministers, Trudeau and Mulroney.

Trudeau was in power until 1984 – with the brief interregnum of a minority Clark government in 1979, and another even briefer period when he handed the reins to Turner in 1984 – and he has been described as “(a) fighting intellectual, (and) a man with an extraordinarily clear vision of the structure of the Canada he wanted to mould ...” (Bliss 2004: 246). A man who told the Canadian Bar Association in 1967 that “...the power of both the federal and the provincial governments would be restrained in favour of the Canadian citizen ...” (quote in Bliss 2004: 253), and who would have Ottawa “... patriate Canada’s Constitution, with an amending formula and a Charter of Rights and Freedoms, whether the provinces liked it or not.” (Bliss 2004: 266).

He chose Pitfield as his Clerk, an appointment that has long been viewed as having significantly changed the role – shifting the balance towards a greater valence to the role of deputy minister to the prime minister. Indeed, “... Pitfield came to speak more (and more), whether to ministers or to departments, in the name of the prime minister.” (Robertson 2001:310).

Trudeau’s appointment of Pitfield was contentious among politicians (Robertson 2001: 309) and, the authors were told, many senior bureaucrats left as a result. The reality was that there was no longer a network of expertise in Ottawa working as a knowledge-accumulation machine. As a result, every segment of the house was building its own partial and feeble information base. This was the time when, in the face of impending economic disaster, an array of different economic forecasts, based on incomplete information was leading to actions that were both disconnected from one another and disconnected from the broad economic realities.

Not only was the diffracted knowledge not generating cumulative and effective learning, but in addition, despite its claim to be in charge, the center seemed to be becoming more and more disconnected from its environment. Disasters on the national and international front were papered over by a good deal of rhetoric, but the role of the Clerk was no longer one that included acting as connector as it had before. As for persuasion, it no longer seemed to be seen as necessary: the leader knew best.

At the same time, the expansion of the federal public sector, especially towards the end of the former period, had raised important management challenges. The 1976 Auditor General’s report advised that “parliament had lost control of the public purse’. There was a clear need to manage this sprawling ‘empire’ better. In its 1979 report, the Lambert Commission highlighted weak accountability and extolled meta management – eventually giving rise to the Program & Expenditure Management System (PEMS).

Numbers of experienced professional managers were brought into the public service to help the government to get a better grip on controlling and managing public expenditures.

Trudeau was a fan of these new managerial methods (Robertson 2001: 256), and Pitfield reached for the imposition of a rational system of setting objectives and making adjustments. He was responsible for introducing the heavy PEMS (envelope) system in 1977 during the brief minority government of Joe Clark, and then embellished it when Trudeau returned and reappointed him.

Pitfield's successor was Gordon Osbaldeston. He was the epitome of 'professional manager', and he tried more practical managerial improvements, including dismantling the worst excesses of the PEMS system, during John Turner's brief inter-regnum as Prime Minister. Unfortunately, his low key and somewhat laid-back temperament did not match that of Brian Mulroney, and he did not survive beyond the transition to the majority Progressive Conservative government led by Mulroney that arrived in 1984.

Mulroney's choice as his first clerk was Paul Tellier, a bright, quick, and experienced manager, whose effectiveness was ascribable to his singular understanding of people – rather than relying on the lens of ideas or systems. Like his predecessors, Tellier saw it as important for the Clerk to continue to safeguard key processes, but he also saw the importance of acting as backstop for the deputy minister cadre, so that he could (and did) delegate a good deal to them.

Tellier was not a person likely to wait for cumulative social knowledge to come forth, nor to scan the environment looking for ways to enhance and enable it. The co-leader role stayed submerged (not to reappear to this day). He valued networking, and thus adapted well to the style of the person for (or with) whom he worked. Yet his network was not as wide-ranging as it had been in Period II. It also tended to focus on internal issues.

By this time, as New Public Management swept over most advanced democracies, the political leadership in Canada (as well as citizens generally) were pushing for change in the 'culture' of the public service. Tellier and then Shortliffe tried to effect change by acting on the public service or through organizational reform.

Tellier's approach was to institute a series of deputy-led task forces (PS 2000), but he neglected to take into account the fiscal difficulties that would swamp other efforts – including a six year wage freeze - and he failed to understand the profound effect that the Al Mashaat affair of 1991, and other events would have in undermining the unwritten contract between the senior public service and both its political masters and the country. He also failed to realize to what extent the public service had become resistant to change.

