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The Governments and Societies of Canadian Federalism*

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If you marry the Spirit of your generation you will be a widow in the next.

— *Dean Inge*

The Canadian political system, now in its second century, can no longer be taken for granted. It is altogether possible, some would say probable, and some would say desirable, that major institutional change, not excluding the fragmentation of Canada, is on the immediate horizon. It is therefore an opportune time to reflect on the century-long interaction between government and society in Canada. I use the word “reflect” advisedly, for this is not the type of interaction about which hard statements can be confidently made.

The impact of society on government is a common theme in the study of democratic polities. Less common is an approach which stresses the impact of government on the functioning of society. I have chosen the latter for the guiding theme of my remarks, because I am convinced that our approach to the study of Canadian politics pays inadequate attention to the capacity of government to make society responsive to its demands.

With some exceptions, my remarks will be confined to senior governments operating in the institutional framework of federalism. Particular institutions, such as the electoral system, the Senate, and many others will be ignored or given only minor attention.

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Since the depression of the thirties, the analysis, criticism, and defence of federalism have been the major stock-in-trade of political scientists attempting overall perspectives on the Canadian political system. Rising and changing political expectations in Quebec, culminating in the victory of the *Parti québécois* in November 1976, have set us on the path towards yet another brooding inquiry into our federal condition. Unfortunately, our capacity to make wise choices for the future is seriously

* Presidential Address to the Canadian Political Science Association, Fredericton, June 1977.

curtailed by our limited understanding of the political system we are urged to leave behind. In the last half century students of Canadian federalism have been consistently taken aback by the unexpected transformation of the subject matter to which their expertise applied. There is no compelling reason to believe that our scholarly fate will be different.

We occasionally hear of tribes that consult the writings of their anthropologist when in doubt about the customs they should follow. This reuniting of social science description and actual behaviour is most gratifying to the tribal scholar who, understandably, may fail to see that this apparently positive feedback is independent of the correctness of his original analysis. The anthropologists of Canadian federalism have no such real or imaginary consolation for, whether or not political actors read what we write, we observe with chagrin that federal reality monotonously disconfirms our predictions. It is even so with the predictions of our present prime minister, a keen student of federalism, who has had the misfortune to become the chief of a tribe that consults the works of other anthropologists.

I do not expect the remainder of this paper to provide an analysis of Canadian federalism that will not be belied by the future; nor do I intend to join the army of constitution writers who will bedazzle or bedevil us in the next few years with the fertile products of their imagination. My task is simply to try and identify the major shortcoming in the approaches we employ in the analysis of federalism, and to propose an alternative perspective.

The reaction against traditional political science, with its alleged overemphasis on the formal, legal aspects of the polity at the expense of the social forces which worked it, was given striking emphasis for students of federalism in W. S. Livingston's famous assertion in 1956 that "Federalism is a function not of constitutions but of societies."¹ The dynamic of the system was to be sought not in government, or in features of the constitution, but in society. In the elaboration of this sociological perspective political systems are seen as superstructures devoid of autonomy, and lacking independent coercive and moulding power *vis-à-vis* their environment.

Two decades before the appearance of Livingston's seminal piece, the depression of the thirties produced a great outburst of federalist literature, or, more properly, anti-federalist literature, in English Canada, which presupposed "The Obsolescence of Federalism."² This literature viewed the central government as the fortunate and necessary beneficiary and provincial governments as the hapless victims of overwhelmingly powerful socioeconomic forces. In essence, it was argued that technological interdependence and the evolution of a national mar-

1 *Federalism and Constitutional Change* (Oxford: Clarendon Press, 1956), 4.

2 The title of a famous 1939 article by Harold J. Laski, reprinted in A. N. Christensen and E. M. Kirkpatrick (eds.), *The People, Politics, and the Politician* (New York: Holt, 1941).

Les gouvernements et les sociétés dans le fédéralisme canadien

Cet article expose un point de vue sur le fédéralisme canadien qui met l'accent sur l'impact des gouvernements provinciaux et fédéraux. Ces deux niveaux de gouvernement se sont créés de puissants soutiens pour leur propre survie en employant un Canadien sur neuf, en obtenant le support des partis et des groupes de pression et en structurant par leurs diverses politiques un réseau de relations avec les sociétés qu'ils dirigent.

Le système fédéral tel qu'il s'est développé depuis un siècle peut donc être mieux compris s'il est considéré comme un système de gouvernements. Chaque gouvernement a élaboré son propre modèle d'interdépendance avec sa société et chaque gouvernement cherche à garder le plus possible dans son orbite la société qu'il dirige. L'intégration qui en résulte allée à l'orientation planificatrice des gouvernements contemporains accroît la difficulté d'obtenir l'accord intergouvernemental nécessaire au fonctionnement harmonieux du système fédéral. Ceci a créé un système fédéral utilement décrit comme une version canadienne inefficace du système américain.

En conclusion, l'auteur suggère que l'étude de la vie politique canadienne a souffert d'un biais disciplinaire qui s'est traduit par un réductionnisme sociologique ; c'est-à-dire qu'on n'a pas accordé suffisamment d'attention à l'autonomie des gouvernements et à leur capacité de modeler la société.

ket made centralized leadership necessary for planning purposes, and destroyed the sociological basis for the vitality and meaningful survival of the provinces. Provincial governments, considered out of tune with fundamental requirements and urgent imperatives rooted in society and economy, apparently had no resources adequate to stay the execution decreed for them by scholars with the future in their bones.

The centralization predicted in the thirties seemed firmly and securely in place in the forties, and for much of the fifties. It was explained in 1957 by Professor J. A. Corry as a product of technological necessity. Corry, responding to prevailing interpretations of the nature and direction of socioeconomic change, produced a polished epitaph for any significant future role for provincial governments. The growth of "giant corporations, national trade associations, and national trade unions"³ created a nationalizing of sentiment among elites who backed the central government and thus contributed to the centralization of authority in Ottawa. The most a province could hope for, he asserted, "is freedom for minor adventure, for embroidering its own particular patterns in harmony with the national design, for playing variant melodies within the general theme. . . . [I]t is everywhere limited in the distance it can go by having become part of a larger, although not necessarily a better, scheme of things."⁴

3 "Constitutional Trends and Federalism," in A. R. M. Lower, *et al.*, *Evolving Canadian Federalism* (Durham, N.C.: Duke University Press, 1958), 97.

4 *Ibid.*, 108.

To the distress of a later generation of liberal-left critics of federalism, Corry's prediction of a nationalization of politics and the continuing centralization of authority in federal hands proved premature. For John Porter, writing in the mid-sixties, when the centralizing impulse born of depression, war, and post-war reconstruction had faded, the federal system was little more than a pious fraud devoid of real meaning for the citizenry, and sustained by academics with a vested interest in their esoteric knowledge of the system's functioning, and by political and bureaucratic elites happy to place federal roadblocks in the way of class politics. To Porter, reiterating an argument widely employed in the thirties, the "conditions of modern industrial society and international relations . . . [made] it . . . almost essential that the central government acquire power at the expense of the provincial . . . governments."⁵ Canada, however, was relatively exempt from this necessary and beneficial trend. The cause of this regrettable backwardness was located in the political system with its exaggerated obsession with national unity, and its bias in favour of provincial rights. Reduced to essentials, Porter's position was simply that the class cleavage, based on the economic system, was the true, natural, and dynamic cleavage, while regional cleavages stimulated and fostered by the political system were fundamentally artificial, meaningless, and accordingly undeserving of respect. A well-functioning, modern political system, in marked contrast to the existing federal system, would serve, above all else, as an instrumentality for the expression of creative politics founded on the class struggle of advanced industrial society, with regional considerations shunted to the sidelines. This may be called the sociologist's ideal political system, for it awards primacy to his subject matter.

The unavoidable briefness of my remarks obviously does not do justice to the complexity and diversity of the extensive literature on Canadian federalism, and inevitably oversimplifies the views of those few writers mentioned above. What I have tried to do is to highlight their relative failure to perceive the degree of autonomy possessed by governments and the ongoing capacity of the federal system to manufacture the conditions necessary for its continuing survival. Where such is partially noted, as it is by Porter, the admission is grudging and is accompanied by pejorative adjectives which cloud the analysis.

In a sense, Livingston's plea to search for the determinants of a changing federalism in society, not constitutions, was not needed in Canada. From the mid-thirties to the present we have not lacked sociological approaches to federalism. The weakness of our understanding lies elsewhere, in a failure to treat government with appropriate seriousness. The remainder of this paper is an attempt to redress the balance by arguing, contrary to Livingston, that federalism, at least in

5 *The Vertical Mosaic* (Toronto: University of Toronto Press, 1965), 380.

the Canadian case, is a function not of societies but of the constitution, and more importantly of the governments that work the constitution.⁶

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The great mystery for students of Canadian federalism has been the survival and growth of provincial governments, particularly those of English Canada. Sociologically-focussed inquiries, with Quebec as an implicit model, have looked for vital, inward-looking provincial societies on which governments could be based and, finding none, have been puzzled why these governmental superstructures, seemingly lacking a necessary foundation, have not faded away.

