

JSGS 801 – GOVERNANCE AND ADMINISTRATION

University of Saskatchewan Campus	
Instructor:	Jeremy Rayner and Joe Garcea
Phone:	Jeremy Rayner: 306 966 2215 Joe Garcea: 306 280 5450
E-mail:	jeremy.rayner@usask.ca; joe.garcea@usask.ca
Office Hours:	By appointment
Office Location:	Jeremy Rayner: Diefenbaker Building 160 Joe Garcea: Arts 274
Term:	Winter 2016
Room:	Diefenbaker Building, Prairie Room
Date and Time:	Mondays 5:30 – 8:30 p.m.

CALENDAR DESCRIPTION

This course analyzes governing institutions and the process of modern government within Canada as a means of enhancing a student's understanding of policy formulation and implementation. This course is intended to provide a basis for critically assessing political and administrative decision-making and policy outcomes.

COURSE CONTENT AND APPROACH

This course is divided into two parts. The first focuses on reviewing the principles and practices of the institutions of policymaking and service delivery in Canada. For the most part the format will be one of lectures and interactive dialogue between professors and students. The second part of the course is devoted to a more detailed examination of contemporary public sector management, especially its stresses and challenges and the role that public servants and public service innovation can play in meeting these challenges. The institutional frame from the first part of the course is still there but this part of the course is focused on a series of more recently identified challenges and opportunities, including the changing focus on government accountability, the desire to create more effective service delivery and better functioning programs, and the increasing use of new governing instruments. Classes will include both presentations of the readings and discussions of short case studies drawn from current events.

The approach is based on the idea of building competencies in the expectation that each student in the program is here to become a professional public servant or a leader in an organization with a public interest mandate. Key competencies that will be developed in this class included written and oral communications skills, leadership,

teamwork and ethical decision-making. Group work, including resolving group conflicts independently, displaying individual leadership and developing clear skills in managing multiple tasks are all part of this class

JSGS COMPETENCIES FOR 801

1. Management, Governance, and Leadership:

Through the readings and cases, you will be able to understand and apply the key concepts and principles of modern governance and administration, focusing particularly on the philosophical, ethical and constitutional issues associated with function of public managers in a democratic context,

2. Communication and Social Skills:

You will learn to work comfortably in multi-disciplinary groups, both large and small, by presenting articles and leading seminar discussion in small teams. . Both the examination and the environmental scan exercise are designed to develop writing and persuasive skills.

3. Systems Thinking and Creative Analysis:

The case study approach adopted in 801 is intended to develop your ability to synthesize and apply concepts of leadership in public institutions and to employ a systematic, analytical approach to decision making

4. Public Policy and Community Engagement:

The central focus of JSGS 801 is an introduction to the basic concepts of effective public management and decision making in democratic societies and the tension between expert advice systems and democratic engagement.

5. Policy Knowledge:

While this is not a course that sets out to study any particular issue area or policy problem in detail, the cases will range widely over a number of different contemporary issues, developing the skills that combine evidence and argument in the policy process.

6. Continuous Evaluation and Improvement:

A commitment to on-going evaluation for continuous organizational and personal improvement, ensuring that you are aware of your weaknesses and developing a path towards improvement associated with your personal portfolio that will track your progress and development through the MPA program.



TEXTS AND READINGS

There is no textbook assigned for this class. For students who want a general background to Canadian politics and public administration, we recommend the following:

Johnson, David. 2011. *Thinking Government: Public Administration and Politics in Canada*. Toronto: University of Toronto Press, 3rd edition.

All readings for individual classes are noted in the detailed course calendar below. In each class the reading or readings identified with an asterisk (*) will constitute the core of the class, and it is important that students should have read and thought carefully about these readings. The instructors will call on members of the class to comment on these readings with impunity: be forewarned. Finally, each section contains additional readings. Anyone dipping into this material will be better armed for the discussion (and will make an impression).

Access to readings: except for occasions where URLs are provided for open access material, readings can be found online through the U of S Library e-journals.

