

:Dr. Saifullah Sumbal, Director Southwest Region, Ministry of Environment, Conservation and Parks of the Government of Ontario, Canada, was invited to speak on **Intergovernmental Relations in a Federation and the Role of Civil Service - A Canadian Perspective** on March 6, 2024.



Sumbal initiated his talk by sharing the importance of intergovernmental relations within a federation. He argued that these relations are more important in a federation than in any other form of government, mainly because the federating units need to define relationships in terms of providing services, protection, business opportunities and economic development to their residents. Canada operates as a decentralized federation in a multi-level governance system: two levels of government were established by the Constitution Act of 1857, later updated in 1982. It comprises a national government, ten provinces, and three territories which hold subordinate status in relation to the provinces. Each province maintains a robust local government system, with nearly all local governments created through provincial legislation. He further added that the federation initially formed with just two provinces, with additional territories joining over time through separate agreements outlining their powers, authority, and responsibilities with relations to the federal government.

The Canadian government would identify itself as a confederation, a loose decentralized federation where provinces hold significant authority and are regarded as co-sovereign under the constitution. The provincial governments hold considerable political authority, particularly in areas like social protection, whereas the federal government

focuses primarily on regulating banking, currency, and engaging in trade negotiations with international partners. Two key influences have shaped the confederal landscape in Canada over the last 30 to 40 years. Firstly, the constitution grants the federal government broad spending authority, allowing it to invest in provinces and territories for various purposes including social services. The federation has exercised this power from time to time, particularly in provinces not well aligned with the federal government, and while this power has been challenged in the Supreme Court, still it has stayed intact since 1857.

Second remarkable feature of the Canadian setup is executive federalism, characterized by intergovernmental negotiations primarily led by executives from various levels of government in the federal system. For instance, provincial premiers, equivalent to chief ministers in Pakistan, shape the national agenda through discussions on matters of shared concern in the Council of Federation. This is preceded by discussions among senior civil servants representing various provinces who engage in discussions on a range of socioeconomic issues, to help formulate an agenda for provincial leaders, shaping the national policy direction and programs.

Discussing transfers from the federal government to federating units, Sumbal focused on the Equalization Program for social services and social protection, which is not constitutionally mandated but instead based on consensus. Accordingly, every few years a benchmark for social services is set and provinces assess their ability to meet these benchmarks through taxation. Provinces with insufficient funds receive additional support from the federal pool based on their fiscal needs. The equalization formula undergoes periodic review, typically every six to seven years, ensuring the program’s relevance and responsiveness to evolving needs and circumstances. In comparison, the lack of comparable services is leading to several social issues in Pakistan, for example, the rising population of Lahore is due to the collapse of social services in smaller urban centers. He credited the Equalization Program for addressing separatist sentiments in Quebec, a French-speaking province, by providing substantial funding and promoting national cohesion.

Sumbal stated that Canada’s local government framework further complements these efforts as municipalities, while

under provincial jurisdiction, wield considerable autonomy and responsibility in policy implementation. Each province has a Ministry of Municipal Affairs which establishes the legislative framework governing municipalities and supports their capacity-building efforts. Its role is limited to ensuring compliance with broader provincial regulations, spanning areas such as environment, agriculture, economic development, and public health.



There is an arm's length distance between the provincial and local governments in all provinces, and almost 60 to 65 percent of provincial policies and programs are implemented by local governments. While big policy decisions fall within the purview of provincial government such as major programs like infrastructure development, and the structure, roles, responsibilities, and financial authority of local governments; smaller policy matters such as waste management, local housing and local roads fall under the jurisdiction of local government. In terms of financing, property taxation serves as the primary source of municipal finance, encompassing residential, commercial, institutional, and industrial properties. Under provincial legislation, local governments allocate these funds primarily towards local education and health services. While provincial governments set education policies, municipalities have autonomy in implementing these policies, including curriculum decisions and skill development. Lastly, unlike provincial and federal elections, local governments are party-less where a candidate ideologically aligns with a particular party, but does not contest elections based on party affiliation.

