Betting on Mechanisms:  
The New Frontier for Federalism

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“When we have identified a mechanism whereby $p$ leads to $q$, knowledge has progressed because we have added a new item to our repertoire of ways in which things happen” Jon Elster

Introduction

There is no generally accepted theory of effective governance in a federal-style liberal democracy. Some observers deny that one can speak meaningfully of an “optimal form of delegated discretion” or even of “a science of public administration” (Fukuyama 2004: 44). So there may be diminishing returns to philosophizing in general about the kind of system referred to as ‘federal’. Notwithstanding this, discussions in Canada are still mainly carried out at a highbrow level, amounting to a search for broadly applicable golden rules.

We do not suggest completely abandoning the quixotic quest for general maps – even though, like early maps, they may be elegant but not really helpful to navigation – but we suggest that there might be benefits in not putting all our eggs in that basket.

A promising second-best strategy might be worth exploring: one betting on mechanisms, i.e., on finding tipping points where mechanisms triggering little things can make a big difference (Gladwell 2000).

Mechanisms are unreliable ligatures that may as easily work in one direction as another. Much depends on context, circumstances, and situational features. For instance, an increase in opportunities may either increase a group’s level of satisfaction, or (if aspiration levels increase faster than the opportunities) generate discontent. This explains why economic progress sometimes causes contentment, and sometimes ignites a revolution.

Our focus is on mechanisms as means and not ends. As Donald Schön (1971) has clearly shown, in any system, technology, structure and theory are deeply intertwined. There cannot be change in one without adjustment in the others. Our argument is that it is easier to trigger fundamental change in the system through interventions at the mechanisms and technology level, but that what is sought is a transformation of the system that of necessity will require structures and theory to evolve.

Our objective in this paper is to sketch an approach to the renewal of federalism in terms of mechanisms capable of (1) inducing dialogue, and (2) more broadly fostering the emergence of a better governance of federal systems through the embodiment of its guiding principles (respect, flexibility, the rule of law, balance, and cooperation) into effective mechanisms (Charest 2004).
We begin with a broad definition of federalism as regime and mind-set and not just as a specific protocol for allocating state power and responsibilities among levels of territorial government in liberal democracies. This brings blockages and misfits in the learning cycle into starker relief, and as a result helps in choosing the family of mechanisms with which to experiment. Then we present a summary view of the degree of disconcertion that plagues the Canadian federal system, and of the blockages to effective social learning that prevent the highest and best use of the collective intelligence of the system. We then briefly sketch the contours of useful interventions likely to foster effective reforms, and we illustrate the heuristic value of this approach with a cursory examination of three issue domains in which new mechanisms seem likely to trigger improvements in performance. Finally we try to distil some lessons about what the conditions for good work might be at these frontiers of Canadian federalism.

**Federalism as a regime**

In the recent past, there has been an extensive growth of diversity of all sorts in our modern societies, and the plurality of conversations has made most societies truly polyphonic. Moreover, the coefficient of diversity has deepened significantly. This has considerably heightened the degree of difficulty of reconciling these different perspectives, and has eliminated the possibility of simply “papering over the differences” (Kymlicka, 1998).

In the past, diversity was matter of accident. Globalization has accentuated the intermingling of populations, and most societies have become more or less polyethnic, multilingual, etc. Some societies feel disconcerted by such trends, while others embrace diversity as a desirable goal. But it is not clear what optimal diversity is, and what it really means. For example, is it diversity of agents? of traits? of values? of interests?

In common parlance, ‘federalism’ has remained defined as a protocol of allocation of the states’ coercive power among levels of government in democratic societies, something that emerged from the ratiocinations of mid-eighteenth century thinkers (Held 1996). This sort of ‘traditional federalism’ can be thought of as a first stage in the evolution of the concept.

In the face of the “deep diversity” that exists today, traditional federalism does not appear to be as powerful an instrument as many had hoped. It has developed mainly along territorial lines: it has become associated fundamentally, with a form of geographic essentialism that is “politically naïve, constitutionally undesirable and theoretically irrelevant”. (Carter 1998:55). Even when traditional federalism has attempted to inject a “cultural” flavor into such geographic essentialism, or when it has tried to transform itself into a “multi-nation federalism”, the results have been less than a great success because by now, diversity has acquired such polymorphous dimensions that these simple categorizations have been unable to grapple with “deep diversity” in a meaningful way.

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1 This section draws freely from Paquet 2005 (ch. 13).
The traditional forms of federalism have failed because, as Phillip Bobbitt (2002) has documented, an accelerating move away from a territorially based, state-centric world is now underway:

- a world economic regime is emerging that ignores national borders in the movement of capital investment to a degree that significantly affects nation states’ abilities to manage their economic affairs;
- advances in science and technology are making possible the emergence of significant new external threats to countries (e.g. epidemiological crises, terrorism);
- human rights are becoming recognized as a new orthodoxy that requires adherence regardless of internal laws in sovereign states;
- a global communications network is developing that crosses territorial borders electronically and affects languages, cultures and customs.

In light of this reality, none of these forms of traditional federalism can succeed because of the built-in pressures they hold for centralization and standardization based on the unstated assumptions that there exists a moral consensus underlying all cultures, and that one need not really take into account “deep diversity” for it does not exist (Delsol 2004).

This inability to see the world as it really is has produced the perception of federalism as a negotiated form of government organization dominated by a tacit logic of centralization and standardization. Consequently, societal negotiations to embrace diversity have slipped into futile efforts to design all-purpose organizational forms that have come to satisfy neither the need for centralization required for redistribution, nor the need for decentralization necessary for the full autonomous development of the deeply diverse fragments. The results have given both kinds of processes a bad name.

Plural societies recognize explicitly that individuals and groups are motivated by different values, and that they can legitimately have different value systems. To pursue their different objectives and goals, they require positive freedom: capacity and opportunity to actively and effectively pursue these values, and the elimination of the constraints or “un-freedoms” that prevent them from doing so. Such communities and groups cannot be ignored today.

As a result, the governance of diversity entails the harnessing of the forces at work in defining the desirable degree of decentralization, balkanization, and métissage in the governance system (including the coercive power of the state as and when it is required). For true variety is not simply adding layers or groups of individuals living in totally separate worlds as in a quilt. Such a patchwork generates apartheid societies that are neither plural nor diverse in the true sense. They are simply parallel worlds, worlds of separate facilities. Even if the degree of interaction between groups cannot be zero, it may vary greatly according to the different regimes in place for various issues. Indeed, not all groups have an equal interest in all issues. So it becomes more expedient to attempt to govern by segments.
Regimes are arrangements designed to ensure effective and robust coordination when power, information, and resources are widely distributed. Different regime theories have emphasized one aspect or another of this challenge. For instance, some have insisted mainly on the “power” variable, and made other dimensions more or less dependent on the outcome of the power struggle. Others have emphasized the “resources base” of the interest groups in competition, and used the language of interdependency of game theorists to emphasize the dominant role of patterns of resources and situational variables in shaping the outcome. Yet another group has focused on “information and knowledge” as key dimensions, and posited cognition and learning as the core forces at work in epistemic communities.

