Canada and Europe

Face 21st Century Policy Challenges:

Convergence or Divergence?

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Canada-Europe Transatlantic Dialogue

Carleton University, Ottawa

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The lead researchers have been responsible for organizing the work of CETD's five Thematic Research Groups; they have provided both intellectual and administrative leadership in the project, and served as members of the Management Board.
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CETD website (operated from Carleton University): http://labs.carleton.ca/canadaeurope/
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Thematic Research Groups

The CETD project is organized around five Thematic Research Groups:

a) **The EU and Canada and Global Actors: International Conflict Management and Security** *(led by Frédéric Mérand and Ruben Zaiotti)*
-The EU as a global actor
-Cooperation in international conflict resolution
-Cooperation between Europe and Canada in the international sphere
-Burden-sharing in the transatlantic community

b) **Economic Cooperation, Competition, and International Law**
(led by Armand de Mestral and Kurt Hübner)
-Legal issues involved in Canada-EU economics
-The Euro zone crisis and its implications
-The Canada-EU Comprehensive Economic and Trade Agreement (CETA)
-Canada-EU open skies and air transport policies

c) **Democratic Deficits and Policy Coordination in Multilevel Governance Systems**
(led by Joan DeBardeleben and Amy Verdun)
-Democratic participation
-Accountability and responsiveness in multilevel and federal governance systems
-Voter turnout, electronic voting, and youth participation
-Constitutional change, parliaments, and multilevel policy-making

d) **Environment and Sustainable Development**
(led by Joan DeBardeleben and Inger Weibust)
-Environmental policy coordination in multilevel and federal systems
-Climate change and energy policy
-Emissions trading and carbon markets
-Food quality and security

e) **Immigration and Social Policy**
(led by Jane Jenson and Oliver Schmidtke)
-Citizenship, immigration, and multicultural policy challenges
-Labour market integration
-New social risks
-Population ageing and youth

Figures

Abbreviations

AGS	Annual Growth Survey
BBC	British Broadcasting Corporation
BC	British Columbia
CETA	Comprehensive Economic and Trade Agreement
CETD	Canada-Europe Transatlantic Dialogue
COP21	Conference of the Parties 21st meeting, 30 November – 12 December 2015
ECI	European Citizens' Initiative
ECT	European Constitutional Treaty
ECEC	Early Childhood Education and Care
ELCC	Early Learning and Child Care
ETUI	European Trade Union Institute
EU	European Union
EP	European Parliament
GHG	Greenhouse Gas
IDEA	International Institute for Democracy and Electoral Assistance
ISA	Investor-State Arbitration
ISDS	Investor State Dispute Settlement
NAFTA	North American Free Trade Agreement
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
NSA	National Security Agency
OECD	Organisation for Economic Co-operation and Development
OMC	Open Method of Coordination
OSE	Observatoire social européen / European Social Observatory
SSHRC	Social Sciences and Humanities Research Council of Canada
TRG	Thematic Research Group
TTIP	Transatlantic Trade and Investment Partnership
UN	United Nations
UNFCCC	United Nations Framework Convention on Climate Change
UK	United Kingdom
US	United States
USSR	Union of Soviet Socialist Republics
WCI	Western Climate Initiative

Introduction

By Joan DeBardeleben, Director, Canada-Europe Transatlantic Dialogue

The **Canada-Europe Transatlantic Dialogue** (CETD), housed at Carleton University in Ottawa, was established in 2007 by a group of scholars from across Canada with the purpose of promoting research on relations between Canada and Europe (including the European Union) and on policy challenges of common concern to Europe and Canada. Our fundamental aim has been to enhance the quality of public discourse and encourage research-based assessments of diverse responses to pressing policy problems.

Funded by the Social Sciences and Humanities Research Council (SSHRC) under its Strategic Knowledge Clusters program, the network has, over the past ten years, flourished and grown to include over 75 Canadian scholars from across the country, over 25 European collaborators, and a range of Canadian and European partner organizations. A full list of the participants is available on our website (http://labs.carleton.ca/canadaeurope) and a list of lead researchers and participating universities is available in the front matter of this publication. As we approach the end of our SSHRC funding mandate, we have joined together to produce a final publication that reflects the most important issues that our researchers have addressed over the course of the project; we hope it will provide a springboard for innovative and daring policy debate.

In SSHRC parlance, one of the major objectives of our activity has been to 'mobilize' knowledge. We understand this task as 'pushing' research findings out beyond the confines of academia, that is, projecting them into the public sphere so that they are accessible and usable by the public and practitioners, as well as by scholars in adjacent fields of study. In other words, alongside the sometimes 'dense' academic publications that scholars tend to produce (and which both the public and policy-makers are unlikely to read), we have projected our research findings through more approachable vehicles. Over the course of the project we have created innovative ways to achieve our objective of making research more accessible and relevant, and now produce this final publication as a compact guide to issues of key importance to Canada and to its relations with Europe.

To make our research more approachable, over the course of the project we produced dozens of policy papers and short policy briefs on current issues, downloadable podcasts, video and audio tapes of presentations at events, and commentaries on current issues. You will find these accessible at our website, http://labs.carleton.ca/canadaeurope/, as well as at the website of EUCAnet, a portion of the CETD project operated out of the University of Victoria (http://www.EUCAnet.ca) and directed at the public media. In the interests of 'reaching' the public and the policy community, we have also held numerous workshops on targeted policy problems, as well as public symposia where the wider public could meet academic researchers, policy makers, non-governmental organization (NGO) representatives, and experts from the business community.

The substantive focus of our work has involved two broad trajectories. First is the 'mobilization of knowledge' to seek responses to common policy dilemmas facing Europe and Canada as advanced post-industrial democracies. The issues of focus here have included problems of democratic governance and public participation in multilevel (including federal) systems, common social policy challenges, environmental and climate change policy, economic and monetary policy, immigration, and multiculturalism. The objective has been to encourage mutual learning and comparative examination of diverse policy responses in Canada, in individual European countries and in the European Union, and in this way to nurture a discussion of policy alternatives based on comparative research findings. A second trajectory of our work has involved the mobilization of knowledge and networks to optimize the potential of the Canada-Europe relationship, to help both policy-makers and the public envisage ways for Canada and Europe to cooperate more effectively for the achievement of common goals in the international sphere, while also protecting vital Canadian interests affected by the relationship.

The decade following inception of the *Canada-Europe Transatlantic Dialogue* in 2007 has seen turbulent developments within Europe: the 2008 financial crisis and associated problems in the Eurozone countries; a massive influx of refugees into Europe; repeated terrorist attacks in a variety of EU countries; the outbreak of conflict in Ukraine and the associated spike in tensions with Russia; and, most recently, a referendum vote in the United Kingdom in favour of that country's exit from the European Union (Brexit). These political developments have had important social corollaries, including rising unemployment in some countries, a widespread disillusionment with politics, and growing right-wing extremist and Eurosceptic sentiments. While different EU member states have responded in a variety of ways, EU institutions have faced major challenges in achieving robust responses that all member states could agree upon.

At the same time, the EU has continued to demonstrate its strong commitment to its founding principles, including liberal democratic values, multilateralism, social solidarity, economic and political cooperation, and basic human rights precepts. An unexpected degree of EU unity occurred in response to the Russian annexation of the Ukrainian region of Crimea in early 2014, resulting in unanimously agreed sanctions again the Russian Federation. Differences in viewpoint and intense debate about how to respond to the massive humanitarian disaster resulting from the Syrian civil war provided evidence both of the difficulties of reaching consensus within the EU and of the sense of moral obligation to address the problems facing refugees. The EU also has continued to demonstrate leadership on issues of climate change and sustainable development.

During the same time period, Canada faced less severe policy challenges, as it weathered the 2008-09 financial crisis relatively unscathed and as it has been able to forge a planned response to the refugee crisis resulting from the Syrian war. However, policy issues facing Canada mirror those affecting Europe, sometimes on a different scale and with distinct features: problems of voter disillusionment; difficulties in reaching inter-provincial agreements on key issues such as health care funding and (until recently) climate change policy; continuing problems with social exclusion and inequality; and the challenge of maintaining a competitive economy in the face of international

competition and declining fossil fuel prices. In short, while taking a somewhat different form (and often with lesser intensity) in Canada, many of the issues that confront Europe also affect Canada.

At the same time, Canada and the EU, despite twists and turns, finally succeeded, in October 2016, in signing two important agreements that will shape their cooperation in the decades to come. These are the Canada-EU Comprehensive Economic and Trade Agreement (CETA)[1] and the Canada-EU Strategic Partnership Agreement.[2] These agreements lay a strong foundation for the relationship to develop in the future. We hope that this publication, as well as other results of the *Canada-Europe Transatlantic Dialogue*, will provide a knowledge base to contribute to that process of continued cooperation and mutual learning.

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[1] For the text of the Comprehensive Economic and Trade Agreement, see http://www.international.gc.ca/trade-commerce/trade-agreements-accords-commerciaux/agr-acc/ceta-aecg/text-texte/toc-tdm.aspx?lang=eng

[2] For the text of the agreement see "Strategic Partnership Agreement between Canada, of the One Part, and the European Union and its Member States, of the Other Part," signed October 30, 2016, http://www.international.gc.ca/europe/assets/pdfs/can-eu-spa-text-eng.pdf

Chapter 1

Canada-EU Security Relations in the Age of Global Turbulence

By Frédéric Mérand and Ruben Zaiotti

A complex set of adverse developments has tested the ability of governments in Europe and North America to maintain the peace, stability and standard of living to which the populations of the two regions are accustomed. This state of affairs has fostered uncertainty and anxiety, but it has also provided opportunities for greater cooperation to manage common problems. Although not exempt from periodic misunderstandings and disagreements, cooperation between the two sides of the Atlantic can be expected to expand and become more sophisticated. Deepening its scope and maintaining the political momentum behind it are nonetheless necessary conditions for this partnership to maintain its relevance in the future.

The EU and Canada: the common challenges

In the last decade the EU and Canada have experienced important common foreign policy challenges. The most important are the destabilizing effects of a resurgent Russia and ongoing turmoil in the Middle East and sub-Saharan Africa, along with the spread of terrorism. Turmoil in the neighbourhood—especially in Eastern Europe and the Middle East—has challenged the EU's policy of expanding the European model of peace and stability beyond its borders. This instability is also spilling over the heart of the continent, as evidenced by the phenomenon of European jihadists returning to the Old continent to commit terrorist acts.

A resurgent Russia and its destabilizing effects on Eastern Europe

While the post-Cold War decade was portrayed as a honeymoon, strong tensions between the West and Russia appeared from 1990 onwards. Russia joined the coalition against terrorism and accepted the creation of a NATO-Russia Council after September 11, 2001, but the war in Kosovo (1999), NATO enlargement to former Soviet satellites (1999-2004), the US project of ballistic missile defense (2007-2009), the 2008 Georgian conflict, the 2009 energy crisis and, more recently, Russia's annexation of Crimea and the subsequent civil war in eastern Ukraine have dealt a blow to hopes for a constructive future. In recent years, Russia has vigorously denounced what it sees as Western interference, withdrawn from the Conventional Forces in Europe Treaty that was the basis of the post-Cold War order, and announced an ambitious rearmament plan. In response, NATO has deployed command centres and heavy weapons in countries near the Russian border: Poland, Bulgaria, Romania, and Baltic states.

Both NATO and Russia seem to be moving back to where they were before 1989, except that the dividing line between East and West has shifted from the Elbe to the Russian border, creating a

new 'geopolitical fault line' (Berryman, 2012). There is no consensus on why the honeymoon is over. For some commentators, the seeds of renewed tensions are to be found in the 1990s when Russia's attempted transition to democratic governance and market economics resulted in a severe economic depression and resultant resentment of the Westernizing direction of the reforms. While Russia did not object to the large EU enlargements of 2004, which took in countries formerly allied with the USSR, the progressive expansion of NATO to the east was strongly opposed by Russia, generating a feeling of encirclement among Russians (DeBardeleben, 2009). Other explanations look to Putin's illiberal regime, which is seen as pursuing an imperialistic foreign policy in its neighbourhood as a way to impose order at home. While short of war between the two blocs, the outcome is a much more unstable security environment in which local armed conflicts regularly flare up and cooperation on global challenges such as the ones that require UN Security Council resolutions is increasingly difficult to attain. Refashioned as a 'European Home' in the 2000s, the EU suffers from the new East-West divide, which undermines its internal cohesion and its cooperative strategy.

