What is Public Policy?
Definitions, Process, Institutions, People, Governance and Federal/Provincial Relations

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Introduction
Who are you?

- Countries?
- Cities?
- Schools?
- Degrees?
Where do you get your news?

You

• Aggregators?
• Social Media?
• Radio?
• TV?
• Newspapers?
• Magazines?
• Online vs Paper

Me

• Globe and Mail
• New York Times
• CBC
• Guardian
• Telegraph
• Foreign Policy Magazine
• The Conversation
• iPolitics
• New Yorker
• Various Think Tanks
• Various Podcasts
• Various email groups
What is the Greatest Policy Challenge Facing Canada Today?

• Is it different than the greatest policy challenge Canada will face in twenty years?

• Does it differ depending on the region you come from?

• Was it being discussed in the election campaign?
Challenges from last years’ Capstone Students

- Climate Change
- Health Care
- Child Poverty
- Immigration
- Aging
- National Security
- Public Safety
- Day Care
- Productivity
- International Trade
- Election Reform
- Pensions
- Housing
- Infrastructure
- Fiscal Arrangements

- Aboriginal issues
- Employment of youth
- Early childhood development
- Income inequality
- Education
- Health
- Social Investment Policy
- Deficit and Debt
- Arts and Culture
- Other elements of immigration
- Poverty
- Lower Middle Class jobs
- Mental Health
- Social Innovation
- KBES
Priorities from PM’s website
Priorities from the Liberal Party Platform

Access to information, Open Government, Open Parliament, Government advertising, Fair elections, Political financing, Leaders’ debates, Electoral reform, Young Canadians, Senate reform, Question Period, Free votes, Prorogation and omnibus bills, personal information, Government watchdogs, Supreme Court appointments, Parliamentary Budget Officer, Financial oversight, National security oversight, Parliamentary committees, CRA, Canada Post, Diversity in government, Young people, Gender impacts, online services, Quality of service, your voice, science and scientists, the long form census, Statistics Canada, Making decisions, Easier voting, stronger punishments, helping families, ending unfair tax breaks, middle class tax cuts, Opportunities for young Canadians Affordable Housing, Post secondary education, new Health Accord, Fighting poverty, Investing now, public transit, stronger communities, greener communities, job and skills training, New Building Canada Fund, Keeping our commitment to communities, Canada Infrastructure Bank, Jobs and innovation, Agriculture, Labour unions, Labour sponsored funds, Flexibility for parents, supporting caregivers, flexible working conditions, EI, Child Care, Healthier kids, Canada’s North, Helping educators, Retirement security, Reuniting families, international students, remittances, hiring caregivers, Syrian refugees, Refugees, Help for the world’s poor, The US and Mexico, Getting Canadians goods to market, Canada’s leadership in the world, Promoting international peace and security, investing in our military, F-35, Royal Canadian Navy, Strategic priorities, Military transformation, Central and Eastern Europe, Combat mission in Iraq, new Nation to Nation process, new fiscal relationship, First Nations education, Métis nation, missing and murdered indigenous women and girls, Truth and Reconciliation, Veterans’ pensions, Education and training for veterans, better service for veterans, more support for veterans’ families, preventing domestic violence and sexual assault, Bill c-51, Guns, Marijuana, CBC, Cultural and creative industries, Official languages, Community heroes, Search and rescue, Trans rights, ending MSM blood donation ban, Climate change, clean jobs, environmental assessments, water, national parks.
Priorities from the Speech from the Throne

• **Growth for the Middle Class**
  – Tax Cut, CCB, Infrastructure, CPP, EI etc

• **Open and Transparent Government**
  – Electoral reform, Senate reform etc

• **A Clean Environment and a Strong Economy**
  – Pricing carbon, clean technology, new EA process etc.

• **Diversity is Canada’s Strength**
  – Indigenous rights, TRC recommendations, immigrant families, Syrian refugees etc

• **Security and Opportunity**
  – Strengthen relations with allies esp US, support survivors, remove weapons, legalize marijuana etc.
Priorities from the Budget I

• Growing the Middle Class
  – Strengthening the Middle Class
  – An Innovative and Clean Economy
  – An Inclusive and Fair Canada
  – Canada in the World,
  – Open and Transparent Government