Glen Shortliffe, who succeeded Tellier, kept the focus on internal state re-organization, and instigated the secret de Cotret Task Force. This initiative, with support from the 'machinery of government' portion of the PCO (possibly at the behest of Mulroney), was intent on accomplishing organizational change that would improve decision making through a 'quick and dirty' reform of the public sector.



The frame of mind in place during most of this period was a focus on internal re-organization of the state and attempts to impose a rational regime of control on the state as a way to cope with a new world where the state was no longer in charge. The relative failure of this period may be ascribed to a great extent to the role of Clerk having lost much of its capacity for social learning, its broad connections through sectors and social groups, and its interest in or sense of responsibility for persuasion (in the sense of the exhortation of elites including its political masters). The Clerk's function became more and more personalized and high profile. As a result, while not playing the role of maven, connector, and salesman well, the Clerk simply echoed the turbulence of the environment and became less of a steward.

Period III was an era in which the Clerk had ceased to be at the core of a brain trust advising the politicians: the Clerk was often charged with implementing ideologically-inspired and ill-informed policies, imbued by a state-centric view of the world and immune to social learning. The Clerk was no longer the architect and designer of Canadian governance: he was the engineer, charged with putting into place what the political masters wished to have in place.

By the end of this period and the beginning of the next, the breadth of what was expected of the Clerk was no longer "a part of the oral tradition of the senior public service". One might even say that the guidance to ministers and bureaucrats on fundamentals like accountability began to reflect an increasingly distorted version of some basic principles (Franks 2005).

Chrétien swept into office with a majority in 1993, having defeated Paul Martin for the leadership, and was re-elected twice. His first choice for Clerk was Jocelyne Bourgon. At the end of his 10-year tenure, he turned over the leadership of the Liberal Party to Paul Martin, in late 2003.

Period IV (and the Chrétien-Bourgon tandem) began with the mortgage of momentous public deficits at the federal level that could no longer be ignored. Expediency trumped rationality: Canada's Program Review in the mid-1990s was the occasion to devolve responsibilities both to non-state actors and to junior levels of government in the name of deficit fighting and fiscal expediency. It was done "dans le désordre", but it generated a large number of loose collaborative regimes where separate facilities and rigid organizational forms had previously prevailed (Paquet 2005a: ch. XV).

Bourgon was a superb personal deputy minister to the prime minister. Not one who had learned to be effective either by networking or delegating, she nevertheless acted decisively to institute the necessary repairs, and was remarkably successful on a number of internal fronts.

For example, she recognized the dramatic weakening of policy capacity, and worked on rebuilding it. She saw the need to recruit new talent at all levels to replace managers about to retire, and identified the deficit on the Values and Ethics front.

Nevertheless, her tenure was in strict continuity with the philosophy of carrying out only internal repairs and refurbishment as a response to the need for a transformation of governance more broadly. This internal focus, and the refusal or inability to recognize the mammoth changes in the environment, led to the Clerk's being confirmed as a fixer.

The growing turbulence of this period may have included accusations of waste, mismanagement, and corruption. But it also gave rise to significant instances of retooling (e.g., the Canadian Food inspection Agency in 1997), restructuring (e.g., airport devolution - framework in 1994), and reframing (e.g., Nunavut in 1999). (Paquet 1999b). Nevertheless, these initiatives did not seem to echo (except in an accidental way) the emergence of a new philosophy of governance.

Experts have observed that public sector reform should proceed in three stages: first, a systematic review of government programs to retain only those which are necessary and appropriate; second, an organizational review to determine how best to organize to get that work done; and finally, a service delivery review to determine the most efficient and effective ways to ensure delivery.

Unfortunately, the federal government carried out these stages in exactly the reverse order of what would appear to be called for. First, in 1989, came Tellier's PS2000 with its several deputy-led task forces to tackle key systems and 'service to the public'; then came Shortliffe's organizational reform, likely stemming from the de Cotret Task Force work of 1992-9; and finally came Program Review in Period IV, with the appointment of Bourgon.

Bourgon was replaced in 1999 by Mel Cappe, who limited his sights to one area of change for the public service – HR management – and gave the other deputies room to devise other improvements as they thought best. He succeeded, where many had hitherto failed before in changing the HR management system – although some would argue that the change does not go far enough (Hubbard 2003).

Alex Himelfarb replaced Cappe in 2002 and served for the remainder of this period as well as the transition that resulted from the winter 2006 election, which brought the Conservatives to power with a minority government. He seems to have performed as a kind of 'universal joint' role for handling crises à la Bryce, despite his ability to do more.

