

THE FUNCTIONS OF A CIVIL SERVICE

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THE government of Canada, in common with other parliamentary forms, may appear to many as a sad and costly failure. The franchise is given away with reckless hand; the people vote for the candidates who make the most successful appeal to their pockets or to their emotions; the representatives thus chosen meet and talk without stint or apparent purpose, expending the greater part of their energy in violent internal bickerings and parades in and out of the division lobbies. This seeming incompetence is even more apparent in the method used to administer the government departments. A parliament, composed of butchers, bakers, and candlestick makers, chooses some of its members from the same motley occupations to supervise the important divisions of the country's business. A butcher becomes Minister of Militia, a baker assumes control of the Finance Department, while the candlestick maker supervises the erection of lighthouses, the propagation of fish, and the placing of a new gas buoy on the St. Lawrence. In short, the task of running a government is entrusted to amateurs whose special knowledge, if it exists, lies in quite different fields. It is difficult to imagine the survival of a bank or railway whose president is chosen because of his knowledge of agriculture or electricity; but such irrelevant qualifications frequently govern the choice of cabinet ministers. An ability to speak fluently, to argue convincingly, to be re-elected without defeats, to come from a particular province—these are the virtues which are often rewarded with high office. Superficially it would seem as though there were a deliberate effort to secure men who know almost nothing about the work of their departments.

The apparent follies of responsible government go still further. Not content with placing novices in charge of the administration, it must needs change them from time to time. No sooner does the head of a department begin to feel at home and obtain a semblance of familiarity with his work and his subordinates, than he is compelled to leave. A re-shuffling of cabinet offices or a disastrous election ejects him from his ministry, and places in his stead another

amateur, as unfamiliar with the details of office as he had been a year or two before. Ministerial mortality is high; each time a change occurs, the hard-won experience is lost; and there is a presumptive alteration in departmental policy. To the cynic it may well appear that democracy has perpetrated on itself a joke so vast and so preposterous that even Rabelais would admit he was outdone.

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In spite of the cynic, however, the administration of the Dominion is conducted with moderate efficiency, due in large measure to the non-political and expert part of the government—the Civil Service. The permanent officials include specialists in virtually all branches of human knowledge, and they are constantly at the side of the cabinet minister, advising and helping him in every act and decision. It is their shoulders which bear the weight of the administration, their heads which pore over columns of figures, their brains which supply the minister with answers to embarrassing questions, their resourcefulness which devises new expedients for departmental difficulties. The old belief that any well-meaning person could fill a government position acceptably has given way to the idea that only specialists and officials skilled by a lifetime of experience can do efficient work.

Perhaps here lurks another Rabelaisian joke. It may be that responsible government is not inefficient, for the excellent reason that it is not responsible at all. Democracy is efficient simply because democratic control does not exist; the people think they govern through their representatives in parliament, but in reality they are being ruled by a trained and skilled bureaucracy accountable to no one. The butcher in the House of Commons states that the safety of the country depends on his getting ten million dollars for a new kind of rifle, and a complaisant House grants the money. In reality, the demand probably originated with a fussy General in the Department of Militia who was obsessed with the idea of a yellow peril. When the baker rises in his place to introduce the budget, and discourses for two hours and a half on the state of the nation's finances, his mastery of detail and breadth of view are applauded throughout the Dominion. But his facts have been marshalled for him by expert accountants, and the reduction in the income tax which he proposes has its inspiration with the assistant deputy minister, who finds living in Ottawa with three children and a mother-in-law a trifle expensive. The candlestick maker, who earnestly urges the appropriation for a gas buoy, has possibly never seen one, and is completely ignorant as to why it should be placed at

that particular spot in the St. Lawrence. He, like the others, speaks not for himself, but for his nominal subordinates; the voice is Jacob's voice, but the hands are those of the bureaucratic Esau.

Responsible government appears caught between the two alternatives: an experienced Civil Service or an untrained ministry, efficient bureaucracy on the one hand, inefficient democracy on the other. If the professional official is given control, then popular government becomes a myth; if the civil servant is not to rule, then the amateur minister is dealing with affairs about which he knows very little. Fortunately no such choice has to be made. This is one of the rare instances where it is possible both to eat the cake and to have it. Responsible government can be worked in such a way as to use the best and avoid the worst features of both alternatives.