The terrain on which regimes grow can be mapped simply using a three-dimensional box that spells out the major families of forces at work (power, interdependency, cognition), the two sources of order (principles and norms, and rules and decision-making procedures), and the three main objectives pursued (efficiency, robustness, and resilience/learning). This is depicted in Figure 1 (Paquet 2005).

Figure 1. The regime space

![Diagram of the regime space](image-url)
Regimes are arrangements around which actors’ expectations converge and from which actions can ensue. They are neither orderly nor systematic, but reveal some internal consistency and technical proficiency. They are identified in terms of problem areas, and define the framework prevailing in the coordination function in a particular area or domain. For instance, while a country may espouse the globalization syndrome in matters of trade, it may remain mercantilist when it comes to human capital, and outright exclusionist when it comes to immigration and social integration.

To the extent that the terrains of operation are quite disparate and the array of interested stakeholders is also quite varied and deeply diverse, it might be that the best way to accommodate such terrains and stakeholders is by dealing with them “relatively separately”. This approach is the one that is used internationally where regimes are defined pertaining to special terrains, and the coercive power of states is sought only when it is considered essential: as much state coercion as necessary but as little as possible. We suggest that this imperative of relative separateness applies on the national scene in today’s turbulent times.

By partitioning the terrain into issue domains and “communities of meaning” or “communities of practice”, it is possible to identify a vast number of sub-games that require specific treatment. This partitioning does not exclude attention being given top-down to territory and nation (i.e., for the use of the coercive power of the state at times), but it does not provide these dimensions with the dominant role. Each issue domain is multi-faceted, and dealt with in a way that is flexible and allowing for evolution.

The degree of capability of the various sectors and, within the public sector, of the various levels of government shapes the governance of a particular issue domain. In some cases, territorially-based state-centric federalism may prevail; in some other cases, a non-state-centric fluid sort of governance rooted in many different terrains may be in order.

The expression “ecology of governance” has been proposed by Walt Anderson to identify this new fluid form of governance that one may regard as a more advanced stage of development of federalism: “many different systems and different kinds of systems interacting with one another, like the multiple organisms in an ecosystem” (Anderson 2001:252). Such arrangements are not necessarily “neat, peaceful, stable or efficient … but in a continual process of learning and changing and responding to feedback”. They represent a transversal nexus of arrangements within the regime space.

An ecology of governance amounts to a group of loosely integrated, non-centralized networks, designed around issue domains. A regime-based federalism would be one designed to facilitate social learning by ensuring that such networks correspond roughly to both issue domains and “communities of meaning” while taking territorial and national dimensions into account. It must remain an open system that has the capacity to learn and to evolve: the model is not a cathedral but a bazaar (Raymond 1999). Such an open system in turn shapes the required mix of principles and norms as well as rules and decision-making procedures likely to promote the preferred mix of efficiency, resilience, and learning for a society.
In an ecology of governance, issue domains would not simply be allocated to “territories” or “nations” (as they would if one were using a state-centric world-view), but would become an “arena” where the different interested communities would partake in the design of a participative organizational form allowing the appropriate mix of collaboration and competition (including the coercive power of the state as, when and if needed). One would, for instance, deal with issues of health not in exclusive inter-state negotiations but in a more inclusive appropriate forum, in the same way that critical international issues are discussed, with accords or agreements being arrived at that are of various sorts and degrees of formality (Cleveland 2002).

This would entail a form of functional/personal federalism build on issues/segments that lend themselves to some coordination scheme.

Instead of trying to allocate all the issues of interest to rigidly defined “layers” of decision-making, what is needed is to design collective decision-making arrangements around issues. This has the advantage of providing a suitable basis of operation on an issue by issue basis, and allowing for a design process that suits the circle of stakeholders who have a true interest in the issue (Paquet 2005: ch. 13).

Federalism thus becomes a way of thinking and a mindset: an embodiment of the Law of Requisite Variety for the design and delivery of public goods (Ashby 1956), a manière de voir that takes into account variety and calls for non-centralization. As a result, it generates a strong bias in favour of subsidiarity, complementarity, and collaboration as guideposts for behavior and action for all sectors including the public sector itself.

The organizational design challenges generated by today’s world have forced federalism to become n-dimensional and to map itself in a variety of new ways. Indeed, the variety of issue domains have created the need for new units of analysis like city regions and communities of practice, for an approach based on the need for pluralistic governing structures to match the diverse and pluralistic demands of society, and for making the highest and best use of the private, public, and social sectors, so as to provide the required flexibility to match diverse circumstances (Paquet 2004d, 2004e, Hubbard and Paquet 2005).

Public sector reform in democratic countries then connotes the transformation of the public sector (in terms of organization, capability infrastructure etc.) that might help it to play its appropriate and evolving role, as and when required. This sort of reform must be first and foremost enabling: it should not try to define the particular role for the state but to maximize its capacity to transform and its capacity of enabling the full complement of organizational and institutional forms available within the broad regime space to be brought to bear in the most relevant and effective way on the various issue domains.

It is with this mindset as a backdrop that key blockages in social learning can be identified.
Canada as a disconcerted learning socio-economy

The Canadian socio-economy is a complex adaptive system. It is akin to a central nervous system, an immune system or an ecosystem: a combination of interacting agents dealing with a complex and ever-changing context by continually developing networks and sub-systems, self-reinforcing mechanisms, with a capacity to learn and to adapt through these devices.

Canadian wellbeing is the result of the success or lack of it in organizing, instituting, and governing in ways that have a high yield in economic, political, and social terms. Such coordination and governance may take many forms and shapes – mixing top-down hierarchical coercion, horizontal exchange relations, relationships based on solidarity, and bottom-up self-organizing processes generating a sense of direction from below. Federalism as a mind-set allows for this fluidity and variability and, as a result, makes what is actually happening visible more easily. As a consequence, it fosters the design of public sector reform strategies that are more likely to be effective.

In the face of accelerated technical change, globalization, and the need to adapt with great speed and to learn quickly, centralized, hierarchical and confrontational governance structures are usually inadequate. Innovative flexibility and collective learning call for the development of a mix of coordination and collaboration from all stakeholders: co-learning and co-evolution in an ecosystem that evolves by finding ways to “charter” cross-functional teams from which no important power players are left out, and in which “all major players have some stake in the success of the strategy” (Moore 1998).

It is not surprising that such a “perfect” governance system does not necessarily materialize organically. Real systems show signs of disconcertation – of disconnectedness, of misalignment between the governance regime and its circumstances (Baumard 1996). As a result, the degree of social learning and collective intelligence is less than it might be, and the performance of the system is less than optimal.

Canada is suffering from such imperfections in its governance regime, and there is wide agreement on the need to overhaul Canada’s “adversarial system”, something that has generated barriers preventing (1) the partnering between government, business and society, (2) the development of the fruitful knowledge production and knowledge/competences exchanges required as a result of the new cognitive division of labour, (3) the emergence of dynamic systems of innovation, and (4) the crystallization of the sort of organizational citizenship likely to generate the web of voluntary mutual responsibility underpinning the communities of practice and providing the requisite cognitive maps and the common ethos (Paquet 1998).