Whatever the pace and structure of the interventions by the Clerks of these two periods, they have all proved to be internally focused on overhauling the state, and may be said to have generally failed to meet the challenges of their maven, connector, and salesman function. As a result, the job of Clerk has lost its crucial place, and has failed to mount the sort of network of expertise that would help to shape the new Canadian governance.

During all these years, the PMO trumped the PCO, and the Clerk's role has been fundamentally eroded.

Yet, there was a significant discontinuity between Period III and IV. In Period III, there was a denial on the part of both politicians and bureaucrats that a new world was emerging, and much of the bafflement and frustration came from futile internal efforts to cope in a Quixotic way with forces denied. In Period IV, the Clerks have been conscious of their elusive powers in this new environment, and conscious of the need to govern differently, but, given the fact that federal politicians were still in denial about the need to do so, they have had to be satisfied with coping – with the hope that they might do some good by *bricolage* here and there.

d. The dawn of Period V

It should be clear to the reader that this section is, of necessity, speculative. While the revealed performance of the Clerks has shown that there has been considerable erosion of their functions in the recent past, only time will tell if the role of the clerk is going to be refurbished or allowed to fade into marginal significance.

The Himmelfarb years were not only a rather tragically-gripping illustration of the centrality of the Clerk's role, but also of the fragility of the function in the absence of strong political leadership. He was appointed at the end of a Chrétien era explicitly to breathe a new policy soul into a tired government. But political infighting, national fractiousness, and a blind commitment to a centralized mindset crippled the Prime Minister. Survival became the dominant underlying theme of the latter days of the Liberal Chrétien government, and the Clerk, despite a strong interest in policy development and great skill at mediation, was reduced to the role of fixer and *bricoleur*.

One has a sense that broad consequential decisions were arrived at (like the decision to volunteer troops to the Afghanistan operations in order to avoid joining the US in Iraq – thereby placating opposition at home and minimizing tension with our largest trade partner) in the name of simple short term political expediency and without serious analysis, possibly without any input from the Clerk and his apparatchiks.

The Martin reign – during which Himmelfarb remained as clerk - was even more disastrous. It was marred by both the fall out of the sponsorship affair and the continuing bloody aftermath of the Chrétien-Martin leadership campaign a decade earlier, as well as policy decisions and indecisions that appeared to become more whimsical and even thoughtless: expediency seems to have given way to improvisation. The Clerk was undoubtedly side swiped by PMO staffers, and the governance of the country appears to have been all but abandoned to an automatic pilot nested in the PMO. The role of the Clerk was eroded dramatically, and its central information and coordination functions disconnected from basic decision-making. One can only imagine the frustration of a Clerk who was fundamentally interested in policy development in the face of such seeming marginalization.

The election of the Harper government in early 2006 and the nomination of Kevin Lynch as Clerk, even in the a very few months since it has taken power, appears to signal a sea

change: the difficult transition phase of Period IV may be over, and a new type of governing arrangement may be in the making.

Indeed, in a world in which long term fiscal imbalance within the federation looms large, the health care system needs a massive overhaul, and a new decentralization agenda points to a new form of governance for the federation, if anything, the role of the Clerk at the interfaces of politics, parliament and the bureaucracy is becoming even more crucial. One can anticipate that these challenges, which call for a transformation of the very architecture and the rules of the game of the federation, are of necessity going to refurbish the role of the Clerk.

Unlike in Period IV, federal politicians are no longer in denial about the need to govern differently. The Harper government's first Throne Speech sets out a commitment "to building a better federation in which governments come together ... (to) respond to concerns about the fiscal imbalance ... (and to) an open federalism" (Throne Speech 2006: 4). And the choice of Kevin Lynch – with his reputation of a strong intellect, a capacity to listen well, and a focus on ingenious and effective execution – can only help, if Lynch can successfully manage the transition to the more complex and diffuse terrain of 'whole of government'.

Indeed, notwithstanding the slim minority position of the government, the conjunction of a policy-driven Prime Minister with a Clerk who is also policy-driven would appear to provide an ideal moment to bring back the sort of joint venture that Canada lived through in the post-1940 years of period II - of Clerk as partner - that could again provide Canada with the momentum to redesign the house to meet the emerging challenges of the day.

What made Period II a success was an alignment of ideas and values combined with a capacity for grand design, and the necessary execution skills. If the current opportunity is to be used well, the Harper government must embody the best of that period. But it must do it in a different way in a more difficult environment. It must find new and creative ways to harness the energies of many more players (across levels of government and sectors) using an alignment of ideas and values that resonates with most Canadians. It must execute well despite much greater complexity and diffusion of responsibility than ever before. And it must employ a new kind of leadership – one that is mostly based on meaning making rather than trying to control from the front.

