What's Been Left Out of Governance Theory :

Lessons From the History of Public Administration Theory and Practice

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The theme of this paper is that, although there are good reasons to prefer a governance approach to politics, and since, by its very nature, getting an overall picture of governance practices is difficult, experience and history reveal some important unresolved problems that cannot simply be wished away. It is a new age, to be sure, but the search for recurrent patterns in the past may help point the way to adequate solutions.

In academic life there is a danger that a version of sunk costs could ossify observers of public administration (PA). Some professors might be attached to what they took so long to master. Gilles Paquet (2014) believes this to be so of the whole "tribe" of PA researchers in Canada. On the other hand PA is often criticized for overuse of fads or "buzzwords" or a flavour of the month approach (Thomas 1996). This paper claims that it is at our peril that we jettison all the lessons of modern PA.

After defining governance, we look at its claims to superiority, we examine some of the problem areas it does not address satisfactorily such as the public interest, the role of the central government and the hollow state, the place of the career public service, accountability and corruption

1. Governance: meaning and significance

PA has progressed through many paradigms, in part via the evolution of its component disciplines, but also in its attempt to find an overall approach that satisfactorily allows to seize the whole phenomenon. For a long time, the main components in North America were thought to be political science and organization theory (Hodgetts and Corbett 1960), with business management being promoted from time to time by consultants and commissions like the Glassco Royal Commission on Government Organization (1960-1964). In his examination of the dominant paradigms used in ten Canadian textbooks from 1960 to 2002, Gow (2009, 7-14) found three major paradigms: Pragmatic Institutionalism, New Public Management and Governance

For the past twenty years, the new paradigm has been Governance, the subject of this article. In our view, it is a real problem that the word means

something very different from one student to another[1] (Weiss 2001). In its most widespread academic form, it refers to "self-organizing inter-organizational networks" (Rhodes 1997, 52), and to decentralized, networked government, partnerships and what Eleanor Ostrom calls polycentric societal organization (Ostrom 1990). For Gilles Paquet (1999, 23), governance is "the process by which an organization or society governs itself". It is claimed that in such a political system, the boundary between the state and the private and civil sectors is blurred to the point of losing its meaning (Giroux 2006, Atkinson 2013, Peters and Pierre 1998). In this model, the government is no longer primarily a provider of public services, but the manager of a collective enterprise that it conducts in partnership with many non-state actors (Bourgon 2011, 15-16). As Cardinal and Andrew put it (2000, 1), "governance is effective coordination when power and knowledge are horizontally distributed" (our translation).

Conditions giving rise to governance theory

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[1] This confusion is most damaging in versions that are close to or overlap with the most common meaning. In development studies, at the United Nations and the World Bank, governance means good government. For Fukuyama, it refers to "a government's capacity to make and enforce rules" (2013, 150), while to Kaufman et al (2004 3) it means "the traditions and institutions by which in a country authority is exercised" (cited by Rothstein 2011, 10, Aucoin's model of the New Political Governance, one that is seldom encountered in the governance literature. In texts of 2008 and 2012, Aucoin saw the New Political Governance in Canada as characterized by: the concentration of power in the hands of the prime minister and his close advisers, increased numbers and influence of political staff, "increased pressure on the public service to provide a progovernment spin on government communications" and the requirement that public servants go beyond traditional loyalty to show enthusiastic support of government policies (Craft 2014, 46-47).

The conditions giving rise to governance theory are the same as those that gave rise to the New Public Management plus a reaction to the NPM itself. Kettl (2003) sums up the basic conditions as: the loss of power of the nation-state and concern over the governability of nations; the financial crisis that appeared in developed countries around 1980; the increased power of multi-national corporations; globalization; and the rapid growth of information technologies. Almost the same list was given by Canadian deputy ministers in 1997 (Deputy ministers' issues survey), but they added increasingly critical public opinion, or what Neil Nevitte (2000) called *The Decline of Deference.* Minogue and colleagues (1998, 24) added that behind the ideas of the NPM lay the conviction of the superiority of the private sector, a kind of reasoning for which traditional public service values were seen as costs. Peters and Pierre (1998, 231-233) found that governance theory was less ideologically loaded than NPM, that it was a political theory whereas NPM was an organization theory, governance being more interested in process and NPM more in results, governance being interorganizational while NPM was more intraorganizational.

Advantages of the governance approach

What are the advantages of this approach over the others as found in the literature? We have grouped them into five clusters.

Realism. Governance aims to be a more complete picture of reality than either the bureaucratic or NPM paradigms could offer. Many contemporary problems are what Paquet (1999) describes as "wicked", too complex to be dealt with by one organization. Also, no organization has a monopoly on the knowledge necessary to deal with them. The claim is also that governance is in harmony with the postmodern global society. So it is an improvement on both bureaucracy and the market.

Flexibility and innovation. The sharing of information and responsibility is said to foster and stimulate local experimentation adapted to stakeholders' needs, without trying to find one approach and plan to meet everyone's needs.

Resilience By empowering the stakeholders, governance is said to make the system more durable, less likely to collapse than by some error of the centre.