The sociological perspective pays inadequate attention to the possibility that the support for powerful, independent provincial governments is a product of the political system itself, that it is fostered and created by provincial government elites employing the policy-making apparatus of their jurisdictions, and that such support need not take the form of a distinct culture, society, or nation as these are conventionally understood. More specifically, the search for an underlying sociological base, whatever its nature and source, as the necessary sustenance for viable provincial political systems, deflects us from considering the prior question of how much support is necessary. Passivity, indifference, or the absence of strong opposition from their environment may be all that provincial governments need in order to thrive and grow. The significant question, after all, is the survival of provincial governments, not of provincial societies, and it is not self-evident that the existence and support of the latter is necessary to the functioning and aggrandisement of the former. Their sources of survival, renewal, and vitality may well lie within themselves and in their capacity to mould their environment in accordance with their own governmental purposes.

In the analysis of contemporary party systems much has been made of the extent to which today's parties represent the historic residue of the cleavages of yesteryear. In the Canadian case the freezing of party alternatives fades into insignificance compared with the freezing by the federal system of initially five and now eleven constitutionally distinct and separate governments. The enduring stability of these governments contrasts sharply with the fluctuating fortunes of all parties and the disappearance of many. Governments, as persisting constellations of interests, constitute the permanent elements of the Canadian polity which, thus far, have ridden out the storms of social, economic, and political change.

The decision to establish a federal system in 1867 was a first-order macro decision concerning the basic institutional features of the new

6 My intellectual debt to Professors E. R. Black, Richard Simeon, D. V. Smiley, and others will be readily evident in the following pages, and is gratefully acknowledged. The new text by T. A. Hockin, *Government in Canada* (Toronto: McGraw-Hill Ryerson, 1976), emphasizes "the dynamic of government in Canada" (xi), and thus overlaps considerably with the argument presented below.

polity. It created competitive political and bureaucratic elites at two levels of government endowed with an impressive array of jurisdictional, financial, administrative, and political resources to deploy in the pursuit of their objectives. The post-Confederation history of Canadian federalism is little more than the record of the efforts of governing elites to pyramid their resources, and of the uses to which they have put them. Possessed of tenacious instincts for their own preservation and growth, the governments of Canadian federalism have endowed the cleavages between provinces, and between provinces and nation which attended their birth, with an ever more comprehensive political meaning.

The crucial, minimum prerequisites for provincial survival and growth have been the preservation of jurisdictional competence, and of territorial integrity. In terms of the former, it is notable that explicit change in the constitutional responsibilities of the two levels of government has been minimal, in spite of strong centralizing pressure on occasion. The division of powers has been altered to federal advantage only three times, in each of which unanimous provincial consent was obtained, and in two of which provincial paramountcy was respected. Provincial pressure has ensured the *de facto* acceptance of the principle that the concurrence of all provincial governments is necessary for any amendment which would reduce their formal constitutional authority. Even in their periods of greatest weakness provincial governments steadfastly resisted and thwarted all efforts to accord explicit constitutional recognition to a more flexible amendment procedure dealing with the division of powers. By their self-interested obstinacy they preserved their basic bargaining power for the future, and formally protected the jurisdictional integrity essential for subsequent increases in their governmental potency. Although the proposed amendment procedures in the Victoria Charter of 1971 departed from the principle of provincial unanimity for formal changes in the distribution of legislative powers, the Charter was rejected by the Bourassa government of Quebec.⁷ The principle of unanimous provincial consent for constitutional amendments in this area thus remains as part of the operating constitution. The paucity of amendments dealing with the division of power, and the long-standing opposition of provincial governments to any formally agreed amendment procedures which might diminish their lawmaking authority without their express consent, strikingly reveal an entrenched governmental conservatism where the constitutional base of provincial governing capacity is concerned.

Equally indicative of provincial tenacity in self-preservation is the integrity of provincial boundaries. No province has given up territory to which it had clear and undisputed possession. Where territorial "loss" has occurred, as in the 1872 case of the San Juan boundary settlement by

7 D. V. Smiley, *Canada in Question: Federalism in the Seventies* (2nd ed.; Toronto: McGraw-Hill Ryerson, 1976), 10-11, and chap. 2.

the German Emperor which denied the claims of British Columbia, or in the case of Labrador decided by judicial determination in favour of Newfoundland in 1927, provincial frustrations have been pronounced, and in the latter case long-lived. Half a century later the claim of Quebec to Labrador remains a live issue to the Quebec government.⁸ Disputed cases, such as offshore mineral resources caught between the counterclaim of federal and provincial governments, illustrate the vigour with which provincial positions are defended, even in the face of adverse court decisions. Where the possibility of territorial expansion has existed, or still exists, with respect to contiguous territory outside provincial boundaries, the provinces have consistently manifested a revolution of rising expectations not yet dead. It has not only been the federal government assiduously extending the range of its jurisdiction from the limited Canada of 1867 to the ten-province Canada of 1949, and now extending its effective writ over Canada's Arctic frontiers, which displays a well-developed drive for territorial acquisition. The original boundaries of Quebec, Ontario, and Manitoba contained only a small portion of the land masses they now control. On occasion, inter-provincial controversy over disputed territory has even produced mini border conflicts, as in the case of Manitoba and Ontario in the thirty-year period preceding the final determination of their boundary in 1912.⁹

The three Maritime provinces, doomed by location to be deprived of attainable territorial ambitions, have been tenacious in not giving up the political control over defined territories they individually possess. They resisted amalgamation in the 1860's, and in spite of the urgings of the Deutsch Report, they resist it today. "By any administrative logic," stated *The Economist*, "the three provinces should be bundled into one. But nobody will be crazy enough to try."¹⁰ The hostile stance of Newfoundland to any possible reopening of the Labrador case by an independent Quebec further attests to the territorial conservatism of the provinces, tightly holding on to what they have won in the historical lottery of land acquisition. The provincial protection of, and search for *Lebensraum* is a relatively unexamined aspect of federal-provincial history deserving as much scholarly investigation as their better-known safeguarding of their formal jurisdictional authority.



8 See Luce Patenaude, *Le Labrador à l'heure de la contestation* (Montréal: Presses de l'Université de Montréal, 1972), and Jacques Brossard, et al., *Le Territoire Québécois* (Montréal: Presses de l'Université de Montréal, 1970), 17-19, for materials and analysis from a Quebec perspective on the Labrador dispute.

9 For an excellent technical description of boundary changes see Norman L. Nicholson, *The Boundaries of Canada, its Provinces and Territories*, Canada, Department of Mines and Technical Surveys, Geographical Branch, Memoir no. 2 (Ottawa, 1964).

10 February 12, 1972, cited in Edgar Gallant, "Maritime Cooperation and Integration—A Progress Report," in O. J. Firestone (ed.), *Regional Economic Development* (Ottawa, 1974), 167.

The protection of jurisdictional authority and the protection and expansion of provincial territory have been accompanied by an ever more vigorous employment of provincial legislative competence. Related to this as both cause and effect has been a concomitant increase in government personnel. A similar expansion of personnel, and a no less aggressive exploration of the limits of its constitutional responsibilities, have been displayed by the federal government.

It would be a serious mistake to view these governmental mountains as molehills. The several hundred political officeholders constitute only a trivial minority of those who wield government power, and/or derive their income directly from public positions. The growth of one federal and ten provincial governments has produced large and powerful complexes of institutions and personnel with their own professional and personal interests, and their own official purposes for the provincial and federal populations they govern. At the elementary level of numbers, the figures are staggeringly impressive. Total provincial government personnel, including provincial government enterprises, as of September 1976, reached 519,000,¹¹ while the federal government sustains a veritable army of various shades and categories of civil service and crown corporation personnel, totalling 557,000 persons, a figure which includes the armed forces.¹² Nearly one out of every nine members of the Canadian work force is employed by the two senior levels of government,¹³ while municipal government employs a further 256,000.¹⁴ They are not indifferent to the fate of the governments they serve.

The astute observation of Alexander Hamilton in *Federalist Paper No. 1*, two centuries ago, has not declined in relevance: "Among the most formidable of the obstacles which the new Constitution will have to encounter may readily be distinguished the obvious interest of a certain

11 This is the combined total of 349,063 wage-earners, full-time and other, excluding BC, but including Yukon and the North-West Territories, for general government services, Statistics Canada, *Provincial Government Employment October-December 1976* (Ottawa, 1977), 6; 136,463 salary-earners and wage-earners, full-time and other, for provincial government enterprises, *ibid.*, 28; and 33,197 employees of the BC government, excluding BC Ferries, *Public Service Commission Annual Report* (Victoria, 1977), 23, for a total of 518,723.

12 Statistics Canada, *Federal Government Employment July-September 1976* (Ottawa, 1977), 11.

13 Based on unadjusted employment figures of 9,688,000 for September 1976. *Canadian Statistical Review* (February 1977), 49.