Like Period II, this one is fraught with internal and external challenges. In today's world these include managing key relationships effectively, tackling the aspirations of a variety of groups constructively, and developing major policy approaches that balance (and are seen to balance) what is technically feasible with what is socially acceptable, what is not too politically de-stabilizing, and what is implementable (Taylor 1997).

In facing these challenges, they face two big pitfalls.

The first is centered on the Harper-Lynch duo itself, which does not have the benefit of a long-standing relationship between the two, and may not yet have the confidence of an

alignment of ideas and values (or at least of behaviours and commitment) that provides the necessary foundation of trust. Trust can be built, but it takes time. Beyond that, it must radiate out from the duo itself to reach the innermost circle of political and professional advisors and beyond - overcoming a good deal of the natural mistrust and suspicion that comes with not holding power for more than two decades.

The second is the possibility that the duo may not recognize that, even more than the clerks of the 1940's & 50's, reconstruction work can only be accomplished through team effort and collaboration. Indeed, the Trudeau-Pitfield tandem failed a quarter of a century ago largely because they attempted to do the work alone. So the central challenge for the Harper-Lynch team will be to escape from the mindset that doomed the Trudeau-Pitfield pair.

'The Clerk as network' is a metaphor to capture the fact that the Clerk cannot hope to carry the burden of the office without a dedicated cadre of collaborators if the multiple jobs of integrator, steward, social architect and grand coordinator in the new world of governance (small g) is to be accomplished – the search for effective coordination when power, resources and information are widely distributed. We are no longer living in the state-centric world of Government (capital G) where the state can impose its dominium top down, by fiat (Hubbard and Paquet 2006a).

In this task, the Clerk will not only require momentous intellectual capabilities but will also require a great sensitivity to what is socially acceptable, along with superb mediation and negotiation skills to ensure that the requisite partners become creatively engaged in the implementation of chosen policies, and use much imagination to square the circle of the conflictive priorities of politicians, administrators, and managers.

It may well be that another moment of such alignment is in the making at the present time if both the corrosiveness of suspicion and mistrust and the Trudeau-Pitfield solipsistic trap can be avoided.

## **Conclusion**

It is difficult to do justice in a few pages to a phenomenon as complex as the evolution of the Clerk of Privy Council as an institution that has echoed the evolution of Canadian society, while helping to change it. Our purpose in this chapter has been to provide a broad overview of the phenomenon, and to suggest a broad hypothesis about both the evolution of Canada, and of the role of the Clerk.

The elusiveness of the Clerk's role and the fact that it is the locus of *no imperium* (absolute power) nor *potestas* (real power) but simply of *auctoritas* (authority but not power) makes it difficult to pin down. *Auctoritas* is based on an impersonal capacity to augment, safeguard, and add value to what exists that is embodied in the person charged with that role.

This elusiveness explains why each Clerk has had to re-invent the role in different contexts and circumstances, and why whatever has been invested in the role at a given time has not carried on to his or her successor. Auctoritas comes from the person: whatever emanates from such a person is less than an order but more than simple advice (Agamben 2003:130).

The evolution of the role of the Clerk, and the variety of forms taken by its auctoritas have revealed much about the times. The role reached a pinnacle in Period II, when a network of mandarins exercised it fully: the Great Depression, the Second World War and the great leap forward of the postwar era made it possible for such authority to be very effective.

With the decline of the power of the state (and of the federal government within it), and the emergence of a polycentric governance, such auctoritas has proved more difficult to exercise. The role of integrator and steward has been first diffracted, and then largely submerged. The elusive authority of the Clerk has ceased to have a determinant impact, and has come to be overshadowed by the role of helpmate to the party in power.

It may well be that the only way to give the Clerk more robust roots in the new context is through the recognition that the law of requisite variety has wide applicability. As Ashby's law put it, the variety in the control system must be equal to or larger than the variety of the perturbations in order to achieve control (Ashby 1956). So, in a tumultuous world marred by diffraction, it may well be that any form of auctoritas designed to augment, safeguard, and add value will require governance (effective coordination when power, resources and information are widely distributed) by network.

In that sense, the experience of network governance in Period II may deserve some in-depth examination and suggest some directions for the future. But it should also be clear that the new network governance will bring together a new array of actors that transcends the confines of the federal-level state-centric apparatus.

Whether the arrival on the scene of a new Prime Minister and a new Clerk will trigger a move toward a "Clerk as network auctoritas", and lead to a transformation of the institutional and organizational architecture of Canada – a real perestroika (Paquet 2005c) – remains to be seen.

**RH/GP**

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