EVALUATION

Environmental scan	30%
Class Participation	10%
Group presentation and seminar management (one or two presentation assignments depending on the size of the class)	30%
Final Exam	30%

DESCRIPTION OF ASSIGNMENTS

Your **first assignment** is an individual writing assignment that requires you to conduct an environmental scan for a governance organization. The organization can be a non-profit, a federal or provincial department or unit, or an international organization or unit. If in doubt about the kind of organization you should choose, consult one of us. An environmental scan is an attempt to identify what is going on in an organization's external environment that may pose challenges or offer opportunities in the future. Typically, a scan will identify trends, events and emerging issues that are likely to have an impact on the way an organization performs its functions and meets its goals. Although scans can be conducted in a variety of formats, you should follow the format in the guidelines laid out for the Saskatchewan Ministry of Finance

<http://www.finance.gov.sk.ca/performance-planning/2008-09/ENVIRONMENTAL%20SCAN%20GUIDELINES.pdf>

and present information for each of the five components of a scan identified in these guidelines. Each section should be about 300 words in length for a total of 1500 words. Remember, although the strategy section may begin to suggest possible solutions, a scan is largely a descriptive exercise. Please note that if you wish to conduct a scan of an organization that you work for or volunteer in you **MUST** have the permission of that organization first. **Scans should be emailed as pdf format attachments to jeremy.rayner@usask.ca and are due by noon on February 12th.**

Your **second assignment** is a class presentation, in groups of two or three students, of one of the readings to be presented in the class for which that reading has been assigned. Readings marked with an asterisk are NOT available for presentation. This assignment has three parts. You should, first, email the instructors with two or three discussion questions at least 48 hours ahead of class time. You should, second, present the main arguments of the reading in class for about 15 minutes, focusing on the take home messages and the connections between the reading and the topics of the course – do NOT summarize the reading in your presentation. Finally, you should be prepared to lead a class discussion on the reading based on your discussion questions. (10-10-10)

Please visit the Blackboard regularly.

There will be a take home final examination for this course. **The questions will be provided at noon on April 11 and the answers must be submitted by noon on April 15.** Full instructions, including word length, format and submission, will be provided in class.

LATE ASSIGNMENTS

Late penalties will be in operation except for lateness caused by documented medical reasons. There are no exceptions.

Penalties:	1 day	5 percent
	2-4 days	15 percent
	5-7 days	25 percent

Assignments are not accepted after 7 late days except for documented medical reasons. There is no extension permitted for the final examination.

STUDENTS WITH SPECIAL NEEDS

Students in this course who, because of a disability, may have a need for accommodations are encouraged to come and discuss their concerns with the instructor and to contact Disability Services for Students (DSS) at 966-7273, where appropriate accommodation will be arranged.

ACADEMIC INTEGRITY AND CONDUCT

Understanding and following the principles of academic integrity and conduct as laid out in the University of Saskatchewan's Guidelines for Academic Conduct is vital to your success in graduate school (as attached; and available at http://www.usask.ca/university_council/reports/archives/guide_conduct.shtml). Ensuring that your work is your own and reflects both your own ideas and those of others incorporated in your work is important: ensuring that you acknowledge the ideas, words, and phrases of others that you use is a vital part of the scholarly endeavour. If you have any questions at all about academic integrity in general or about specific issues, contact any faculty member and we can discuss your questions.

COURSE CALENDAR OVERVIEW

January 11, 2016: Governance and Administration: What (if anything) makes the Public Sector Special?

The art of governing takes place in an institutional environment that sets the basic ground rules for making and implementing public policy. Beginning in the mid-1990s, it became commonplace to hear that the locus of policy making was no longer to be found in the traditional institutions of government but in a broader institutional context of “governance”. Whether or not this claim was ever well-founded (a question that will be a major theme of this course), significant changes in the institutional environment have certainly taken place. Whether the resulting new institutional mix is capable of satisfying contemporary requirements of democratic governance is an abiding normative concern. Can public sector managers draw strength from the new environment or are they hobbled and compromised by a framework that cannot be adequately reformed to supply policy innovation, public responsiveness and accountability?

Readings:

Wilson, Woodrow. 1887. “The Study of Administration.” *Political Science Quarterly* 2:197-222.

Olsen, Johan P. 2008. “The Ups and Downs of Bureaucratic Organizations.” *Annual Review of Political Science* 11: 13-37.