Larger municipalities often innovate by collaborating with academia, think tanks, and international entities to ad-

dress complex issues. The Ministry of Municipal Affairs documents successful case studies and organizes regular gatherings to share best practices among municipalities. They also assist smaller municipalities in navigating government systems and fostering partnerships. This support involves coordination between municipal, provincial, and sometimes federal bureaucrats to devise and implement solutions. Additionally, the Association of Municipalities of Ontario (AMO) serves as a unified voice for the 444 municipalities, ensuring that major policy changes are discussed and agreed upon democratically before implementation. This process is formalized through a memorandum of understanding between the association and the provincial government, establishing a platform for constructive dialogue and collaboration. Through this democratic process, municipalities collectively shape decisions that affect them and their residents, underscoring the effectiveness of their advocacy efforts.

“ Each province has a Ministry of Municipal Affairs which establishes the legislative framework governing municipalities and supports their capacity-building efforts. Its role is limited to ensuring compliance with broader provincial regulations,.. ”

Similarly, at the federal level, the Federation of Canadian Municipalities (FCM) unites approximately 2,000 municipalities nationwide to advocate both to the federal and provincial governments. This collaborative effort has established a consistent arrangement across Canada: major infrastructure projects, such as municipal highways, roads, hospitals, and water supply systems, which are costly due to their specific standards, are funded through a tripartite agreement. Under this agreement, the federal government contributes one-third of the funding, the province provides another one-third, and the remaining one-third is contributed by the relevant municipality. Consequently, projects are executed and maintained according to the desired standards set by both the federal and provincial authorities. This arrangement ensures a comparable level of service across different regions. Moreover, the federal government retains spending power, occasionally injecting funds directly into projects, albeit with conditions at-

tached, ensuring that the work meets predetermined criteria.

In conclusion, Sumbal suggested that while Canada does have its own challenges and Pakistan's context is relatively distinct, still Pakistan can learn from the overall division of power, and policy formulation and implementation in a three-tiered governmental system.

When asked to compare the culture of civil service between Pakistan and Canada, Sumbal responded that the civil service in Canada operates within a distinct transparency and accountability framework. Government resources, such as vehicles, are strictly regulated to prevent personal use, with electronic logs monitoring usage for official purposes, and personal use, if any. Unlike in Pakistan, where patronage and informal networks often influence promotions, Canada emphasizes a competitive application process based on merit. Additionally, Canadian civil servants do not have to directly indulge in public speaking and media interactions, rather they focus on efficient service delivery and responsiveness to citizen concerns through formal channels.

“Government resources, such as vehicles, are strictly regulated to prevent personal use, with electronic logs monitoring usage for official purposes, and personal use, if any.”

On the question of difference between the Council of Federation and the Council of Common Interest (CCI), Sumbal stated that the Council of Federation comprises all provincial and territorial premiers and operates as an informal forum for collaboration and dialogue among these leaders. It serves to discuss shared interests, coordinate policies, and foster cooperation on issues of mutual concern across provincial and territorial boundaries. Thus, it plays a crucial role in facilitating interprovincial and interterritorial dialogue but lacks a formal constitutional basis within the Canadian legal framework. In comparison, the CCI was established under the Constitution of Pakistan and has a more formalized structure. It includes representation from both the federal and provincial governments (though lacks territories like Gilgit Baltistan and

Azad Jammu & Kashmir). The CCI's mandate is specifically designed to address disputes, oversee agreements, and coordinate efforts on matters that are of common interest to both the federal and provincial jurisdictions such as financial arrangements, legislative powers, and other critical aspects of cooperative federalism. He suggested that the difference between the two countries primarily lay in the institutionalization of democratic culture.

“...every few years a benchmark for social services is set and provinces assess their ability to meet these benchmarks through taxation.”