First, it is clear that government to-day must be subject to popular control. The people must elect whom they please, and under a parliamentary form these in turn must choose their leaders. This necessarily involves changing ministries, and inexperience in the cabinet officers. It is equally true that under modern conditions the Civil Service must be skilled and highly trained. The great political discovery made by England in the last century was that these two things could be combined; the minister's inexperience was compensated for by the expert knowledge of his subordinates, while the tendency towards bureaucracy was checked by the supervision of the cabinet. "Success", said Bagehot, "depends on a due mixture of special and non-special minds—of minds which attend to the means, and of minds which attend to the end."⁽¹⁾ The Civil Service is one part, the ministers the other—together they compose an efficient whole. Earl Grey had this idea in mind in his despatch to Nova Scotia in 1847, when he distinguished between those officers who were political and changing, and those who were non-political and permanent:

Though the legal tenure, "during good behaviour", is rare, tenure during good behaviour in the popular sense of the term may be said to be the general rule of our public service. The exception is in the case of those high public servants whom it is necessary to invest with such discretion as really to leave in their hands the whole direction of the policy of the empire in all its various departments. Such power must, with a representative government, be subject to constant control by parliament.

I regard this system as possessing upon the whole great advantages. We owe to it that the public servants of this country, as a body, are remarkable for their experience and knowledge of

(1) W. Bagehot, *The English Constitution*, Chapter VII, p. 265.

public affairs, and honourably distinguished by the zeal and integrity with which they discharge their duties without reference to party feeling: we owe to it also that, as the transfer of power from one party in the state to another is followed by no change in the holders of any but a few of the highest offices, political animosities are not in general carried to the same height, and do not so deeply agitate the whole frame of society as in those countries in which a different practice prevails. The system with regard to the tenure of office which has been found to work so well here, seems well worthy of imitation in the British American colonies. . . . In order to keep the Executive Government in harmony with the Legislature, it is doubtless necessary that the direction of the internal policy of the colony should be entrusted to those who enjoy the confidence of the provincial parliament, but it is of great moment not to carry the practice of changing public officers further than is absolutely necessary for the attainment of that end, lest the administration of public affairs should be deranged by increasing the bitterness of party spirit and subjecting the whole machinery of government to perpetual change and uncertainty."²

It must be remembered, however, that the dangers of a bureaucracy are always present, and must be constantly watched and controlled. Certain peculiar sins appear with monotonous regularity in any large group of public officials.³ The most notorious is the love of red tape. While a certain methodical exactness is necessary and proper in the conduct of government business, this is likely to be given an emphasis out of all proportion to its importance. Office routine ceases to be a means and becomes an end in itself. Changes in this routine are regarded with profound distrust; and as a result, antiquated and circuitous methods persist long after their usefulness has passed. Each civil servant becomes so engrossed in his little job that he forgets he is only a small part of the whole. He fusses busily over his correspondence, writes a lordly little "memo" about some trifling matter, and rebukes a subordinate for daring to have an opinion contrary to his own. He equally becomes the victim of what Walter Lippman calls "the panacea habit of mind":

You find engineers who don't see why you can't build society on the analogy of a steam engine; you find lawyers. . . . who see in the courts an intimation of heaven; sanitation experts who wish to treat the whole world as one vast sanitarium; lovers who wish to treat it as one vast happy family; education enthusiasts who wish to treat it as one vast nursery. No one who undertook to be the Balzac of reform by writing its *Human Comedy* could

² Earl Grey to Sir John Harvey, March 31, 1847. *British H. of C. Papers*, (621) XIII, 1847-48, pp. 77-78.