Compliance is superior to obedience. Eleanor Ostrom is one of the leading writers in this field. This is both a moral principle and a statement about how to get compliance from the members of a network. The idea is that people are much more likely to respect a decision if they had some part in it. (Ostrom 200 and Garon and Montpetit 2011) Paquet (1999, 192) embraces subsidiarity, the idea that "power should devolve on the lowest, most local level at which decisions can be reasonably made". With Bourgon (2011) this becomes "government should not do what people can do for themselves". These formulae say something powerful about our society. As Paquet writes (1999, 33), "A society based on participation, negotiation and bargaining is replacing one based on universal rights". However, as Howlett (2000, 417) notes, public policy-making "almost always attempts to get people to do things that they might not otherwise do."

A fourth reason derives from the preceding ones; a participatory government is said to give greater *legitimacy* to the government than the top-down, command and control bureaucratic system.

Finally, another reason given for the superiority of the negotiated system is the promise to *avoid the high cost of adversarialism* (Ansell and Gash 2008, 501).

Taken together these five arguments make up the bulk of the advantages claimed by the governance school over the bureaucratic and NPM approaches. Note that these advantages and disadvantages involve both factual assertions and value-based preferences. It is possible to prefer the new governance approach for both conservative and progressive reasons. To minimize the distinctive nature of the state may spring from grassroots democratic impulses or it may de driven by the conviction that some form of corporatism is preferable to egalitarianism. While one cannot escape the ideological implications in this, as in all writing about public administration and policy, in what follows we wish to hew as closely as possible to the identification and exploration of issues suggested by the history of both the discipline and our political system and which are not adequately dealt with by

governance theory. They all depend on what we identify as the state, its nature, its goals and its institutions.

2. The state and the public interest

Governance theory raises directly the questions of the nature of the state and the requirements for its existence. Such a search quickly leads to the question of the public or general interest. We begin here with a return to systems theory followed by an examination of the public interest as compared to the current interest in Public Value theory.

We learned from systems theory that complex systems are characterized by interdependence and goal-seeking behaviour. At a minimum, a system must maintain boundaries and govern relations with the outside world and relations among components. For Bozeman (2007, 17) these amount to ensuring the safety and well-being of the whole and its components; in the Canadian constitution, they become peace order and good government (art. 91, Constitution Act.). It is evident that parts of these responsibilities may be delegated to other levels of government or to non state actors. What makes the state special is not its monopoly of the legitimate use of force in a given territory, for this too may be delegated. What makes it distinct is that it is the only organization to which everyone in the territory must belong (Bergeron, 1965, 1990). With Sandel (2005, 176,) "we are all members of political communities before we are bearers of rights."

Clearly there is no one objective or precise content to the notion of public interest. Even if all of the citizens of a polity agreed on common goals, there would still be disagreements over costs and implementation. But the existence of political science is based on the need to study power relations among people who do not always share the same preferences and interests, the same resources and competencies. Nor do we claim that there is a discoverable ideal public interest. It has long been known that different groups and forces will try to use the idea of the public interest as an ideological tool to promote their own interests (Chevallier 1975). Moreover, even in cases where there is a strong consensus favouring a policy

orientation, we learned from PPBS, that there will not likely be agreement on the details and especially on how much of it to provide, in what form and the cost to be given to it.

What determine the definition of the public interest in a democracy are the rules as embodied in the constitution, the law and regulations and the process (Lewis 2006, 696). As we will see in dealing with government by network, the rules assume even greater importance. According to Jacques Chevallier (1987, 27) the classic values of public services in France were: equality of citizens, neutrality or impartiality of services, continuity and mutability, or the obligation to adapt public services to changing circumstances. Understood under impartiality was the obligation of responsiveness of public services to democratic political direction within the framework of the law and the constitution. These values, although French, actually apply in Canada also, where they have appeared in the guise of the merit system, essential services in time of strikes, and public services or utilities that have been regulated even when delivered by non-state actors (Gow 2007-2008)

The New Public Management wished to break away from some of these constraints and encourage entrepreneurship of public sector management. Neither NPM nor Governance models have adequately addressed the dilemmas posed by reconciling increased managerial autonomy and political direction , or ministerial responsibility in Canada's case. The most thorough and consistent argument was made by Moore in his book *Creating Public Value* (1995). For Moore, this idea was the best way to encourage innovation and to take into account inconsistent and fickle political mandates. The key to creating public value was to introduce programs and activities that met the desires of clients or customers and could demonstrate their value by the results that they obtained. The level of analysis was thus the program not the organization.

Moore was quite sophisticated in his conception of public values. Concerning the relationship of public sector management to politics, he found stories to be at the heart of it: "What citizens and representatives (as opposed to clients and beneficiaries) buy from public managers is an account of the public enterprise – a story contained in a policy". Others have pointed out some of its weaknesses. Barry

Bozeman (2007) points out that like all management writing, Moore participates in "the privatization of public value", by basing it on economic individualism, whereas public values are other than private values, covering as they do, the constitution, fundamental myths and the high courts. Support for Bozeman's interpretation can be found in Jocelyne Bourgon's proposal to include in policy and program evaluation not only the policy results achieved, but also the "civic results", that is the contribution of the chosen activity to the quality of democratic life and citizenship (Bourgon 2011, 38). This proposal supports Bozeman's position because civic results have not generally been the object of evaluation. As in economic thinking about the private firm, civic results have had the status of "externalities".