Even if the governance regime is in need of repair, the process of transformation cannot be expected to emerge organically bottom-up or to be easily imposed top-down. It is too complex, and there are too many blockages generated by the system’s inherent “dynamic conservatism”: those profiting from the present arrangements will fight to avoid change even if the social benefits from it might be enormous (Schön 1971).
Major blockages

To catalyze social learning in complex organizations, one must have some view about the ways in which collective intelligence works. Elsewhere, we have very profitably used an approach suggested by Max Boisot (Boisot 1995; Paquet 2004a, 2005).

(a) In an effort to identify the major obstacles to social learning (and therefore to guide the corrective interventions), Max Boisot has mapped the social learning cycle in a three-dimensional space – the information space – which identifies an organizational system in terms of the degree of abstraction, codification and diffusion of the information flows within it. This three-dimensional space (see Figure 2.) defines three continua: the farther away from the origin on the vertical axis, the more the information is codified (i.e., the more its form is clarified, stylized, and simplified); the farther away from the origin laterally eastward, the more widely the information is diffused and shared; and the farther away from the origin laterally westward, the more abstract the information is (i.e., the more general the categories in use).

The social learning cycle is presented in two phases with three steps in each phase: phase I emphasizes the cognitive dimensions of the cycle while phase II deals with the diffusion of the new information.

In phase I, learning begins with some scanning of the environment, and of the concrete information widely diffused and known, in order to detect anomalies and paradoxes. Following this first step (s), one is led in step 2 to stylize the problem (p) posed by the anomalies and paradoxes in a language of problem solution; the third step of phase I purports to generalize the solution found to the more specific issue to a broader family of problems through a process of abstraction (at). In phase II, the new knowledge is diffused (d) to a larger community of persons or groups in step 4. There is then a process of absorption (ar) of this new knowledge by the population, and its assimilation so as to become part of the tacit stock of knowledge in step 5. In step 6, the new knowledge is not only absorbed, but has an impact (i) on the concrete practices and artifacts of the group or community.

In the figure below, one may identify the different blockages through the learning cycle: in Phase I, cognitive dissonance in (s) may prevent the anomalies from being noted; epistemic inhibitions of all sorts in (p) may stop the process of translation into a language of problem solution; blockages preventing the generalization of the new knowledge because of the problem definition being encapsulated within the hic et nunc (at) may keep the new knowledge from acquiring the most effective degree of generality. In Phase II, the new knowledge may not get the appropriate diffusion because of property rights (d), or because of certain values or very strong dynamic conservatism which may generate a refusal to listen by those most likely to profit from the new knowledge (ar), or because of difficulties in finding ways to incorporate the new knowledge (i).
Interventions to remove or attenuate the negative effects of such blockages always entail some degree of interference with the mechanisms of collective intelligence. In some cases, such as the modification of property rights, the changes in the rules appear relatively innocuous, even though government interferes significantly in the affairs of the mind: correcting social learning blockages modifies relational transactions, and therefore the psychosocial fabric of the organization.

These interventions at the cognitive level often have unintended consequences, and may even aggravate the dysfunctions. At the core of these difficulties is the illegitimacy that is still attached to government being involved in the “politics of cognition,” or in general in the realm of the mind (Tussman 1977). This has led to very costly delays in adopting processes through which the state agrees to shoulder these new fundamental responsibilities in a knowledge-based and learning socio-economy, and invests in discovering effective ways of intervening.

Figure 2. Learning cycle and potential blockages
(b) In the case of liberal democratic societies, there is an inherent blockage in each of the two phases, some of which center around the State and its own effectiveness.

i. The first kind of blockage is at the epistemic level.

Citizens have increasingly ceased to regard the state as omnipotent and benign. As a result, they have asked to be more involved in both policy development and program design, as well as to have access to the levers required to change organizational or institutional behavior. This has rendered the process of collective learning considerably more cacophonous. This reality has meant a greater difficulty in creating the requisite forums and agoras for deliberation and has significantly slowed down the process of aggregation of preferences and the capacity to distil a dominant view about many of the anomalies. In this way, both the processes of codification and abstraction have been greatly impaired in recent times in these societies. To this must be added the obfuscation and confusion that is often sewn by irresponsible and ideologically anchored media that are focused on ‘info-tainment’ and maximize their audiences by exacerbating and deliberately heightening the natural tensions.

For federal states, there is an additional complexity because two orders of government share sovereign authority – something that adds to the numbers of players and consequently generates somewhat greater coordination challenges to overcome. A further impediment can stem from arrogance on the part of the federal government together with the excessive competitiveness of other orders of government because by definition, the rising nation-local tension becomes a three handed rather than a two-handed game.

For example, the federal government, in Canada and elsewhere, has been described as “(using its power) … in a way that creates a single, nation-wide community with shared values and shared, enforceable understandings of how local communities of all descriptions should be organized” (Carter 1998:19). This ‘anti-democratic’ and ‘anti-communitarian’, top-down approach has led to much cognitive dissonance: the whole debate about fiscal imbalance in Canada is a good illustration of this cognitive blockage (Paquet 2004b).

Even though it would appear incontrovertible that there is a federal/provincial/municipal fiscal disequilibrium in Canada, and that it is at the source of a significant amount of malfunctioning of the federation, key players in the federal government still claim that this is a logical impossibility. They undoubtedly do so in order to divert attention from the necessary societal debate around the balance that federal systems must strike between maintaining federal fiscal flexibility and the capacity of other orders of government to meet their responsibilities. The result is that this flat denial has prevented a good deal of social learning.

Other levels of government have also proved themselves capable of manufacturing disinformation and denial when it was convenient (Picher 2004).
In addition, the media have also been a major source of learning blockage. In Canada there has been a great deal of obfuscation and confusion generated in the public mind by the thoughtless opinion-venting of columnists and editorial writers (on both the ideological right and left) around important ideas like asymmetrical federalism and decentralization.

Asymmetric federalism has been an historical fact in Canada for decades and embodies the essence of what today’s federalism requires. And decentralization – which was a fundamental reason for Canada’s creation as a federal state in 1867 – has become even more important recently. Both of these concepts however have been singled out by elements in the media as something “abnormal” and, because they are supported by both the Conservative Party and the Bloc Québécois, are held up as something to be ridiculed as an example of an “unholy alliance”. A federalism mind-set, on the other hand, shows them to be obvious necessities. In these cases, the media have been the generators of cognitive dissonance, have prevented a good deal of useful debate, and have slowed down necessary social learning. Left-leaning academics have also proved capable of being dreadful over-simplifiers and have perpetrated the myth that lesser government meant impoverished governance on the unsuspecting citizenry (Paquet 2004f).

These kinds of scoria have put sand in the formal Canadian federal system machine, and together with the lack of the requisite structures to facilitate dialogue and deliberation, have contributed to considerably weakening its capacity to identify important anomalies, to understand the sources of the difficulties revealed, and to generalize the response to a whole range of pressure points that are attributable to the same causes. And this, in turn, has hampered the effectiveness of both governance and government.

More generally, the lack of adequate information and transparency has allowed “false consciousness” to thrive unchallenged and dysfunctional arrangements to survive solely through force of apathy, inertia and an ignorant raw defense of narrow vested interests.

ii. The second kind of blockage is at the diffusion level, where collaboration is again mandatory for effectiveness.

