

Innovation Salon/ Salon de l'innovation
Citizen Empowerment:
The Intimate Relationship between
Government Clients and Public Servants

Lorne Sossin

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Monday, June 14, 2004

Courtyard Restaurant, 21 George, 241-1516

(Details of location below)

5:30 to 9:00 pm

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Public Servants

When bureaucrats and citizens come together, it is typically for institutional and legal reasons, and the focus is not on the personal interaction between these individuals, but on the benefit, claim, penalty or interest at issue. These are rarely ongoing relationships and sometimes may even be anonymous (for example, where the citizen and bureaucrat can only identify each other by a reference number). This most impersonal of relationships is reinforced by an administrative culture, and legal infrastructure, that esteems objectivity and detachment, and a popular and political culture which portrays bureaucrats as remote, uncaring and often adversarial.

Bureaucrat-citizen relationships encompass a broad spectrum of power dynamics. In every case, however, the bureaucrat and citizen approach one another with cultural, psychological and social baggage. The current form of the bureaucrat/citizen relationship obscures this baggage from view, and in so doing, has impoverished our democratic system, and more specifically, has undermined the autonomy and human dignity of those people dependent on the discretion of public officials for their welfare or well-being. The goal is to restore the personal dimension to administrative relationships, and to reconceptualize this relationship as one capable of engendering intimacy - in the sense of mutual respect, mutual recognition and interdependence and, ultimately, citizen empowerment.

Drawn from: "Law and Intimacy in the Bureaucrat-Citizen Relationship" in N. des Rosiers (ed.), *No Person is an Island: Personal Relationships of Dependence and Independence* (Vancouver: University of British Columbia Press, 2002) pp.120-54; also published as "Le juridique et l'intime dans le rapport entre fonctionnaires et citoyens" in N. Des Rosiers (ed.) *Les rapports de dépendance et d'interdépendance* (Quebec City: Les Presses de l'Université Laval, 2002), pp. 109-150; and "An Intimate Approach to Fairness, Impartiality and Reasonableness in Administrative Law (2002) 28 Queen's L.J. 809-58

About The Author:

Professor Lorne Sossin, B.A. (McGill), M.A. (Exeter), Ph.D. (Toronto), LL.B. (Osgoode), LL.M., J.S.D (Columbia), of the Bar of Ontario

The Innovation Journal: The Public Sector Innovation Journal, Volume 9(3), 2004 Lorne Sossin is an Associate Professor at the Faculty of Law, University of Toronto, where he teaches courses in administrative law, public administration, legal process and social policy.

Prior to this appointment, he was a member of Osgoode Hall Law School's full-time faculty and the Department of Political Science at York University. He remains Co-Director of the Part-Time LLM in Administrative Law at Osgoode Hall Law School.

Professor Sossin is a former law clerk to Chief Justice Antonio Lamer of the Supreme Court of Canada, a former Associate in Law at Columbia Law School and a former litigation lawyer with the firm of Borden & Elliot (now Borden Ladner Gervais). He holds doctorates from the University of Toronto in Political Science and from Columbia University in Law.

Professor Sossin serves on the executive of the Ontario Bar Association, Administrative Law Section, the Canadian Association of Law Teachers, the Canadian Institute for the Administration of Justice, Tribunals Section, and is a member of the Board of the Income Security Advocacy Centre. He has published a wide range of articles in the fields of administrative law, constitutional law, civil litigation and public administration, including most recently "Speaking Truth to Power? The Search for Bureaucratic Independence" (2004) *University of Toronto Law Journal* (forthcoming) and "Discretion Unbound: Reconciling the *Charter* and Soft Law" (2003) 45 *Canadian Public Administration* 465-89. He is the author of *Boundaries of Judicial Review: the Law of Justiciability in Canada* (Toronto: Carswell, 1999) and co-author of *Public Law* (Toronto: Carswell, 2002) (with Michael Bryant).

Cost: \$10 to cover expenses. Persons cancelling less than 24 hours before the meeting will be charged the registration fee.

Registration: For more information and RSVP by Thursday, April 15th to: Eleanor Glor, ph. 1-613-941-2680; email: eglor@magma.ca

Location: The Courtyard Restaurant, 21 George, 241-1516 is in the Byward Market, in the first block East of Sussex, North of The Bay and Chapters, in a courtyard on the North side of George. It is not in the Courtyard Inn.