³ Cf. R. Muir, *Peers and Bureaucrats*, pp. 48-53.

afford to miss the way in which the reformer in each profession tends to make his specialty an analogy for the whole of life."⁴

Another well-known vice of the bureaucrat is an indifference and insolence towards the general public. He knows that his office is secure, and will not be taken from him except on grave provocation. He is not working under any strain or competition, and has little to fear from losing any popularity. In the reflected glory of his government position he begins to feel superior to the rest of mankind, and thinks that the ignorant public can know nothing of his great work and the many responsibilities which he must bear. All these induce in him an irritability and an intolerance of interference and criticism. The civil servant loses contact with the facts of life, and is overcome by figures and black letters on white paper. Much of his work is necessarily done by correspondence, and many of his contacts with what is going on are at best third or fourth hand. The shuffling about of blue and yellow filing cards, and the pinning of one paper to another with little comments attached, are obviously artificial ways of getting things done; and although these methods cannot be avoided, they have a deadening influence on the mind of those using them.

Finally, a bureaucracy will probably lack incentive. The permanent tenure discourages intense effort, for it is well known that laziness will not be severely punished. The rewards of the service are few, promotion may come slowly, and seniority is frequently the ground for advancement. Absence of drastic penalties for inefficiency and the lack of speedy recognition of merit can have but one result. This tendency is often accentuated by a tradition that great zeal or activity is very bad form—an idea closely allied to the comforting Oxford belief that the climate of the Thames valley makes strenuous intellectual effort impossible. Unfortunately this Civil Service policy of *ca' canny* may be believed in by the country at large, and the employees frequently see to it that the public is not disappointed.

All these bureaucratic tendencies in the Civil Service must be checked by the executive or by parliament. It is here that the non-technical minister finds his justification. He brings to the department a fresh mind, a distrust of superfluous red tape, a disposition to question anything and everything which the bureaucrat may hold sacred. He makes embarrassing enquiries into long-accepted matters of routine, he demands to know why a certain expenditure is being asked for in the budget, he suggests that other

⁴ W. Lippman, *Drift and Mastery*, p. 185.

departments be consulted so that economies may be effected through greater co-operation:

He can say to the permanent chief, skilled in the forms and pompous with the memories of his office, "Will you, Sir, explain to me how this regulation conduces to the end in view? According to the natural view of things, the applicant should state the whole of his wishes to one clerk on one paper; you make him say it to five clerks on five papers." Or again, "Does it not appear to you, Sir, that the reason of this formality is extinct? When we were building wood ships, it was quite right to have such precautions against fire; but now that we are building iron ships, etc., etc." If a junior clerk asked these questions, he would be "pooh-poohed"! It is only the head of an office that can get them answered. It is he, and he only, that brings the rubbish of office to the burning-glass of sense."⁵

Bagehot added that "the use of a fresh mind applied to the official mind is not only a corrective use, it is an animating use."⁶ The minister not only points out errors, but he stimulates and spurs the civil servants into activity. Inherent sluggishness of a public department is quickened by an energetic chief. The latter may not change anything of importance, and may approve of all the suggestions placed before him; but his presence alone shakes the official loose from his red tape and complacency. Mere knowledge that a proposal will be scrutinized by a lay superior produces a more carefully considered proposal. Even a change of ministers, provided it does not take place too often, is usually beneficial. The minister, like anyone else, may become so accustomed to his departmental routine and methods of business that he may lose the freshness of mind and originality of approach that are his chief qualifications for being there. A shake-up in the cabinet, therefore, is sometimes not only politically necessary, but desirable for effective administration.

It must be remembered also that the chief of a department is a member of the cabinet as well. His task is to oversee the work under his control, and at the same time make that work fit in with the general ideas of his colleagues. He shares in the building up and carrying out of those plans which are known collectively as the Government's policy. Each minister is a co-ordinating officer, and he is bound to give some heed to the work of the others. Each is a constant reminder to his department that it does not stand alone, but is only one part in a much more important whole.

The control of bureaucratic tendencies in the Civil Service rests also with parliament. In the first place, the House of Commons

⁵ W. Bagehot, *The English Constitution*, Chapter VII, p. 267.

⁶ *ibid.*, p. 268.

makes and unmakes the ministry, and thereby exerts an indirect influence over the permanent staff. When the party in power goes out and the other one comes in, the administrative officials are faced with the necessity of justifying their suggestions to a new body of men animated by somewhat different ideas. It may even be that the entire policy of some departments will be changed; and although this is not of itself desirable, yet the effect of the re-adjustment on the Civil Service is excellent.