Others saw the Public Value approach as inviting public managers to enter the domain of politics. As Rhodes and Wanna (2007,) put it: "Public value pretends managers can supplant politics and play at being the new Platonic guardians of society". Following Hodgetts (1991), they warned of the dangers of such an approach in a Westminster type system where ultimate responsibility for the choice of values to be pursued in the public interest lies with the government and the minister. Or as Rhodes put it there is also the possibility of "negative public value" when collaboration leads to taking in too many responsibilities or to unrealistic expectations (cited in Sam 2011, 773).

To appreciate the idea of Public Value, it is helpful to return to the pioneering study of Glendon Schubert (1957, 1960) based on an extensive review of the American literature. He found three broad interpretations of how public servants should view the public interest: first was the rationalist school, positivists who believed that the goals of public administration are given to public servants by elected politicians so that bureaucrats have only to implement them; second, idealists or platonists should act as benevolent guardians according to their highest professional standards; third, realists were skeptics who believe that their function is "to facilitate the continuous readjustment of conflicting interests, with a minimum of disturbance of existing equilibria" (Schubert, 1960, 136), which meant in practice avoiding appeals to outside authorities, be they administrative, political or judicial.

If we consider the theory of Public Value (PV) in the terms of Schubert's categories, we can see that PV includes them all. It is most obviously in the realist camp as it gives priority to building coalitions with stakeholders and generating locally collective solutions and programmes to which all adhere. However, it is also in the idealist school as it involves a commitment to identifying and involving all interested parties. Finally, it also recognizes that public opinion and political actors must ultimately accept the values and the means of these networked solutions; this is where the idea of gaining acceptance by obtaining good results enters the picture.

Thus the idea of creating public value, while no clearer than that of acting in the public interest, was a useful call to public managers to explore the limits of their discretionary powers in seeking linked-up government with stakeholders. However, it tends to leave aside concern for arbitrations among competing claims at the societal level and it risks leading managers into political competition with elected representatives.

In the end, the definition of the public interest is conditioned by the rules of political life, by the values of the French public service as cited above from Chevallier (1987); they are equality, impartiality, continuity and adaptability. Swedish researcher Bo Rothstein (2011 7,30) makes the case that impartiality is the most important determinant of quality of government, more important than social capital, than efficiency and effectiveness, more even than democracy itself. Impartiality is a major source of political legitimacy, whereas political equality may generate low quality of government by encouraging favouritism (95). Rothstein cites John Rawls, Bryan Barry and John Stuart Mill to the effect that impartiality is at the heart of justice (27); he receives support in turn from Fukuyama (2013).

3. The Role of the Centre

If we have established that the existence of a state requires some capacity to define and enact policies in the public interest, the question arises of what capacities and how much of them. We cannot define some specific bundle of such policy responsibilities that a central government requires, but it is possible to see some

minimum without which a state will falter or fail. Lemieux (1979) and Kaufman (1970-71) argue that any organized system requires some centre of authority, otherwise it is not a system. Buckley (1967,22) cites Parsons on the minimum as the means of preserving order; it is a functional imperative. On the basis of historical studies, Margaret Levi (1988) found that a state requires a territory with centralized regulation, a monopoly of violence, property rights and the capacity to extract revenue.

Côté and Lévesque (2009 13) are quite clear about the responsibilities of the state under a system of governance. In such a system, the state has strategic functions that only it may assume: these are planning and evaluating, while implementation is left to the decentralized and networked system. Aucoin and Heintzman (2000, 277) the essential administrative functions of the state include monitoring, control, review and evaluation. Whatever the exact contours of these strategic functions, they require that the state possess a capacity to synthesize information ascending from the operational level.

The desirable degree of centralization in any state is usually the subject of controversy. In the United States, the ongoing debate among adherents to the centralizing doctrines of Hamilton and the limited government approach of Jefferson contributed to the checks and balances nature of the United States' constitution and continues to this day (Kettl 2002). The United States also provides a close at hand example of a failed state, although it is not often referred to. From 1781 to 1787, the constitution was known as "The Articles of Confederation" (Library of Congress 2015, Wikipedia 2015) under which all residual powers were left to the states. The central government was limited to responsibility for war, peace and diplomacy, deciding disputes between states and the admission of contested western territories as new states of the union. Except for this last task, it was unable to function properly. The states were to raise central government revenues with funds derived from real estate, and also to name all but the highest ranked individuals in the armed forces. The continental currency was not a success. The Articles of Confederation were replaced by the present constitution in 1789.

Now these questions are all relative. Compared to the constitution of the United States, the Canadian constitution appears relatively strong, with its capacity to produce majority governments, more often than not, and property rights that remain with the Crown (Nelles 1974, 39-40). And yet, when French sociologist André Siegfried visited Canada in the early twentieth century, he considered that, compared to the French state, ours was weak, where the public service was dominated by elected officials (cited by Whitaker 1992). Roberts (2002) considered that for most of the twentieth century the Federal administration attested to "a fragile state". Moreover, while the introduction of a public service recruited by merit strengthened the public service, there have been expressions of concern recently about its weakness (Zussman 2010, Thomas 2014, Savoie 2015). The division of powers found in the constitution is another factor that obliges the federal government to share power with the provinces. A striking example of this sharing is the inability of the federal to undertake alone treaty obligations in areas affecting provincial jurisdiction: in 2015, Canada had only ratified 34 out of 189 conventions of the International Labour Organization (Canadian Foundation for Labour Rights 2015).