The spread of international terrorism and ongoing turmoil in Middle East

One area outside Europe where divergence between Western and Russian views has become painfully visible is the Middle East. During the Cold War, the fear of a global confrontation was arguably a factor of stability in this region where rival countries such as Syria and Israel cultivated different loyalties; in the 1990s, the USSR and then Russia accepted the first Gulf War and supported the Oslo peace process. Although a partner of Iran, Moscow played a reasonably constructive role to halt Iran's nuclear ambitions. In recent months, however, Russia has taken a more assertive stance in Syria, allegedly in fighting the Islamic State but also quite explicitly in supporting the Assad regime that is condemned by Western powers. The West, including the EU and its member states, for their part, demonstrated indecisiveness and lack of unity in their response to the Syrian situation, even as it generated a major migration refugee influx to Europe

Moscow is not the only obstacle to peace and stability in the Middle East. Various branches of Al Qaida and Islamic State have flourished in the aftermath of the US-led Iraq war (2003) and the Franco-British-led Libyan war (2011). Western positions have converged on the Middle East Peace Process since the 1990s; however, this process has failed to produce any positive results for the Palestinians. And while the US, France, the UK, Germany, Russia, and China have convinced Iran to temporarily give up its nuclear program, Israel remains gripped by the fear of a nuclear Iran. The Israel-Palestine conflict that long absorbed all the attention has been replaced by civil war in Yemen and Iraq, quasi-state failure in Lebanon, and the fear of a jihadist takeover in Libya and sub-Saharan countries such as Mali. Meanwhile, a pro-Iranian dictatorship endures in Syria and a pro-Western authoritarian regime has returned in Egypt.

Responding to the common challenges

Canada and the EU have responded to the common challenges highlighted above by reformulating their approaches to security and deepening the transatlantic partnership. The EU and its member states have long standing, and generally friendly, relations with Canada. The events of the last decade have not significantly changed this close partnership. Indeed, the common challenges that Canada and the EU are facing offer the possibility of establishing a more solid common strategic vision. Some important developments have moved EU-Canada relations in this direction. This is the case, for instance, for policies related to the fight against international terrorism. Cooperation on this issue, already high on the transatlantic agenda since 9/11, has intensified in light of the ongoing conflicts in the Middle East. In order to respond to new transnational threats (e.g. cyber-terrorism) and the changing nature of conflict (e.g. the growing role of non-conventional warfare), governments around the world had to rethink their hitherto compartmentalized security strategies and practices. Canada and Europe remain at the forefront of these efforts, promoting greater synergies between their military and internal security apparatuses and expanding international cooperation with their transatlantic partners.

Between 2006 and 2011, Canada's most tangible vehicle for cooperating with Europe was the NATO-led International Security Assistance Force in Afghanistan, where Canadian troops were stationed alongside British, German or Polish soldiers. During these years, Afghanistan was the main security topic of discussion between Canada and its European partners (Long, 2008). Canada was an important contributor to NATO in this mission, but it was largely disengaged from European security issues. After the withdrawal, the question was even raised *sotto voce* as to whether Canada should continue its role in NATO – much as in the early 1990s when Canadian Forces left Germany.

The resurgence of Russia and the crisis over Ukraine have apparently reinforced Canada's commitment to NATO involvement and a greater engagement in Europe. Canada and its European partners quickly joined forces to respond to Russia's activism in Eastern Europe in the form of a set of sanctions. While European states were initially divided on which strategy to adopt, Eastern Europeans, being more anxious about Russia than Western Europeans, they have come to agree on a fairly tough sanctions regime that is supported by Ottawa. Under the Harper government, Canada took a particularly hardline position and deployed more than 200 troops in Europe as part of the NATO-led rapid reaction force, the biggest deployment since Canadian Forces left Bosnia. The strong political support given by Ottawa to Ukraine, which continues under the Liberal government, has renewed Canada's strategic interest in the European continent.

The adoption of sanctions against Russia is a good illustration of the swift coordination between Canadian and EU governments that is made easier by the existence of a regular political dialogue between two 'strategic partners'. Since the 2004 Partnership Agenda, Canada has been included in the EU's ten such partners. Unlike EU partnerships with Russia or China, this partnership is premised on mutual interests, normative congruence, and even some forms of joint decision-

making. Another illustration of this close partnership was the significant role played by the Royal Canadian Air Force in the NATO operation in Libya (Lavallée, 2015; Saublet, 2011). Combining political will and the existence of a relationship that has been institutionalized since the 1990s, these decisions form the backdrop for the Canada-EU Strategic Partnership, a complement to the Comprehensive Economic and Trade Agreement (CETA), signed in October 2016.

Still, Canada's involvement in the EU's security and defence policy has not met everyone's expectations (Mallard and Mérand, 2009). Given Canada's peacekeeping tradition and the West's increasing reluctance to participate in UN operations, it was thought that Ottawa would seize the opportunity to play a significant role in the EU's crisis management missions in countries of interest such as in Francophone Africa. In theory, this would have been possible thanks to the high-level political dialogue and the conclusion of a framework agreement allowing Canadian Forces to participate in EU-led missions. Under the Conservative government, however, US-Canada relations dominated the defence agenda and, at best, token contributions to EU police operations were made. This imbalance between the attention given to the US and to the EU is reflected in the defense industrial sector where Canada-Europe cooperation remains modest in comparison to the 1990s (Hoeffler and Mérand, 2016).

In general, there is little evidence that the Canada-EU political dialogue has led to a structured and common perspective on the larger security challenges of a new world order in which, compared to the 1990s, the BRICS, particularly Russia, China, and India, have become key players (Mégie and Mérand, 2013). Implications of the deeper structural changes in the global configuration of power have been overshadowed by responses to particular crises, where, despite general agreement between the EU and Canada, some divergence has appeared, particularly during the Harper years. Although Canada-EU disagreements rarely make it to the top of the international agenda, positions of the Harper government brought reduced Canada-EU convergence on some key global security issues. For example, on Israel-Palestine, during the Harper years, Ottawa moved away from a 'two-state' position that had previously been basically the same as the EU's; the emphasis shifted to a stronger insistence on Israel's security (Al-Fattal, 2014). Under the Liberal government elected in 2015, Canada has moved back toward support for a two-state position, placing Canada again closer to the EU stance. On climate change negotiations, the Harper government withdrew Canada from the Kyoto Protocol, which was the centrepiece of Brussels' strategy, attracting criticism in Europe. Here again the Liberal government has moved Canada's position back closer to the EU's, by reengaging on the climate change issue. On some other key issues, there has been more general consistency across governments, keeping the Canadian position close to that of the EU, for example regarding the agreement with Iran and sanctions against Russia. However, the tone has changed on Russia under the Liberal government. Under Harper, Canada took a 'hard line' approach to Russia more similar to that of the US and those EU member states, like Poland, that favoured a stronger response; the Trudeau government has, in contrast, expressed support for opening lines of communication with Russia, despite continuing sanctions, moving the Canadian position closer to the EU centre of gravity. However, on this issue, as with others, the position of

the Trump presidency is, as of this writing, still undetermined. It is unclear how the evolving US stance will affect the transatlantic alliance as well as unity within the EU on the Russian issue as well as other international security concerns.
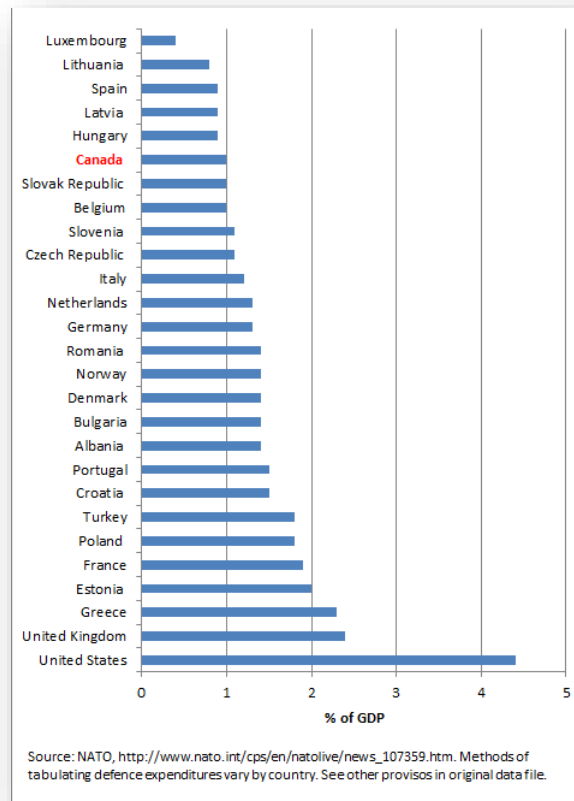
Figure 1. Defence expenditures by NATO countries in 2013 (% of GDP)
Canada's defense expenditures, as a % of GDP, fall in the lower range, compared to most European NATO member states.

A particular point of tension may be commitments to NATO. The recurring issue of burden-sharing, i.e., the differential levels of contribution to military spending between the US and its European and North American partners in the Atlantic Alliance, may take on increased salience under the new US administration. While Canada enjoyed some prestige in the 1950s and again around 2008-2010 due to its heavy military casualties in Afghanistan, it is sometimes placed along-side the European 'free riders' in Washington because of its relatively low defense budget (Kunertova, 2015; Zyla, 2010). Given its close intelligence collaboration with the US, Canada has felt the consequences of transatlantic discord over the American surveillance program, Prism. With the dispute over NSA intelligence activities, security cooperation in its many forms may resurface as a hot political issue. Meanwhile the likely derailing of the planned US-EU Transatlantic Trade and Investment Partnership (TTIP) alongside the apparent success of CETA (assuming the

ratification process continues as anticipated), may push Canada closer to the EU, in the face of areas of increasing divergence from the US position (Zaiotti and Mérand, 2014).

Nonetheless, despite a likely growing convergence on several key international issues, strong Canada-EU cooperation may continue to be inhibited by enduring divisions among the Europeans themselves, which the Common Foreign and Security Policy cannot paper over. The creation of the European External Action Service in 2009 has streamlined the EU's external relations tools. For Canadian diplomats, this means they can go to a one stop shop, which is better than having to coordinate with the Commission, the Council Presidency and the High Representative's Office at the same time. But the existence of a European 'foreign ministry', with a double-hatted High Representative/Vice-President, is no panacea when the main problem remains a unanimity-based decision-making process among 28 member states whose foreign policy outlooks have tended to diverge, especially since the migration crisis.

Figure 2. Minister of National Defence Mr Harjit Sajjan and Ms Federica Mogherini, High Representative of the EU for Foreign Affairs and Security Policy, meet in Ottawa. 08/06/2016. Source: 'The European Union' https://tvnewsroom.consilium.europa.eu/event/eu-canada/eu-hr-mogherini-visits-canada--08-06-16 .

Conclusion: the future of EU-Canada relations

The developments characterizing transatlantic security relations in the last decade demonstrate that the Canada-EU partnership continues to thrive. The shape of future transatlantic relations is, however, an open question. On the one hand, the new Trump administration in Washington may, inadvertently, push Canada and the EU closer together, reinforcing the momentum established by the October 2016 signing of the Canada-EU Strategic Partnership Agreement and the Comprehensive Economic and Trade Agreement. On the other hand, a generalized inward-looking attitude of governments — both the US and in many EU member states — may be coupled with competition to attract and engage old and emerging powers beyond Europe and North America. Canada will likely continue to feel compelled to try to build stronger relations with emerging powers like China, particularly if the American relationship falters. However, this need not undermine the positive trajectory between the EU and Canada. Rather, it would argue for a more sustained and deep discussion between the two 'strategic partners' about a longer term strategy to underpin shared economic and political interests.

Chapter 2

Economic Cooperation in Difficult Times

by Kurt Hübner and Armand de Mestral

Political and Economic Relations

The economic relationship between Canada and the European Union (EU) has undergone considerable evolution in recent years. This chapter examines the many changes that have taken place and the challenges that they raise, from both the economic and the legal perspective. First and foremost is the Comprehensive Economic and Trade Agreement (CETA) that eventually came to a conclusion and awaits ratification. This agreement came along a winding road, and now only needs to pass ratification hurdles. The second big topic has to do with the general state of the global economy, and in particular with the Eurozone crisis that had implications for both entities.