14 Statistics Canada, *Local Government Employment July-September 1976* (Ottawa, 1977), 5. "If we add to the list of civil servants . . . [at all three levels] those employed in a vast array of nondepartmental agencies, boards, commissions, enterprises, and teachers and hospital employees, we would find that at least one in every five in the labour force in the country is on a public payroll." J. E. Hodgetts and O. P. Dwivedi, *Provincial Governments as Employers* (Montreal and London: McGill-Queen's University Press, 1974), 2.

class of men in every State to resist all changes which may hazard a diminution of the power, emolument, and consequence of the offices they hold under the State establishments."¹⁵ Another certain class of men has attached itself to the central government.

It makes little sense to think of these impressive concentrations of power and personnel as superstructures whose existence and purposes are largely derivative of the electorate, the class structure, the pressure group system, or whatever. Even if we ignore their functions, the more than one million Canadians who work for federal and provincial governments, and their dependents, constitute an immense component of Canadian society directly tied to government. When we do consider their functions of policy-making, service-provision, regulation, and protection, extending to the most specialized activities where government monopolizes the expertise in a given field, we are made aware that we live in a period of convulsive change in government-society relations. In the evolution of the division of labour between those who govern, and those who are governed, the energizing, proselytizing, and entrepreneurial role increasingly rests with those civil servants and politicians with the capacity to influence policy and its administration.

While the sheer fact of large numbers directly dependent on government should not be underestimated as a crucial, if elementary, factor in government survival, that contribution is multiplied by the ramifying effects of the institutional and organizational complexes in which these employees work and have their being. The ministries, departments, agencies, bureaus, and field offices to which they daily report constitute partially self-contained entities, valued for their own sake, and possessed of their own life and interests. Their minimum desire is for a steady level of activity. Typically, however, they seek to enlarge the scope of their functions. If the environment offers new opportunities for expansion in emergent problem areas they will compete with other bureaucracies for the prizes of status and growth offered by enhancement of their activity. If major challenges are made to their organizational identity, purpose, or cohesion they will fight back against unsympathetic political superiors and other menacing figures and forces in their environment.¹⁶ If their functions decline in social utility, or their expertise becomes obsolescent they will scan the horizon of alternative possibilities in an aggressive search for new justifications for continued existence.¹⁷ While they are subject to political control and direction they

15 Roy P. Fairfield (ed.), *The Federalist Papers* (2nd ed.; Garden City, N.Y.: Doubleday, 1966), 2.

16 For a relevant case study see A. Paul Pross, "Input versus Withinput: Pressure Group Demands and Administrative Survival," in A. Paul Pross (ed.), *Pressure Group Behaviour in Canadian Politics* (Toronto: McGraw-Hill Ryerson, 1975).

17 "A classic case [of the survival capacity of public organizations] is the Halifax Disaster Relief Commission, established to handle claims arising from the Halifax explosion of 1917. In late 1975, the federal government introduced a bill to repeal the

have impressive capacities to get their own way and to bend their political superiors to their will. Although their functions relate them to particular sectors of society, they are not puppets or simple reflections of the interests of the groups they control, regulate or service. "[B]oth the sector served and political leaders come to be forces in the environment which public servants must manage and manipulate so that they will demand or agree to expansion of the bureaucracy."¹⁸ Their basic strength resides in the expertise which makes them indispensable to their political superiors, and in the support of the external interests which have positively adapted to their policies. They represent a permanent, expansive aspect of government. They are the necessary instruments of an administered society which could not, without major disruption, survive their disappearance from the scene.

The presence in the Canadian federal system of eleven governments, each honeycombed with bureaucratic interests and desires of the nature just described, helps explain the expansion of each level of government, the frequent competition and duplication of activity between governments, and the growing impact of government on society. It is impossible to think clearly about Canadian federalism without devoting extensive attention to the one million Canadians parcelled out in eleven jurisdictions, and committed by loyalty, the terms of their employment, and self-interest to the particular government they serve.

These pyramids of bureaucratic power and ambition are capped by political authorities also possessed of protectionist and expansionist tendencies. The eleven governments of the federal system endow the incumbents of political office with the primary task of defending and advancing the basic interests of crucial sectors of the provincial or national economy and society. Each political office, particularly those of prime ministers and premiers, has a history which influences and constrains the succession of incumbents who briefly possess it. Thus, as André Bernard says: "No political leader in Quebec would ever dare voice a doubt about the sacrosanct objective of 'la survivance française en Amérique'. Survival of the French-Canadian people is an obligation, an article of faith. It has been so for 200 years. It is basic, fundamental."¹⁹ Since 1871 the political leaders of British Columbia

act respecting the Commission and to transfer authority for continuation of pensions and allowances to the Canadian Pension Commission. So long-lived was the commission that the bill winding it up had to make pension provisions for employees of the Commission itself." Donald Gow, "Rebuilding Canada's Bureaucracy," edited and revised by Edwin R. Black and Michael J. Prince (Kingston, 1976), 40. (Mimeographed.)

18 Ibid., 40.

19 André Bernard, "The Quebec Perspective on Canada: The Last Quarter Century —Language Strife," a paper prepared for the University of Saskatchewan Conference on Political Change in Canada, March 17, 1977, 1. This leadership role is a response to the social and political fact that "No power in the world can prevent

have consistently pressed economic claims on Ottawa demanding compensation for the chronically alleged financial maltreatment they have suffered from the federal government. The special needs and expenses associated with the harsh facts of geography and a primary resource based economy have been reiterated in countless briefs. Other provinces also have "fairly durable and persisting interests"²⁰ which reflect the relatively unchanging factors of society, economy, and basic position in the federal system. The claims derived from the preceding are nourished by the constantly refurbished memory of past grievances.

Provincial political elites not only seek to further the long-range interests of their society and economy, they also have "a vested interest in provincial status and power which the several provincial electorates perhaps do not share fully."²¹ Their policy determinations reflect a varying mix of goals for their provincial citizenry, and an institutional concern for the long-term survival of the political and bureaucratic power of government itself. On the other side of the bargaining table they encounter Ottawa, a larger version of their own expansionist tendencies, which, in the slightly jaundiced words of Claude Morin, "is quite simply loyal to a solidly-rooted historical tradition, the unmistakable outlines of which could already be discerned in John A. Macdonald's remarks at the time the federation was put together."²²

The inertia of the political and bureaucratic momentum of the governments they join inducts new recruits into prevailing definitions of the situation. This is instanced by the frequency with which staunch provincialists, from Joseph Howe onwards, become staunch federalists on entering the federal government. Thus, it is not surprising that the representatives of "French power" in Ottawa will seek solutions to French-English problems by policies which do not weaken the central government. They will try and make the federal government, and indeed the whole country a more congenial environment for francophones rather than opt for a solution which enhances the power of the government in Quebec City. It is also not surprising that such efforts are looked on with little favour by government elites in Quebec City. French Canadians in federal politics and in the federal civil service are conditioned to see the world through different eyes than their Quebec City counterparts.²³ What is attractive to the latter is often a direct threat to the political and bureaucratic needs of the former. Profound government-

francophone Quebecers from perceiving themselves as a society and as a nation, original and distinct from the Canadian whole." Léon Dion, *Québec: The Unfinished Revolution* (Montreal and London: McGill-Queen's University Press, 1976), 45.

20 Smiley, *Canada in Question*, 108.

21 Corry, "Constitutional Trends and Federalism," 101.

22 *Quebec versus Ottawa: The Struggle for Self-government 1960-1972* (Toronto: University of Toronto Press, 1976), 95.

23 *Ibid.*, chap. 13.

tal constraints minimize the possibility of ethnic solidarity across jurisdictional boundaries.

Federal and provincial governments are not neutral containers, or reflecting mirrors, but aggressive actors steadily extending their tentacles of control, regulation, and manipulation into society—playing, in Deutsch's terminology, a steering role—and thus fostering sets of integrated relationships between themselves and the various socioeconomic forces and interests in their jurisdictions. Governing elites view their task as the injection of provincial or federal meaning into society, giving it a degree of coherence and a pattern of interdependence more suited for government purposes than what would emerge from the unhindered working of social and market forces. Each government's policies pull the affected interests into relations of dependence and attachment to the power centre which manipulates their existence. Each government seeks policy coherence in order to minimize internal contradictions leading to the frustration of its own policies. The inadequacies of the theory and advice on which decision-makers rely produce major discrepancies between governmental ambition and actual achievement. The byzantine complexity of internal government structures, and the sluggishness of the diffuse bureaucratic instrumentalities on which policy-makers depend, create additional obstacles to the coherence in policy and society that each government seeks. Nevertheless, given these limitations each government transmits cues and pressures to the environment tending to group the interests manipulated by its policies into webs of interdependence springing from the particular version of socioeconomic integration it is pursuing. Provincial governments work toward the creation of limited versions of a politically-created provincial society and economy, and the national government works toward the creation of a country-wide society and economy.