While, by definition, federalism as a formal system should be better able to serve a pluralistic and deeply diverse citizenry appropriately than a unitary one (which is why it was invented), in today’s world the multiplication of levels of government and governance, the extent of local patriotism, and the existence of different values systems can make the diffusion of particularly helpful responses to generic problems more difficult.

In addition, the slow abandonment by governments of the notion of a welfare state “designed to be financed and operated by knights for the benefit of pawns” in favor of ‘quasi-market’ policy structures that allow citizens to exercise a much greater power (Le Grand 2003), has certainly created barriers to the easy spread of innovations.
A good example of this is in the field of health care, something that is dear to the heart of most Canadians.

Vaughan Glover (the Arnprior dentist who won the first prize in a competition designed to search for innovative ideas to reform health care in the United States in 2003) makes this point clearly with respect to the Canadian Medicare system. He notes “Canada does not have a health-centered system, but an illness-centered system, … the Canada Health Act is … (based) on insurance principles. As a result, citizens and care providers are not served as well as they should be.” (Glover 2004) In fact as others including a former federal minister of health have pointed out, there is no formal role for patients (who are also citizens and tax payers) in health policy-making administration (Angus and Bégin 2000). This is the situation at a time when there is a need not only to consult stakeholders, but also to engage them as “partners”. And this, in turn, has made the process of dissemination of any policy or service delivery scheme more complex than to date (Taylor 1997).

Canada’s brand of competitive formal federalism has proved capable of generating confusion, overlap, and counterproductive adversarialism. At the same time, the collaboration and partnering that are needed entail power sharing, and are often regarded as “unacceptable in principle” by the very organizations claiming to want to partner (Paquet 2001). So at a time when the amount and kind of collaboration required are deeper and richer than before, and there is a need for a greater variety of forums, reporting standards, and collaborative structures of a more permanent sort, these essential elements are often simply not there.

In today’s ‘game without a master’, a collective benefit maximization strategy may not emerge naturally. And even pathological outcomes may be the rule in complex dossiers like those of the fiscal imbalance. Although it may be quite inefficient to indulge in myopic competitive strategies, and even though the citizens may end up being relatively-badly served by such strategies, ideological commitments, cultural barriers or power struggles may prevent the emergence of what dispassionate observers would regard as “reasonable compromises” (Paquet 2004c). As Flyvbjerg (1998) would put it: “in open confrontation, rationality yields to power”.

Transparency, better information, and more inclusive forms of deliberation will be helpful in engendering better societal outcomes and accelerating the emergence of good governance because they have an uncanny capacity to undermine even very robust state arrangements that are ineffective by revealing their soft underbelly. They may also assist in hastening the spread of the necessary re-framing away from a traditional, state-centric views in good currency, by demonstrating at least in words that there are other ways.

**Interventions and mechanisms**

The transition to a more effective system calls for diverse interventions in the complex mix of structure-theory-technology that makes it up as a social system. As Schön has shown, the structure of roles and relations among individuals, the theory/views held
within the system about its purposes, operations, environment and future, and the prevailing technology of the system all hang together, so that any change in one produces change in the others (Schön 1971:33).

The system of governance in good currency in Canada is a complex and fuzzy palimpsest of layers of arrangements accumulated over time as new rules have come to be written over old ones. Intervening in this script always disturbs delicate and fragile equilibria.

(a) The case for bricolage

It is our contention that one may intervene both more effectively and more readily to transform the social system (including the formal system) at the technology level by engineering mechanisms that may help it achieve its social learning potential, than by changing its structural and/or theoretical features. This presumption is based on the observation that the structures and roles of a system, and the theory-in-use about what it is in the business of doing, are much more deeply embedded sub-systems than that of technology and thus more difficult to modify than mechanisms and processes, and that the vested interests in the technologies are less robust and less likely to unleash the full force of strong dynamic conservatism to resist.

Such mechanisms are meant to catalyze the processes of cognition (detection of anomalies, codification and generalization of useful responses) and dissemination or to eliminate blockages in them. They are not meant to resolve the difficulties top-down by coercion or fiat, but rather through modifications of contextual conditions and incentive/reward systems. We suggest that these modifications are likely to trigger bottom-up, self-interested actions by key actors and that these will tend, in turn, to bring an organization closer to a tipping point where it will undergo some fundamental transformation.

One may illustrate the intuitive appeal of such an approach by referring to the refurbishment of the Canadian health care system.

This is a process that is stalled for the moment by a variety of sacred cows at the “theory” (read “ideological”) level as well as a staunch defense of special interests at the structural level (i.e. effective action by lobby groups).

Both the idea of a “two-tier system” or of a “privatized system” – however meaningless these labels may be as ideological taboos – and the power struggle waged by medical doctors (who are also its users) to remain in charge of the delivery system, unchallenged, condemn any frontal attack on the existing health care system to falter. And since medical doctors are currently disconnected from any responsibility for the system’s efficiency, important sources of difficulty persist fundamentally un-addressed. Any radical proposal seems to trigger a great deal of “dynamic conservatism” on the part of those with vested interests.
Interventions at the technology level would appear to generate less heat and anger. This is the avenue that has been chosen by most provincial/territorial governments: some tinkering with users’ fees, and/or the de-listing of services, others with deductibles, still others with somewhat “invisible” privatization (as in the case of laboratories, where economies of scale are important), or other ideas.

The way in which mechanisms work is also evident on the global scene where the lack of potent structures and over-riding shared values force a dabbling in mechanisms. There is no pretense at that level that any one actor is the master of the game. Yet, successful collaboration can be achieved and it produces some good results. There are all kinds of international systems and arrangements that are working more or less as they are supposed to work: the Law of the Sea, the Ozone Treaty, World Weather Watch, etc. Most of them were not designed ab ovo as they stand now. Rather most of the time, they have become the unintended (if not entirely un-hoped for) consequences of the creation of an innocuous forum, in which a regime evolves from the protracted, uneasy and often-diffuse discussions that follow (Cleveland 2002).

The two presumptions that (1) tinkering with mechanisms is most likely not to trigger as much countermovement as tinkering with structure and theory; and (2) once new mechanisms are in place, all sorts of unintended consequences may ensue – a simple communication tool becomes a planning instrument and then an administrative regime – may appear chancy, but this kind of dynamics has been widely observed and has been quite effective.

The ingredients necessary for such mechanisms to work as triggers have not been documented sufficiently for a grammar of new mechanisms to be available yet, but those who have studied advances in global cooperation have suggested that the use of local talent, flexible non-centralized systems, modern information technology, and a “cocktail of hope and fear” are usually what underpins the initiatives that have worked best (Cleveland 1993).

To fix ideas, one may divide the array of mechanisms through which one may intervene into four broad families corresponding to the portion of the system is to be catalyzed. On the cognitive side, forums and reporting mechanisms are meant to ginger up Phase I of

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2 A most interesting illustration of the penetrative power of such “technological” or “plumbing” initiatives (even though, in this particular case, the Quebec government chose not to make maximum use of it) is the suggestion put forward in the 1960s in Quebec that there should be a “tarif unique” (single fee) attached to any medical act, whoever might perform it. For example, the same price would be paid whether a circumcision is performed by a general practitioner or by an urologist.