Political and economic relations between Canada and the EU experienced a critical *widening* and *deepening* over the first decade of the 21st century. Both entities agreed to engage in negotiations about a Comprehensive Economic and Trade Agreement that is meant to create mutual economic benefits and to move Canada and the EU to the forefront of global trade arrangements (Biuković, 2016). In 2014 the EU and Canada closed in on a Strategic Partnership Agreement that supposedly allows for ever closer cooperation in foreign policy affairs. About ten years after the start of first talks on CETA the EU Commission and Canadian Government signed a final text on October 30, 2016; the agreement could then be provisionally applied and enter its ratification phase in early 2017. This time table, however, only works if the Commission on the one side and governments of EU member states on the other eventually agree on the character of the agreement (Hübner, Balik, and Deman, 2016). Sadly, doubts remain as a consequence of the decision to consider CETA to be provisionally applied as a mixed agreement (de Mestral, 2016). CETA is ambitious, not only because it sets new norms and rules in a large number of economic sectors but also because it comes with new elements, most prominently with the (partial) opening up of public procurement markets. It can be expected that this opening of a widely closed market will add competition, probably more so in Canada then in the EU. The adoption of an Investment Tribunal process in the Investment chapter constitutes a major development.

Lately, CETA has come under scrutiny, both in Canada as well as in member countries of the EU. The main reason for the rise of skeptical voices is the particular text on the investor state dispute settlement (ISDS) procedure (de Mestral, 2016). Even though CETA has the potential to strongly deepen economic ties between both entities, it needs to be stressed that many of the initial projected benefits outlined in the so-called Joint Study may no longer be in reach due to changes in the global economic environment. Shortly after the first round of negotiations the global economy underwent a radical change with the outbreak of the global financial crisis in 2008. The crisis hit hard and quickly on both sides of the Atlantic, and forced even the most fiscally conservative governments

into counter-cyclical spending behaviours that set the tone for equally harsh political decisions about the adequate post-crisis economic policy stance to be adopted. As a result, lower economic growth translated into lower global trade growth, and may also have allowed the Eurozone to become the champion of an austerity approach that fundamentally undermined the possibility of a quick return to the pre-crisis growth path (Hoekman, 2015).

Even though Canada and the member states of the EU are integral parts of the global political economy, it turned out that since 2008 the two entities did not experience the impact of the changing political and economic environment in the same way. Most prominently, unlike the Eurozone, Canada was not the object of a banking-sovereign 'doom loop' where potential bank insolvencies were avoided at the price of an increase in public debt. The Canadian case is usually explained by the argument that the Canadian banking system was forced by political regulation into low risk-behavior and that this feature kept the Canadian banking system in a zone of relative safety. In contrast, in the aftermath of the 2008-2009 financial crisis the Eurozone entered a series of economic and political crises that questioned the survival of the common currency at some point (Hübner, 2013, 2016; Leblond, 2016). We explain the different outcomes with the argument that the members of the Eurozone, unlike Canada, took up credits in a currency they do not control. It is this feature of the currency union that makes the experience of the Eurozone so distinct. As a result, the EU moved into a permanent crisis management mode that brought far-reaching changes to the established regime of economic governance (Ross, 2016). The status of a common currency area confronted national governments with policy restrictions that were exacerbated by the strong dose of austerity put in place with the changes in economic governance. Canada, on the other side, as a 'stand-alone' economy enjoyed the freedom to decide about its own policy mix and as a result avoided the political stress in the aftermath of the financial crisis. Yet Canada also felt the after-effects of the financial crisis, mainly in the form of a rather compressed economic recovery that reflects relatively weak growth in the global economy. Moreover, the more the Eurozone turned towards an export-oriented crisis management strategy, the more Canada's current account with the Eurozone went into negative territory.

The sovereign debt crises of some Eurozone economies brought far-reaching changes to the established mode of governance that moved the Eurozone in terms of its policy-design closer to the Canadian model (Leblond, 2016). This holds true in particular for the planned banking union as well as capital market union where the underlying regulations show similarities with the Canadian counterparts. Convergence can also be seen in regard to the fiscal policy design where the EU moved into the territory of fiscal conservatism that has been part of the political contract in Canada for quite a while. This convergence in fiscal policy is not fully matched in terms of monetary policy where the Bank of Canada can be best typified as a policy-follower, whereas the European Central Bank has a relatively larger degree of liberty in terms of monetary policy-making. Still, both central banks have emerged as critical lender of last resort agencies, and thus became relatively more powerful economic policy actors.

Even though Canada and the EU eventually show weak signs of convergence in the policy mix, it needs to be stressed that both entities are on different economic paths. For a couple of years Canada benefitted from the *commodity supercycle* that was based on the surging economic growth of Asian economies. The rise in the exchange rate of the Canadian dollar was widely seen as a windfall that helped to improve the external purchasing power for Canadians. Little was discussed of the negative effect of such a macroeconomic profile in terms of international price competitiveness for non-resource sectors. The end of the supercycle—not least triggered by the growth-reducing effects of the slowdown of China and other emerging economies as well as the closely related deep fall in commodity prices—generated a severe turnaround of the exchange rate of the Canadian dollar, and thus added a strong dose of economic uncertainty, indicated by an increase in the current account deficit. In contrast, the lack of natural resources forces EU economies to steadily improve their price and quality competitiveness in order to successfully participate in the global economy. In combination with the fiscal austerity approach, this has resulted in an increased surplus of the current account on the European side.

On average, this leads to a more pronounced economic role of the state in Europe compared to Canada. Incentives for modernization are not only provided by national governments but additionally by the EU with its genuine innovation policies and its engagement in research and development with programs like Horizon 2020. Moreover, market-oriented institutional designs like the cap-and-trade mechanism for dealing with carbon emissions have the potential to further strengthen innovation activities. For quite some time, Canada has remained in this respect a laggard, even though on provincial levels it provides tools like carbon taxes and cap-and-trade mechanisms.

Only lately has Canada engaged in the widening and deepening of its trade and investment relations, not least in order to overcome its dependence on the United States, and also as a means to establish itself as an economic actor in all relevant parts of the global economy. Nominally, the member states of the EU are global traders; but then again, a high level of intra-EU trade also characterizes the EU. This mixture may have contributed to the slow pace of developing a genuine external trade strategy. Over the last ten years, trade policy has undergone some quite far-reaching conceptual re-designs, not least in order to accommodate changes in the global economy as well as dissatisfaction on the side of economic and political stakeholders as well as the public at large.

Concordance of Legal Relations

If the last decade has seen a concordance of political and economic relations between the EU and Canada, as set out above, very much the same phenomenon can be distinguished in the legal sphere. This is not surprising given the broad commitment to similar political values, to the maintenance of the welfare state, and a commitment to social solidarity. What is less understood is that the dynamics of political relations also reflect concordance in the constitutional and quasi-constitutional spheres. Due to the relatively similar power structure of the Member States in the EU and the provinces and territories in Canada, there is a far closer parallel to the dynamics of EU

member state relations and Canadian federal – provincial relations than there is between the EU and the United States. Many constitutional questions arising in the context of Canadian federalism such as the weight of the small vs. the large units, geographic disparity, and social, cultural and linguistic differences, resemble the situation in the EU far more than the comparison with the situation in the United States.

A particularly interesting case in point is the setting of a common interest rate by the Bank of Canada. This constitutional responsibility of the central government has often given rise to deep resentment and challenges from the more distant regions of the West and the East of Canada, where there is still the lingering sentiment that monetary policy is made to suit the interests of the two largest central provinces Québec and Ontario. The EU is only discovering the difficulty of setting an interest rate that is seen by all regions as beneficial. In many cases it is impossible. Currently many regions, particularly in the southern regions of the EU, regard the interest rate as essentially favouring Germany. Another point of comparison arising under the constitutional framework of Canada is the relative freedom of Canadian provinces to borrow money for infrastructure or public debt purposes. In this case, Canadian provinces are subject to far fewer constraints than is the case for EU member states under the 2012 Stability Mechanism Treaty. Thus there is much to compare and contrast and many lessons to be drawn from the Constitution of Canada and the EU treaties (de Mestral, 2016).

Comprehensive Economic and Trade Agreement (CETA)

One significant dimension of the Canada-European Union relationship has been put in much sharper focus by the negotiations and the conclusion in October 2016 of the Comprehensive Economic and Trade Agreement. Although the EU was initially a reluctant negotiating partner and had to be persuaded to join the negotiations by Canada, once the negotiations began it became clear that both parties shared a wide range of common interests. Canada had no difficulty in agreeing to conclude a Strategic Partnership Agreement in parallel with the CETA setting out the commitment of both parties to basic values and common objectives in the international community. While no trade relationship is without competition and rivalry, Canada and the EU rapidly discovered a range of common interests that facilitated the negotiations. Both parties wished to take their trade relationship well beyond the legal commitments enshrined in the Canada-US-Mexico North American Free Trade Agreement (NAFTA). Both saw the CETA as a potential model of a new wider and deeper category of trade agreement and a potential model for other agreements. Both parties share a concern to facilitate trade by the deepening of common understandings concerning regulatory practices and regulatory standards. The CETA text reflects this shared objective in many chapters. Both parties desired to have a living agreement that would be capable of growth and change over time – something that evaded NAFTA negotiators 20 years earlier, and the EU was able to bring its experience with structuring incremental change to meet this objective.
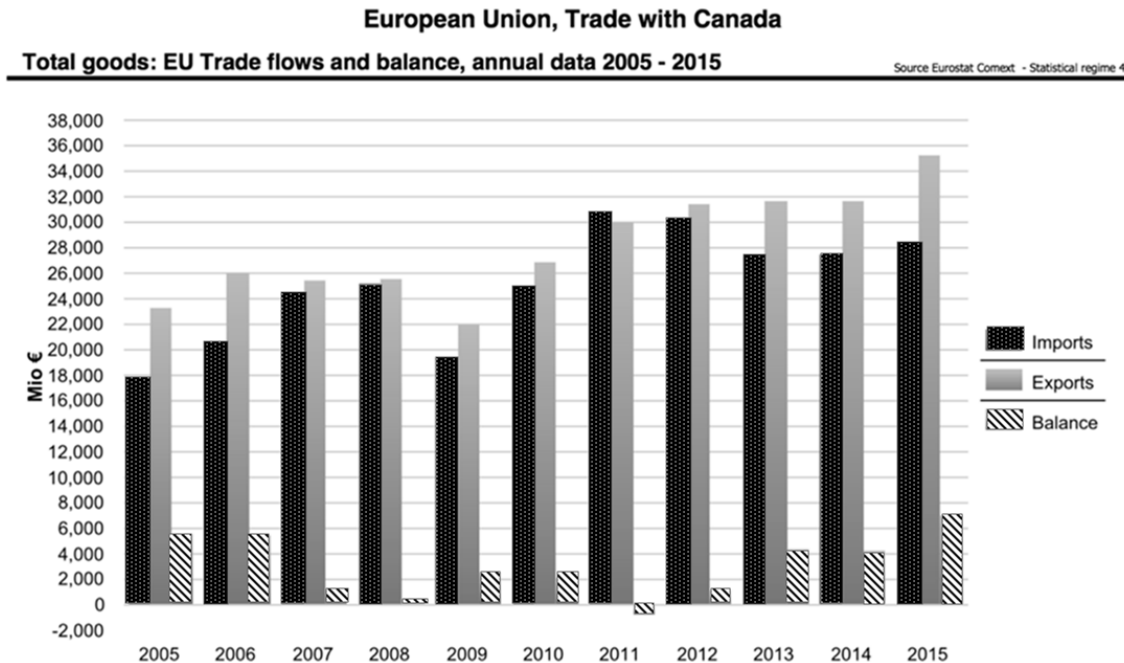
European Union, Trade with Canada

Total goods: EU Trade flows and balance, annual data 2005 - 2015

Source Eurostat Comext - Statistical regime 4

Figure 3. European Union, Trade with Canada
The EU as a block is running a trade balance surplus most of the time. This surplus has increased since the start of the Eurozone crisis, reflecting the changeover to a mercantilist economic policy on the side of the Eurozone. A ratification of CETA may actually strengthen this trend as the liberalization of trade in goods may favour EU-companies.

Perhaps no issue reveals the commonality of concerns more than the negotiations over the chapter on investment protection and investor-state arbitration (ISA) in CETA. Canada was the *demandeur* on ISA and had a model Foreign Investment and Protection Agreement to propose as a template. The EU, which had only received competence over 'foreign direct investment' in 2009 by articles 206 and 207 of the Treaty on the Functioning of the EU, was initially without a clear model of its own to guide its negotiations. The Commission was placed between some Member States who supported the use of their traditional 'gold standard' models and a growing demand from many NGOs to take a radically different approach or even drop recourse to ISA. Somewhat to the surprise of the Commission, public opinion was awakened by concerns that ISA gave privileges to larger corporations and that litigation by American corporations under ISA was to be feared. The experience of Canada with NAFTA Chapter 11 Part B ISA was often cited in Europe as an example of the negative experience with ISA. While the Canadian government had no desire to abandon ISA, it had been very sensitive to its own public opinion and had been taking measures to restrict the scope of ISA in future agreements or to refine the definition of some of the more controversial standards of treatment such as 'fair and equitable treatment' or 'indirect expropriation'. The two parties thus found much common ground as they negotiated the ISA provisions in the Investment Protection chapter of CETA. While the EU followed Canada's lead on many aspects of ISA, Canada agreed to the EU's proposal for a standing Investment Tribunal

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to replace the traditional recourse to ad hoc arbitrators. The resulting text is one that does much to bring significant incremental change to both the procedure and substantive rules of ISA. The CETA text, although it remains controversial internationally, in this regard may well serve as a template for other agreements not just for Canada and the EU but for other countries around the world. At the beginning of 2017 some doubt remains concerning the future of CETA due to the decision by the EU to treat CETA as a mixed agreement and the consequential opening given to anti-free trade forces in Wallonia which almost derailed the decision to approve provisional application of the agreement, pending ratification by all 28 member states (de Mestral, 2017).