At the time of Confederation and for the rest of the nineteenth century, Canada and the provinces were very decentralized. Heintzman (1997) observed that the new forms of alternative service delivery, agencies, partnerships and so on had all been used extensively in pre-Confederation Canada. In one sense, the first century of the Canadian federation was one of increasing state intervention and one of institution-building. Chronicles of state intervention showed steady increase in state intervention caused by industrialization and urbanization, often despite the ideology of the party in power (Corry 1939, Hodgetts 1995, Gow 1986). At the same time, as the federal and provincial governments grew in size, they were compelled to introduce new rules about financial and personnel management, in order to limit the possibilities of fraud, corruption, patronage and to ensure impartiality.

The century-long process of centralization produced an institutional model that featured departments headed by an elected minister and an appointed deputy minister, a host of non departmental agencies, each loosely attached to a

department and a cluster of central agencies to direct planning, coordination and control in the name of the prime minister and cabinet. The historical record shows that departments were considered to be the basic building block of democratic responsible government (Glassco Commission 1964, 55 français). This development had its roots in what Hodgetts (1956) called the *Pioneer Public Service*

The achievement of responsible government in 1848 required members of the government to be in charge of the main policy institutions of the government and thus responsible in both meanings of the word. If they were to answer to their colleagues and to the legislature for the policies and the results obtained by their departments, they had to have effective control over them. At the same time, it was one of the "bequests" of the period 1841-1867 that each department had a deputy minister who was not an elected politician. The choice of department as basic building of government met the need to recognize the supremacy by the creation of most departments by legislation (Hodgetts 1973). It met the need as well for competence (Gélinas 2002, 81), planning, coordination and accountability (Gérin-Lajoie 1963).

Since 1960, and especially since 1980, the provinces have come to overshadow the federal government both as employer and as source of public spending. At the federal and provincial levels the weaknesses consequent on centralized management and excessive bureaucracy led to downsizing efforts and public management reforms based on the British (especially agencies) and American (the National Performance Review) models. Many of these alternative service delivery solutions were compatible with the governance model insofar as they broke up the monolithic centre and sought outside actors as partners or contractual agents. In the enthusiasm for these new arrangements, some began to speak of a "hollow state" on the model of the "hollow corporation", that no longer did much but buy the production of goods and services by non-state actors (Rhodes 1994, Weller et al. 1997, Peters and Pierre 1998).

Problems of the hollow state

If we agree that the state in its totality has inescapable functions (Côté and Lévesque 2009, 19) too much hollowing out, will keep it from doing the job. Whether the choice is to proceed by contract, by partnership, including Public-Private-Partnership (PPP), by network or other form of polycentric governance, the state has a different status and role than any other player. If there are any institutional arrangements the state will not only be responsible for its positions on policy issues, it will be primarily responsible for the rules concerning the purpose, duration, membership and powers and responsibilities of members and the guiding organs. In the name of continuity, it remains the guarantor of service if the partnership should collapse or fail. If it is not the sole rule-maker, the rules must be acceptable to the various components of the state (legislature, cabinet, departments and agencies, courts) and it remains the court of last resort.

To do its work, to be able to plan, coordinate and evaluate, the central state needs accurate information. One overall result of the governance approach is fragmentation of this information. The situation in a networked system may cause problems at several levels: at the policy level, for example, the Quebec Auditor General in 2005-2006, found that Emploi-Québec had no overall idea if the Centres d'emploi that carried out its policies were attaining the desired results; still at the policy level, in Britain, the breaking up of the civil service into agencies, meant that it was difficult to consider the civil service as a whole (Rhodes 1994, 146-147); in Canada, the Human Resources and Development Scandal of 2000 happened because "the documentation contained in the project files was deficient" (Good 2003, 6); in his analysis of the problems encountered by the Ontario Department of Community and Social Services, Whorley (2001) noted that several elements of solution were to be found in traditional financial controls that had not been respected. A number of cases have indicated that too hollow a state will not have the knowledge and experience to "direct, control and evaluate contracted services" (Gow 1997, 255, Whorley 2001, l'Observatoire de l'administration publique 2005). Finally, as we shall see later, most of the autonomous control agencies of the central government cease to have jurisdiction over most partnerships.

These remarks refer to partnerships and other contracts. The weakness of decentralized administration is also relevant here. In Ontario and Quebec, the first hundred years of administrative history saw the gradual centralization of functions that municipalities and school boards were not up to dealing with (Hodgetts 1995, Gow 2010). Such weaknesses still exist: Saint-Martin (2015) writes that underdeveloped Quebec municipalities were easy targets for engineering and consulting firms wishing to obtain construction contracts. Recent concerns about the financial health of Quebec municipal pension plans have shown that many of these were too generous to employee unions to be sustainable.

Both history and recent research paint a better picture of strong central states than governance theory does. Rothstein (2011 10) recalls that Laporta and colleagues, in a world wide survey "consistently found that the better performing governments are larger and collect higher taxes" (Laporta et al, 1999, 266). Rhodes (1994) noted the anomaly that Osborn and Gaebler (1993) called for both decentralization and innovation, while admitting that centralized governments are more innovative than decentralized ones.

4 Collaborative Government

As Ingraham and Lynn wrote (2004, 10) there is a continuum in public organization that passes from hierarchy to networks, from command and control to "spontaneous collaboration without formal governance". In between, they say, lie most of the interesting problems of governance in practice.