Peters, B. Guy. 2010. “Bureaucracy and Democracy.” *Public Organization Review* 10: 209-222.

January 18, 2016: The Westminster System of Government and the Public Service

This session covers the foundations of the Westminster or parliamentary system of government and its specifically Canadian features. It will also introduce core constitutional principles as well as major reform theories and compare and contrast Canadian practice with that of other countries, especially the US.

Readings:

*Aucoin, Peter, Jennifer Smith, and Geoff Dinsdale. 2004. *Responsible Government: Clarifying Essentials, Dispelling Myths and Exploring Change*. Ottawa: Canadian Centre for Management Development. Online at http://www.cspsefpc.gc.ca/pbp/pub/pdfs/P120_e.pdf

Rhodes, R. A. W. 2005. “Is Westminster Dead In Westminster (and why should we care?).” *Inaugural lecture ANZOG* Canberra. apo.org.au/files/Resource/anzsog_lecture_23_feb.pdf

Weller, Patrick. 2003. “Cabinet Government: An Elusive Ideal?” *Public Administration* 81(4): 701–722.

Student Presentations

January 25, 2016: Political and Administrative Responsibilities

This session examines the tensions associated with the Westminster system's central feature of a political executive drawn from and responsible to the legislative assembly. It investigates the concern that the mechanisms of responsible government and ministerial responsibility are increasingly less able to hold the government of the day to account and the implications this has for the public service. Does the system work as it was originally designed to work? Is it a system that is adequate for the demands of contemporary governance? What are the consequences for public servants? How can the responsiveness of democratic governing be balanced with the predictability and impartiality assumed to reside within bureaucratic institutions

Readings:

*Government of Canada. 2015. Open and Accountable Government. <http://pm.gc.ca/eng/news/2015/11/27/open-and-accountable-government>

*Parliament of Canada. 2013. "The doctrine of ministerial responsibility." *Governance in the Public Service of Canada*. <http://www.parl.gc.ca/housepublications/publication.aspx?docid=1812721&file=33>

Smith, David. 2007. "Clarifying the Doctrine of Ministerial Responsibility as it Applies to the Government and Parliament of Canada." *Commission of Inquiry into the Sponsorship Program and Advertising Activities Research Studies I*. 101-43. http://publications.gc.ca/collections/Collection/GomeryII/ResearchStudies1/CISPAA_Vol1_4.pdf

Bevir, Mark, and R.A.W Rhodes. 2006. "Prime Ministers, Presidentialism and Westminster Smokescreens." *Political Studies* 54: 671-690.

Student Presentations

February 1, 2016: Executive Leadership in Government

This session deals with the role of the Cabinet in Westminster parliamentary systems of government. Students learn about the role of the Prime Minister, other Cabinet Ministers and the relationship between the political executive and the public service.

Readings:

*Zussman, David R. 2008. *The New Governing Balance: Politicians and Public Servants in Canada*. The Tansley Lecture. March 13: http://www.uregina.ca/sipp/documents/pdf/Tansley_08_online.pdf

Polidano, Charles. 1999. "The Bureaucrat Who Fell Under a Bus: Ministerial Responsibility, Executive Agencies and The Derek Lewis Affair in Britain." *Governance* 12(2): 201-229.

Wilson, R. Paul. 2015. "Ministers Caucus Advisory Committees under the Harper Government." *Canadian Public Administration* 58: 227-248.

Bakvis, Herman. 2001. "Prime Minister and Cabinet in Canada: An Autocracy in Need of Reform?" *Journal of Canadian Studies* 35: 60-80.

Student presentations

February 8, 2016: Bureaucracy and the Formation of Public Policy

This session explores the theories that have sought to describe and define the appropriate role of the public service (or “bureaucracy”) in policymaking, as distinct from other actors and institutions of government. This topic will allow students to identify the similarities and differences between the public service, elected officials, and for-profit organizations with respect to such issues as organizational behaviour, power dynamics, incentives for action and inaction, and their role(s) in government and society.