Such a subtle pricing technique modification – unlikely to generate an outright war, for complex acts were meant to be rewarded generously – would modify the incentive reward system. Few urologists would perform basic circumcisions for a modest fee. Thus it would likely trigger a massive change in the division of labour among health professionals, a re-allocation of specific tasks toward the personnel fully qualified to perform the task (but just so), and would free more highly qualified personnel to do the more specialized work they have been trained to do. There would be no incentive to surf on a wave of profitability by charging high fees for routine procedures.
the social learning cycle; on the diffusion/dissemination side, one is looking at mechanisms to generate trust and fail-safe mechanisms in order to strengthen Phase II.

(b) Getting rid of inhibitions in the cognitive sub-cycle

Collective intelligence is based on a capacity for all the stakeholders to work cooperatively in detecting anomalies, codifying them and generalizing the findings to a broader family of issues. It requires two things: (1) a place for stakeholders to work at reconciling their viewpoints, working through their relations with each other, and learning from each other (Yankelovich & Rosell 2000); and (2) the basic conditions for a sustainable partnership: ensuring that all parties gain from the arrangement, and that each party is likely to honor its obligations even when that is not necessarily the preferred option (Sacconi 2000).

Therefore, a key family of missing mechanisms has to do with forums for dialogue and multilogue. Even though there may be a fair understanding of the rationale for partnering, and a useful appreciation of the different structures and roles, in many cases the barriers to partnering are ascribable in large part to the lack of a locus where the different parties can meet, deliberate and negotiate.

A good example is the issue of fiscal imbalance between the federal, provincial, and local governments. This calls for fiscal concertation, but there is no place where the three parties can meet. While it might have been expected that the Council of the Federation (where provincial and territorial leaders meet) could serve this purpose, the fact that the federal government and the big municipalities have been explicitly excluded is bound to have a stunting effect on the whole process of deliberation.

For collective intelligence to develop, effective feedback is crucial. Consequently, there must be feedback if there is to be accountability, learning and behavior adjustment in response to context and other stakeholders. In a game without a master, agents face constant tradeoffs among a multitude of de-facto vertical, horizontal and transversal accountabilities (Juillet, Paquet, Scala, 2001) and not just the traditional, financial one. Such accountabilities are embodied in moral contracts with all other meaningful stakeholders that can only be couched in the most general terms, but they need to be binding in order to be meaningful.

Therefore, another key family of missing mechanisms is reporting. The lack of quick and clear feedback reports means that there is no strong learning loop. While adding a reporting mechanism in no way pre-directs the outcome, it ensures that there will be learning and heightened collective intelligence. New techniques of collective reporting may not only force partners to work collaboratively but may also have a significant impact on dissemination of effective responses and trigger new modes of collaboration. Indeed, it may lead to the crystallization of a specific issue domain that serves as a focal point for multiple stakeholders.
Getting rid of blockages in the diffusion sub-cycle

The diffusion sub-cycle depends first and foremost on leadership and trust. It requires a capacity for listening and the open-mindedness of all parties to overcome the rivalry and envy that threatens cooperation (O’Toole 1995).

First, we need to think differently about leadership. Traditionally, there has been a tendency to count on “delta bureaucrats” à la Dror (1997) or the judiciary to provide the leadership when the different stakeholders appear unable to come to terms about a general direction for action. The first is particularly-potentially dangerous in today’s world because, by presuming the “necessity” of top-down and centralized decision-making, it undercuts the possibility of any leadership emerging from the creativity of partners. It is a holdover from the outmoded state-centric view of the world. The second is a misuse of part of a society’s system of checks and balances.

James O’Toole has proposed a different view. For him, a leader’s ability to lead is a by-product of the trust he/she has earned by serving his/her followers. The burden of office of the leader is to “refine the public views in a way that transcends the surface noise of pettiness, contradiction and self interest” (O’Toole 1995:10-12). This view of leadership suggests that impasses may indeed by overcome by the stakeholders themselves.

The key family of mechanisms to refurbish trust is not, as usually assumed, strictly focused on stratagems to reduce secrecy or increase transparency. “Demands for universal transparency are likely to encourage the evasions, hypocrisies and half-truths that we usually refer to as ‘political correctness,’ but which might more forthrightly be called ‘self-censorship’ or ‘deception;’” (O’Neill 2002:73).

It is a focus on deception – the real culprit in reducing trust – and transparency does little to reduce deception. What is needed is a family of mechanisms to reduce deception, evasion and outright lies. This can be done by rejecting politically correct vocabulary, by refusing to endorse slogans, half-truths and complicity with them, and by insisting on an active view of citizenship based on duties, not rights (O’Neill 2002: 37-38).

But most importantly, this will emerge from the development of trust systems that are made of mechanisms to help transfer trust from individuals to the system as a whole (Thuderoz et al 1999). And example would be disparate and adversarial stakeholders who accept that they must find a way to work together and choose to start with small projects that carry little consequences for failure or deciding jointly to call for credible, objective data in an area of shared interest (accepting that the implications drawn may be quite different).

However, it would be naive to assume that there will be no opportunism. As a result, a residual threat is going to be required: the threat that, if cooperation does not prevail, an outcome that no one desires might ensue. This is why the family of fail-safe or default mechanisms is so powerful: in effect a knife is being put to the throat of the negotiators, thus creating the right incentive reward system to act in good faith. When fail-safe
mechanisms or default mechanisms are in place, inaction is not an option: when parties fail to come up with a collaborative answer, every one is aware that the fail-safe mechanism kicks in. In this way, sabotage and avoidance or evasion are discouraged.

These fail-safe mechanisms could be “quasi-markets”, binding referenda, earmarked taxes, or other devices that empower the citizenry and/or users and reduce the margin of arbitrariness that officials (the governors and managers in all sectors) may enjoy: citizens are not pawns in the hands of knights in this new world, but rather queens attempting to deal effectively with knaves (knaves meaning ‘those who follow their own self interest’ rather than the usual ‘rogues’). Fail-safe mechanisms force elected and un-elected officials to act more like knights than knaves (Le Grand 2003).

**Searching for tipping points**

The challenge is clear: to repair the existing disconcertation with an appropriate mix of mechanisms (operating at crucial lever points) capable of engineering an attenuation or elimination of both the epistemic and collaboration blockages.

We have chosen to illustrate these challenges by sketching some of the difficulties in three issue domains, where disconcertation is a crucial feature and learning-enhancement dialogue and multi-level collaboration are clearly required.

These are areas or issue domains where a conflictive equilibrium prevails: each group (1) knows that it can neither rid the system of its partners nor of its opponents, and will have to live with them and compromise to achieve its objectives, but (2) still appears unwilling to accept this reality gracefully and, as a result, indulges in a good deal of disingenuous, adversarial behavior.