Collaborative government raises the issue of trust, both among the collaborators or partners and between them and the actors in the wider political system (legislators, ministers, central agencies, managers). In a series of publications dealing mainly with agricultural, biotechnology and environmental policies, Eric Montpetit (2002, 2003, 2014, 2016) defends the practice of bringing interested parties together to develop policies. He thinks that distrust of policy networks is misplaced (2003), that the bad reputation of lobbying is not deserved and that the institutional context in which policy communities operate determines their behaviour (2002). Moreover, most participants in policy networks know that

they cannot achieve all their goals and that they must compromise if policies are to be adopted and implemented, and change results from the interactions of actors who disagree (2016).

   We would agree that the great majority of interventions of interest groups are benign. However, what havoc can be created by the others! (ENRON, banks, auto manufacturers, the National Rifle Association, British Petroleum, the Red Cross, the pharmaceuticals, the professions etc).

   Trust is hard to build and hard to maintain. The most celebrated researcher in this area was Elinor Ostrom who got the Nobel Prize in economics for her work on Common Pool Resource management, that is, the long term voluntary cooperative systems found in many societies that manage resources, avoid free riders and develop successful local institutions. In her view, local knowledge is superior to external intervention and voluntary adherence is superior to external controls (Ostrom 1990, 2000, Toonen 2010). Ostrom's system was criticized by Rothstein (2011, 220-221) who argued that it is "not generalizable to large-scale modern societies", because her successes took place in homogenous social and ethnic groups, with strong existing social bonds. He saw them as implicit cartels and noted that the government was usually involved in the background.

   A default position is needed if trust collapses. Indeed, the world captured in Aucoin's New Political Governance is so paranoid that the existence of autonomous institutions that may limit or control the government's ardour takes on greater importance than in more consensual times. Paul Thomas (2009, 234) saw the adoption of the *Federal Accountability Act* by the first Harper government in 2006 as the end point of a long process of replacement of trust by rules within the federal government.

   While they create a world of "overwhelming complexity" (Ansell and Gash 2008) we have tried to identify the lessons learned from a variety of studies of collaborative government (Skelcher et al 2005, Smith et al., 2006).

   Collaborative arrangements have three justifying interpretations: managerial (most prominent), consociational or elite and participatory or democratic. The OECD version is managerial (Rouillard and Burlone 2011). They are subordinate or

semi-autonomous bodies with limited discretion. They require some stability in goals and personnel (Buckwalter 2014)

They engage stakeholders and change the way government works (Skeltcher 2005, Bherer 2011, Denhardt and Denhardt 2015). They widen the circle of actors and the framework of action. In England and Wales they have brought in groups not usually present in participative bodies, that is, young people, women and minorities (John 2009).

They work, but do not fit in with the doctrine of the supremacy of politics (Skeltcher 2005). They pit delivery against democracy and results over process (Rouillard et al 2011, Skeltcher 2005, Considine et al. 2003).

The two critical factors are realistic expectations (understanding of the constraints on the sponsoring agency) and willingness to compromise (Buckwalter 2014). Collaborative bargaining implies that you will abide by the outcome (Ansell and Gash 2008, Montpetit 2016, Buckwalter 2014).

The public service changes role from controller to facilitator (Bherer 2005, Côté and Lévesque 2009). They have a dual role regarding partnerships: they create the conditions for their existence and they contribute to their outcomes (Buckwalter 2014).Members must have a working knowledge of the subject under consideration (Buckwalter 2014). Or, in the case of district councils, their expertise is their knowledge of the locality (Bherer 2005, John 2009, Ostrom 1990).

5. Accountability Under Governance

Accountability is a serious and persistent problem in public administration, as old as the subject itself. Frederickson (1997, 92) wrote of "the fundamental issue of the role of non-elected officials in a democracy". As the then Clerk of the Privy Council wrote in 2003, "Under the rule of law, the law is supreme over government officials as well as citizens; individual public servants cannot substitute their personal views for the law" (Himmelfarb, 2003, 6). At a more practical level, Altschuler (1997, 40) added, "Society can scarcely have civil servants adjusting the criteria for welfare

eligibility case by case or determining what procedures to employ in arraigning criminal suspects".

Virtually all analysts recognize that governance theory and practice add to this problem and do not have a solution to it (Rhodes 1997, Aucoin and Heintzman 2000, 261, Graefe et al., 2013, Willems and Van Dooren 2015). When one wishes to replace command and control approaches and hierarchy by partnerships and networked government, the question of who is responsible for what before whom is complicated even more than in the traditional version. Defenders of governance rightly point out that the traditional Westminster approach has not been a great success in the era of the administrative state (Dutil, Howard and Langford 2010, Perrin 2015, 188-189). Parliamentary control of the administration in Canada has been weak and random, and this has not much changed with the introduction of Accounting Officer status for deputy ministers (Jarvis 2009).

As this problem existed with the creation of agencies under the influence of the New Public Management, the preferred solution has been results based accountability. Using a contractual model, the idea has been to spell out what results and sometimes impacts were desired of administrative units and then hold senior officials to account for what results they achieved. There are many problems with this solution including the choice of appropriate indicators of the desired results, the danger of inciting administrative units to produce too many detailed reports rather than complete and understandable ones (Etzioni 2014), goal displacement and the inevitable temptation for administrators to present the best possible picture of their work (Perrin 2015, Hodgetts 1991).