Federal policies are responses to nation-wide considerations. From the perspective of Ottawa the provinces constitute concentrations of governmental power whose manipulation is difficult, but nevertheless must be attempted where necessary. In pursuing its mission as a national government from 1867 to the present, Ottawa has not hesitated to interfere with provincial policies by the disallowance of provincial legislation, and more recently by the adroit and extensive employment of the spending power. The mission of provincial political elites is necessarily more restricted, being territorially confined by provincial boundaries, often restrained by weaknesses of financial capacity, and, formerly, hampered by administrative shortcomings. Nevertheless, the British North America Act gives the provinces jurisdictional authority in functional areas of expanding significance, and, most important, gives them control of the natural resource base of their economy. While the jurisdiction of a province lacks the comprehensive coverage enjoyed by the government of a unitary state, it is a sufficiently impressive base of

governmental power to elicit visions of futures to be pursued. It cannot be doubted, to cite only the more obvious examples, that Lesage, Smallwood, Douglas, W. A. C. Bennett, and Manning had coherent sets of public purposes for the provincial societies they governed. From their perspective the federal government and its policies constituted environmental uncertainties which had to be managed, exploited, or reduced, and in some cases bitterly attacked in the defence of the provincial futures whose creation they envisaged.

As they pursue their specific goals federal and provincial elites unwittingly serve the profound trend towards the increasing politicization of society. What Léon Dion calls the "political invasion of our daily lives . . . a new phenomenon in history,"²⁴ has a particular significance for a federal polity. In almost every conceivable aspect of our existence, from the workaday world of our daily occupation, to the private intimate worlds of sex and love, our conduct is affected by the larger, pervasive world of federal and provincial competition and cooperation. We are light years away from the relatively apolitical, nongovernmentalized societies of 1867. No national society existed in 1867, and provincial societies were expected to be relatively free from extensive government controls by the newly-created provincial governments. A century later we have governmentalized societies, both federal and provincial, interwoven with each other in relations of competitive interdependence.

The institutionalization of government,²⁵ the construction of a sphere of political and bureaucratic existence differentiated from other spheres of collective life, automatically reduces the relative importance of nongovernment groups, interests and individuals in policy-making. There is impressive unanimity from students of Canadian government that members of the public are little more than spectators, mobilized by competing elites at three- to five-year intervals for electoral purposes, and then returned to their accustomed role as objects of government policy. "Canada," observes Richard Simeon, "combines the British tradition of a strong executive and centralized leadership with a *relative* freedom from mass pressure and popular constraint."²⁶ Even bitter and

24 *Québec: The Unfinished Revolution*, 86.

25 For an extremely helpful general discussion of institutionalization see Samuel P. Huntington, "Political Development and Political Decay," in Norman J. Vig and Rodney P. Stiefbold (eds.), *Politics in Advanced Nations* (Englewood Cliffs, N.J.: Prentice-Hall, 1974). "Institutionalization is the process by which organizations and procedures acquire value and stability. The level of institutionalization of any political system can be defined by the adaptability, complexity, autonomy, and coherence of its organizations and procedures" (115). In comparative terms, the Canadian political system is highly institutionalized.

26 Richard Simeon, "The 'Overload Thesis' and Canadian Government," *Canadian Public Policy* 2 (1976), 550, italics in original. Similar statements abound in the literature. "For today's citizens," states Dion, "as for their fathers, the State is still a distant 'they,' alien and almost inimical . . ." (*Québec: The Unfinished Revolution*, 87). Smiley speculates that "elites are somewhat unresponsive to popular attitudes

well-publicized intergovernmental conflict may take place in the face of almost complete public indifference or ignorance, as Claude Morin asserts was true of the recent Ottawa-Quebec hostilities over the latter's role at international conferences.²⁷

Paradoxically, the institutionalization process which acts as a barrier to public influence on decision-making is the instrumentality for political and bureaucratic elites to bring society under ever more comprehensive government control and guidance. If socialism is about equality, contemporary Canadian federalism is about governments, governments that are possessed of massive human and financial resources, that are driven by purposes fashioned by elites, and that accord high priority to their own long-term institutional self-interest. We should not be surprised, therefore, to be told that in the early years of the Lesage regime "most governmental activity . . . was initiated by the government itself . . . ,"²⁸ to be reminded of the various federal government programmes introduced by political and bureaucratic elites in the absence of strong demands,²⁹ and to read that the "demands on government have been in large part self-created."³⁰ It is abundantly clear that the massive impact of government on society at the output stage does not require a prior massive impact of society on government at the input stage.

By and large, the above analysis also applies to Quebec. The Quebec government, like the others, attempts to mould society in terms of its conception of a desirable future. Here too bureaucrats and politicians have the same disproportionate capacity to influence policy evident in other jurisdictions. But important differences exist. In recent years the political system they manage has been repeatedly shaken by social transformations, often government induced. Further, the society

and that the citizenry for whatever reasons has a considerable tolerance for this unresponsiveness" (*Canada in Question*, 201). J. R. Mallory observes that "the mass of citizenry is perhaps as far away from the real decisions of government as they were two hundred years ago, and the cabinet system provides strong institutional barriers to the development of more democratic ways of doing things" ("Responsive and Responsible Government," *Transactions of the Royal Society of Canada*, Fourth Series, XII [1974], 208). A recent volume on pressure groups documents instances in which government agencies withstood "considerable input pressure from the external environment, and that they may significantly influence that environment, if not dominate it" (A. Paul Pross, "Pressure Groups: Adaptive Instruments of Political Communication," in Pross [ed.], *Pressure Group Behaviour in Canadian Politics*, 21). J. E. Anderson suggests "that in Canada the relations between civil servants and pressure groups are usually dominated by civil servants" ("Pressure Groups and the Canadian Bureaucracy," in W. D. K. Kernaghan [ed.], *Bureaucracy in Canadian Government* [2nd ed.; Toronto: Methuen, 1973], 99).

27 *Quebec versus Ottawa*, 43.

28 Dion, *Québec: The Unfinished Revolution*, 138.

29 John Meisel, "Citizen Demands and Government Response," *Canadian Public Policy* 2 (1976), 568.

30 Simeon, "The 'Overload Thesis' and Canadian Government," 546.

to which elites respond is not simply the provincial segment of an English-speaking North American culture which, with variations, dominates the rest of the country and the neighbour to the south. Although clusters of French culture exist elsewhere in Canada, its primary concentration in the province of Quebec necessarily involves the government of that province in a host of specific national questions. The government of Quebec is not in the business of controlling and directing the provincial segment of a larger society, but of fostering and stimulating a "full-blown society"³¹ infused with nationalistic fervour by two centuries of minority status. This is a society in which the major groups, associations, and organizations increasingly "tend . . . to fall back on the Quebec government."³²

The singular importance of provincial government in contemporary Quebec is partly a delayed compensation for the long era of negative government under Duplessis and his predecessors which bequeathed the modernizing governments of the past two decades a heritage of daunting problems. Also, the relative weakness of the francophone role in the private economic sector generates pressure to employ the majority-controlled provincial state to redress this no longer acceptable ethnic imbalance. Thus, although in contemporary Quebec, as elsewhere in Canada, the political debate centres on the precise nature of the leading role to be played by government, it is a debate with a difference. In recent years it has focussed with growing intensity on the fundamental question of the relationship of the people and government of Quebec with the rest of Canada. Specifically, the debate centres around the question of whether a sovereign Quebec government is the best instrument to satisfy the profound desire of francophone Quebecers for a modern secure community. The existing system of political authorities is not taken for granted. The opponents of Confederation claim that it constitutes a mobilization of governmental bias hostile to national survival.

As a consequence of the particular circumstances just outlined, government-society relations in Quebec are characterized by a special intensity and passion. Further, the commitment of the present provincial leadership to hold a referendum on the constitutional future of the province involves the provincial population in the determination of the most crucial issue facing the society. The situation, therefore, is fundamentally different from the first sixty years of this century when the goal of provincial autonomy was standard fare in elite political rhetoric, but left the masses "largely unmoved."³³ Nevertheless, in the process leading up to the referendum a key role will be played by the political leaders of the government. Their clear and professed task is to employ

31 Bernard, "Quebec Perspective on Canada," 1.

32 Dion, *Québec: The Unfinished Revolution*, 156.

33 *Ibid.*, 124, 169-70.

the levers of government power to persuade a majority of the population to support independence. They will control the wording and the timing of this carefully-controlled exercise in democratic participation. And, confident that time is on their side, they have told the population of Quebec, and Canadians outside the province, that if the first effort fails, they will try and try again.

The vanguard role of the governing *Parti québécois* in actively changing attitudes to the political system is, from the perspective of this paper, no more than a particular manifestation of the managerial role which I have attributed to all governments of the federal system. The creative leadership role of the Quebec government is a necessary consequence of the simple fact that it is deeply committed to an objective for which popular support is, in relative terms, lacking.