• Consistence, Coherence and Focus
Priorities from the Budget II

• Help for the Middle Class
  – CCB, Eliminating income splitting, eliminating Fitness and Arts Tax Credits PSE, Work experience, EI, Skills and Training,
• Growth for the Middle Class
  – Infrastructure, Green infrastructure, Stronger communities, Public infrastructure,
• A more Innovative Country
  – Science and Research, Space, Agriculture, Supporting Business and Innovation, Trade
• A Better Future for Indigenous Peoples
  – Missing and Murdered, Engaging, Education, Children, Skills and Employment, Social infrastructure, etc
• Clean Growth Economy
  – Clean technology, Climate Change,
• Inclusive and Fair Canada
  – Seniors, Veterans, Health Care, Justice, Arts and Culture, Public Safety,
• Canada in the World
  – International Assistance, Immigration, Defence, Export Verifications
• Open and Transparent Government
  – Service to Canadians, Access, Electoral Reform, Outcomes,
• Tax Fairness and a Strong Financial Sector
  – Compliance, Integrity, small business, Consumer protection etc.
What is Public Policy?
What is Public Policy? 
The Origins of Public Policy

- Professor Woodrow Wilson: “The Theory of Administration”
  Political Science Quarterly, Vol II, No 2; June, 1887, while at Bryn Mawr
  - “Why is the science of administration so late in coming?”
  - “There is scarcely a single duty of government which was once simple and is not now more complex.”
  - “This science should straighten the paths of government, to make its business less unbusinesslike”
  - Separated “politics” from “administration”.
What is Policy Science?

  – “A policy orientation has been developing that cuts across the existing specializations.”
  – “The policy orientation is focused upon the scientific study of policy.”
  – “While the expression ‘policy sciences’ is not in general use in the United States they will improve the practice of democracy.”
Evolution of Public Policy Education

• 1924 U of Syracuse, Maxwell School of Citizenship and Public Affairs
• 1930 Princeton U, Public and International Affairs, later Woodrow Wilson School
• 1936 Harvard U, School of Public Affairs, later the Harvard Kennedy School
• 1946 Columbia U, School of International and Public Affairs
• 1969 U of California Berkley, Goldman School
• 1988 U of Chicago, Harris School
• etc
Evolution of Canadian Public Policy Education

- 1950s Carleton
- 1960s Ryerson
- 1970s Queen’s
- 1970s UVictoria
- 2000 UofOttawa
- 2007 UofToronto
- 2013 UQARimouski
Professionalization of Public Policy

- 1912, American Political Science Association establishes Committee on Public Service
- 1939, American Society of Administration breaks from APSA
- 1960s, Robert McNamara, SecDef, Planning, Programming and Budgeting Systems
- 1960s, McGeorge Bundy, FordFoundation, Professional Training
- 1960s, Pierre Elliott Trudeau, introduction of policy sciences to government
- Evolution from Politics to Public Administration, back to Public Policy, over to Public Management
Canadian Public Policy

- 1947 Institute of Public Administration of Canada
- 1958 Canadian Public Administration … Journal
- 1970s Committee of Schools and Programs in Public Administration
- 1972 Institute for Research in Public Policy
- 1990s Canadian Association of Programs in Public Administration
- 1990 Public Sector Management … Magazine
- SPPG Class of 2018
What is Public Policy?
Evolution of the Discipline

- Politics

- Public Policy
  - Policy Analysis

- Public Management

- Public Administration

- Requires Economics, Political Science, Sociology, Management, Business, Environment, Sciences, etc etc in an interdisciplinary mélange.
What is Public Policy?

• ‘Course of action or inaction taken by governmental entities with regard to a particular issue or set of issues’ Wolfe, Robert “Definitions of Policy Analysis”

• ‘System of “courses of action, regulatory measures, laws, and funding priorities concerning a given topic promulgated by a governmental entity or its representatives’ Kilpatrick, Dean, “Definitions of Public Policy and Law”

• ‘A course of action or inaction chosen by public authorities to address a given problem or interrelated set of problems’ Pal, Les

• ‘A rational statement of what IS and what OUGHT to be done’ Parsons, Wayne

• ‘Structured, disciplined, interdisciplinary approach to problem solving of society’s challenges using the analytic frameworks of social sciences.’
What is Public Policy

• “Public policy is the principled guide to action taken by the administrative and executive branches of the state with regard to a class of issues in a manner consistent with law and institutional customs.”

Wikipedia

• Systematically using the state to affect peoples’ lives.
Examples
Interdisciplinary and Interpolicy
Public Policy Analysis

- What are we trying to achieve?
- Can Government help?
- How can we affect outcomes?
- Are we successful?