Such a complex and rich subject goes far beyond the purposes of this paper. What we wish to emphasis here is the further sign of the reductionist nature of results based accountability. The general rule of contracting and collaborative arrangements is that they exclude the key parliamentary control agents: government auditing, freedom of information, the ombudsman, control of lobbying and, in the case of the federal government, the Official Language Commissioner (Gow 2007-2008, Willems and Van Dooren 2011). In Quebec, Issalys and Lemieux

(1997, 865-868) found that the supervisory powers of superior courts are also reduced.

The federal government has been working on results based accountability for twenty years, the mature version appearing in its Management Accountability Framework of 2003 (Treasury Board of Canada 2014). This framework is quite complete and sophisticated, including four main headings: "Public Sector Values, Leadership and Strategic Direction, Results and Accountability and Continuous Learning and Innovation". The outcome of the process is accountability for results. When we recall Jocelyne Bourgon's call that managers should be responsible not only for program results, but also what she called civic results (Bourgon 2011, 38), one cannot help but be struck by the fact that specific civic results are not called for nor is there any attempt to measure how "public sector values" are achieved.

It appears that the measurement of these democratic or civic results is in the hands of the numerous parliamentary agents, whom Alasdair Roberts has called "the control lobby" (Roberts 1996). Whatever the case, the removal of these agents from sectors operating under contract or partnership means the downgrading of the values these institutions were created to protect. These are choices that belong to the realm of politics, but in this case they have been done in the name of a management ideology that makes a cult of efficiency (Stein 2001). The shift of emphasis primarily to results means that these other legal obligations are experienced by managers as constraints on effective management (Maltais 2015)

Rethinking Accountability

Both the problems raised by governance and the weakness of the classic modern approach to governance (Aucoin and Heintzman 2000, 261) call for new ideas about accountability. This paper will not solve the problem, but it might clarify some issues.

Borrowing from Harmon (1995), let us note that there are three versions of accountability, the economic, the political and the communitarian. The communitarian version is one built on trust. The literature refers mostly to trust

among the participants (Ostrom 2000,Thomas 2009) but the accountability question also raises the problem of trust between the participants in a network and the other actors of the political system. Both the political and the economic versions exist because it is widely considered that there is not always a relationship of trust between elected representatives, public servants and citizens (Juillet 2000). The political version is concerned with the Rule of Law, the constitution and the quality of public life.

The economic version is best known these days in the form of principal-agent theory which claims that a principal or patron or sponsor charges an agent with a task and then holds the agent to account for the results of this mandate (Bélanger and Mercier 2006, 32). This thinking has underlain the widespread introduction of personal contracts for deputy ministers and agency heads (OECD 2011). However, as a basis of accountability in general it is far too simplistic. It is not clear who is the principal in public administration. Sometimes it is the public (Graefe et. al 2013) sometimes parliament (Wikipedia 2016, Taylor 2011) sometimes the prime minister, as in the example of the prime minister's mandate letters to new deputy ministers (Bourgault 2014, 370). As Vincent Lemieux wrote in *Les cheminements de l'influence* (1979), what characterizes large public organizations is that one person may be an agent in one aspect of their role and a principal or governor in another.

It is also important to note that this is not a simple relation between a principal in authority and an agent charged with execution (Worsham et al. 1997). Gérard Bergeron based his *Théorie de l'État* (1965) on the observation that at the heart of the state, there are institutions charged with initiating and implementing policies and programs and others with the function of controlling and supervising these other institutions; the governmental and administrative functions have initiative and flexibility, while the legislative and judicial functions have the more deliberate and formal functions of control. Bergeron said the active functions (government and administration) had primacy (*primauté)* while the controlling functions had superiority. This language, along with Lemieux's typology of relationships within large networks, remind us that power and influence are distributed in many ways, some unidirectional, some reversible, some active and

others passive (the ability to block something or the power to countersign). Seen in this light, in the parliamentary tradition, the government has the initiative of proposing legislation and budgets to parliament who, as the representatives of the voters, can adopt them or defeat them or, in the case of legislation, propose amendments. We would think that within the state, the government and central agencies are the principals and the rest of the public sector the agents, whereas, in a societal perspective, the public are the principals, but only in the sense that they respond to the offers made by the government and other political parties or to the criticisms and alternative proposals of interest groups.

In a reflection on the new situation, Garon and Montpetit (2011) consider that networks have to justify their actions to political (and administrative?) elites, who in turn must justify them to citizens. The problem is compounded by the fact that participants in networks are sometimes chosen for their expertise and sometimes for their representativity. In this perspective, networks are considered legitimate if other elites recognize them as such. Such an approach lends support to Moore's theory of public value.

Garon and Montpetit (2011) raise another distinction: not only are there three types of parties to the accountability relation, but there are several stages to the policy process: agenda setting, implementation, discourse development and actions towards networks. To these we would add, following alternative specification, policy proposals and evaluation (Kingdon 1984).