In short, the last decade can be seen as a moment where Canada and the EU rediscovered the range of common interests and concerns that unite them in the world today. These common interests have led both parties to negotiate one of several 'mega-regional' free trade agreements concluded recently or currently under negotiation. When negotiations started, the EU insisted that Canadian provinces would be included from the very start as the fear was that an agreement would not be worth the effort if the provinces would not agree and cooperate. After settling on a final text it turned out that the difficulty of ratification is not on the side of Canada but on the side of the EU, as a critical number of member states have argued that CETA must be deemed a mixed agreement that requires the ratification of member state parliaments, adding a critical dose of risk into the making of CETA. It appears that the agreement will enter into force on a provisional basis in early 2017 after the Commission and the Parliament have given their approval. Final entry into force will take one or two years due to the delays involves in each Member State signifying their approval. It is quite obvious that Canada and the EU have deepened their economic and political ties over the last few years. It is less obvious, however, that this improvement is sufficient to generate policy outcomes that are accepted by the constituencies of both entities.

Chapter 3

Challenges of Democratic Participation and Legitimacy in Canada and Europe

By Joan DeBardeleben and Jon Pammett[3]

Challenges of democratic participation in Canada and Europe

At both the EU and member state levels, Europe has faced significant challenges establishing democratic legitimacy over the past decade. The institutions of government at the level of the Union are perceived as even more remote than those at the national level from potential influence by the average citizen. This perceived distance between the level at which citizens can potentially exert influence and the level at which governmental decisions which affect their lives take place is sometimes referred to as the 'democratic deficit'. The term masks the fact that citizens may only infrequently be concerned about their perceived lack of influence. In many cases, this gap is also a 'knowledge deficit'; with low knowledge may come a lack of concern about where the decisions are coming from, even as EU decisions have an increasing impact on everyday life. At other times, the lack of influence becomes a matter of acute concern.

In Europe, concerns about a 'democratic deficit' occurred as the economic promises of European integration received a jolt from the ongoing effects of the economic crisis of 2008 and the Eurozone crisis (DeBardeleben and Viju, 2013).   At the national level, public exasperation with governmental institutions was manifested in losses of power and diminished vote totals for a number of political parties in government (LeDuc and Pammett, 2013). These 'parties in government', either alone or in coalition, often suffered in European Parliament elections as well (ibid). The 2014 European Parliament elections saw unprecedented levels of support for Eurosceptic and extremist parties, along with continuing low levels of voter turnout. Even preceding the most recent Eurozone and refugee crises, problems of social integration of immigrants from non-EU countries has challenged national solidarity in some member states, further contributing to problems of democratic legitimacy.

The term 'democratic deficit' has not been applied so frequently to the Canadian situation, and Canada has not seen the rising strength of extremist parties that is evident in many European countries. Canada has, however, faced some problems with democratic participation that are similar to European cases. Most notable have been declining rates of voter turnout, including among youth (Pammett and LeDuc, 2003; LeDuc and Pammett, 2006; Blais and Rubenson, 2013). Distrust of political parties in Canada is high, which may be a contributing factor. The Canadian electoral system—a single member mandate system—has been considered by some critics to lead

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[3] This chapter was written with input from Arthur Benz, Marcel Sangsari, and Harry Nedelcu.

to outcomes that do not represent the popular will and that leads citizens to revert to 'strategic voting' rather than voting on the basis of genuine political preferences; the electoral system may then indirectly contribute to citizen apathy or cynicism. In addition to these problems connected to the electoral process, Canada's federal system has been described as 'executive federalism', a phenomenon that sidelines the public in addressing important issues of democratic governance and policy, as important decisions are often made at the executive level without significant influence of the national or provincial parliaments. In this short chapter, we will highlight some of the findings related to these key problem areas, drawing comparisons between Canada and Europe, where possible.

Voter turnout and citizen participation in Canada and Europe

As in most European countries,[4] turnout in Canadian federal elections has been declining since 1993, with a couple of exceptions. These modest upward movements, in 2006 and 2015, were associated with changes in government and increased interest in the campaigns. The 2015 turnout of 69% has been hailed in some quarters as a potential turnaround, but it seems more likely that it was due to an exceptional engagement of youth and others mobilized during an unusually long campaign, who were determined to put an end to the previous government. We may expect turnout in the next election to resume its downward trend (Pammett and LeDuc, 2016). With a few exceptions (Quebec, Alberta), turnout in provincial elections has mirrored the long term decline of federal voting in Canada.

Despite similarities between Canada and Europe in terms of declining voter turnout, Blais and Dobrzynska (2009) found that factors that explained the differential decline across countries in Europe would not have predicted the drop in voting rates in the 2000s to just above 60% in Canada. They conclude that "electoral institutions do not matter as much as we thought or they affect turnout in more complex ways than we anticipated" (Blais and Dobrzynska, 2009, 73). The most worrisome part of the lower voting turnout levels in recent elections in both Canada and many European countries has been its continuing nature. In the past, many voters were what have been called 'transient voters' (Clarke *et al*., 1979), those who occasionally voted when some particular motivating factor was present. More recently, evidence has accumulated that a group of (predominantly young) non-voters has developed, who do not vote at all. So we see evidence of a 'democratic gap' between a participatory cadre in the population and a large group of people who have no interest in political participation, at least at the electoral level (Pammett and LeDuc, 2003). Research on political participation is currently being carried out on the nature of a potential shift from electoral or conventional types of political participation to newer, more unconventional sorts (Norris, 2003; Dalton, 2008; Howe, 2010). Some scholars feel that 'direct action' activities such as boycotts, signing petitions, internet discussions, and demonstrations have to some degree

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[4] CETD partner, IDEA (International Institute for Democracy and Electoral Assistance) in Stockholm maintains a database with voter turnout figures available at http://www.idea.int/vt/index.cfm .

replaced activities such as voting and contacting political representatives, while others argue that these two dimensions are connected (Pammett, 2009).

Turnout of Registered Voters in National Parliamentary Elections Nearest 1985, 1995, 2005, and 2015
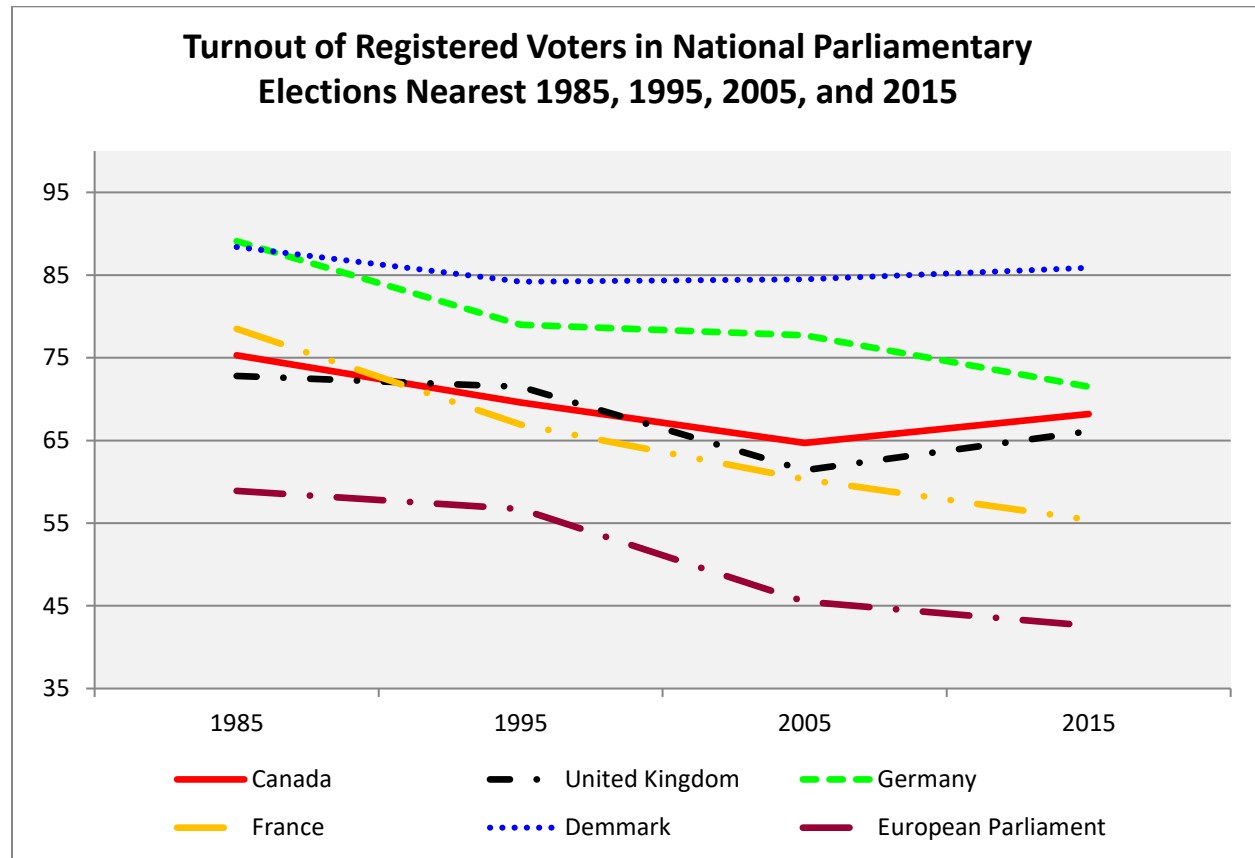
Figure 4. Turnout of Registered Voters in National Parliamentary Elections Nearest 1985, 1995, 2005, and 2015
For elections in Canada, many (but not all) European countries, and the European Parliament, voter turnout has been generally declining in national elections over the last 40 years. Some elections, such as the most recent in Canada and the UK, have bucked the trend for short-term reasons, and Denmark is also an outlier, maintaining generally high levels of voter turnout. Sources of data: Institute for Democracy and Electoral Assistance voter turnout database; European Parliament elections website.

Youth Participation

Because many of these trends in participation are concentrated among youth, youth engagement is a particular concern in both Canada and Europe (Franklin, 2004). Some research suggests that intergenerational change is indeed an important factor explaining larger patterns of decline in voter turnout (Blais and Dobrzynska, 2009; Blais and Rubenson, 2013), both in Europe and in Canada. Civic education programmes are one approach to raising the level of 'citizen duty' in young people. Unfortunately, there is little evidence that such formal teaching activities have dramatic effects on the voting rates of youth. In Canada, *Student Vote* (supported by Elections Canada) is a program that conducts a parallel election among underage students in the high schools at the same time as

the regular federal election. Without opportunities to actually cast meaningful ballots, however, it is unclear if this once-in-a-while activity has much impact.

There are suggestions that lowering the voting age would provide these meaningful opportunities for electoral participation for young citizens, and other indications that lowering the voting age may be associated with overall lower turnout rates (Blais and Dobrzynska, 2009). On the one hand, youth tend to vote less; on the other, if voting was allowed for 16 year olds, active encouragement and mobilization of this population group might be feasible while they are still in school; evidence suggests that getting youth to cast ballots when first eligible may establish a lifelong habit (Aldrich, Montgomery and Wood, 2011). In Europe, close attention is being paid to the situation in Austria, where the voting age has been lowered to 16, but where recent elections involving these young voters have not seen turnout increases. Scotland allowed all those over 16 to vote in the recent independence referendum, and witnessed high turnout in all age groups. Unfortunately, this experiment came to an end when the subsequent Westminster election used the normal 18-year-old cut-off. Some comparative research indicates that the concept of civic duty may be a partial explanation for inconsistent voting habits of young people. In a study comparing voter turnout in eight democratic polities (including Canada and seven European countries) Blais and Rubenson (2013) found that a factor in intergenerational differences in voter turnout is a reduced sense of civic duty among the young. Traditionally, civic duty is an 'expressive' attitude of obligation to participate no matter what the circumstances, measured by survey responses to a question such as: "Is it important to vote in all elections?" For many young people in contemporary times, voting can be important in some but not all circumstances, when the vote can accomplish something. This 'instrumental' view of voting emphasizes that votes are designed to achieve a purpose, of advancing an issue of interest, perhaps, or supporting or defeating a particular politician. Under other circumstances, young people are likely to argue that they have, not only the right to vote, but also the right not to vote. (Goodman, 2012; Goodman *et al.*, 2011).

