

**Democracy and multi-level governance in the EU and Canada**  
**September 21-22, 2005**  
**Carleton University**

**PRESENTATION ABSTRACTS**

**Wednesday, September 21**

**3:00 p.m. Panel I: Social Cohesion, Identity, and Democracy in the EU and Canada**

**Europeanization and Democracy: The Question of Cultural Identity**

**By Gerard Delanty**

The central argument of the paper is that the democratic deficit is not itself the problem; rather, the EU, as a postnational democracy, should seek to express democratic values differently from those based on the parliamentary tradition. The relatively low voter turn out in EU elections, the no votes in France and the Netherlands in 2005, and the apparent existence of a democratic deficit is not an indication of a crisis in democracy in Europe or a failure of Europeanization. Moreover, the fact that there is not a European equivalent of a national cultural identity does not mean that Europeanization lacks a cultural dimension. Viewed from the perspective of discursive democracy and a wider notion of cosmopolitanism, Europeanization can be said to be a more pervasive and multileveled process. The multileveled nature of the EU polity is reflected in a polyvocal kind of cultural Europeanization. The discourse of the crisis of democracy is misplaced as this is based on a view of the nation-state that is no longer pertinent to the nation-state, let alone the EU.

**Is a Common Identity Possible and Desirable in a Multinational Federation? Reflections on the Canadian Case**

**By Francois Rocher**

I will argue that the development of a common identity in the Canadian multi-level governance system is less imperative and important than institutional mechanisms that manage its internal multinational diversity. On the one hand, federalism allows citizens to belong to more than one community while pursuing common governing objectives. On the other hand, the identity issue hides the basic fact that, in the Canadian case, the creation of the nation was the result of a political covenant among pre-existing political units. The presence of internal nations within Canada, namely Quebec and Aboriginal peoples, are challenging the way diversity is (or is not) managed and recognized. Hence, one of the main issues is creating and maintaining a sense of loyalty to the Canadian federal pact. Another is defining the Canadian political community and seeing if institutional arrangements reflect its complexity.

## **4:30 Keynote Talk**

### **Europe's Constitutional Future: The Case for Optimism and Pessimism**

**By Jo Shaw**

Should we see the outcome of the reform processes that led to the adoption of the Constitutional Treaty, and its subsequent rejection in referendums by the French and Dutch electorates, as precursors of change or of continuity in relation to the process of European Union constitutional development and reform? Of course, there were many voices warning that the whole process of reform as a constitutional process was unwise, as it risked trying to fix that which was not broken or - worse - upsetting the delicate balance and settlement between the national and EU legal orders which underpins the EU's current constitutional settlement. That does not mean to say that we should all now agree that the Convention and the IGC, and their products, were a bad thing. Nor should we deny that these events and texts could constitute in the longer term useful idea factories from which future framers of the Treaties can derive ideas about what does, and does not, work in the EU's context. The negative side, however, is that there is a risk that carrying on as before will not necessarily be a wholly straightforward option in the aftermath of the referendum. This lecture asks the unthinkable: could the rejection of the Constitutional Treaty be construed as the ex post facto rejection of the legitimacy of the EU constitutional edifice, especially as it has been constructed by the Court of Justice in case law since the 1960s?

## **Thursday, September 22**

### **9:00 a.m. Panel II: Participation and Elections in the EU and Canada**

#### **One or Twenty-Five?: The 2004 European Parliament Elections**

**By Lawrence LeDuc**

The elections of June 10-13, 2004 were the sixth direct elections to the European Parliament and the first to involve twenty-five countries voting simultaneously for their representatives. Citizens of the ten countries that joined the EU only a month earlier were voting in these elections for the first time, while those of nine other member countries had voted on all five previous occasions. As such, the elections were closely watched by analysts of major political events in the European Union, but for many other observers they seemed to pass almost unnoticed on the world stage.

Over the past twenty-five years, elections for members of the European Parliament have become part of the ongoing controversy regarding issues of representation, political participation, and democratic accountability in the European Union. For some, these elections represent the long term solution to Europe's "democratic deficit", as the European Parliament gradually assumes a greater role in the processes of EU governance. For others, they remain part of the problem of making contemporary European democracy work, given their chronic characteristics of low turnout, lack of issue salience, and uncertain connection to the European "demos". In this paper, I examine the characteristics of these elections as a singular political event, drawing comparisons both with previous European parliamentary elections and with national elections in the twenty-five member countries.