Before the referendum there will be intergovernmental competition of a particularly aggressive nature, for the issues at stake relate not to a particular programme, or to the next election, but to opposed constitutional futures. The erosion of support for the federal regime involves the federal government in extraordinary efforts to preserve its legitimacy,³⁴ particularly by maximizing direct links with individuals that are clearly seen to be profitable by the Quebec citizenry. The federal system, as Morin observes, "divides Quebecers against themselves."³⁵ The constitutional referendum which has been underway in Quebec for a decade and a half, which accelerated in tempo after November 15, 1976, and which will be formalized in the near future, involves a competition orchestrated by government elites in Quebec City and Ottawa to shift or stabilize that dividing line which exists in individuals and in the society as a whole. Further, it is evident that whatever its outcome the referendum will only constitute an ephemeral plebiscitarian interruption of the intergovernmental contest that will resume immediately after the votes are counted. The results of the referendum will instantly be transformed into political resources by federal and provincial prime ministers and cabinet members who will fasten conflicting interpretations on the nature of the message the electorate has transmitted. And even should that message be unequivocally positive in support of independence it will still be the task of governments to manage the next stage of partial or complete disengagement.

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Thus far this paper has portrayed the federal political process from the perspective of political and bureaucratic actors in government. This section will look upwards, a revealing change of direction, from the perspectives of citizens, interest groups, and parties to show the impact of the federal system on the character of their political activity.

34 Ibid., 156.

35 *Quebec versus Ottawa*, 130.

Our approach to the study of politics focusses disproportionately on the problems posed for governments by the transformation of society, and too little on the problems posed for society by the escalating demands of government. Society, constantly challenged by new public policies ranging from education, economy, and welfare to the basic questions of life, death, and human meaning devotes more and more resources to the task of responding to government. In a narrow, superficial sense this is most visible at the level of the taxpayer compelled to finance the numerous ill-conceived government ventures which litter the contemporary landscape of public choice. In recent years he has been burdened by the chaotic and unplanned introduction of automobile insurance in British Columbia, a system of railway passenger transportation whose escalating expenses produce less and less service, dramatic overruns on the Olympic installations in Montreal, and the burgeoning costs of the James Bay developments. Our Weberian conceptions of efficiency, economy, and rationality seem increasingly difficult to transfer from our lecture notes to the reality outside our window.³⁶

These spectacular escapades, however, constitute only the tip of the governmental iceberg. A recent Ontario study found that the time from the submission of an application for subdivision approval to its final acceptance had increased from an average of 1.9 years in 1973 to 2.1 years in 1974 and 2.3 years in 1975.³⁷ In general, the ever more elaborate regulatory role of government greatly increases "the overhead (compliance) costs of industry, trade unions and other groups in either protecting or extending their interests."³⁸

To those affected by its actions contemporary government is correctly viewed as both a potential resource and a threat. It is always a powerful presence in the environment to be exploited, attacked, or evaded as self-interest and citizen duty dictate. In the complex contest between provincial governments seeking control, and individuals and organized interests seeking a favourable environment, the latter may respond by exit, taking advantage of the gap between the limited geographic reach of particular governments, and the area of free movement which constitutes the federal system, to move to more congenial jurisdictions.³⁹ Capital knows no loyalty. Its easy mobility across provincial and national boundaries exerts a strong pressure on each province not to deviate in its tax system from the other provincial systems

36 "I am deeply concerned that, on the evidence of the two-year examination carried out by the Audit Office, Parliament—and indeed the Government—has lost or is close to losing effective control of the public purse" (*Conspectus of the Report of the Auditor General of Canada to the House of Commons* [Ottawa, 1976], 3).

37 Ontario Economic Council, *The Process of Public Decision-Making* (Toronto, 1977), 48.

38 Ontario Economic Council, *The Ontario Economy to 1987* (Toronto, 1977), 38.

39 Geoffrey Young, "Federal-Provincial Grants and Equalization," in Ontario Economic Council, *Intergovernmental Relations* (Toronto, 1977), 43-44.

with which it is in unavoidable competition, and on Canada not to impose a more burdensome or discriminatory system of taxes than exists in the United States.⁴⁰ In British Columbia, polarized by a free enterprise versus socialism rhetoric for half a century, the claim that investment would dry up if the CCF-NDP formed the government has been a standard election threat by big business and the various partisan opponents of the left.

The social and economic interests of Canadian society, seeking their own advantage, work the federal system in their search for the optimum relationship with its double layer of governments.⁴¹ J. R. Mallory, writing of an earlier era, noted that powerful economic interests sought to stem collectivist inroads on their freedom by resort to extensive litigation to weaken the constitutional competence of the governments attempting to regulate them.⁴² Conversely, as Trudeau observed and deprecated, those interests seeking advantage and/or protection knocked on any government door, hoping to benefit from the confusion of jurisdiction and elicit a positive response, "regardless of the constitution," from whichever level of government would listen.⁴³

There is contemporary evidence that pressure groups attempt to influence the workings of the federal division of power by having the government closest to the centre of their organizational strength, and to which they have easiest access, handle the concerns affecting them.⁴⁴ Thus the Quebec-based Confederation of National Trade Unions "attempted to weaken the federal government in order to strengthen the provincial governments, the Quebec government in particular. The [Canadian Labour Congress], on the other hand, has striven mightily to restore or preserve the authority of the federal government and to cajole it into regaining the initiative."⁴⁵ In a period when the distribution of power was in flux, it "was found that the leadership of both groups made demands which, if adopted, would have resulted in the strengthening of

40 Donald R. Huggett, "Tax Base Harmonization," in Ontario Economic Council, *Intergovernmental Relations*, 56.

41 The appropriately cautious statement of Paul Pross should be kept in mind as a salutary check on some of the more speculative suggestions in the following paragraphs: "we know only enough to suggest that federalism is both an important influence on pressure group behaviour and that group manipulation of intergovernmental relations may have a significant effect on the policy process" ("Pressure Groups: Adaptive Instruments of Political Communication," 23).

42 *Social Credit and the Federal Power in Canada* (Toronto: University of Toronto Press, 1967), 32, 37.

43 P. E. Trudeau, *Federalism and the French Canadians* (Toronto: Macmillan, 1968), 138.

44 Pross, "Pressure Groups: Adaptive Instruments of Political Communication," 22-23, and David Kwavnick, "Interest Group Demands and the Federal Political System: Two Canadian Case Studies," esp. 71-72, both from Pross (ed.), *Pressure Group Behaviour in Canadian Politics*.

45 Kwavnick, "Interest Group Demands," 81.

'their' level of government."⁴⁶ Yet another study reveals the success of the extractive industries in mobilizing provincial governments to fight the Carter Commission's proposal for higher taxes. The localization of the industries, their dominance of particular communities, and "their success in identifying their own prosperity with the prestige of particular regions,"⁴⁷ contributed to the intense and successful pressure they induced provincial governments to bring on their behalf at the federal level. The real victor, however, was the provinces whose success in thwarting Ottawa confirmed the dependent, client status of the extractive industries at the provincial level,⁴⁸ subsequently evidenced by heavy provincial tax and royalty increases.

There is, as just indicated, some manoeuvrability in the relationship between organized pressure groups and the governments of the federal system. Nevertheless, the overriding tendency is for such groups to structure their associational life in accordance with the relatively stable jurisdictional location of the legislative authority which affects them. The increasing politicization and governmentalization of society elicits a proliferation of pressure groups struggling to fit the federal system's requirements for influencing policy. Canadian experience testifies to the basic astuteness of the observation of Roy C. Macridis that "[w]herever the political governmental organization is cohesive and power is concentrated in certain well-established centers, the pressure groups become well-organized with a similar concentration of power and vice versa."⁴⁹

However, the working out of the process suggested by Macridis is often imperfect. Most groups affected by both federal and provincial governments, or where jurisdiction is unclear, have a federated group structure, but it is one in which the central, national executive is often made up of provincial or regional representatives, and is dependent on

46 Ibid., 82.

47 M. W. Bucovetsky, "The Mining Industry and the Great Tax Reform Debate," in Pross (ed.), *Pressure Group Behaviour in Canadian Politics*, 106.

48 Ibid., 108-09.

49 "Interest Groups in Comparative Analysis," *The Journal of Politics* 23 (1961), 38. He speculates that "this parallelism between the political system and the interest configuration is true everywhere." Compare Kwaavnick's hypothesis: "the distribution of power between the central and provincial governments influences the structure, cohesion and even the existence of interest groups; that is, that the strength and cohesion of interest groups will tend to mirror the strength, in their particular area of concern, of the government to which they enjoy access. Interest groups which are provincially based and which enjoy access to the provincial governments will be strong compared with nationally-based groups enjoying access to the national government when the provincial governments enjoy a stronger position than the national government in the areas of concern to those interest groups, and vice versa," and, "In short, the pressure goes where the power is—and takes its organization with it" ("Interest Group Demands," 72, 77). See in general David Truman, *The Governmental Process: Political Interests and Public Opinion* (2nd ed.; New York: Knopf, 1971).

provincial organizations. The latter reflect the local concerns of their members who often identify with the provincial agency which administers the provincial policies affecting them. As a result, the national executive is sometimes reduced to an aggregation of contradictory provincial particularisms unable to agree on a position towards proposed Ottawa policies. Further, the distrust of a distant government centre which, here as elsewhere, affects the workings of the Canadian polity, produces an antipathy to the national office, and an occasional reluctance to staff and finance it at adequate levels.⁵⁰ In the party system, as is noted below, this federal tension is reduced by the increasing separation and independence of provincial and national parties from each other. Inadequate resources and low levels of institutionalization make it difficult for interest groups to develop and sustain a similar degree of federal-provincial organizational differentiation and specificity. As a consequence, their national efficacy, beset by the centrifugal pressures of divergent regional interests, is often weakened by internal contradictions.⁵¹

The impact of federalism is also evident in the workings of the party system.⁵² The general tendency in federal regimes, as Carl Friedrich observes, is that "parties tend toward paralleling the government setup. . . . Political science has recognized for some time that the organizational structure of parties tends to correspond to the governmental pattern under constitutional democracy. This is only natural, since it is one of the purposes of parties to gain control of the government; therefore, if the government is federally structured, parties must adapt themselves to such a structure."⁵³

In the contemporary era the structuring effect of federalism has generated a pronounced trend to the separation of federal and provincial party systems. This is manifested in tendencies towards distinct political careers at both levels, separate national and provincial organizations, and separate sources of party finance. Of particular significance is the development of public schemes of provincial election financing

50 Helen Jones Dawson, "National Pressure Groups and the Federal Government," 30-35, in Pross (ed.), *Pressure Group Behaviour in Canadian Politics*.