Internet Voting

One approach to countering problematic patterns of voting turnout has been to introduce new and more convenient ways of voting. For example, internet voting allows some citizens in Estonia, Switzerland (and until recently Norway) to vote from their home computers at a time of their choosing during the pre-election period (Pammett and Goodman, 2012). In Canada, there has been an exponential growth in internet voting in municipalities in Ontario and Nova Scotia, to the point where millions of potential voters have that opportunity (Goodman and Pammett, 2014). Canadian Aboriginal bands conducting their elections and referendums are increasingly turning to internet voting to involve geographically dispersed populations in elections (Goodman and Pammett, 2014). Internet voting goes along with expansion of advance polling periods in elections in both Canada and Europe to provide a greater variety of electoral methods and opportunities. Despite the intrinsic value of increased access, research does not offer adequate evidence to conclude that these new voting methods actually increase voter turnout overall or among younger voters. New web-based vehicles for citizen networking and interaction with government officials, and effective

communication of government actions to the public might be other innovative approaches for engaging the public, but often such techniques are limited to interaction for administrative purposes, rather than to engage real citizen involvement. The common challenge facing Europe and Canada is to encourage maximal participation while creating effective deliberative institutions that encourage tolerance (IDEA, 2006).

Exceptions to declining turnout

Some European countries offer an exception to declining voter turnout rates, most notably Denmark and Sweden,5 as well as countries such as Belgium and Luxembourg, which have mandatory voting. Since mandatory voting is unlikely to be introduced in Canada, the Scandinavian examples may be more interesting. Elklit and Togeby (2009) have concluded that a combination of political institutions, political cultural and political mobilization of voters in part explains Scandinavian exceptionalism. Institutions include an automatic voter registration and proportional representation electoral systems (with voters able to select individual candidates within the party lists). Sense of civic duty is relatively strong, even among youth, and in Denmark clear and distinguishable party positions are particularly important, as well as the competitiveness of elections. Both countries have strong mobilizing institutions in civil society. In Canada, in contrast, continuing distrust of political parties, along with the single-member district electoral system, may contribute to low voter turnout and inhibit the emergence of clear party positions that can command loyalty. The somewhat higher turnout in the recent Canadian federal election of 2015, characterized by a high level of competitiveness and relatively clearer party positions, may lend some support to the importance of political mobilization observed by Elklit and Togeby.

Multi-level governance systems and citizen participation

Political systems structured to divide power between various levels, such as the Canadian federal system and the European Union, face particular problems of public engagement. Popular loyalties may be divided between various levels of government, lines of accountability may be blurred, and federal or supranational institutions may seem distant from the citizen (DeBardeleben and Hurrelmann, 2007). In the EU the problems are even further accentuated because those who are affected by decisions do not necessarily have vehicles for effectively influencing them (Hurrelmann and DeBardeleben, 2009). A recent study which looked at the patterns of voting in Canada and Britain using data that measured respondent voting at various levels of government tested whether substantial numbers of people concentrated their voting in particular levels at which they were entitled to vote. The general finding was that, while small numbers of people indeed did so (including, for example, some provincial-only voters in Canada, and even a small cadre of Britons who only chose to vote in the European Parliament elections), for the most part voters at one level were voters at the others (LeDuc and Pammett, 2013). This suggests that engagement in

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5 Danish turnout rates declined somewhat in 2014, but remained above 80%; in Sweden, recent elections maintained or increased previously high levels.

multilevel systems is, for the citizen, an interconnected phenomenon, where disengagement at one level may reinforce or be reinforced by disengagement at other levels.

Outside of the electoral system itself, the EU has developed initiatives to address the problem of democratic legitimacy in a multilevel system. These include encouragement of civil society and direct citizen involvement in the policy process. Avenues for direct democracy include the European Citizens' Initiative (Sangsari, 2013), which was in response to pressure from civil society organizations to give citizens a greater role in policy discussion. The European Commission launched the world's first transnational, digital right of initiative, the European Citizens' Initiative (ECI) in April 2012. The ECI gives citizens within EU member states the non-binding right to call on the Commission to propose new or change existing legislation. As of December 2015, only three out of the 50 ECI proposals[6] had achieved the required one million-signature threshold – over the one-year signature collection period – for the initiative to be considered, and no proposals had been translated into legislation. Civil society campaigners continue to press lawmakers to simplify the ECI registration and signature collection procedures and give the ECI more teeth by making the new tool of participatory democracy binding on European institutions.

Referendums, another direct democracy tool, have been controversial in the EU, as they have, at times, blocked crucial EU reform agendas, such as Dutch and French votes rejecting the adoption of a European constitution in 2005. In comparing constitutional referendums in European member states and Canada, LeDuc (2009, 252) comes to the conclusion that "the political advantage, particularly those dealing with unfamiliar constitutional questions, often seems to rest with the NO side"; this offers citizens a means to reject elite-driven agendas, but generally excludes a deliberative process to resolve complex issues. More recently Atikcan (2015) has studied cases of 'double referendums' in Europe, where voters were asked to vote on essentially the same issue within a short time frame; she concludes that achievement of a YES outcome was made possible by interim negotiations and 'learning' that led 'yes' advocates to adopt more effective strategies. However, her study, like LeDuc's, raises questions about the democratic legitimacy or deliberative quality of such malleable instruments of direct democracy. These questions have only increased after the Brexit referendum vote in Britain.

Other means to activate civil society in a transnational setting have also been assertively promoted in the European Union, including inclusion of civil society actors in various governance bodies, financial support to recognized civil society initiatives (Toemmel, 2010), and support for civil society platforms in some of the EU's external initiatives, such as the Eastern Partnership policy, which governs the EU's relations with neighbouring post-communist countries. However,

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[6] The ECI Campaign, a non-profit organization working for a citizen-friendly ECI, keeps a running tally of the number of open, closed, and rejected ECIs. See here: http://www.citizens-initiative.eu/ and reported levels of proposals, http://www.citizens-initiative.eu/21-eci-campaigns-urge-meps/ .

obstacles have arisen in realizing the objective of such initiatives, including difficulties of aggregating transnational interests through civil society organizations, unequal power and access of various types of citizen interests, and difficulties of realizing the capacity of European level initiatives to have influence at the local or national level (ibid). Therefore, civil society activism has not been particularly effective in addressing problems of a 'democratic deficit' in the EU context. Whether the European experience has relevance for Canada is less clear, as it may be considerably easier for nation-wide citizen groups to form in Canada as compared to Europe, but provincial differences may still play an important role.

Strengthening the role of national parliaments and the European Parliament (EP) has been introduced as another measure to bring citizens closer to EU decision-making. These changes were brought in under the EU's Lisbon Treaty, which came into effect in 2009. The European Parliament was given co-decision power with the Council of Ministers, in a wide range of policy arenas. The EP was also granted the power to elect the President of the powerful executive branch of the EU, the European Commission, in the hope that this would inspire greater citizen interest in elections to the EP. Unfortunately, the desired impact of both of these measures on voter turnout was not realized in the 2014 EP election, with pan-European turnout declining from 42.97% in 2009 to 42.61% in 2014 (European Parliament, 2014).

The ability of national parliaments to have an impact on EU decision-making was also bolstered by the Lisbon Treaty, contributing to 'multilevel parliamentarianism' (Crum and Fossum, 2009). These emerging practices of inter-parliamentary relations in the EU have attracted considerable attention in Europe (Benz, 2011). In addition to facilitating the participation of civil society organization, an exchange of views among parliaments can contribute to preventing multilevel governance from being dominated by executives and running into deadlock. Arthur Benz (2010a) has considered whether these European efforts to reinforce cooperation between national parliaments and to increase their influence on EU policy may have relevance for Canadian federalism, where tendencies to 'executive federalism' have been evident in the realm of federal-provincial relations. Since the Westminster system of parliamentary democracy in Canada strengthens the links between executive and majority parties inside the federal and provincial governments, inter-parliamentary communication on particular intergovernmental policies is difficult to implement. Moreover, as can be observed in the EU, these relations need to be stabilized by institutional rules in order to prevent their dissolution in crisis situations and difficult conflicts, i.e., situations when there is particular need for them. Benz notes that differing social structures (Europe's "'poly-national' federation" compared to the special position of Quebec and aboriginal governance arrangements in Canada), and institutional differences may reduce the relevance of European approaches for Canada. However, he also points out that intergovernmental interaction and cooperation is also important in Canada in addressing important cleavages in the polity, and therefore the European efforts are worth examination (Benz, 2010b).

Political extremism and right wing parties

A particular challenge to European democracy has been the rising strength of extremist political movements, including within the electoral process. Immigration fears have been an important motor for attracting voters to these groups (Koopmans *et al*., 2005; Stockemer, 2014). Given the mobility of labour within the EU, immigration from the new member states of Central and Eastern Europe has been linked to fears about rising unemployment and over-taxing of the welfare systems; at the same time, immigrants from outside the EU have been depicted by some politicians, particularly those on the far right, as challenging national and European identity more fundamentally. Right-wing parties also often exhibit strong Eurosceptic tendencies such as Greece's Golden Dawn or Hungary's Jobbik. Nedelcu's work (2012; 2014) suggests that, in extreme cases, high unemployment levels and the commitment of mainstream parties of both left and right to strong austerity programs—such as those after the Eurozone crisis—may contribute to the success of right wing parties at the ballot box. Whether the success of these parties is an indicator of renewed citizen interest in politics or a threat to liberal values that underlie democratic governance and legitimacy is a disputed issue. Canada has experienced right-wing populist parties in the past – notably, the Reform Party in the late 1980s and throughout the 1990s. However, the absence of strong extremist parties in Canada is a fruitful avenue for future research. Recent controversies about wearing religious symbols (especially in Quebec) as well as the potential security risks of accepting Syrian refugees may make this issue of greater salience in the future.

Conclusion

As DeBardeleben and Pammett (2009, 2-3) have pointed out, "Canadian institutions, both at the national and provincial levels, are marked by their European origins and share with most European states the parliamentary system of governance, including attendant features of the political party system." However, in some regards, the form that such parliamentary governance takes in Canada is distinct from most European cases. Clear examples are the Canadian resistance to government by coalition, widely accepted in the European context, and the important role of party discipline and adversarial political discourse within the Canadian federal system. Research relating to means of representing publics within the EU reveals that methods tried in Europe to address the 'democratic deficit' in many cases may not be appropriate within the Canadian context, due to differences in national identity, institutions, and federal-provincial (compared to EU-member states) relations.

Despite these differences between the political systems of Canada and of the European Union member states, common dilemmas facing both polities make comparison of policy innovation and political outcomes fruitful. Among the most important of these dilemmas are declining voter turnout and youth apathy. The issue of electoral reform is of current interest to Canada, since in the period up to 2001, the first-past-the-post system produced a series of minority governments and left many voters frustrated by results that seemed to leave significant parts of the population underrepresented. While European countries make use of a wide variety of electoral systems and elections to the European Parliament must be based on a proportional representation system,

current research is ambiguous as to relative deficits and benefits of various electoral systems. Study of the impact of electoral systems on voter turnout, citizen engagement, and democratic legitimacy of electoral outcomes would be a particularly promising avenue of future Canada-Europe comparative research. Likewise, continuing comparative studies of the potential benefits of internet voting offer another avenue for fruitful comparative study. Consultation of European experiences was much in evidence in the report of the Parliamentary Committee on Electoral Reform (Parliament of Canada, 2016).

Chapter 4

Social Policy Coordination in Multilevel Systems: The Canadian and European Comparison

By Amy Verdun[7]

Introduction

When examining the way Canada and the European Union (EU) coordinate policy among their constituent units and chart overall strategic directions—what in Canada is called intergovernmental relations—the most notable difference is that one of them is a country (Canada) whereas the other one, the EU, is an association of nation states. In the EU, in many arenas, policy-making remains primarily a prerogative of the EU member states, even if, in some areas, EU member states have pooled sovereignty. At first glance, this might seem to be a major difference with the situation in Canada. Yet because Canada is a federal state, in which many policies are the responsibility of 'semi-sovereign' provinces, there are considerable similarities, and thus there is value in comparison (see also Skogstad 2012; Théret, 2002; Vanhercke and Read 2015; Wood and Verdun 2011a). It is particularly pertinent to how the two political systems deal with what some researchers call the 'collective action problem' (Kennett 1998), situations where coordinated action would benefit everyone, but particular participants are unwilling to impose restrictions on their own action. Without an ability to overcome the resistance of concentrated interests, there is a strong incentive for inaction.