Readings:

*Max Weber. 1946. “Bureaucracy,” in *From Max Weber: Essays in Sociology*, eds. H.H. Gerth and C. Wright Mills. New York: Oxford University Press, 1,2,3,4,6,7.

Cappe, Mel. 2011. “Analysis and Evidence for Good Public Policy: The Demand and Supply Equation.” *Tansley Lecture*, April 19th,

http://www.schoolofpublicpolicy.sk.ca/_documents/_outreach_event_announcements/tansley/2011%20Tansley%20Publication.pdf

Or Google: Mel Cappe Tansley Lecture

Grube, Dennis. 2013. “Public voices from anonymous corridors: The public face of the public service in a Westminster system.” *Canadian Public Administration* 56: 3-25.

Heintzman, Ralph. 2014. “Renewal of the Federal Public Service: Toward a Charter of Public Service.” Ottawa: Canada 2020. <http://canada2020.ca/public-service-renewal/>

Student Presentations

Self-Study Questions for Part One

1. What is meant by parliamentary supremacy in Canada?
2. Identify what the “Westminster model” of government means.
3. Compare the parliament-centered and cabinet-centred (Westminster model) view of Parliament.
4. Distinguish between the formal executive and the political executive.
6. Identify and discuss the powers (their sources and limitations) for the prime minister and the cabinet.
7. Debate the merits of ‘the Cabinet government’ versus ‘prime ministerial government’.
8. Identify and discuss the functions of the four main central agencies.
9. Identify the factors that influence the composition of Cabinet.
- 10: Identify the source of the Prime Ministers power and what, if anything, should be done can to restrain it.
- 11: What are the main sources of public service power and what dangers does this represent if any for representative democracy.

READING WEEK

February 22, 2016: Public Administration, Public Management, Public Governance?

In this class, we will pause, take stock and try to fit the evidence accumulated from the previous classes into the narrative of a shift from traditional public administration to new public management and new public (political) governance. There are certain problems of governance that remain on the public administration agenda, although they take different forms as technologies and governments change. What is left of traditional public administration? Who are the winners and who are the losers in the shifts that have taken place? Is there a new paradigm for governance and administration or are we still in a period of transition with no end in sight?

Readings:

*Moran, Michael. 2001. "Not Steering but Drowning: Policy Catastrophes and the Regulatory State." *The Political Quarterly* 72(4): 414-27.

Stark, Andrew. 2002. "What Is the New Public Management?" *Journal of Public Administration Research and Theory* 12: 137-151.

Pierre, Jon. 2009. "Reinventing governance, reinventing democracy?" *Policy & Politics* 37 (4): 591-609.

Osborne, Stephen. 2006. "The new public governance." *Public Management Review* 8(3): 377 – 387.

Aucoin, Peter. 2012. "New Political Governance in Westminster Systems: Impartial Public Administration and Management Performance at Risk." *Governance* 25(2): 177-199.

February 29, 2016: Courts and Judicial Review

This session examines the role of legal institutions (such as courts and tribunals) in policymaking and administration. It studies the relationship between the judiciary and other branches of government, the impact of the Supreme Court on public policy, and considers the extent to which judicial review constrains the actions of the democratically elected elements of government and the public service. We will consider the degree to which law constrains and empowers policymaking; when and how specific rules should be set; how much discretion government officials should have to make case-by-case decisions; and how such discretion should be controlled.

Readings:

F.L. Morton. 1999. "Dialogue or Monologue?" *Policy Options*, April. Available at <http://archive.irpp.org/po/archive/apr99/morton.pdf>

*Hogg, Peter W. and Cara F. Zwibel. 2005. "The Rule of Law in the Supreme Court of Canada." *University of Toronto Law Journal* 55: 715-33.

Hoehn, Felix. 2011. "Privatization and the boundaries of judicial review." *Canadian Public Administration* 54:73-95.

Lagasse, Phillip. 2012. "Parliamentary and judicial ambivalence toward the executive prerogative powers in Canada." *Canadian Public Administration*, 55: 157-180.