51 Ibid., 31. In summary, Professor Dawson states: "Clearly Canadian federalism has had, and continues to have, a formidable impact upon the organization and behaviour of the pressure groups. It has complicated and confused their tasks while increasing their expenses and policy formulation problems" (35).

52 The next few pages are heavily dependent on Smiley, *Canada in Question*, chap. 4, and Edwin R. Black, "Federal Strains within a Canadian Party," in Hugh G. Thorburn (ed.), *Party Politics in Canada* (2nd ed.; Scarborough: Prentice-Hall, 1967). Black summarizes his interpretation with the statement: "Both the structure and the internal operation of a major party resemble that of the Canadian system of government. The sovereignty of provincial party units is as real and extensive as that of the provinces with respect to Ottawa" (139).

53 Carl J. Friedrich, *Limited Government: A Comparison* (Englewood Cliffs, N.J.: Prentice-Hall, 1974), 55.

which reduce financial dependence on the national parties. The employment of the public resources of autonomous provincial governments to foster the autonomy of their party systems is an impressive illustration of federalism's capacity for self-reinforcement.

The federal system contributes to party system separation by its provision of discrete provincial arenas in which sectionally-based parties can capture power while weak in the country as a whole. The federal system also stimulates ideological differentiation between federal and provincial parties bearing the same name. This combines with divergent strategy requirements at the two levels to generate recurrent tensions between the federal and provincial branches of the party.⁵⁴ The parties at different levels of the federal system exist in different socioeconomic environments, respond to different competitive situations, and are products of particular patterns of historical development, and historical accidents. They fight elections under different leaders, at different times, and on different issues before different electorates in separate jurisdictions endowed with distinctive constitutional responsibilities. Numerous voters respond to this catalogue of differences by deliberately switching their votes as they move from one arena to another, particularly where a third party with a limited or nonexistent federal presence is provincially strong, as in BC. The complicated translation of these differences into the strength or weakness of individual parties frequently results in striking dissimilarities between the federal and provincial party system in a particular province.

The circumstances in which provincial parties in power will support their federal counterparts almost entirely reflect strategic considerations.⁵⁵ From the federal perspective incumbent national parties of whatever persuasion recognize that the intergovernmental conflict and collaboration involved in the working of contemporary federalism are only minimally affected by purely partisan considerations.⁵⁶ "From the federal point of view, whatever parties are in power provincially will press provincial interests."⁵⁷ And from the provincial point of view the same holds true of power-holding parties at the federal level.

Given the unavoidable fact of different parties in office federally and provincially it would be damaging to the federal system for an incumbent national party to be integrally linked with and overtly supporting its provincial counterparts. In the case of the federal Liberal party in 1977 this would mean an intimate collaboration with eight opposition parties, mostly weak, and only two government parties, both

54 See Black, "Federal Strains within a Canadian Party" for an instructive case study of the impact of federalism on federal-provincial party relationships.

55 Smiley, *Canada in Question*, 108-09.

56 *Ibid.*, 109-10.

57 *Ibid.*, 110.

in the Atlantic provinces. A hands-off policy and organizational structures separate from its own provincial namesakes are far more functional to a national governing party for that intimate collaboration with provincial governments which is required for the effective working of executive federalism. Party solidarity across jurisdictions is sacrificed for the greater good of intergovernmental agreement. Thus the knitting together of governments induces the federal-provincial separation of parties.⁵⁸

The structuring effect of federalism on parties and interest groups has crucial consequences for the political system. The federal system was originally conceived as a layer of provincial governments representing territorial diversities, and a central government with responsibilities for creating the national society it was to serve. It has become a system of powerful governments, sustained by interest groups and parties which, with imperfections, mirror the governmental structure in which they exist. The chain of federal influence, commencing with the elemental fact of a federal constitutional system, has successfully exerted strong pressure to align parties, interest groups, and individual voters behind the distinct governments which are the essence of federalism. Federal and provincial governments, federal and provincial parties, and federal and provincial pressure groups reinforce each other and they reinforce federalism.

The fleshing out of the governmental structure of federalism by interest groups and parties contributes to the vitality of the system by attaching powerful supports to each level of government which resist any diminution of its authority. "[G]roups organized on a local or regional basis will tend to strengthen local awareness, local loyalties and local particularism," while nationally-organized groups foster "national awareness . . . , feelings of identification with the national institutions of government, . . . [and] heighten feelings of efficacy and involvement with those institutions and thus promote national integration."⁵⁹ The symbiotic relationship between interest groups and the governments they interact with produces strong mutualities of interest in which each sustains and feeds on the other.⁶⁰

Accordingly, the deliberate creation and fostering by governments of interest groups⁶¹ to whose induced demands they wish to respond is a

58 See Reginald Whitaker, "The Liberal Party and the Canadian State: A Report on Research and a Speculation" (January 1977), esp. 37. (Mimeographed.)

59 Kwavnick, "Interest Group Demands," 71. Twenty years ago Corry identified the development of national associations and mammoth nation-wide corporations "compelled to think in nation-wide . . . terms," as crucial to the centralization of power in Ottawa ("Constitutional Trends and Federalism," 109, 111, 114).

60 Pross, "Pressure Groups: Adaptive Instruments of Political Communication," 6-9.

61 See J. E. Hodgetts, "Regional Interests and Policy in a Federal Structure," *Canadian Journal of Economics and Political Science* 32 (1966), 13-14, on the creation of

primary weapon for government survival in circumstances of aggressive intergovernmental competition. As already noted, however, special difficulties attend the organization of interest groups on a national level, raising the possibility that the expanding role of provincial governments, and the more homogeneous environments they face may elicit a pressure group bias in favour of the provinces.

Systems of power-seeking parties have the same reinforcing effect for the level of government whose control they seek. Here too, however, there are powerful tendencies working on behalf of the provinces. The regionalization of the national party system with neither Liberals nor Conservatives capable of encompassing the sectional heterogeneity of the country, with the Conservatives suffering continuing weakness in Quebec, and the Liberals a like weakness on the prairies, complicates the party support base of federal authority.⁶²

The national party system operates under a much more difficult set of constraints than the provincial in generating parties consonant with the needs of its level of government for support and legitimation. Governing provincial parties have a much smaller range of diversities to encompass than their federal counterpart. Further, a section or geographically-concentrated interest left out of a provincial government party lacks the political force and focus which provincial governments can provide for sections unrepresented at Ottawa. Finally, the provinces are protected by their numbers. A weak, minority, or unrepresentative government in a province is partially protected against federal competition by strong, aggressive provincial governments elsewhere in the system. No such safety in numbers was available to console the minority governments of Diefenbaker and Pearson, or to protect the Trudeau Liberals from the consequences of their weakness on the prairies. Accordingly, the "absolutely critical latent function of the party system . . . the development and fostering of a national political culture . . . [and] generating support for the regime"⁶³ have been performed well below the optimum level in recent years.

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A federal system of governments, supported by parties and pressure groups which parallel the governmental structure, and infused with conflicting federal and provincial visions of economy and society held by competing political and bureaucratic elites, requires a language of political debate appropriate to its fundamental political concerns.⁶⁴

regions for policy purposes by governments, and the attempts to generate regional demands from these artificially-created administrative units.

62 See my "The Electoral System and the Party System in Canada, 1921-1965," this JOURNAL 1 (1968), 55-80, for the contribution of the electoral system to the regionalization of the party system.