In each case, we present a brief sketch of the core issues, an identification of the key blockages, and suggestions for new mechanisms likely to resolve the problems or at least to trigger a cascade of impacts likely to unfreeze the system. We do not pretend to have identified a magic bullet that will resolve the disconcertation instantly. Nor do we believe that tinkering with the mechanisms that we suggest will necessarily entail an “optimum optimorum”. In each case, we put forward some suggestions that are meant to tilt the system underpinning the issue domain into a mode of change or a regime of evolution that is likely to generate a heightening of collective intelligence, more effective social learning, and therefore, as a matter of consequence, better governance.

A more detailed analysis of some of these issue domains is presented in Hubbard and Paquet (2005)
(a) Cities

i. Core issues

The tales of Canada’s cities are told in many languages. From the Federation of Canadian Municipalities’ (FCM) warning that Canadian cities cannot compete with major cities in other countries, to George Elliott Clarke’s forecast of “an urban landscape awash in social unrest”, to the 3.25 billion liters of untreated sewage dumped into our waters every year by 21 Canadian cities, to Montreal’s waterworks that leak as much water as they supply to customers, to the 30,000 brown field sites so toxic that no one wants to touch them (yet according to the National Roundtable on the Environment and the Economy (NRTEE), two thirds of them are teetering on the brink of profitability, and could be easily developed with the right push and would yield as much as $7 billion in public benefits3) – the prognosis is scary but the potential for useful intervention is enormous.

These problems stem in large part from extreme financial stringency. Federal and provincial governments have cut back transfers to municipalities and offloaded responsibility in the last half of the 90’s, reducing the federal/provincial transfers, as a proportion of municipal revenues, from 21.4% in 1995 to 16.5 % in 1999. Among the federal states, senior governments in Canada belong to the group that gives the least to their cities4. With this inadequate financial base, cities face a resulting gap in infrastructure funding that is huge -- $564 million annually for the six largest Western cities alone5.

ii. Blockages

Much of the difficulty is ascribable to the fact that (1) legally, cities are creatures of the provinces under the Constitution; (2) the provinces and territories have rejected the view that the federal government should offer direct financial assistance to cities; and (3) the three levels of government have no common table to sit at to discuss the core issues that undermine the functioning of Canadian cities.

Yet it makes little sense for the federal government to sit down with the government of Manitoba to discuss economic development without having Winnipeg at the table – a city that contributes more than half of the provincial economic output.

City-regions matter, and must be able to speak for themselves when discussing some public policy issues, wherever the formal responsibilities may lie. A more advanced stage in the development of federalism as regime would point out the urgency of taking steps that move in this direction.

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3 Reported in Maclean’s magazine August 11, 2003 in an article entitled “Reclaiming Toxic Ground”. The federal government, acting on NRTEE’s advice, announced a ‘Brownfield Strategy’ in the 2004 budget.
4 Reported in the Economist January 10, 2004
5 Reported in Maclean’s magazine in November 24, 2003 in an article by Darren Stone
Missing mechanisms lie at the source of the blockages. Canada still has no effective forum where the requisite dialogue, negotiation and collaboration can be developed. The FCM, which has existed for years, represents the whole range of rural and urban municipalities from the smallest to the largest. It cannot act as a meaningful clearinghouse or forum for units that have relatively little in common.

Moreover the most basic routine reporting on the comparative state of cities is still missing. Under these circumstances how can cities understand their common problems (and also that problems that are significantly different for large cities than for small towns) by recognizing their common anomalies and develop their collective intelligence? And from what basis can one expect the trust (that is required for common action and dissemination of best practices) to grow? What are the mechanisms likely to force cities to attend to the necessary agenda?

iii. Mechanisms

A forum of large cities (representing the bulk of Canadian population) and at which Ottawa was explicitly not invited, was organized on an ad hoc basis a few years ago by Jane Jacobs. It was simply a bonfire. More recently, a number of officials from Canada’s large cities have breathed new life into this idea.

The first task of this group is to create a real “urban forum for large cities”. Nothing is likely to be done without (1) the creation of this kind of a forum embodying the loose partnership of the willing; and (2) the development of urban metrics that will force the participating partners to recognize the seriousness of the crisis and the commonality of their problems. Obviously, it will take time to build the required trust. Nevertheless, one can easily see the power of an alliance of the largest 15 city-regions if they were to develop an integrated strategy to deal with the federal government as well as their respective provincial masters. A “productivity, innovation and talent development agenda” could easily underpin such an effort. Canadian universities through the Association of Universities and Colleges of Canada have already demonstrated how powerful a lobby the large universities could become in Ottawa, whatever the discomfort of their provincial bosses.

This urban forum, through the auspices of the significant research budget of the federal government’s Infrastructure Canada, could easily work in concert with Statistics Canada to develop a meaningful database on urban Canada. Moreover, it could identify key common problems and develop a meaningful “Large Cities Agenda for Canada” with an appropriate set of benchmarks to meet and schedules to adhere to, a set of ideas about how these challenges could be met collaboratively, and a set of concomitant rewards and penalties for those meeting or failing to meet the targets that had been set.
(b) Environment

i. Core issues

Canada is responsible for 20% of the world’s wilderness, nearly 25% of its wetlands, 9% of its fresh water, 10% of its forests and the longest coastline in the world. And 20 million of its more than 30 million inhabitants live in watersheds that cross the Canada US border and are, as a result, affected by American policies, or else affect American water quality.

Jurisdictional responsibilities are shared by a number of governments. Some responsibilities (for mammals and migratory birds) rest with the federal government, others (like forestry, intra-provincial mining and some wildlife) with provinces/territories, and other still are shared. And both jurisdictions intermingle on lands considered traditional territories by First Nations. In addition, municipal governments play important roles as well such as with respect to the maintenance of municipal water treatment systems.

This immense natural capital is under stress in Canada from urban sprawl, northward expansion of mining, unfettered forestry and oil and gas development, agricultural expansion, climate change, etc. Not all of these forces are controllable by Canada, but many are, but the governance of sustainability in Canada leaves much to be desired. Moreover, more and more the problem is becoming an urban one and one that will require the active involvement of municipal governments and urban groups.

ii. Blockages

To try to deal with this shared responsibility, two forums were created some years ago: the Canadian Council of Ministers of the Environment (CCME) comprising all thirteen jurisdictions, and the federally legislated NRTEE that draws its membership from all sectors and regions including business, labour, academe, and First Nations.

So some effective coordination may be said to exist through both, although the CCME has no authority and some provinces will not formally participate in the NRTEE because it is a federal government creature. In fact the NRTEE is now an institution that has reached maturity and acquired a good deal of legitimacy. Its work is also complemented by some regional roundtables. Moreover, there has been quite a bit of activism on the part of NGOs, plenty of data generated by statistical agencies, and a good deal of awareness already exists in certain portions of the business community where corporate bodies have developed primitive triple-bottom-line metrics (financial, social, environmental).

Yet despite these important advances, there remains a fundamental apartheid among the three levels of governments on environmental issues. Although the federal government indulges in a good deal of grandstanding about Kyoto, most of the action required to honour these commitments lies in provincial and local jurisdictions, and it is clear that there is still a great lack of coordination and integration of the work of the different levels
of government (Stratos Inc. 2003). Indeed, key stewards of the environment at the junior level are most often not at the table, and they are not consulted before “national” decisions are arrived at.