Student Presentations



March 7, 2016: Federalism and “Multi-Level Governance”

This session deals with the nature of a federal system where there is a constitutionally based division of power between a central governing authority and various sub-national jurisdictions. This topic seeks to account for the rationale of the Canadian federal system, its historical underpinnings, and the various institutional arrangements that have emerged under a federal system. In addition, it explores the governance implications of federalism in the broader context of multi-level governance arrangements and the relationships, roles and responsibilities both of the central authority, sub-national jurisdictions and of other issue-oriented decision making bodies.

Readings:

*Hooge, Liesbet and Gary Marks. 2003. “Unravelling the Central State, but How? Types of Multi-level Governance.” *American Political Science Review* 97(2): 233-243.

Bickerton, James. 2010. “Deconstructing the New Federalism.” *Canadian Political Science Review* 4(2-3): 56- 72

Lenihan, Donald G., Tim Barber, Graham Fox, and John Milloy. 2007. “Canadian Federalism: Adapting Constitutional Roles and Responsibilities in the 21st Century.” *Policy Options* April: 89-95.

Bakvis, Herman. 2013. “‘In the shadows of hierarchy’ Intergovernmental governance in Canada and the European Union.” *Canadian Public Administration* 56(2): 203-218.

Coates, Ken and Greg Poelzer. 2014. *An Unfinished Nation: completing the devolution revolution in Canada’s North*. Ottawa: Macdonald-Laurier Institute. <http://www.macdonaldlaurier.ca/files/pdf/ArcticDevolution-final.pdf>

Student Presentations

March 14, 2016: Treaty Federalism, Indigenous Rights and Institutions

This topic explores treaty federalism and the legal rights and institutions that have developed for and been developed by First Nations, Inuit and Metis people. Indigenous groups' unique history with particular regions and their interactions with non-indigenous peoples have given rise to these rights and institutions. This topic explores the differing views, held by indigenous peoples and the states in which they reside, on the types of rights held and how they play out in specific scenarios. It examines legal decisions made by courts that have shaped the nature and power of indigenous rights and institutions.

Readings:

*Ladner, Kiera L. 2003. “Treaty Federalism: An Indigenous Vision of Canadian Federalisms.” In *New Trends in Canadian Federalism*, Second Edition. Eds. Francois Rocher and Miriam Smith. Peterborough: Broadview Press.

*Coates, Ken. 2008. *The Indian Act and the Future of Aboriginal Governance in Canada*. Research Paper for the National Centre for First Nations Governance. http://fngovernance.org/ncfng_research/coates.pdf

Alcantara, Christopher, Zachary Spicer and Roberto Leone. 2012. “Institutional design and the accountability paradox: A case study of three Aboriginal accountability regimes in Canada.” *Canadian Public Administration* 55: 69-90.

Dacks, Gurston. 2004. “Implementing First Nations Self-Government in the Yukon: Lessons for Canada” *Canadian Journal of Political Science* 37: 671-694.

Student Presentations

March 21, 2016: Citizen Engagement, Interest Group Representation and Accountability

This session deals with the ways in which the people exercise democratic control over the government including through the collective influence via interest groups. This topic also covers specific electoral rules and conventions governing electoral mandates in Canada. Students will be introduced to the interactions between lobby and interest groups, the media, an engaged citizenry, the bureaucracy, and the political executive, and how these interactions may impact such things as agenda-setting, governance, and policy instrument selection

Readings:

Fung, Archon. 2006. "Varieties of Participation in Complex Government" *Public Administration Review* 66: 66-75.

*Hajer, Martin and Sven Kesselring. 1999. "Democracy in the Risk Society: Learning from the New Politics of Mobility in Munich." *Environmental Politics* 8(3): 1-23.

Evans, Bryan and Halina Sapeha. 2015. "Are non-government policy actors being heard? Assessing the New Public Governance in three Canadian provinces." *Canadian Public Administration* 58: 249-270.

McNutt, Kathleen and Leslie A. Pal. 2011. "Modernizing Government: Mapping Global Public Policy Networks." *Governance* 24(3): 439-467

Student Presentations

March 28, 2016: New Public Management Public and Para-Public Institutions, and P3s

This session deals with various developments related to New Public Management (NPM). This includes the relationships between public and para-public institutions, which can include public companies of an industrial and commercial character, nationalized companies, and companies with majority public shareholding. Attention is also devoted to P3s. This topic examines para-public institutions and P3s as a policy tools that can, in certain cases, operate with fewer restrictions. Attention is also devoted to issues of cost effectiveness and accountability in conjunction with the use of such tools.