## **Multi-Level Governance and Participation Levels in Canada**

**By Jon H. Pammett**

Conventional scholarly wisdom about Canadian politics has emphasized the independence of the various levels of government, the separate party systems which often operate at Federal and Provincial levels, and the lack of relationship between behaviour at all levels. However, we know that weak party identification and the propensity to switch parties at one level is associated with the same phenomena at the other. Similarly, the turnout declines which are occurring in Canadian elections are often taking place at both levels of the federal system. This paper examines the hypothesis that abstention from voting at both levels is connected, representing an individual level as well as an aggregate relationship. It will present a series of graphs portraying the turnout situation in all provinces for the last 20 years, and examine interprovincial differences in turnout. It will examine reasons given for not voting at various level elections. It will examine the potential conclusion that, while the complexity of multi-level governance systems is not necessarily related to voting turnout, the multiple opportunities for nonvoting such a system provides reinforces tendencies to abstain from voting.

## **Organised Civil Society Interests in the EU, Input Legitimacy, and Multi-Level Governance**

**By Justin Greenwood**

The contribution of organised civil society interests to the technical capability of EU policy-making and its outputs is well acknowledged. Their contribution to input legitimacy is more disputed. Fault-lines in the potential of EU representative democracy ('no demos, no democracy') lead to some emphasis upon organised civil society to act as second order EU democratic agents, codified in Article 47 of the Treaty establishing a Constitution for Europe. There are debates familiar to all democratic systems about the role of interest groups (are they friend or foe?), but particular issues arise in the case of the EU system and its organised interests. A starting point for these is the multi-level governance system of the EU with its typically fragmented power structure which prevents any one type of interest from routinely dominating, and which tends to produce consensus based, bargained outcomes with distributional benefits accessible to a wide range of stakeholders. A further set of issues revolve around the organisation of civil society interests at EU level, including the confederative nature of most interest groups, and structural weaknesses inherent to some types of representative groups. A third set of issues concern the 'rules of the game' put in place by EU political institutions aimed at creating a pluralist political system founded on interest groups. Whilst some of these empower citizen groups, some recent and emerging rules aimed at enhancing the link between such groups and EU citizens may have the effect of stifling the contribution of 'cause' groups, while recent process democracy upgrades via EU transparency initiatives may have a paradoxical side-effect of stunting the potential for groups whose legitimacy derives from their representativeness to participate in deliberative type ways.

## **11:00 a.m. Panel III: Globalization, Accountability, and Democratic Legitimacy**

### **Federalism, Accountability and Democratic Citizenship**

**By Jennifer Smith**

In theory, citizens of modern federations should face no problems of democratic accountability, or at least no more than citizens of unitary states. As is widely understood, under the constitutions of federal states, legislative and executive responsibilities are expressly assigned to different levels of government. Citizens need only to consult the written constitutional documents to determine which level is responsible for what action.

However, citizens are not in the habit of consulting constitutions. Those who do are likely to be deterred from their investigations by the awkward, legalistic language characteristic of such documents – unless they are Americans, who are blessed with one of the few readable constitutions on earth. Those who persist in labouring through the documents run into another problem, which is that the world described there is wholly unlike the world in which they live. Practice invariably outpaces constitutional reform. This is especially the case in Canada, the constitution of which describes a Victorian world in Victorian language. And even if citizens figure out what is going on, they are still faced with the daunting task of exacting accountability from officials in many institutions, some of them situated far from home.

It is not too much to say that the problem of democratic accountability is rooted in the constitutional structure of the federal system. In other words, to a greater or lesser extent the problem is present in federal systems everywhere, although my analysis of it is situated largely in the Canadian context. My purposes in the analysis are two-fold. The first is to identify the obstacles that citizens face in the effort to get accountability from the system, beginning with the simplest obstacles and then turning to the more complex ones. The second is to identify the solutions that are on offer to the problem of accountability. How can citizens manage the problem? How can the system be changed to ease their way? I begin, of course, with definitions of federalism and democratic accountability.

### **Multi-Level Legitimacy: Conceptualizing the Relationship between Internationalized Governance and National Democracies**

**By Achim Hurrelmann**

In a globalized world, it becomes ever less plausible to conceptualize public support for the nation-state as being independent of citizens' assessments of international and supranational governance structures. By the same token, evaluations of national democracies are likely to affect attitudes towards international or supranational organizations. Insights into such legitimacy relationships – and different logics of their construction – can help to gain a better understanding of the nature of public support for multi-level governance. On this basis, it is possible to identify different legitimization strategies for political institutions at multiple levels of governance, and to sketch some options of institutional design that might increase these strategies' chances of success. Focusing on the European Union, this paper reviews empirical evidence about the importance of relational legitimacy assessments for regime support, develops a typology of different kinds of legitimacy relationships, and draws conclusions for the design of democratic governance arrangements.

