

J. R. Mallory*

Restructuring the Government of Ontario: a comment

The measures which Mr Fleck¹ describes for improving the working of cabinet government in Ontario are not new: they reflect the pattern of structural change which can be observed in most systems of cabinet government in the past half-century. If that is so then one should share Mr Fleck's optimism. My doubts arise chiefly because it appears that the Cronyn Committee missed an important nuance which may gravely weaken the central role which must be played in the cabinet system by the new provincial secretaries for policy development.

The most visible evidence of their misjudgment may turn out to be the title chosen, unless the intention is to give to the new provincial secretaries an elevated role by stealth. The office of provincial secretary is an old and honourable one, but nowadays history and tradition seem to have little persuasive force. When a parliamentary secretary in Ottawa can complain that his title is practically a derogatory one, since the public does not think of secretaries as important persons, one wonders whether the image-conscious and ambitious politician will willingly risk holding an office whose title implies a humble and housekeeping role.

The first Canadian reference to this problem is sixty years old. Sir George Murray, in his report on the public service in Canada in 1912, said '... Nothing has impressed me so much in the course of my inquiry as the intolerable burden which the present system of transacting business imposes on ministers themselves. They both have too much to do and do too much.'² Senator McLennan, speaking in the senate on the report of a committee of that body on the machinery of government, said on March 21, 1919, 'The day for the Minister or for ordinary people is only twenty-four hours. Where in it is his time for deliberation?'³

Various expedients have been tried to improve the speed and quality of decision-making by cabinets since the first world war. In Britain repeated efforts have been made to reduce the size of the cabinet by including in it only those senior ministers responsible for over-all policy and reducing

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1 'Restructuring the Ontario Government,' *CANADIAN PUBLIC ADMINISTRATION*, XVI, no. 1 (spring 1973), pp. 55-68.

2 *CANADA, Sessional Papers*, no. 57A (1913), para. 5.

3 *CANADA, Senate Debates* (March 21, 1919).

certain departmental ministers to a more limited role outside the cabinet. But as this has happened the steady increase in the responsibilities of the state has forced the number of 'major' departments to creep upwards, thus raising the size of the cabinet again. A more successful device has been the growing use of cabinet committees for the purpose of pre-digesting policy so that the time of the full cabinet is not wasted by premature and fruitless discussion. This system itself is not without price. While it should enable governments to avoid spending all of their time on immediate problems at the expense of far-sighted and coherent policies, it can also lead to frustrating delays as the path from the beginning of a proposal to final confirmation becomes a lengthy obstacle course.

At the same time there has been a felt need for a functional division in ministerial roles, so that some ministers are mostly concerned with the administration of the departments, while other ministers will spend the majority of their time on 'policy.' Since this is an important aspect of the Cronyn Committee's recommendations, it is important to look at it more closely.

The proposal for 'policy ministers' was pounced on by the press, which promptly labelled them 'super-ministers,' and used the example of Churchill's last government to demonstrate that they were both constitutionally unsound and politically unworkable.

To argue, as Mr Fleck does, that this criticism is based on a misunderstanding, and that what has been established is not a system of 'super-ministers' but of 'coordinating ministers' does not dispose of the question. A careful reading of Herbert Morrison's analysis, upon which Mr Fleck relies, suggests that the Ontario authorities have failed to give due weight to an important point. The danger is not that they have created 'super-ministers,' but that the new provincial secretaries may become 'mini-ministers.'

There are certain difficulties which a coordinating minister without departmental responsibilities must overcome. The first is that his position may be progressively weakened by the fact that he is not directly in touch with the realities of actual policy implementation. He suffers, as Churchill once said, from a tendency to engage in 'exalted brooding over the work of others.' The second problem is that if he is to carry weight and do his job properly he must be a minister of considerable consequence.

How did the Cronyn Committee envisage the role of the new Provincial Secretaries? They will have 'additional ministerial time to develop, evaluate, and coordinate policy among the various ministries.' This is to be brought about by placing them at the heart of the cabinet committee system and giving them adequate support staffs of their own. They will also be in a position to devote considerably more time to achieving improvements in the linkages between government and citizens. They would have a greater

opportunity to expound proposed government policy ...' This may well be so if the Ontario government decides to go in for 'green paper debates,' though the success of this technique in improving communication with either parliament or the public at large is still open to some doubt. However, it will not be easy to persuade departmental ministers to give up the possibilities of self-advertisement which are provided by policy announcements.

The real test of the experiment will be in the calibre of the appointees to these new posts. If a prime minister finds that the big men in the party will still demand departmental posts (where one can not only do things but be seen to be doing them) he may be driven to appoint as provincial secretaries the lightweights in his cabinet. If that is the case, much will be lost. Coordination may be, as Herbert Morrison⁴ has put it, a kind of friendly persuasion but it has to be backed up by a great deal of moral authority. In situations of this kind authority is what counts, not power. A prestigious coordinating minister, supported by the most weighty and experienced civil servants that can be found, and enjoying ready and receptive access to the prime minister, can wield great power.

To illustrate the power of cabinet committee chairmen in the British system consider the evidence of Richard Crossman: '... Each Cabinet Committee is a microcosm of the Cabinet. May I remind you again that a Cabinet decision is formulated by the Prime Minister and follows his elucidation of the consensus which has been achieved. Now, what happens in the Cabinet also happens in each of the multifarious committees below Cabinet level. Each Chairman has the same responsibility of recording the conclusions and the decision; and the moment that any Cabinet Committee's decision is recorded, it has the same validity as a Cabinet decision - unless it has been challenged in committee and the issue accepted by the Prime Minister as one to be decided by Cabinet.'⁵

Thus great authority can rest in a coordinating minister who is chairman of a major cabinet committee. But that authority is effective only if it is based on the backing of the prime minister and the prestige recognized by colleagues who know that they bear equal collective responsibility.

There can be wide differences in administrative style. Herbert Morrison as Lord President of the Council wielded very great power as a coordinating minister in the Attlee government. It stemmed in part from the fact that he was supported by a small but powerful secretariat in the Lord President's Office, but also from his own position in the party and the cabinet. In the next government an equally powerful role was played by

4 HERBERT MORRISON, *Government and Parliament: A Survey from the Inside*, London, Oxford University Press, 1954, pp. 52-5.

5 RICHARD H. S. CROSSMAN, *The Myths of Cabinet Government*, Cambridge, Mass., Harvard University Press, 1972, p. 45.

the Marquess of Salisbury as Lord President. It mattered not that he disbanded the secretariat and, I understand, bemused his officials by writing important letters in longhand on Hatfield stationery. His authority rested on his assured position in the cabinet.

Consideration of delicacy appropriate to a civil servant have no doubt inhibited Mr Fleck from dealing directly in his paper with the 'environmental' factors which are necessary if coordinating ministers are to develop the role conceived for them by the Cronyn Committee. For this reason, judgment must be suspended on the efficacy of the proposal until it can be observed in operation for a time.