Readings:

*Aucoin, Peter. 1990. "Administrative Reform in Public Management: Paradigms, Principles, Paradoxes and Pendulums." *Governance* 3: 115-137.

Loxley, John. 2012. "Asking the Right Questions: A Guide for Municipalities Considering P3s." (Canadian Union of Public Employees – CUPE) http://cupe.ca/updir/P3%20Guide_ENG_Final.pdf

Boviard, Tony. 2006. "Developing New Forms of Partnership with the 'Market' in the Procurement of Public Services." *Public Administration* 84 (1): 81-102.

Vining, Adrian R., and Anthony E. Boardman. 2008. "Public-private partnerships in Canada: Theory and evidence." *Canadian Public Administration* 51(1): 9-44.

Tasis, Paul. 2008. "The politics of governance: Government-voluntary sector relationships." *Canadian Public Administration* 51 (2), 265-290



April 4, 2016: Public Sector Ethics: Can we do better?

Many Canadians believe that their institutions of government are to some extent corrupt, even though the vast majority of public servants exhibit exemplary professional conduct. To what extent are instances of unethical behaviour the product of adverse selection (the wrong people in power), cognitive deficiencies in ethical decision-making (well intentioned people, bad decisions) or genuine disagreement regarding what appropriate conduct requires (good people, differences of opinion)? In answering these questions use the readings below, but also consider the cases of Edward Snowden and Chuck Guité. What were the ethical issues at stake in each case? What are the most promising approaches to resolving questions of ethical behaviour?

Readings:

*Thompson, Dennis. 1980. "Moral Responsibility of Public Officials: The Problem of Many Hands." *American Political Science Review* 74 (4): 905-916.

Atkinson, Michael M. and Murray Fulton. 2013. "Understanding Public Sector Ethics: Beyond Agency Theory in Canada's Sponsorship Scandal." *International Public Management Journal* 16 (3): 386-412.

Langford, John W. 2004. "Acting on Values: An Ethical Dead End for Public Servants." *Canadian Public Administration* 47: 429-450.

Cassidy, John. 2013. "Why Edward Snowden is a hero." *New Yorker*, June. <http://www.newyorker.com/news/john-cassidy/why-edward-snowden-is-a-hero>

Government of Canada. 2011. *Values and Ethics Code for the Public Sector* <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=25049§ion=formats>

Government of Canada, Treasury Board Secretariat: *Values Alive: A Discussion Guide for the "Values and Ethics Code for the Public Sector"* <http://www.tbs-sct.gc.ca/psm-fpfm/ve/code/va-vag-eng.asp>

April 11: Review and distribution of final examination questions.



Self-Study Questions for Part Two

1. Identify and discuss the function of adjudication and how the courts operate.
2. Discuss what is meant by judicial review.
- 3 Outline the judicial structure.
4. Discuss the ways in which the entrenchment of the Charter of Rights has affected the function of the judiciary in the policy-making process.
5. Define “judicial independence.”
6. Define “indigenousl” with respect to the Canadian context.
7. Trace the evolution of Indigenous–Canadian relations.
8. Discuss the effects of economic development on Canada’s indigenous peoples.
9. Identify the major policies that have been instituted or initiated by the federal government concerning Canada’s indigenous peoples, and discuss their effects on these groups.
10. Can federalism recognize institutions other than provinces?
11. Why is Canadian federalism always evolving and why is this important for public servants?
12. What is treaty federalism involving Indigenous governments and peoples in Canada, and what are its implications for governance and public management in the Canadian context?
13. Identify the significance of the inherent right to self-government.
14. Were the New Public Management reforms significant or long-lasting?
15. What are the key issues that emerge when public institutions interface and collaborate or partner with para-public and private institutions?
16. What are the main sources of citizens’ ability to influence government action?
17. How do citizens and organizations representing citizens influence the public service?
18. Discuss what makes for effective lobbying of government in the Canadian context.
19. Are there any ethical dilemmas for public servants?