A contemporary example of a 'collective action problem' on the European side is the refugee crisis, which is calling into question the very foundation of the project of European integration. On the Canadian side the inability to resolve Aboriginal health, education, and employment issues present similar dilemmas. When all governments have a role and a stake in the outcome of a particular issue, how do they overcome their differences and move forward to resolve or at least mitigate the problem? These are issues of governance, referring not so much to the content of policies and policy reform, but rather to the mechanisms of policy making and policy implementation: who has authority, who provides funds, the institutions and actors involved, how their interactions are facilitated, and the processes and rules used to influence behaviour. In

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[7] This chapter was written with input from Donna Wood and Arthur Benz. Parts of this chapter draw on work done by experts from the Canada-Europe Transatlantic Dialogue (CETD) Thematic Research Group (TRG) on Policy Coordination in Multilevel Systems, in particular on research assembled in a special issue of *Canadian Public Administration* June 2013, Volume 56 (2) of which Verdun and Wood were the guest editors. The experts were identified primarily as a result of their participation in a CETD workshop held at the University of Victoria in 2011 entitled *Comparing Modes of Governance in Canada and the European Union*.

multilevel systems, such as Canada and the EU, policy making differs from that of unitary systems in that the question of who should take action is superimposed on the question of what should be done. In both the EU and Canada, an important priority has been to secure unity while respecting the diversity of constituent units; to realize this objective, over time various modes of governance have evolved (Bakvis, Baier and Brown, 2009; Tömmel and Verdun, 2009). Responses reflect the unique constitutional, historical, institutional, political, and social contexts of the EU and Canada, and vary by policy domain.

This chapter highlights lessons from how the European integration project might be of interest to Canada, especially with respect to the management and coordination of social policy on a pan-Canadian basis. In social policy, over the past twenty years, Canada has been on a decentralizing bent while the EU has moved in the opposite direction – building a pan-European dimension that never previously existed. Of course there are major social policy differences between Canada and the EU, most notably with respect to the large re-distributional role played by the Government of Canada.8 In the EU most social policy responsibilities are held by member states whereas in Canada they are held mostly by the provinces. In these circumstances, finding pan-European or pan-Canadian solutions to problems is highly challenging. Defined approaches, processes, and institutional arrangements are required to build the trust ties needed to overcome ingrained differences between the players.

The chapter is structured as follows. The first section goes into detail as to why one would compare Canada and EU governance. The subsequent section provides information on how social policy has evolved in Canada and the EU. The next two sections offer comparisons drawn from research on various areas of social policy and insights from Canadian social policy practitioners. The final section turns to research that looks at innovative policy-making more generally, followed by a conclusion.

Why compare Canadian and EU governance arrangements?

While readers may question the relevance of comparing governance approaches between such diverse political systems, research in this area has an established history, providing insights derived from a comparison of social policy models in Canada and the EU (inter alia Jenson, 2004, 2010; Leibfried, 1998; Saint-Martin, 2004; Théret, 2002; Wood and Verdun, 2011a, 2011b). However, more recently, observers, particularly those located in North America, have argued that the EU has lost credibility as a successful model, given the difficulties it has faced in addressing the euro debt and banking crisis, the chaotic way it is dealing with refugee inflows, and the risks to the EU associated with the 'leave' vote in the United Kingdom referendum of 2016. Yet the modes of governance used in the EU to coordinate social policy have little to do with these particular crises.

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8 Transfers to individuals (elderly, unemployed and children) and provinces/territories account for 31 and 25 per cent respectively of all federal spending in Canada (Finance Canada 2015, p. 368). In the EU all of these costs are born by member states.

Rather they are a response to the lack of EU legislative powers or the power to implement policies. Overall, the EU has proven itself to be the most successful instance of multi-level decision-making available, particularly considering that the constituent units are nation-states. Of particular interest is the fact that modes of policy co-ordination in the EU rely on mechanisms other than hierarchical steering, namely on learning from best practices (Tömmel and Verdun, 2009).

Although the EU is not a fully-fledged federation, it is at a minimum an embryonic federal state (Verdun, 2016). Ironically, recent crises that seem to demonstrate the EU's coordination difficulties may ultimately lead to a higher degree of integration, making the EU more like a federal state than previously (even if Europeans will not easily use the 'federal' word to describe these developments (BBC, 2012; Verdun, 2015).

Not only can Canada learn from the EU experience; the EU may be able to learn from the Canadian experience. As one example, the portability of social benefits remains a controversial issue in the EU, so much so that it even served to reinforce support for the Brexit vote in the UK. Here the Canadian experience may be instructive, as Canada has developed mechanisms to ensure the portability of social benefits across the nation. This portability occurs even though some provinces (for example Québec) have more highly developed social protection systems than other provinces (Saint-Martin, 2009).

Thomas Hueglin (2013) argues that systematic analyses of Canada and the EU as comparable federal systems have been neglected for a variety of methodological reasons. The most important reason is that neither fits the mould of the dominant model of the United States federal state. A revised conceptual framework can show, however, that the EU and Canada share with one another a similar institutional and procedural environment for policy making: powers are shared rather than divided; policy directions are determined by executive negotiation rather than by parliamentary deliberation; unanimity takes precedence over majority rule; and inter-regional competition is moderated by a commitment to equalization (see Parliamentary Budget Office, 2012).

Similarly, Herman Bakvis (2013) argues that an EU-Canada comparison, from a federalist perspective, is justifiable and instructive. In both systems non-hierarchical modes of governance provide coordination in different policy fields. Hierarchy plays a role, though not in the manner one might expect. In the EU, hierarchy is tempered by member states' direct participation in policy formulation. In Canada hierarchy is more important, but within, rather than between, governments, resulting in executive dominance of the intergovernmental process at the expense of devolution of power to civil society and sub-provincial governments (McIntosh, 2004; Inwood, Johns, and O'Reilly, 2011).

Erica Arban (2013) has focused on the concept of subsidiarity from a comparative legal perspective. She argues that one of the most important principles in EU law − subsidiarity − has recently entered the Canadian constitutional debate with the decisions of the Supreme Court. After

an overview of the intellectual history of this principle, her work provides a comparison of how subsidiarity has been treated by the Supreme Court of Canada and the Court of Justice of the European Union, with the aim to discern what lessons Canada can learn from the European experience of subsidiarity, particularly in relation to social policy.

The social policy context

Given these broad institutional similarities, Canada and the EU provide a fascinating story of different trajectories at play in social policy development—especially over the past twenty years—with Canada on a decentralizing bent and the EU moving in the opposite direction.

Through the confederation bargain in 1867, provinces in Canada were assigned responsibility for all social policy matters. The welfare state as we know it today was, however, built after the Second World War through cooperative federalism and the federal spending power, with the explicit involvement (to greater and lesser degrees) of pan-Canadian civil society organizations. Today this situation has changed, in at least two separate steps. First, in the mid-1990s the shift to reduce deficits and debt under the governing federal Liberals made pan-Canadian cooperation/coordination in social policy more difficult, largely because Ottawa provided less money to the provinces, which were then obliged to improvise to fulfill the obligations they had made to their citizens. Once the financial crisis was lifted, federal reinvestments in social policy that started in 1999 (in health care, postsecondary education and child care) came to an end when the Conservative Party of Canada assumed power in 2006. Based on ideological preferences, not only did the Conservatives not see a federal role in social policy, they also acted to remove financial support for the participation of most civil society groups in pan-Canadian social policy matters (Benz, 2016).

The EU story seems to have moved in exactly the opposite direction. The desire for 'Europeanization' or greater coordination in social policy has been driven by the recognition that demographics, globalization, and the need to enhance European competitiveness call for serious reforms in national EU social models to make them more efficient, less costly, more flexible, and more inclusive (on the EU Social Model, see Scharpf, 2002). Because member states were reticent to share competences in the social policy arena, the so-called Open Method of Coordination (OMC) was developed to move member states in similar directions through convergence as opposed to harmonization (de la Porte and Pochet, 2002; 2012). These kinds of soft modes of governance (Scott and Trubek, 2002; Tömmel and Verdun, 2009; Sabel and Zeitlin, 2010) have been more effective than initially thought (Hodson and Maher, 2001; Radaelli, 2003; Jacobsson, 2004; Kröger, 2009) and have helped to create a pan-European social dimension.

Research comparing social policy developments in Canada and the EU

This section reviews some of the research that compares and assesses modes of governance in the social policy field in the EU and Canada over the past twenty years.

Several studies examine the role of civil society in social policy-making on a comparative basis. Rachel Laforest (2013) argues that, while the scope for engagement of organizations in the EU has broadened, it has been increasingly narrowed in Canada, to the extent that the policy process may be undermined. In a more specific policy arena, Julie Simmons (2013) has compared the role of citizens in public reporting exercises under Canada's National Child Benefit and health care service delivery to that of the EU's Open Method of Coordination (OMC) for Social Protection and Social Inclusion. She finds that the institutional infrastructure providing for coordination across social policy areas and possible roles for non-governmental actors in policy development are more developed through the OMC than the institutional infrastructure of 'new modes of governance' in Canada. However, in her view there are obstacles to developing such infrastructure in Canada, given the different histories and political contexts.

Heather Millar (2013) has focused on relationships between governments and non-governmental organizations in the area of international development policy making. The Canadian case illustrates an entrepreneurial mode of governance, aligned with fiscal auditing and performance management mechanisms, while the networked governance model of the EU relies more heavily on accountability instruments of public reporting and deliberation. Her article concludes that the European accountability regime likely provides policy makers with more opportunities for social policy learning but that such an approach would likely be difficult to implement in the Canadian context given the underlying action logic of the federal government.

Other studies examine distinct policy arenas more broadly. Donna Wood's (2013) study assessed the performance of Canada's employment policy governance regime post-1996 by explicitly comparing Canadian approaches to those used in the EU through the OMC. She concludes that Canada has moved so far along the decentralization continuum—with 13 provincial systems as well as a federal-only system in place—that coordination, coherence, mutual learning and information sharing on a pan-Canadian basis have been lost. While EU OMC approaches hold promise, in order to be recognized in Canada stakeholders would need to become more engaged in the policy domain, and provinces would need to take the initiative for enhanced coordination.

Regarding post-secondary education, Barbara Haskel (2013) notes that the Bologna Process, which created the European Higher Education Area, is an elaborate OMC-type process. It was the product of the member states, interested parties, social partners, and experts who created and sustain it. Haskel concludes that whether such a process is relevant for coordinating post-secondary education in Canada would depend on whether there is a compelling vision, objective, or anxiety that motivates the key actors.

Patrik Marier (2013) has focused his research on examining developments in pension policy in Canada and the EU. In this policy area, unlike in other aspects of social policy, the federal government in Canada dominates provincial governments through the power of the purse. Relative to the EU, *public* pensions in Canada are well coordinated and harmonised. However, he highlights how OMC-type approaches might assist in the field of *private* pensions, facilitating coordination of the various regulations that cover employer pension plans across the country. The EU OMC in pensions has created an imposing network of EU pension actors, providing them with a far better understanding of the challenges ahead and what needs to be done than it did a decade ago. In the EU the presence of a strong social policy actor − the Social Policy Committee of the Directorate General for Employment, Social Affairs and Inclusion − ensures a focus on adequacy and accessibility alongside sustainability; in Canada there is no similar social policy actor, resulting in a much narrower debate over pensions than what takes place in the EU.

Insights from Canadian social policy practitioners

In April and May of 2014, a series of workshops were organized in six cities across Canada[9] to seek the views of practitioners on various social policy themes: employment and pensions policy (Vancouver); research and postsecondary education (Edmonton); civil society participation in poverty reduction (Montreal); social inclusion and the market for coordination (Toronto); children's policy and learning (Ottawa); and health care (Halifax). The purpose of the workshops was to reflect on whether governance lessons from Europe might have relevance for federal-provincial arrangements in Canada.

For many of the 150 people who participated, this was the first time that they had heard about the techniques used in the EU to overcome their governance challenges. The workshops reminded participants that in fractious and divided political systems, good policy ideas are not enough. All participants agreed that moving EU governance ideas into Canadian practice would be provocative but extremely challenging,[10] particularly given the dearth of policy advocates for these new governance approaches. In a final report (Vanhercke and Read, 2015), experts from the European Social Observatory (OSE)[11] suggested that structural and institutional similarities between Canada and the EU make a compelling argument for why each should consider a serious study of the political tools that the other has adopted.