63 John Meisel, "Recent Changes in Canadian Parties," in Thorburn (ed.), *Party Politics in Canada*, 34.

64 See William E. Connolly, *The Terms of Political Discourse* (Lexington, Mass.:

Hence, the dominant political language since Confederation has been geared to the making of claims and counterclaims by the federal and provincial spokesmen for territorially-defined societies. In an indirect way, and with the passage of time, the federal language of political discourse became a vehicle for the standard normative controversies which concern modern political systems, questions dealing with equality, the socioeconomic rights of citizens, and social justice. Inevitably, however, the pressure of existing language contributed to the clothing of new controversies in federal garments and their emergence in claims on behalf of provincial communities and governments, or charter members, or founding races, or the national interest as defined by Ottawa.⁶⁵

Clearly, the political language of federalism, and the federal political system with which it is intertwined, have encouraged a politics in which provincial particularisms have been accorded special prominence. Provincial governments as the claimants for, and recipients of federal bounty, have acted as surrogates for the communities they govern. In the dialectical process of federal provincial controversies, the claims of provincial governments encounter the rival claims of the central government with its constitutional authority to speak for all Canadians, for the national community stretching from Bonavista to Vancouver Island. The political incentives for the federal government to couch its claims in the language of individual citizen rights and obligations⁶⁶ engender a direct conflict with provincial claims on behalf of territorially-based communities,⁶⁷ the reconciliation of which is worked out in the federal process.

Formerly, many of these conflicts derived sustenance from specific clauses in the British North America Act, from the terms of admission of individual provinces to the federal system, or from certain alleged intentions of the Fathers relating to the rights of particular provinces or communities. The resultant language of political debate was fundamentally stabilizing in its emphasis on rights and claims which presupposed continuing membership in an ongoing political system. Under the impact of the constitutional crisis of the past two decades, essentially precipitated by the changed objectives of Quebec political elites, and the concomitant allocation of the political decisions of 1867 to a distant and

Heath, 1974), for a stimulating discussion of political language highly relevant for the following few pages.

65 Edwin R. Black, *Divided Loyalties: Canadian Concepts of Federalism* (Montreal and London: McGill-Queen's University Press, 1975), 3.

66 This is particularly evident in Trudeau who, although committed to federalism, is basically an advocate of liberal individualism and a ferocious opponent of any move in the direction of basing political systems on nationalist criteria of ethnicity (Black, *Divided Loyalties*, 209-10; Smiley, *Canada in Question*, 175).

67 The group or community claims of the provinces are for external consumption. Within their own political spheres, provincial politicians speak of the rights of individual British Columbians, Newfoundlanders, etc.

irrelevant past, the language of political debate has undergone a dramatic change. The historic, rooted language of the various versions of the compact theory has virtually disappeared, as have other backward-looking justifications which appealed to a common past. They have been replaced by a confusion of newly-developing political languages, more nakedly power-seeking, which reflect the ambitions of some political elites to refashion their position, inside or outside the federal system, as the past fades into insignificance, and the induced obligation for other elites to respond in kind. In Quebec the forward-looking language of national self-determination has replaced the traditional elite emphasis on prescriptive rights derived from history and the constitution. The new attitude was graphically expressed by Claude Morin when he was deputy minister of federal-provincial affairs in the Lesage government. "Quebec's motto is: We're through fooling around! It seems ridiculous to me to invoke the Constitution. It is like invoking St. Thomas."⁶⁸

The destruction of a customary historical language was accelerated by the recent process of constitutional review which downgraded the Canadian constitutional heritage and promised new beginnings which it failed to deliver. The present language situation is clearly in flux⁶⁹ as disputants talk past each other, rather than to each other. No new linguistic paradigm in which debate can be couched has emerged.⁷⁰ Linguistic instability and federal instability reinforce each other.

The political language of federalism, a language for the conducting of political competition and cooperation between territorially-based groups and their governments, is necessarily hostile to the nation-wide

68 Cited in Donald V. Smiley, *The Canadian Political Nationality* (Toronto: Methuen, 1967), 80.

69 See Black's discussion in *Divided Loyalties*, chap. 7, of the tortured and confused two-nations controversy of the late sixties.

70 Although resort to the past has lost relevance as a debating technique, the BNA Act remains as an uncertain arbiter of conflicting claims for policy-making authority. In circumstances of political competition, now as in the past, each government tends to attribute amplified meaning to its constitutional assignments of statutory authority, and restrictive definitions to the explicitly-worded law-making authority of the other level of government. See Smiley's fascinating discussion of Quebec-Ottawa differences in interpreting provincial jurisdiction over education (*Canada in Question*, 30-34).

The contemporary federal strategy of linguistic manipulation, for which there are provincial counterparts, is described by Claude Morin as follows: "Confronting a Quebec government that was sensitive about its constitutional prerogative—more often the case with the Union nationale—Ottawa made sure to avoid the impression of a frontal assault on provincial sectors. 'Training' was the word used rather than 'education,' 'problems of urban growth' replaced 'municipal affairs,' the 'fight against unemployment' replaced 'social development,' 'community development' was the new expression for 'culture.' Ottawa could speak freely on any subject providing the terms it used did not ring suspiciously of those areas which Quebec, atavistically or otherwise, had come to regard as being within its own jurisdiction" (*Quebec versus Ottawa*, 78-79).

politics of class. The politics and language of class assume that the conditioning effects of capitalism have washed out identities and political perspectives based on socialization into provincial frames of reference. This has not yet happened. In spite of the auspicious depression circumstances of its birth, its early antipathy to the provinces, and its long-standing attempts to create a new politics and language of class at the national level, the CCF and its successor the NDP have made only minor dents in the nonclass language of federalism.

For nearly half a century left-wing academic analysis has stressed the allegedly inexorable logic of capitalist development in producing class polarization and a modern class-based politics, described as "creative politics" by its more recent exponents. Indeed, by constant repetition this perspective has become the time-honoured traditional language of a dissenting minority which updates the old arguments and the standard predictions decade after decade. Elections and surveys have been carefully monitored since the thirties in numerous attempts to detect the always imminent emergent trend of class mobilization and polarization, the assumed hallmarks of a maturing economy. The failure of reality to conform to the canons of this version of social science has evoked fulminations against federalism, and an adroit use of the concept of false consciousness. These have had minimal impact on the nonclass world view of elites and masses involved in the political world of federalism. The political language of territorially-based group competition derived from the federal system, and socialized into the consciousness of political actors since Confederation, has prevailed over the twentieth-century challenge from the weakly-developed language of class based on the economy.



Contrary to virtually all predictions, post-World War II Canadian politics has not displayed an irreversible trend to centralization, nor the manifestations of capitalist contradiction in polarized class politics, creative or otherwise. Instead, the provinces, aided by secular trends which have enhanced the practical significance of their constitutionally-based legislative authority, and by the deliberate improvement of their own bureaucratic power and capacity, have given a new salience to the politics of federalism and the territorially-based diversities it encompasses, reflects and fosters. The present crisis of Canadian federalism, indeed, is caused not by the politics of class, but by the passionate politics of territorially-based nationalism espoused by the incumbent government in Quebec City. In a logical sense the politics of the Quebec journey towards independence is simply an extended development of the traditional federal concept of provincial autonomy carried to an anti-federalist conclusion.

Canadian scholars have frequently noted, and almost as frequently regretted, that political elites have been unable to free themselves from

the seemingly eternal burden of working the federal system, and preventing the disintegration of the country. That burden continues to be our fate. If the *Parti québécois* succeeds in its objectives, the burden of governing the northern half of North America will not go away. It will remain, albeit in altered form.

Success in grappling with the special burdens of governing a federal state does not come easily. The eleven governments of the provincial and country-wide societies of Canada require an effective coordinating capacity if each is not to frustrate the efforts of the others in their joint governing of the country.

The fact that the federal-provincial political arena is not restricted in scope to only a few matters of peripheral concern for society and economy enhances the importance of the task. Almost without exception, every crucial issue, including the constitutional framework of the country itself, eventually ends up at the conference table for resolution. "In few policy areas," according to Richard Simeon, "except perhaps defence, the post office or garbage collection—does one government act alone."⁷¹

Unfortunately, the contemporary search for intergovernmental coordination confronts a set of conditions inimical to conflict resolution. Reconciliation of federal and provincial objectives is facilitated when one or the other level of government is passive, when one level of government is clearly dominant, when the scope of government activity is minimal, or when the two levels deal with discrete, separable sectors of society and economy. Thus, in the early years of the federation there were few administrative conflicts related to jurisdictional divisions. "Both provinces and dominion, in the formative years, found quite enough to occupy their limited administrative resources without trespassing on the other's preserves."⁷² This jurisdictional isolation is gone forever, and none of the other agreement-facilitating situations now prevails, or is likely to do so in the future. Both levels of government are strong. Neither can dominate the other. Both pursue increasingly comprehensive and integrated goals with a consequent decline in their willingness to defer to the interests of external governments. Provincial willingness to defer to Ottawa has diminished with the development of administrative skills and professional competence in the provincial capitals.

71 Richard Simeon, "The Federal-Provincial Decision Making Process," in Ontario Economic Council, *Intergovernmental Relations*, 26. See also John Meisel, "Cleavages, Parties, and Values in Canada," paper presented to the International Political Science Association, IXth World Congress, Montreal, 1973, 3, 6-8 (mimeographed), on the significant role of federal and provincial governments as the key protagonists for the expression of the three major political cleavages in Canada—ethnic, regional, and economic/regional.