- Objectives
- Rationales for Government intervention
- Choice of Instruments
- Evaluation criteria

ANALYSIS AND EVIDENCE
Objectives

- Increasing GDP
- Increasing Social Welfare
- Public Interest/Public Good
- Improving Subjective Well Being
- Improving Economic and Social Well Being
- Improving Happiness

- “A Bearded Italian Gentleman”
  – Vilfredo Pareto
Political Rationales

1. Redistribution
2. Justice
3. Security
4. Morality
5. Building Culture

- Health and Safety
- Environmental
- Fairness and Fraud
- Mediating Conflicts
- Nation building
- Values
  - Merit goods

- Etc etc etc
## Economic Rationales

1. Macroeconomic Performance
2. Stabilization
3. Externalities
4. Infant Industries
5. Principal/Agent problems
6. Asymmetry of Information
7. Public Goodness
8. Free Riders
9. Moral Hazard
10. Market power
11. Natural Monopoly
12. Risk Pooling
13. Risk Sharing
14. Risk Shifting
15. Globalization
16. Tragedy of the Commons
17. Lack of property rights
18. Reducing transactions costs
19. Bearing transactions costs
20. Market Failures
21. Etc etc etc
Other Rationales

- Protectionism
- Isolationism
- Colonialism
- Imperialism
- Nationalism
- Commanding Heights of the Economy
- Imposing equal outcomes
Policy Instruments

- Legislation
- Regulation
  - Price, supply, rate of return, Disclosure of info, Attributes, methods of production, conditions of service, discrimination
- Spending Programs
- Direct Expenditures
- Subsidies
- Provision of Services
- Delivery of Programs
- Taxes
- Tax Expenditures
- Vouchers
- Standards
- Shift in liability
- Nudges
  - Defaults, feedback, incentives, complexity, inducements
- Moral Suasion
  - Power to convene,
  - Phone and Pen
- Care and Morality
- Inspections
- Institutions
- Symbolism
- Public Engagement
- Information
Implementation Instrumentation

- Direct delivery
  - Mail, Office, Online, etc
- Delivery through others
  - Self Regulation
- Delivery through the tax system
- Public Private Partnership
- Coproduction
- Contracting
- Geographic restrictions
- Public Ownership
- Cross Subsidization
- Standards
- Enforcement
  - Action
  - Fear of Action
- The Courts
- Other levels of Government (transfers)
- Assigning Liability
- Inspections
- Institutions
- Licensing
  - Approval ex ante vs ex post
- Framework legislation
  - IP, competition, consumer protection, etc
- Different instruments for different target groups
  - Poor vs Business
- Moral suasion
- Voluntary compliance
Constraints on Implementation

- Mobility
  - Capital and Labour
- Entry and Exit
- International conventions and obligations
- Constitutions
- Adaptation
- Behavioural change
- Irreversibilities
- Degrees of dependence
- Credit for action
- Arms length vs Inside Gov’t

- Admin costs
- Compliance costs
- Transactions Costs
  - Burdens of costs
- Concentration of Benefits
- Dispersal of Costs
- Immediate Costs
- Future Benefits
- Transparency: Good and Bad
Criteria

- Economic Efficiency (allocative efficiency)
- Effectiveness (in achieving goals)
- Cost Effectiveness (technical efficiency)

- Equity (intergenerational, income classes, regional, static, dynamic)

- Fiscal Sustainability (affordability, debt, deficit, effect on finances)
- Legitimacy (constitutional, political, intergovernmental)

- Political Feasibility (building public support, mitigating opposition)
- Administrative Feasibility (who, how, feedback to top three)
In Summary

• Problem Definition
  – Unpack problem

• Justify intervention
  – Objectives
  – Market Failures

• Choice of Instrument
  – Consider least distorting solution

• Based on analysis and evidence
Governance
Public Policy Issues Requiring Only One Department To Be Involved

• Defence?
• Agriculture?
• Energy?
• Culture?
• Immigration?
• Intellectual Property?
• International Relations?
• International Development?
• Policing?
• Spying?
• Particulate emissions?
• Food safety?
• Others?
Public Policy Issues Requiring Only One Level of Government To Be Involved

- Defence?
- Agriculture?
- Energy?
- Culture?
- Immigration?
- Intellectual Property?
- International Relations?
- International Development?
- Policing?
- Spying?
- Particulate emissions?
- Food safety?
- Others?
Locus of Power and Authority is Changing