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[9] The workshops were organized by the University of Victoria using funding provided by the European Commission and the Canada-Europe Transatlantic Dialogue (funded by the Social Sciences and Humanities Research Council of Canada). They were also supported by a number of research and public policy partners from across Canada.

[10] The full report of what was heard at the workshops is available here: http://eucaworkshops.com/images/pdf/CANADA-EUSYNTHESISREPORTJanuary2015.pdf. The Trudeau Liberals, elected in October 2015, have signalled that they wish more federal engagement in social policy.

[11] The European Social Observatory is one of the European partners of the Canada-Europe Transatlantic Dialogue. Bart Vanhercke attended and presented at three of the above-mentioned workshops.

Drawing on his experience as a practitioner, Thomas Townsend (2013) finds that OMC mechanisms have not gained much acceptance in Canada, in spite of evidence that they could improve policymaking and implementation (see also Townsend, 2005). His assessment suggests that there are some potential alternative ways in which provinces, territories and the federal government might improve policy learning by approaching the process in a somewhat different fashion while benefiting from the European experience. The institutional structure of the OMC in the EU was developed by governments, and then opened to civil society and practitioners. He suggests that Canada may benefit from taking an indirect approach to the issue and instead allow service level operators to form learning networks and engage in mutual learning. For this to happen, governments would need to ensure the collection of standard data and commit to making it publicly available, as well as provide support to whatever institutional structures emerged.

Innovative governance and policy innovation: beyond social policy

Social policy coordination has not been the only area in which the EU has experimented with new approaches to governance. In a 2009 volume, Tömmel and Verdun brought together research that elaborated an analytical framework that distinguished various methods of governance applied within the EU, elaborating distinctions between hierarchy, negotiation, competition and cooperation. Of particular interest is the consensus method of decision-making applied in many EU bodies, particularly the Council of the European Union, where decisions that are strongly objectionable to particular member states are avoided, if possible. This consensus-seeking mode contrasts starkly with the more strongly partisan and adversarial method of interaction that is common at the Canadian federal level. The research documents a 'menu' of coordination tools utilized in the EU to manage interdependence. Whether these can be successfully applied in Canada would depend in part on particular institutional conditions, e.g., concerning the separation or sharing of powers and the institutional rules governing relations between various levels of government (Bakvis, 2013). Moreover, as comparative research on Canada and the EU has shown, different patterns of democracy (Benz, 2010b; Benz and Sonnicksen, 2015), party systems (Thorlakson, 2009), interest intermediation, and the involvement of civil society (Laforest, 2013) also have an impact on the selection and operation of governance modes.

While this comparative research identified innovative modes of governance, other work has considered which modes of governance are conducive to policy innovation.[12] Despite many actors with the power to veto innovative policies, governance in both Canada and Europe reveals potential for significant change of policies and institutions. Comparative studies emphasize 'punctuated' innovation through the independent actions of provincial or member state governments, as well as the cumulative evolution through sequences of reform episodes, facilitated

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[12] These issues were addressed at a joint Canada-Europe conference at the Technische Universität Darmstadt (Germany) on June 12-13, 2014; and at a subsequent panel, entitled *Policy Innovation in Multilevel Governance: Canada and the European Union Compared,* at the annual Conference of the Canadian Political Science Association (Ottawa, 2 June 2015).

by multiple institutional venues that are relatively open to mobilized civil society groups. These findings contrast with more traditional conclusions scholars have drawn from theories of multilevel policy-making and historical institutionalism. Whereas those theories suggest that continuity and gradual change predominate in power-sharing federal systems, the recent work reveals that multilevel governance can be a source of innovation (Bakvis, 2014; Behnke, 2014; Héritier and Karagiannis, 2014; Hurrelmann and Baglioni, 2014; Kudrna and Müller, 2014; Simmons, 2014; Tömmel, 2014; Weibust, 2014a; Benz, 2015; Skogstad, 2015; Broschek, 2015; Verdun and Wood, 2015). In complex structures, decentralized governments can create and diffuse new ideas, which can be turned into innovative policies through sequences of negotiations proceeding in different venues and by mobilizing new actors. Thus neither decentralization alone nor traditional intergovernmental conferences support change; rather it is the linkage of both, with processes in different arenas allowing mobilization of the potential for innovation, provided that these linkages are adjusted to particular institutional and societal conditions of a federation.

Conclusions

The research discussed here has used the EU as a mirror to reflect on Canadian governance practices over the past twenty years. It has sought to show that in both Canada and the EU there has been movement in the formal powers over social policy but also changes in instruments used to create social policy in each system. In both Canada and the EU social policy models are in evolution, but in very different, almost opposite, ways. Researchers who have compared the two political systems have concluded that, over the past twenty years, Canada's lack of coordination in social policy matters and the absence of key players around the table has undermined the policy process, reduced opportunities for mutual learning from one province to others, increased incoherence on a pan-Canadian basis, and narrowed the debate such that optimal policy solutions are often ignored. This applies to all areas of social policy that were considered, from health care to pensions to employment to postsecondary education to poverty reduction. These studies have argued that Canada would benefit from considering lessons learned from European tools and mechanisms for coordination, including the benefits of benchmarking and soft modes of governance.

The Europeans who participated in the research certainly saw the value of the comparison, suggesting that there were also ways that the EU might learn from Canadian approaches, citing the potential for an EU-wide unemployment insurance (UI) scheme as an example. Perhaps the presence of a Canadian-like system of UI benefits would have helped the EU to redistribute wealth to weaker parts of the union, thereby contributing to a more effective recovery from the economic downturn (Vanhercke and Read, 2015, 14). Canada only developed a national UI scheme in the 1940s through protracted intergovernmental negotiations over a period of ten years and in response to consistent citizen demand, in the face of resistance from provincial governments; only the national government had the capacity to act. This Canadian experience may also serve as a lesson to the EU.

Much of the analysis in the social sciences is done through comparison. By using the comparative approach, we can look at similarities and differences and think about what political systems can learn from each other. Policy concepts (as distinct from their application) are ripe for borrowing. The research cited here has demonstrated the value of comparison as it applies to governing in Canada and the European Union's highly complex political systems. The degree of its usage is up to researchers, policy makers and stakeholders, based on windows of opportunity and the political context of the day.

Figure 5. Example of a visual output from an EU Learning Workshop held at the University of Victoria.

Chapter 5

Social Policy: Divergence or Convergence between Canada and Europe?

By Jane Jenson

Over the last decade, much has changed in approaches to social policy in Canada and Europe. The drivers of these changes are alterations in the political coloration of governments, as well as a rethinking within policy communities as their diagnoses of the problems have shifted. This report focuses on two issues that have preoccupied both Canadian and European policy communities: poverty and inequality and the social investment perspective for modernising social policy.[13]

In some cases, there has been policy convergence across the Atlantic, but the pattern is best characterised as divergence in policy directions. This is in large part because a policy dialogue on social policy directions between Canadian and European policy communities, which had been developing since the 1990s, failed to flourish in the most recent decade. In contrast, dialogue among academic researchers has remained steady and healthy, with fruitful comparisons of Canada or Quebec to European countries, and of Canada to the European Union (EU).[14]

Before turning to the two issues, it is worth noting that the Canadian government, like the EU, has only a few direct responsibilities in the area of social policy (Saint-Martin, 2004; Ross, 2011a; Marier, 2013). However, despite this commonality of constitutional positioning, a notable distinction between the Canadian and European stories in the last decade is the practice of each government within these constraints. In 2006, the Canadian government abandoned its traditional post-1945 position of attempting to lead, and instead left the main domains of social policy to provinces' choices (Jenson, 2013a: 47ff.). In contrast, and during the same years, the European Union developed more constraining policy instruments, in order to shape social policy practices and outcomes in the member states (ETUI & OSE, 2015: 25ff.)

Economic crisis, poverty and inequality

Throughout the ups and downs of the economy from the 1970s through the 1990s, analysts of inequality and poverty pointed to the capacity of the Canadian regime of redistribution to use taxes and transfers in order to limit the gap between the highest and lowest incomes. In the late 1990s and 2000s, however, those constraints were lifted as governments altered their policy practices and made redistribution less of a priority. Both inequalities and poverty rose (Banting and Myles, 2013:

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[13] The members of the Thematic Research Group on social policy of the Canada-Europe Transatlantic Dialogue have contributed to this second repositioning, as discussed in this chapter.

[14] For example, Dobrowolsky and Saint-Martin, 2005, Boismenu and Petit (2008), Lefebvre, Boismenu and Dufour (2011), and Marier (2013).

chapter 14). In the EU too poverty rates were rising, as unemployment remained intractable in several countries. Tax rates fell dramatically from the mid-1990s (Jenson, 2013b: 172). Thus governments found themselves with less revenue even as in the EU at-risk-of-poverty rate (after taxes and transfers) reached 17% in the last decade last years.[15]

Initially the focus of much research in Canada and Europe was on rising poverty rates, particularly the rate of child poverty (Jenson and Saint-Martin, 2006). A set of major structural trends drove these rates. Particularly important were social changes that generated demographic as well as labour-market restructuring, including the knowledge economy that called for new skills, the growing service economy based on low-paid work, globalisation that shifted production and employment around the world, and new social risks, such as difficulties reconciling work and family life, lone parenthood, long-term unemployment, being among the working poor, or having insufficient social security coverage (van den Berg and de Gier, 2013: 64; Mahon, 2013). Nonetheless, political responses to these trends were not the same in Canada as in the EU or among European member states.

Indeed, the *production of poverty* was not the same, and therefore poverty rates varied quite widely, as did the ways government treated poverty. In a comparative analysis of Denmark, France, Great Britain and Quebec, Lefebvre, Boismenu and Dufour (2011) documented that the countries' different policy architectures produced experiences of poverty that varied along four different dimensions, all of which resulted from social and political relations. These dimensions were: the labour market and its regulations; the relations among social partners (unions, employers and the state); antipoverty policies; and social representations of poverty. Each dimension made an important contribution to the extent to which structural tendencies towards poverty actually generated it.

This insight that poverty is 'produced' by political actions and not simply the result of underlying socio-economic trends is an important countervailing argument to observers who tend to see such outcomes as the—inevitable—result of economic and social change. This insight fed the shift that has occurred over the last decade to add the problem of 'inequality' to the already identified policy problem of 'poverty'. Paul Bernard was an early intervenor encouraging this shift of analytic lens to cover both inequality and poverty when he theorised the links among inequality, social exclusion, and social cohesion (Saint-Arnaud and Bernard, 2003: 501-02). The Organisation of Economic Cooperation and Development (OECD) provided a huge boost for the transnational transformation of the policy lens with its recent publications on rising inequality across the globe. The first set out the dimensions of inequality, in a study titled *Growing unequal* (OECD, 2008) while the second, titled *Divided we stand* (OECD, 2011), identified the drivers of inequality. Most recently, *In it together. Why less inequality benefits all* (OECD, 2015) continues the arguments

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[15] Eurostat, "People at risk of poverty or social exclusion." December 2015. http://ec.europa.eu/eurostat/statistics-explained/index.php/People_at_risk_of_poverty_or_social_exclusion .