72 J. E. Hodgetts, *The Canadian Public Service: A Physiology of Government 1867-1970* (Toronto: University of Toronto Press, 1974), 42.

This pessimistic appraisal is given extra weight by the developing integration of governments and societies in Canadian federalism. The competitive coexistence of provinces and central government has especially profound consequences in an era of expanded government bureaucracies, strong pressures for policy coherence by each government, and the massive extension of the tentacles of government regulation, control, and public ownership. The economy and society of each province are confronted with competing and sometime opposing government directives emerging from separately conceived national and provincial plans for making sense of the same socioeconomic order. The national and provincial perspectives, although they frequently encompass the same interests, inevitably take into account a different set and range of considerations. A coast-to-coast perspective based on the federal authority granted by the BNA Act, and especially sensitive to the existing relations between the federal government and Canadian society produced by past and continuing federal policies, confronts the provincial perspective, restricted in geographic coverage, based on a different assignment of constitutional authority, and responsive to the current relationships between the provincial government and provincial society.

In these circumstances, contemporary intergovernmental coordination is not a simple matter of agreement between a handful of political leaders and their staff advisers. It requires the coordination of powerful bureaucracies with deep policy roots in their societies, and of "the publics that are implicated in their normal functioning."⁷³ It requires, therefore, the containment of ineradicable tendencies to conflict between the federal vision of a society and economy, and ten competing provincial visions, each building on the pervasive links between government and its environment forged by its predecessors.

The premises of 1867 were that federal and provincial governments could go their own separate ways with the provinces assuming only limited functions. Further, the then-divergent French and English definitions of the good life minimized the possibility of fundamental French-English conflict between the governments of Quebec and Ottawa. This nineteenth-century recipe for intergovernmental and interethnic harmony is gone.⁷⁴ In Quebec, according to Léon Dion, "culture, politics, and economic activity . . . will . . . have to develop new organic interrelationships," and federal policies will be judged by their contribution to this objective.⁷⁵ Contemporary federalism, consequently, is more than an arena for a debate between abstract ideas of the public good, or for the conducting of competition between either governments or societies

73 Norton E. Long, "Power and Administration," *Public Administration Review* 9 (1949), 261.

74 Morin, *Quebec versus Ottawa*, 161.

75 *Québec: The Unfinished Revolution*, 102-03.

detached from each other. It is an arena in which the political and bureaucratic leaders of governmentalized societies and economies hammer out the next stage in the further evolution of the eleven distinct yet interdependent political economies and politicized societies which are the gifts of the past to the present. From this perspective it is no longer meaningful or appropriate to think of these economies and societies at the provincial and national levels as logically prior to governments. To an indeterminate, but undoubtedly significant extent they are the consequences of past government activity, and will increasingly be so in the future.

Parliamentary government and federalism have contributed to a flexible, nonideological, pragmatic style of politics which facilitates intergovernmental agreement. Federal politics, in particular, has always required political leaders with well-developed bargaining skills, capable of encompassing the profound diversities of the country in their appeals, politics and leadership. One of Mackenzie King's "robust convictions," doubtless born of long experience, was "his belief that the really important people in the world were the *conciliators*."⁷⁶

Formerly, pragmatism and expediency at the political level of cabinets allowed a high degree of bureaucratic autonomy for specialists to work out agreements with counterpart civil servants in the other jurisdiction. Under this system of functional federalism, which was characteristic of the conditional grant era, federal-provincial relations were handled in discrete categories by specialists, guided by professional norms, and relatively independent of hierarchical superiors concerned with overall policy coherence, and the opportunity costs of fifty-cent dollars. Under the new regime of political federalism, to employ Smiley's terminology, effective decision-making capacity has drifted upwards to politicians and bureaucrats "with jurisdiction-wide concerns."⁷⁷ The desire of each level of government to put its own house in order by establishing central executive control over policy priorities and fiscal decisions has primarily focussed on the elimination of intragovernmental contradictions, incoherences, and uncontrolled spending. The inevitable side-effect, however, has been an attempt to manage the external environment in the interest of the same objectives. This has led Ottawa and most of the provinces to establish federal-provincial ministries, bureaus, or agencies to eliminate the uncertainty and disturbances of an *ad hoc* approach to intergovernmental

76 Cited in W. A. Matheson, *The Prime Minister and the Cabinet* (Toronto: Methuen, 1976), 150, italics in original. "No strong man in the emotionally satisfying sense has ever ruled this country—none will if it is to survive," stated Lester Pearson. "Attempting to reconcile what appears to be the irreconcilable will continue to be the task of Prime Ministers and in this task Prime Ministers tend to look uninspiring" (*ibid.*, 29).

77 Donald V. Smiley, "The Structural Problem of Canadian Federalism," *Canadian Public Administration* 14 (1971), 332.

relations.⁷⁸ The effort by each government to integrate its policy outputs is a reaction to the contradictions in the extensive existing policy grip of government on society, as well as a necessity for the many plans still germinating in myriad committees. The successful introduction of the latter requires deft manoeuvring through the minefield of existing policies.

Although societies can stand a great deal of chaos, the economic and social costs of contradictory policies generate pressures to minimize their incidence. Since this can be most effectively done within a single jurisdiction where only one overall political decision-making authority exists, there will be a tendency for intrajurisdictional clashes to be controlled or moderated at the expense of flexibility in handling inter-jurisdictional concerns. The playing out of this bias will result in a relative and absolute increase in irreconcilable policy clashes between governments.

The dynamics and weaknesses of political federalism are rendered more explicable if it is recognized that we have stumbled into a peculiar Canadian version of the American separation of powers. The reaching of agreement on the innumerable major issues which clog the federal-provincial agenda requires the approval of independent political authorities with distinct, and separate bases of electoral, party, group, and bureaucratic support. They are not constitutionally beholden to each other and they are aligned with large and powerful constituencies of interests that can be mobilized behind the evocative labels of provincial rights and the national interest. Indeed, the Canadian version of the separation of powers may be more difficult to work than its American counterpart, for it involves not just the separate legislative and executive strata of the policy-making process but governments, conscious of their historic position, jealous of their prerogatives and aggressively enterprising in the performance of their managerial responsibilities for their societies.

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By implication this paper has suggested that to look at the literature of Canadian federalism historically makes clear how much has been a response to particular climates of academic and intellectual opinion, how much has been characterized by an anti-federalist mentality, and how the wish has too frequently fathered the thought. Studies of Canadian politics have suffered from a disciplinary mobilization of bias which grossly underestimates the autonomy of elites, the weight of government, and the moulding effect of institutions on political behaviour. A form of sociological reductionism common to North American political scientists has stressed society at the expense of the polity and either

78 See Simeon, "The Federal-Provincial Decision Making Process," 31-32, for a good brief discussion.

devalued, ignored, or denied an autonomous role for government.⁷⁹ Democratic assumptions have elicited analyses which focus on the popular impact on government and neglect the reverse. Egalitarianism has had similar effects by undervaluing and underweighting the extent, significance, and unavoidability of elite discretion. Further, the search for class politics has entailed a stress on elections, an excessive interest in parties, and a deflection of attention from the overriding reality of government.

Developments in comparative politics have played a part in our miseducation. The evanescence and crumbling of political systems in the post-independence states of the Third World have contributed to a brutal awareness of the fragility of political structures incompatible with the historic social systems they confront. The study of the latter and their impact on the polity has elicited a strong sociological thrust in Third-World studies. However, the sociological perspective appropriately applied to the "soft states" of Africa, Asia, and Latin America has been uncritically and inappropriately extended to the study of the highly-institutionalized political systems of the western world. Finally, the weakly-developed idea of the state in the English-speaking world⁸⁰ has reduced the visibility of government, and, no doubt, contributed to the academic underestimation of its central political role. Accordingly, the enterprise of assessing the creative, formative, and coercive capacities of government, authority, and institutions requires us to overcome the biases of sociological reductionism, democratic mythology, egalitarian levelling, incorrect Third-World analogies, and the disciplinary errors to which they contribute. Success in the enterprise will provide much-needed understanding of "the reality of structures, the extent of their 'grip' over society, and the true importance of constitutions in shaping behaviour."⁸¹

79 "Political scientists attempt to explain political phenomena. They view politics as a dependent variable, and they naturally look for the explanations of politics in other social processes and institutions. This tendency was reinforced by the Marxian and Freudian intellectual atmosphere of the 1930's and 1940's. Political scientists were themselves concerned with the social, psychological, and economic roots of political behavior. Consequently, social change, personality change, and economic change were, in their view, more fundamental than political change. If one could understand and explain the former, one could easily account for the latter" (Samuel P. Huntington, "The Change to Change," in Roy C. Macridis and Bernard E. Brown [eds.], *Comparative Politics: Notes and Readings* [4th ed.; Georgetown: Dorsey, 1972], 408).

80 See A. P. d'Entrèves, *The Notion of the State* (Oxford: Oxford University Press, 1967), 33-34, 62-63, on the weakness of the concept of the state in the English-speaking world, and on the hostility of political scientists to its employment.

81 Jean Blondel, *Comparing Political Systems* (New York: Praeger, 1972), 111.