In the second place, as Bagehot said, "there is no limit to the curiosity of parliament", and it takes great joy in poking at the work of the departments. The question-hour teems with enquiries of all kinds, some made with a genuine desire to obtain information, others from less laudable motives. "Why did John Macdonald of Ecum Secum not obtain a rebate on his income tax?" "Why did the lighthouse keeper at Rimouski lose his job?" "Why did the Post Office authorize brown instead of magenta as the colour for the new sixteen-cent stamp?" "Is the minister aware that certain officials in the Inland Revenue Department took an extra holiday after Christmas?" Day after day the interrogation goes on. Parliament becomes a huge nursery of curious children asking the interminable questions that drive the parents almost to madness. But the ministers must give polite replies to all enquiries, which is only another way of saying that the Civil Service supplies the bulk of the information. The custom is a ceaseless bother; but it is invaluable as a check on arbitrary action and inefficiency.

Finally, parliament in passing Supply exercises a further control. Every cent that is to be spent must be accounted for, and the occasion is used for more meticulous questioning. The Opposition seizes on every opportunity for causing embarrassment, and an expenditure of \$58.25 may receive ten times the attention given to one of \$300,000. The most intimate details of the administration are subject to parliamentary scrutiny, and the departments must justify every act that involves any payment of public money.

It is evident that the secret of administrative success lies in alert, though unspecialized, ministers acting in co-operation with experienced and expert permanent officials—both being subject to the criticism and investigation of parliament. The exact relationship is a delicate one, and not open to precise definition. Broadly speaking, the policy which the department is to follow is outlined by the minister, who has received his mandate from parliament or from the people. The execution of the policy is left largely to the permanent staff. "It is not the business of a

cabinet minister to work his department", said Sir George Cornwall Lewis; "his business is to see that it is properly worked." An inquisitive, arrogant minister, who insists on knowing everything and who demands that he be consulted about minutiae, is already a failure. He must delegate authority, trust his subordinates, and accept, or at least consider with great care, the advice tendered him. The end being stated, the Civil Service is largely responsible for the means used to attain it. Details can usually be left with safety to the regular officials. The deputy head of a department furnishes his chief with full and accurate information, and advises him as to the probable consequences of a suggested policy. He is not expected to be concerned with political or party difficulties; he merely tries, so far as lies in his power, to protect the minister from error. Should the latter at any time wish to disregard the advice or overrule any of the decisions of his subordinates, he is at perfect liberty to do so; for he is politically responsible for the work of the department, and he alone will be blamed if anything should go wrong. Responsible government demands of its civil servants honest, fearless, expert advice, a mastery of detail, and an ability in administration. It expects the political heads to give the lead in matters of policy, to jar the permanent staff out of its lethargy, and to accept praise or blame for the consequences of any projects they may undertake.

Notwithstanding the different kinds of control exercised over the Civil Service and its subordination to the political authorities, it plays an exceedingly important part in the government of the country. The permanent official wields a great deal of power, though much of it is exercised so unostentatiously that its significance is frequently overlooked. Such a Service makes itself felt in three ways—in forming executive policy, in initiating legislation, and in purely administrative work.

The manner in which the civil servants assist in the determination of executive policy has been already foreshadowed. Advice thus given by the deputy heads of departments and their subordinates influences materially the decisions of the cabinet ministers, for the latter are compelled, as has been indicated above, to consult with them, to take their opinion on the feasibility of proposals, and to listen carefully to any new plans which they may suggest. The permanent officials have this enormous advantage over a minister; what is new and strange to him has been familiar to them for years. They are able to make suggestions and criticize alternatives with a vast background of detailed knowledge behind them, while his

contribution is confined to a few vague principles reinforced by a practical ability to veto any proposal he dislikes.