There is little evidence that useful initiatives locally or existing knowledge of the ecosystems available from all sources (from Aboriginals, for instance) have been meshed into a learning system capable of having the full complement of knowledge and the full array of best practices reverberate across regions and organizations.

iii. Mechanisms

Getting the motley collection of interested and affected groups to partner with the federal government ex post facto (for example after the signing of Kyoto) is often a daunting task. If a credible forum and a significant amount of information exist, what is still required is that (1) key local authorities be included meaningfully in the policy formation and implementation discussions, (2) a more comprehensive and integrated approach to policy development be engineered, and (3) some process be generated to ensure that the on-going debates are not stunted.

The first task could be tackled in a small way by the federal government entering into partnerships with one community in each province and territory as a kind of demonstration project. This is the model used in the experiment on Smart Communities (Industry Canada 1998).

More generally, a refurbishment of the existing NRTEE institution to provide a more inclusive forum of all the meaningful stakeholders could serve as a forum capable of tackling the second and third tasks.

(c) Coordination

i Core issues

Something is definitely wrong when a representative group of Canadians says about their highest priority, health care, that they are “… fed up with federal-provincial disputes …(and that) elites have spent ten years reforming the system … with some efficiency gains … but (with) relatively little impact on everyday services used by the majority of Canadians … nor (with any increase in) … (people’s) confidence that the system is well managed and on a sustainable course.” (Citizen’s Dialogue 2002). In fact overall, an estimated seventy percent of Canadians say that improved federal-provincial cooperation should be a high priority, and seven out of ten believe that both levels of government are to blame for federal-provincial conflicts (CRIC 2004).

Perhaps one should not be surprised. Experts argue that, adaptable and flexible as it has proven over the years, Canada’s federation has a tougher time managing today’s interdependence than other federations (Watts 2003).
Interdependence requires more and better collaboration than before amongst and between levels of government as new units of analysis emerge – city-regions and communities of practice – that do not match jurisdictional boundaries. It calls for a better match between the efforts of individual governments and the required collective state effort, as well as a vertical fiscal balance in keeping with jurisdictional responsibilities (Paquet 2004d).

ii Blockages

There are three kinds of blockages that stand out: (1) excessive vertical and horizontal inter-governmental competition, (2) efforts that are not matched to needs in terms of levels, and (3) vertical fiscal imbalance.

Technically, Canada’s federalism is built on ‘arms-length’ rather than ‘interlocking’ relationships (like Germany’s federalism), and it has been described, as a result, as somewhat biased towards vertical and horizontal competition rather than intergovernmental collaborative mechanisms (Courchene & Savoie 2003). This tendency towards intergovernmental and inter-party competition has grown until today it represents a key blockage.

Not surprisingly, ‘intergovernmental affairs’ has been an important feature of the Canadian landscape for decades. In fact analytical frameworks have been devised to underpin formal jurisdictional collaboration (Burelle 1995). And there are long-standing national, regional, and municipal forums. Unfortunately however, these are often ineffectual or downright dysfunctional. The exceptions, where there have been modest successes, are national forums in areas of shared jurisdiction (like the CCME) where significant public pressure for collaborative action has arisen from citizens giving rise to their creation and where the principles of consensus, subsidiarity and true collaboration exist as opposed to hierarchy.

Regrettably, the newly formed Council of the Federation seems to be another example of a table with no place for the federal government, for Aboriginal people, or for even the biggest of cities. And while it may serve as a good starting point for the provincial and territorial governments involved to build trust amongst them, it risks becoming simply a vehicle for ‘ganging up on the federal government’.

Another important blockage arises because of the mismatch of the investments of individual governments with the state effort that is required in some key issue domains. In some cases (for example with respect to anti-smoking), actions are primarily being made at national or regional (provincial/territorial) levels when those with the need are at the local level, even in the face of lawsuits directed at local governments for failing to act. In others, for example on the socio-economic front as the OECD (2002) points out, efforts at regional and federal levels need to be harmonized with local actions for big cities and local solutions found rather for large rural regions than centrally-run provincial activities.
Similar problems of mismatch seem to be occurring in large municipalities with respect to the mega mergers instituted to improve efficiency (and hopefully citizen responsiveness) for services. Although it is too early to make definitive judgments, anticipated efficiency improvements have not materialized (OECD 2002). In any event, good arguments can be made that some local services are better provided at the neighbourhood or boroughs level (Centre on Governance 1999).

Mismatches also exist at the national level. In areas of formal provincial jurisdiction where pan-Canadian standards and harmonized state efforts are necessary and are being increasingly demanded by citizens (such as literacy), provinces and territories have been unable or unwilling to produce agreement, so that the field has been left to the federal government alone which could (and does) claim that something has to be done. As a result there has been both federal intrusion using its spending power and an unchallenged policy field.

The third main blockage comes from what seems to be a significant vertical fiscal imbalance.

Malcolmson & Myers (1996) observe that “one of the major problems associated with federalism is the need to balance a government’s responsibilities with its ability to finance its role. … it does little good to give a level of government the responsibility for providing services if it cannot afford to provide it.” Such a long term imbalance raises important societal tradeoffs. But the present avoidance of the discussion harms everyone, especially citizens and society as a whole

iii Mechanisms

What is clear is that no one answer will produce better inter-governmental collaboration across the board. Every issue domain has its own context and context matters, so that effective approaches will need to be different in each case. Beyond this, if better inter-governmental coordination is to occur within any issue domain, pressure is going to have to be increased on governments. In other words, what are needed are effective failsafe mechanisms for each issue domain that most Canadians consider important.

The Senate of Canada offers a promising possibility to play such a role. It could ensure that credible, timely information is assembled, that important research gaps are filled, that the results are synthesized, and that awareness is raised generally about policy choices and challenges and necessary tradeoffs. To do this, it could establish three or four standing committees to deal with the most important issue domains, and a number of temporary committees to tackle a few others. It is well suited to such a role, having carried out credible and thoughtful reviews before, such as the Kirby Review of health care, which issued a fulsome report that has been acknowledged as being credible and well researched.

Other action could concentrate on strengthening accountability by making Parliament’s Public Accounts Committee more effective using practices that are currently in place in
the United Kingdom. The first might be to designate deputy ministers and agency heads as ‘accounting officers’ with direct accountability to Parliament for the administration within their purview (leaving ministers accountable for political and policy decisions but removing from their long-standing interest in day-to-day departmental activities.

**Good work at the frontier: how to scheme virtuously**

How does one do this good work of renewing Canadian federalism by filling the gaps where there are weak or non-existent mechanisms? One may easily sense that calling for such repair is naïve and futile unless one can provide suggestions as to the manner in which it might be accomplished.

It has to be recognized that a great deal of work is needed to reframe issues domains in a more realistic and wholesome way, to reconfigure the disciplinary fields, and to generate more dialogue and deliberation with other stakeholders in order to elicit collaborative governance. This would improve the skills of would-be social architects and engineers as “reflective practitioners” (Schön 1983). But slaughtering some sacred cows may need to be the necessary first step.