## **Governance in a Complex World: Lessons from Global Economic Institutions**

**By Randall Germain**

Understanding the imperatives and modalities of governance within and across borders today requires a multi-faceted analytical framework that is able both to identify key governance dynamics and to comprehend specific developments. What relevance do the experiences of global economic institutions hold for understanding the evolution and possibility of contemporary forms of governance? This paper will explore the governance arrangements of the IMF and Bank for International Settlements within the context of global financial regulation, in order to consider the extent to which they provide lessons for the development of governance structures for fragmented and multi-layered polities such as Canada and the European Union. If governance is considered in embedded and multi-layered terms, the experience of the IMF and BIS points towards the necessity of considering how popular demands for accountability, justice, and representation must be addressed in terms which provide for the deepening of legitimacy among key stakeholders and populations.

### **1:30 p.m. Panel IV: EU Enlargement, Democracy, and Multi-Level Governance**

#### **The European Constitution as a Catalyst for Participation?: Lessons from Eastern Europe**

**By David Ost**

The biggest problem facing the EU project so far has been the absence of a concrete demos on which it is based. Aware of this lack, EU promoters sought to build up the EU by stealth. Yet stealth only inhibited the emergence of a demos, the continued absence of which prevented the EU from developing along the lines of multi-level governance (MLG) that its current leaders promote. A key aim of the European Constitution was to call into being a demos. That's why they called it a "constitution." Yet en route to the Constitution, it has been the EU's opponents who have mobilized the public so far. Not only in France and Netherlands, but in Eastern Europe too, where critics have been far more mobilized than supporters. Yet the argument of this paper is that this opposition should itself be understood as a contribution to the formation of a demos, by ending the era of deepening by stealth and forcing a more open dialogue about the future. The Constitutional debate also sheds light on the debate between intergovernmentalists and theorists of MLG. For neither of them consider the question of the demos very important. Whereas MLG proponents assume the existence of a demos, intergovernmentalists deny its importance. By showing that European populations are still having their own debate on whether and how the EU even works for them, and that this debate matters, the Constitutional debate suggests that both views need to be reevaluated.

## **State Retreat and Democracy in Central Europe**

**By Abby Innes**

This article argues that the continuous pressure for *laissez faire* economic solutions in Central Europe is thwarting the deeper development of political parties and of the state as interest-balancing institutions, and so stalling the consolidation of democracy. The paper uses the Polish case to illustrate the problems of stabilising democracy and economic growth when the state induces a liberalising economic revolution but is unavailable in an activist form to make good on market failures or to substitute for immature or missing market institutions. The political, but also economic consequences are instructive both for emerging markets competing on 'flexibility', but also for Western European states attempting to stem 'delocalisation' by moving towards deregulation.

## **The EU's Gender Mainstreaming Agenda and Democratization in East Central Europe**

**By Yvonne Galligan** (paper co-authored with Sara Clavero)

This paper analyses recent progress in gender mainstreaming in ten Central and Eastern European countries, as these countries move to deepen their democratic norms and processes. The ten countries studied are: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia. The analysis was carried out as part of an EU funded project looking into the political participation and representation of women in the region. The main objective of this project was to analyse the extent to which representative institutions, political parties and civil society organisations enable women's representation and participation in the political decision-making and governance of these countries. While earlier stages of the research focused on the role of women's civil society organisations, political parties, parliamentary institutions and individual women MPs, this part of the project turns its attention to the role of government institutions in promoting the representation and participation of women in policy-making. Within this context, our analysis is framed against the body of feminist scholarship on gender and democracy, whereby gender mainstreaming is viewed as a strategy aiming to ensure that women's interests are substantially represented in all policy areas and at all stages of the policy process.

## **Learning to Play the Multi-Level Game?**

### **National Parliaments and the Future of European Integration**

**By Tapio Raunio**

(Will not be present at the conference)

This paper analyses the role of national parliaments in the political system of the European Union (EU). The first section of the paper examines the contribution of national parliaments until the present day, highlighting the considerable difficulties national legislatures face in controlling their governments in EU matters. The second section looks ahead to the future, arguing that while national parliaments have gradually become more involved in the EU policy process, the increasing use of the Open Method of Coordination (OMC) and other forms of intergovernmental policy coordination potentially undermines this positive trend. Comparisons with federal countries, including Canada, suggest that the challenge posed by OMC must be taken very seriously. The multi-level political system of the EU resembles the cooperative or executive federalism characteristic of many federal states, which arguably strengthens the state executives vis-à-vis their parliaments. The EU is increasingly facing a trade-off between output and input legitimacy. Executive federalism may improve the ability of national governments to solve common problems, but the decision process is removed from the public sphere to intergovernmental meetings taking place behind closed doors. As a result, cooperative federalism weakens the transparency of collective decision-making and, consequently, the accountability of national executives to their parliaments.