If we are going to consider that the appropriate accountability must recognize the different stages of the policy process, there are two other similar distinctions that must be included. In the first place, the type of policy is relevant. We do not hear much about them these days but surely the distinctions developed in the 1960s by Theodore Lowi (1963-1964) and Robert Salisbury (1968) are still relevant. Lowi postulated that groups' interventions are conditioned by the kinds of policies being considered: policies of distribution (such as contracts and grants) pose no absolute limits to the number of possible participants; policies of redistribution involve large numbers of citizens usually identified by their social class; and policies of regulation involve controls in the name of some public good or

interest. Much of the debate about this third category turns on how much networks can be trusted to regulate themselves. At the very least , in these kinds of policies, some external judgement is required to reassure political elites and the public.

Finally, Gilles Bouchard (1991) has shown that there are patterns of relations between public servants and citizens, depending most notably on the social class of the citizens, whether or not the relationship is voluntary or compulsory, whther or not the service provider has a monopoly. Thus the relationship between business organizations that have the choice to deal with several government organizations is very different from that of prisoners or welfare recipients and the services they receive or, again, from those of public institutions like municipalities and the governments on which they depend.

The point here is that the accountability relationship is much more complicated than that between a clearly identified principal and his/her agent. A few practical suggestions may be made. First, we have long had the example of diplomats at international organizations treading the line between obedience to their national government and searching actively for a collective solution. In the 1930s, there were two notable incidents of the government feeling it necessary to disavow the positions taken by the Canadian delegates to the League of Nations, one in 1932 concerning the Japanese invasion of Manchuria and the other in proposing oil sanctions after the Italian invasion of Ethiopia. Since that time, the rules of the game appear to have been understood by various delegations. Second, it might be possible to outline basic ground rules concerning non mission-based values in an Administrative Procedure Act, along the lines of the American APA adopted in 1946 (Bingham and Nabatchi 2009, 552). This might include criteria concerning which of the parliamentary supervisory agents should continue to have jurisdiction in certain types of arrangement, for example, if the Official Languages Act would apply.

To conclude, insofar as governments merge their responsibilites and powers in partnerships with other governments and nongovernmental actors, there is still a need for accountability for how these mandates have been carried out (Stein 2001, 80-81). While authors like Graefe and colleagues (2013) prefer not to admit of any hierarchical element in federal-provincial collaboration, Willems and Van Dooren ,

in a study from Belgium, find that the principal-agent relationship "implies some rights of authority" (2011, 507). Stein agrees, saying, "If we are to avoid the inevitable excesses of an 'accountability police', if we do not want to leave the determination of the terms and meaning of accountability exclusively to the state , citizens and experts and professionals in public discussion of the shape and substance of the standards that will be at the heart of the exercise of accountability (Stein 2001, 81). We agree and think that such a discussion will have to include the place of "non mission-based values" in governance arrangements.

6. The role of the public service under governance

Governance in its networked or partnership version tends to deny any special status to the public service, claiming that the frontier between the public and the private and the non-profit sectors is increasingly vague, not to say meaningless. Previously, under the impulsion of the New Public Management, recourse to agencies had a similar effect, reducing as it did, the domain of common public personnel policies. In this section, we take issue with these assumptions and return to the need for a sphere of common personnel policies that take into account the entire range of contributions of the public service, even in an era of governance.

A striking finding of all that precedes is how the focus of management and governance theories have contrived to reduce the role of the public service to that of producer of goods and services in a manner that responds to the preferences of citizen-clients. However, the contribution of the public or civil service goes beyond this restricted but vital role. Adapting a typology of Elinore Ostrom, Bekke, Perry and Toonen (1996, 5-7) identified three worlds or levels on which public service systems operate: the operational, the governmental and the constitutional. The operational level of public personnel administration is that of hiring, training, evaluating, promoting, disciplining and sometimes firing public servants. At the governance or collective choice level, public servants participate in the work of planning, coordinating, evaluating and controlling that remains as long as there is a state. Louis Côté has pointed out that this kind of work lends itself much less to

performance evaluation than does the production of measurable outputs of goods and services. This is the level of relations between public servants and politicians, of rights and duties, of the "public service bargain". It is also the level of public service culture, which is formed by socialization and training, evaluation and promotion practices, and labour relations.

The third level, the constitutional or societal includes the contribution of the public service to the legitimacy, a theme that includes the quality of public services, but also representation of different groups in society, its reputation for impartiality and responsiveness. These other levels of contribution lead an OECD publication (2004) to declare that the essential objective of public service work is governance and not management. For Canada, Heintzman and Marson (2005, 587 check) write that the ultimate goal is "to reinforce democratic citizenship and the confidence of citizens in the effectiveness and utility of public service institutions". (check translation).

The narrow focus and the downgrading of the non-mission values embodied in the rules concerning administrative procedures and control agents accompanies the individualism of the methods proposed for the management of senior officiales. Even so, pay for performance does not necessarily lead to improved performance P. Instead, there is a large body of research confirming Perry and Wise's (1990) finding that among midlevel and higher public servants there exists a "Public Service Motivation", that includes a desire to serve the public interest, to participate in policy-making, compassion and altruism (Bright 2005, Perry Hondeghem and Wise 2010, Budlock, Stritch and Rainey 2015). It is not clear if this is a cause or an effect of public service (Bozeman 2015), nor if it is always stronger than personal or selfish motives, but at the very least, it coexists as a rival system of values to those based on private management (Emery and Giauques 2012).