For the sort of tinkering that we suggest to be useful, three conditions are necessary: (a) there is a need for practitioners to act locally and “at the mechanisms level” but also to maintain a broad holistic perspective; (b) to keep the theory and its professionals, the experience of the practitioners, and the interests of all the stakeholders in the given area somewhat aligned; (c) to expose much of the hypocrisy that currently obscures much of the visibility in any issue domain forum.

(a) The “whole system” approach is a way to avoid the tyranny of small decisions and to fully take into account the centrality of key complementarities and the power of context (Gladwell 2000; Surowiecki 2004).

Escaping from the tyranny of disciplines and ideologies that provide truncated and reductive images of reality requires enormous effort. But this composite and rich image of reality must also be coherent to be effective: this is why alignment of the different perspectives is so crucial for useful creativity to ensue. Some recent work on horizontality and “whole system issues” in Australia and Canada would appear to show the way (Lindquist 2004). But we are still far from having transformed our worldviews sufficiently to be able to tackle these issues creatively. “Whole system” approaches are given external signs of respect but are not yet part of the conventional wisdom.

(b) If looking at the “whole system” is necessary in order to avoid doing more damage than good, there are very serious barriers to such work that lie in the traditional approaches to social architecture even when the challenges are faced with the best of intentions. There is often misalignment between individual practitioners’ skills, issues domains, professional fields, and other stakeholders’ interests. Indeed, according to Csikszentmihaly (1996) and Gardner, Csikszentmihaly, and Damon (2001), creativity and good work by professionals are the result of a good alignment of these four realities.
Practitioners of public social architecture have a certain specific knowledge and skills that they have developed through learning by doing – their Delta knowledge (Gilles and Paquet 1989). They maintain somewhat opposed tendencies: a good deal of curiosity and an open mind, but also a quasi-obsessive commitment and perseverance. Moreover, they operate in a symbolic system: the world of public policy (which, like the world of medicine, journalism, carpentry, etc. is built on two sets of codes: a set of procedural ideas (equipment, purposes, identities) and a set of ethical standards (assurance that those ideas will not be used against the common interest) (Spinosa, Flores and Dreyfus 1997).

But professionals are more than skilled people operating in a domain; they also exercise their profession in a field, i.e. a social network of practitioners, a tribe that has its mores, habits, standards, priorities, and taboos. As such, they are not only guided by the imperatives of skills and tasks, but also by the values of the tribe.

Finally, the practitioners, domains and fields all operate in a broader world that involves a wide array of other stakeholders (the corporate world, the general public, etc.) who hold very different views of the world and with whom practitioners and professionals must interact in productive ways.

When things are aligned, all these components are in sync: the baskets of skills and interests of practitioners, the definition of the issues domains, the values of the tribe, and the interests of other stakeholders all converge toward some initiatives and directions that satisfy all these demands simultaneously.

If there is no alignment, these practitioners/professionals will have to re-frame their thinking: use new or adjusted skills for new or adjusted tasks in the issue domains in which they operate, view the values of their profession in a whole new context, and learn to interact with other stakeholders in new an different ways. They must expand the domain to ensure that it corresponds to “real issues”, to reconfigure the fields so that the investigation is not unduly restricted by crippling paradigms, and to bring together the various stakeholders, each of whom may harbor quite different values and priorities. This may be the only way to extricate our present system from its many conflictive equilibria.

Again, one must recognize that the conventional social sciences are not necessarily well prepared to tackle these complex issues, and that they are often of little use in providing the insights into the new organizational designs that are required.

(c) But there is another hurdle to overcome: the phenomenal degree of disinformation and hypocrisy that plagues debates about Canadian federalism. Dogmas, ideologies, dogged defenses of status quo through denials, assumptions one is not even aware one is making, etc., make it difficult for the sort of alignment that is required to materialize. While academics are sometimes drafted to rationalize political arrangements that all recognize as dysfunctional, even when they are not enlisted as mercenaries, they often are satisfied with looking at problems through a reductive and distorting disciplinary lens (Paquet 1988).
More importantly, however, it is quite easy to underestimate the degree of hypocrisy at play in these different issue domains. A cursory look at the current debates on health care is quite informative in this regard. It reveals how academics are complicit with politicians in not denouncing the shell game through which a vocabulary of neutral principles is used to disguise substance and to prevent effective re-engineering (Fish 1999).

Politicians of all stripes make statements about the “sanctity” of the Canada Health Act. By keeping the debate at the level of “principles” (that happen to be popular but are dysfunctional) and denying that these “principles” are merrily violated daily, they not only misinform the citizenry, but also ensure that they do not allow a real debate on what is actually called for – the modification of mechanisms.

The five so-called “sacred principles” of the Canada Health Act are routinely violated in practice, if not technically. Comprehensiveness is violated by routine delisting of services by any province that so wishes; portability and free access is violated by provinces like Quebec reimbursing only a portion of the cost of health care sought by Quebeckers in Ontario (the rest being charged to the citizen), etc.

Consequently, there may be a need to go beyond the present assumption that the professional scholarship on federalism in Canada is not in need of repair.

**Conclusion**

Our paper suggests that while the search for guiding principles and general rules about the formal system of federalism in Canada goes on, the emergence of better societal governance may be accelerated by some well-formulated tinkering that is built around mechanisms and aimed at tipping points. And choosing which mechanisms is likely to be easier with a broad federalism mind-set rather than a traditional state-centric one. This kind of approach might be a more efficient though indirect way to transform structure and theory. We have provided illustrations in three issue domains.

Our suggestions do not represent an exhaustive or comprehensive list of the modifications that might usefully be implemented, but simply illustrates the breadth of possibilities that emerges when one begins to look for ways in which the social technology might be improved with a view to create new forums, to improve reporting, to increase trust and fight deception, and to avoid sabotage through fail-safe mechanisms. These are all seemingly minor process adjustment, but they could make a big difference. And they could spread the necessary re-framing (that is already underway) more rapidly through Canadian society.

The real challenge might be to shake off the shackles of present-day scholarship on federalism. It is often based on a narrow view of federalism as a simple mechanic to allocate responsibilities among territorial jurisdictions. As a result it remains often quite superficial and does not accept the need to work explicitly on a better alignment of professional fields and practitioners’ experience in dealing with issue domains.
Those interested in altering either the formal federal system or the broader features of Canada directly or not recognizing the need to revamp our social-scientific “manieres de voir” will be disappointed; our approach suggests not a grand plan or a magic bullet, but “une foule de petites choses” based on a slightly subversive approach to issue domains. None amounts to a panacea. They are simply attempts to remove the blockages to social learning in a system that has a plethora of bottlenecks. Forums, reporting mechanisms, failsafe mechanisms, mechanisms to provide citizens with the means of stewardship they want, etc., are the only way to trigger change in a system that is fundamentally complex and therefore cannot be “controlled”.

But fundamentally we are proposing to approach the problems of federalism in Canada in a different way. We need a new “lamp” to throw some light on what is dysfunctional in issue domains and to help us tinker with them locally and separately. Our focus on mechanisms is deliberately low-brow, because we feel that the high-brow approaches for all their rhetoric are not unlike buying a lamp (any lamp) and then going out in search of a genie (as Will Ferguson 1997:12) would put it).

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