- Politicians
- Institutions
- Executive
- Legislature
- Political Parties
- Public Service
- NGOs
- Levels of Government
- Public Engagement
- Special interests
- Academia
- Think Tanks
- Etc
Process Matters

• Problem Definition
• Statement of Objectives
• Data Collection
• Public Engagement
• Policy Analysis
• Policy Development
• Options Development
• Criteria for Assessment
• Recommendations
• Decision Processes
  - Who’s involved, who decides, what information do they have
• Implementation plans
• Operational implementation
Choice of Instrument Matters

- Constitution
- Legislation
- Regulation
- Spending
- Taxing
- Tax Expenditures
- Moral Suasion
Institutions matter

Who is the Head Of State Of Canada?
Institutions matter
People Matter
People Matter 2016
Constitution of Canada

• 1867-1982
  – Focused on division of powers … BNA Act

• 1982 on
  – Focused on the relationship of the State to its Citizens
Which level of government does ....

- Trade
- Immigration
- Energy
- Environment
- Education
- Agriculture
- Security
- Housing
- Indians
- Inuit
- Métis
- etc
Constitutional Division of Powers

- 91 POGG
  - (2) Trade and Commerce
  - (24) Indians and lands reserved for Indians
  - (29) Everything that isn’t in 92
- 92 (13) Property and Civil Rights
- 93 Education
- 95 Immigration and Agriculture
  --
- 35 Aboriginal Inherent Right
- 36 Equalization and Regional Disparities.
  --
- 38 Procedures for Amending the Constitution
  --
- 121 Free Trade among Provinces
POGG

- 91: It shall be lawful for the Queen … to make laws for the Peace, Order and good Government of Canada..

Trade and Commerce
- 91 (2) The Regulation of Trade and Commerce.

Indians
- 91 (24) Indians and lands reserved for Indians.

All Else
- 91 (29) Such Classes of Subjects as are expressly excepted in the Enumeration of the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces.
Free Trade Among Provinces

• 121 All Articles of the Growth, Produce, or Manufacture of any one of the Provinces shall, from and after the Union, be admitted free into each of the other Provinces.

Equalization

• 36 Without altering … are committed to are committed to (a) promoting equal opportunities for the well-being of Canadians; (b) furthering economic development to reduce disparity in opportunities; and (c) providing essential public services of reasonable quality to all Canadians.

Concurrent Powers

• 95 In each Province the Legislature may make Laws in relation to Agriculture in the Province, and to Immigration into the Province; and … the Parliament of Canada may … make Laws in relation to Agriculture in all or any of the Provinces, and to Immigration into all or any of the Provinces;
Property and Civil Rights

- 92 (13) Property and Civil Rights within the Province.

Education

- 93 In and for each Province the Legislature may exclusively make Laws in relation to Education, subject and according to the following Provisions:

... ...

Inherent Right

- 35. (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and
(2) In this Act, “aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.
(3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.
Charter of Rights and Freedoms

• (1) “….. subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.”
• Fundamental Freedoms …. Religion, association, expression, media
• Democratic Rights
• Mobility Rights
• Legal Rights …. Life, liberty and security of the person
• Equality Rights
• Official Languages
• Minority Language Rights
• Does not derogate from Aboriginal Rights

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• S 33 “….. notwithstanding a provision included in section 2 or 7 to 15.
Role of Parliament

- Tribal Council
- Guillaume le conquérant
- King John
- Elizabeth I
- James VI/John I
- Charles I
- Charles II
- Baldwin/Lafontaine
- Macdonald/Cartier
- King

Electoral Reform: FPTP vs PR vs STV etc
Federal/Provincial Relations

- F/P vs F\P
  - Levels of Governments
  - Orders of Governments
  - Pillars of Governments
- “There is no department of government that does not have to worry about F/P Relations.”
- Institutions of coordination, collaboration and conflict
- CMEC, CEMC, FinMins, Council of the Federation, FMC, FMB, FML, FMD.
- Executive Federalism
- “Open Federalism”
- Federalism 2.0
- “Hug it out”.
- etc
Conclusion

• Public Policy is a discipline
• The public sphere is diverse
• The locus of power and authority shifts
• Process Matters
• Instrument Choice Matters
• Institutions Matter
• People Matter
• Words Matter
• The Constitution Matters
• Laws Matter
• Parliament Matters
• Federal Provincial Relations Matter
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