The Civil Service also exercises a very unobtrusive but powerful influence on legislation—not so much on the controversial measures as upon those which deal with administrative reforms. “The great majority of legislative proposals have no interest for most members of parliament, and the public hears nothing about them until it sees a list of them at the end of the session. Many of these are purely departmental in character. . . . These are the bills. . . . which go through all their stages with the greatest ease, attracting no attention. Often enough they affect the daily life of the citizen far more intimately than the measures over which controversy rages. They are nominally the work of parliament; but really the work of the bureaucracy.”⁷

Finally, the execution of departmental policies and the issuing of administrative orders lie for the most part with the permanent Service. The minister lacks the expert knowledge to decide many technical questions; he is unable to master all the intricacies of detail associated with the work of the department; and he is quite unequal to the task of overseeing in person an entomological experiment in Manitoba or a geological survey in British Columbia. There is, therefore, a large area of independent action permitted to the civil servant, within which he may move with almost entire freedom. The area is great or small, vague or clear, important or negligible, according to the nature of the office. In some positions his decisions will be virtually final. In others his opinion will be constantly sought, and usually honoured by being accepted. In other positions the area of independent action may include only matters of routine. The tendency in all purely administrative matters is to give the official a free hand, and trust to his judgment and knowledge of local or peculiar conditions.

Recent developments in the life of the country have emphasized even more the importance of the Civil Service. Large increase in the number of the officials and the growing complexity of their tasks have necessarily enhanced their prestige. The recent extension of the sphere of government has been little short of amazing, and it has completely transformed the personnel of the Service. Every new activity has created a demand for a new species of public official. Old departments have been enlarged and new ones created, but the development still continues. There is scarcely a profession or trade which has not scores of representatives in the government employ, and the most casual examination of the Service list reveals a

⁷ R. Muir, *Peers and Bureaucrats*, p. 18.

multitude of strangely named officers performing the most varied functions. District livestock promoter, buoy foreman, Indian farming instructor, junior wage investigator and mediator, rainfall observer, hatchery cook, assistant chief traffic officer, statistician, lawyer, chaplain, current observer, dynamo tender, oakum spinner, grain scooper, rigger foreman, senior clerk, chief clerk, head clerk, messenger clerk, file clerk, clerk,—these are but a few of the motley collection. The work of government has become so enormous and so technical that it can be accomplished only by a large, expert staff, elaborately organized and controlled.

With the increased importance and complexity of the Service has come a greater public dependence on it. It can no longer be ignored as a vague power with energies in a far-off city in Ontario, and only remotely connected with the ordinary life of the citizen. It has ceased to be the especial care of the politician, and has become of real concern to everyone. Amateur officials, changing with each Government, are not likely to be tolerated because they do little harm save run up the expenses of the country. The citizen's comfort and pocket-book are affected too intimately. He is beginning to regard an inefficient Service as a personal grievance—it may be the cause of ruining his potato crop, of delaying his mail, of adding to his taxes. He is becoming increasingly conscious of the fact that the state is an invaluable assistant in his work, and that an untrained staff may be not merely an inconvenience but an obstacle to his success.

Clearly, this change in emphasis has necessarily altered the popular conception of what a civil servant is and what may be expected of him. In pre-Confederation days the direction of government business was a fairly easy matter; the work to be done was simple, and the Family Compact and its henchmen were quite able to perform the labours imposed upon them. This was equally true when responsible government was established, and the birth of the Dominion made no radical change. The tasks of government were extended, but they were still essentially those which amateurs could manage with fair success. Patronage could be tolerated, because alterations in personnel could be made without startling inefficiency. But as the Dominion enlarged, as the government at the same time spread slowly over more and more of the country's activities, as the work grew increasingly technical, political favouritism became inadequate as a recruiting expedient. The day of the untrained amateur was over; and it was necessary to adopt new methods to supply the expert assistance which the growth and difficulty of the administration demanded. This has been ac-

completed by the reforms of the last twenty years, which have transformed the Service in a manner much more in accordance with its new requirements.

All of these facts emphasize the exceeding importance of the Civil Service, and indicate the necessity for a careful consideration of its fundamental principles. The decline of individualism, the growth of state interference, and the expansion of the country have substituted an army for the old corporal's guard. A mere handful of amateurs has been displaced by the host of specialists. While it is essential that the political control should be firmly maintained, it is no less necessary that the Service should be as highly trained as possible, and that this skill should be given every opportunity to make itself felt. The genie must remain the slave of the lamp, but he must be made a skilful slave if he is to be fully utilized. This can be accomplished by a great variety of expedients—by securing good men, by giving them a secure tenure, by paying a fair salary, by promoting for merit, by encouraging initiative, by building up an *esprit de corps*.