The governance and constitutional levels of the public service's role also explain why working in the civil service is significantly different than working in the private or nonprofit sectors, with significantly more restraints on management (Brewer and Walker 2013). Far from being a mere burden on efficient management, these restraints reflect the mission of the "new public service" of Denhardt and

Denhardt (2015, 664): "a set of norms and practices that emphasize democracy and citizenship as the basis for public administration theory and practice".

Let us note here, that the institutional rules governing the public service, allowed it to withstand for some time the assault on its status and procedures that was mounted by the government of Stephen Harper, against impartiality, scientific knowledge, answerability and even the working of Parliament (Savoie 2015), what Aucoin called the New Political Management (2008). Even so, the kind of control available to a determined government led to a widespread malaise in the public service (Savoie 2015, Zussman 2010 and Thomas 2014)

The lesson is that the need for a professional public service is a strong as ever. As well as being proficient in the techniques of administration and management, they have to manage the preparation and implementation of public policy. They must understand the system and how it works, central agencies, judicial control, the rules concerning impartiality, equality and fairness (Jarvis 2009, 539(. Such knowledge is crucial to managing expectations of partners. Lynn (2009, 810) argues that public servants must be made aware of their constitutional role.

However if such a prescription appears conservative we hasten to add that the context is new and public expectations are different. As Forrer, Ket and Gabriel put it, it is "Not your father's public administration" (2007). Public service candidates will need training in managing networks and working with partners. They will have to know how to operate in contexts outside the public service (Hood and Lodge 2004) and create a culture of citizen engagement (Denhardt and Denhardt 2015). More than ever, mutability, or adapting the public service to changing techniques and circumstances is a primary responsibility.

The argument here is for democratic and ethical principles we must adopt the stewardship or trustee model of the public service as a opposed to to what Pollitt and Bouckhaert (2011, 95) called the agency model. They added (192) that "the cautious mandarin has gone out of fashion in favour of the 'can-do' chief executive" in the wake of the New Public Management. We argue here that this effect was the logical result of the emphasis on results only, to the neglect of the

governance and constitutional functions of the public service. There is still plenty of support for a stewardship model (Bourgon 2011, Coleman et al. 1999, 192.

7. Conclusion.

No doubt the tendencies identified under the expression "governance" will continue, and they will make studying political life more complicated (Pollitt). Governance shows weaknesses in its lack of interest in representative government, its lack of concern for inequality, due process and justice. A polycentric system has strengths that a rigid centralized one does not possess, but a central government capacity is needed to preserve boundaries, protect the country's interests and offer institutions capable of defining the public interest case by case, in more or less precise terms, develop and choose among grand options, act as court of last resort and as guardian of fairness and justice. Its differences mean that the work of public servant is different from that of employees in other economic and social institutions. The state remains different from all other social institutions.

We agree with Peters (2011) and Roy (2005) that there is no going back to the status quo ante. As we saw, adaptability is one of the basic values of public service. Nevertheless, we think the preceding considerations explain why there is a growing consensus that hybrid organizations will emerge from each attempt to impose on the state an alternative form of organization. It was observed first in France, when Chevallier and Loschak (1982) saw new forms emerging from the encounter of administrative law and public management. In Canada, Howlett (2000) and Dutil et al. (2010) observed this kind of cross fertilization of the Westminster model and new forms of governance. Internationally, it exists in Pollitt and Bouckaert's neo-weberian model and most recently in Bourgault and Gow's study of the management of senior staff (Bourgault and Gow 2016).

The question under study here informs us about what we do when we study public administration (PA). In a recent book *The Half Life of Facts* (2012), Samuel Arbesman writes that science is constantly having to update what scientists think is true and that the progress of scientific knowledge is quite predictable. He claims

that this is true also for the social sciences. So what is a verifiable fact in PA? Facts concerning budgets, the public service, laws and regulations reports and statistics change all the time and, for the researcher, being out of date means risking no longer being true.

Yet there is another recurrent strain to knowledge in PA that does not seem endangered. The component disciplines of PA will continue to evolve, as do its current details, but there is a strong cyclical element in it (Pollitt and Bouckaert 2011, 184). The famous studies of Weber, Eisenstadt, Françoise Dreyfus (2000), Herbert Simon. Leonard White, J.E. Hodgetts and many others have to be reinterpreted in light of subsequent history, but they are not invalid with respect to the world they analyze. Theoretical and historical facts appear to have a longer shelf-life than descriptive facts. Historical Institutionalism, including Path Dependency remains valid in principle. Some aspects of Post Modernism can hardly be distinguished from pre-modernism (for example, the retreat from equality and the return of group loyalties). We agree with Dutil (2014) that history teaches us modesty. We also note that there seem to be differences of attitude along disciplinary lines. In a comparative study of "the contract culture in public services" Perri6 and Jeremy Kendall wrote "In these crude caricatures, economists are slightly dictatorial optimists and political scientists are resigned cynics" (1997, 188). Fifteen years later, in a review of the festschrift in honour of Peter Aucoin Michael Atkinson (2013, 509-510), wrote that Aucoin's New Political Governance inspired in the authors a "language of decline and bleakness".

The implications of these findings are that practitioners need to know which facts of the past are still relevant, and which have ceased to be because of new circumstances. For academics, it would seem that they must navigate between the excessive confidence of economists and management advocates and the pessimism of some sceptical political scientists and legal scholars.

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