that the creation of inequalities is economically as well as politically and socially dangerous, because, among other things, it drags down growth.
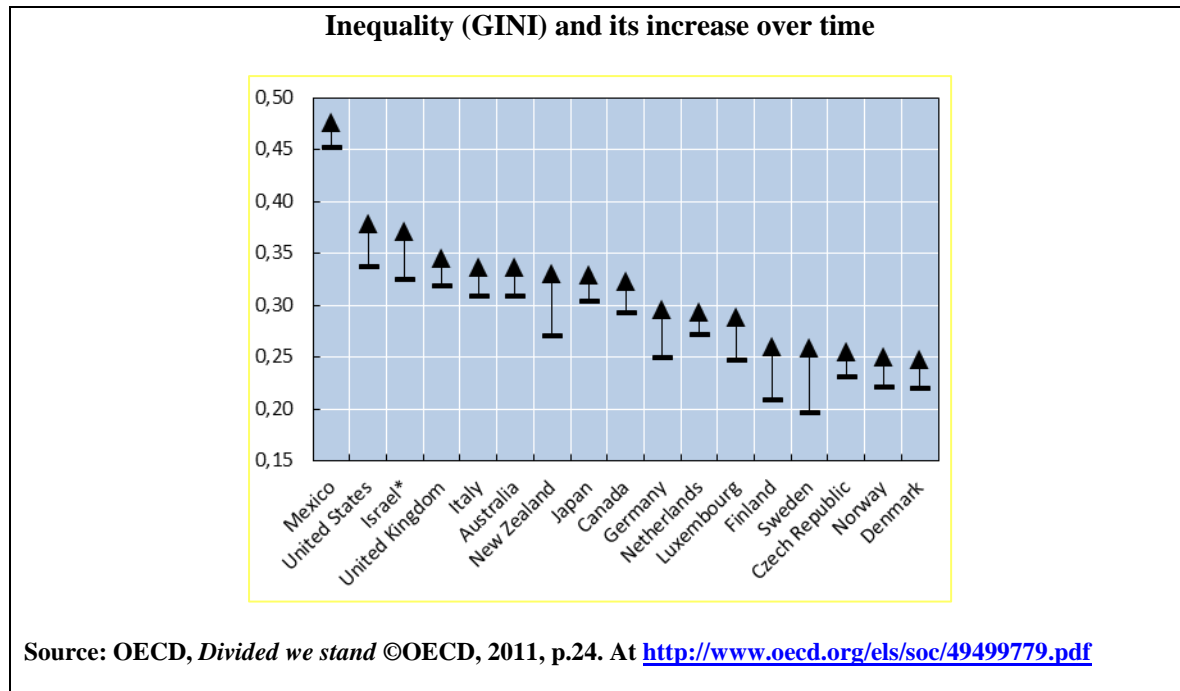

Inequality (GINI) and its increase over time

Source: OECD, *Divided we stand* ©OECD, 2011, p.24. At http://www.oecd.org/els/soc/49499779.pdf

Figure 6. Inequality (GINI) and its increase over time
Inequality rose in Canada and Europe, between mid-1980s and late 2000s. Canada had both a "middle" level of inequality and an average rate of increase. European countries were dispersed across the range, with some quite equal countries (for example Sweden & Finland) increasing the most.

In an edited volume that adopted this perspective and compared the sources and effects of poverty and inequality in Europe and Canada (Noël and Fahmy, 2014), several scholars associated with the Canada-Europe Transatlantic Dialogue provided detailed information about Canada and Quebec in relation to Europe. One chapter reported, for example, that Quebec's policies as well as economic situation reduced the after-taxes-and-transfers poverty rate of two-parent families as much as in Nordic countries but the reduction for lone-parent families was only in the range of the Southern European countries (van den Berg and Raïg, 2014, 90). Variation in inequalities and policies to reduce income inequalities were also documented across transatlantic cases, including Canada (Jenson, 2014).

Divergence in public policies continued when the economic crisis hit Europe and Canada in 2008. In Canada, where the crisis seemed much less dramatic, the response was basically to stay the course. This meant quite specifically that the 'redistributive fade' identified by Banting and Myles as beginning in the 1990s continued along its course and "Canadian society has become more unequal." Indeed, Canada was a member of the transatlantic group of countries in which "policy has accentuated [the growth of inequality]" (Banting and Myles, 2013: 413). If Quebec has been something of an exception to this trend, remaining somewhat closer to the Nordic welfare regimes

with respect to representations of poverty and inequality (Lefebvre, Boismenu and Dufour, 2011), even there the rise of poverty and inequality continued to concern analysts precisely because, after a low in 2007, it had climbed back by 2013 to the 2002 rate. While families are doing better in Quebec than in many provinces, the elderly and other categories are in difficulty just as they are across the rest of Canada (CEPE, 2014: 18ff.). Any alterations in direction due to the change of government in 2015 are still emerging and unclear.

In Europe and the European Union there was less policy continuity and agreement after 2008. The 'European Social Model' was already less often evoked as the long-term goal than during the 1990s (Ross, 2011a). Nonetheless, there was still continuous discussion and therefore debate about how to maintain a strong commitment to social protection and to ensure coordination across all member states in social policy and to meet the agreed European-level targets.[16]

Such discussion did not begin with the economic crisis. In 2005 there had been a midterm review of the Lisbon Strategy and a 'relaunch' which generated much criticism because of its exclusive emphasis on growth and jobs and for treating social goals (and policy) as secondary.[17] This neoliberal move took place at the same time as the political crisis of the French and Dutch referendums on the European Constitutional Treaty (ECT). The ECT went down to defeat in large part because of voters' fears that their national welfare states were threatened and those who had the most to lose – the poorer, less-educated, younger and more rural voters – rejected the treaty (Ross, 2011b: 5-6). The arrival of profound economic crisis after 2008 and then austerity politics led to plummeting support for the very idea of the Union and severe legitimacy problems (Ross, 2011b: chapter 8 and passim).

Several policy communities pushed for a return of action to address issues of social justice and social protection. As the EU geared up for both the Lisbon Treaty and then for the development of its 2020 strategy to replace the 2000 Lisbon Agenda, antipoverty measures gained new visibility.[18] The Lisbon Treaty of 2009 raised the status of social issues while the Europe 2020 framework set five targets, including one of lifting at least 20 million people out of the risk of poverty and exclusion. The crisis also provoked change in governance instruments. One important change has been the 'socialisation of the European semester', a process being closely followed by the OSE [Observatoire social européen] (Vanhercke and Zeitlin with Zwinkels, 2015, for

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[16] Both the European Trade Union Institute (ETUI) and the Observatoire social européen (OSE) have been major participants in these debates. See their websites. Another important distinction between the European and Canadian stories in the last decade is the continued support for civil society by most national governments and certainly the EU while the Canadian government 'delegitimated representation' by civil society organisations (Banting and Myles, 2013: 116). This policy direction may change with the Liberal government elected in 2015.

[17] One of those social goals that have been pushed into the shadows is gender equality (Jenson, 2008; 2015; Jacquot, 2015).

[18] The focus is on antipoverty policies here, but it is important to remember that corporatist negotiation and agreement among the social partners has been an important shaper of policy at national as well as European level (Natali and Pochet, 2009).

example). This socialisation includes the invention of new governance instruments to push and prod the now 28 Member States toward improved social outcomes.[19]

In this European policy discourse the target remained a reduction of poverty. Once the commitment was made, however it was still necessary to identify the policy strategy and instruments via which the targets could be achieved. The same was true in Canada; decisions about how to reduce poverty required new policy instruments and targets. It is here that a second transatlantic comparison is relevant.

Figure 7. Logo of the European Platform for Investing in Children (EPIC)
Source: http://europa.eu/epic/about/index_en.htm .

Social investment to achieve new social policy goals

Like the United Kingdom, Canada is often classified as a liberal welfare regime. Both were early advocates of the social investment perspective as a strategy for modernising social policy in that kind of regime (Jenson and Saint-Martin, 2006; Dobrowolsky and Saint-Martin, 2005; Mahon, 2008). However, the social investment perspective also has deep roots in Nordic welfare regimes, especially the Swedish one (Morel, Palier, Palme, 2012: 3-5 and *passim*). "Social investment can be interpreted as encompassing the set of policy measures and instruments that promote investments in human capital and enhancement of people's capacity to participate in both social and economic life as well as in the labour market" (ETUI & OSE, 2015: 22). Attention to investments in human capital has generated policy support for increased policy interventions

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[19] "…the social dimension of the 'European Semester', [was] introduced by the European Union (EU) in 2010-2011 as a new institutional architecture for socio-economic policy coordination in response to the euro crisis. In this architecture, the Commission, the Council, and the European Council set priorities for the Union through the Annual Growth Survey (AGS), review national progress towards them – based on Commission Country Reports and National Reform Programmes (NRPs) – and issue Country-specific Recommendations (CSRs) to Member States, backed up in some cases by the possibility of financial sanctions" (Vanhercke and Zeitlin with Zwinkels, 2015: 7). The Open Method of Coordination, which was the instrument of the Lisbon Agenda, has faded from the process since the mid-2000s, in part because it was "often considered a failure" (Marier, 2013: 323).

around early childhood education and care (ECEC).[20] The OECD has been particularly active in promoting the perspective to its members and the EU has followed suit (Mahon, 2009; Morel, Palier and Palme, 2012: 161).

During the late 1990s and first half of the 2000s, the Canadian federal government and several provinces—particularly Quebec, Ontario and Manitoba—promoted public funding of ECEC infrastructure as well as services in order to advance the social investment perspective, arguing for early childhood as a key developmental moment (Mahon, 2013; Dobrowolsky and Saint-Martin, 2005). However, the 2006 federal election brought a fundamental shift in this perspective as the Canadian government withdrew from its signed agreements with the provinces to fund ECEC infrastructure and transferred small monthly (and taxable) benefits to individual families (Jenson, 2013a: 58-59). As a result, a key principle of the social investment perspective faded from the vision of the federal government.

The European story is quite different. By the late 1990s, the social investment perspective was taking shape at the level of the EU, and focused on ECEC for poor children and families as a policy instrument to promote investments in both human capital and parental employment (Jenson, 2008). These measures were present primarily in the liberal and Nordic welfare regimes, as noted above, while the continental Bismarckian regimes such as Germany, Austria and the Netherlands, were much slower and more reluctant to change. This was in large part because the accent on non-parental ECEC and on increasing women's employment contradicted long-standing policy norms and practices (Palier, 2010: 387; MacRae, 2006).

Several members of the Canada-Europe Transatlantic Dialogue formed what might be termed an epistemic community for social policy modernisation (Marier, 2008).[21] They advocated individually and within key civil society groups that the EU should move from an implicit to an explicit commitment to social investment in order to address immediately the negative conditions after 2008 and also for long-term improvement.[22] The shift towards the social investment policy perspective has been so complete that it has even been referred to as 'the dominant paradigm' (Cantillon and van Lancker, 2013: 553). Despite initial enthusiasm, there is now, however, a good deal of scepticism about the actual implementation of the EU's Social Investment Package, which was adopted in 2013. This concern was most clearly expressed in the report to the DG for Employment, Social Affairs and Inclusion prepared by, among others, members of the

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[20] In the vocabulary of Canadian governments, because of the constitutional division of powers, these policies are usually termed ELCC (early learning and child care).

[21] For example, see Vandenbrouke, Hemerijck and Palier (2011), published by the OSE, a CETD partner. Morel, Palier (a CETD collaborator) and Palme (2012) originated from a conference organised for the Swedish presidency of the EU in 2009. The OSE has also organised learning events on social investment in general and the 2013 Social Investment Package in particular. See the list of podcasts at: http://www.ose.be/EN/publications/podcast.htm. The ETUI was also active before 2013 calling for a Social Investment Pact (rather than a package). See *ETUI Monthly forum - The EU Needs a Social Investment Pact,* moderated by Philippe Pochet (a CETD collaborator) in June 2011 (at: https://www.etui.org/Events/ETUI-Monthly-forum-The-EU-Needs-a-Social-Investment-Pact).

[22] See DG Employment, Social Affairs and Inclusion, "Social Investment." http://ec.europa.eu/social/main.jsp?catId=1044&langId=en. Accessed 20 October 2016.

Observatoire social européen (OSE) (Bourget *et al*., 2015). As described here in detail by the European Trade Union Institute, the Social Investment Package involved:

> …reforms such as support for early childhood development, support for parents' labour market participation and policy measures to address social and labour market exclusion.…[The Package] urged Member States to modernise their social protection systems towards a social investment approach, with a view to emerging from the crisis stronger, more cohesive and more competitive.

> According to the authors of the report, 13 EU countries such as the Scandinavian countries but also Austria, Belgium, Germany, France which are maintaining an (often historically) well-established social investment approach to many social policies tend to preserve and further develop good institutional linkages between different policy areas, especially when they are addressing key social challenges. Another group of countries such as the UK, Hungary and Poland show some increasing awareness of social investment and have begun to apply elements of a social investment approach in a few specific policy areas. For a last group of countries among which [are] the Baltic states, the Czech Republic, Italy, Romania and Bulgaria, a social investment approach has not so far made many significant inroads into the overall policy agenda (ETUI, 2015).

Conclusion

The above quotation indicates a certain level of disappointment with the implementation of the Social Investment Package: there has been movement in positive directions but not across all 28 of the EU member states. Such an outcome is obviously to be expected from any major policy initiative when the instruments for forcing compliance do not exist. Beyond that, the evaluation itself indicates the extent to which discussion about social innovation continued despite the effects of the 2008 economic crisis, public disappointment with the EU, and declining legitimacy. While different strategies are on the table, even within the social investment perspective, there is consensus that innovation is needed and a return to the past is not possible or desirable.

In Canada, debate about directions for modernising social policy were muted for a number of years as inequalities were allowed, and even encouraged, to increase via what Banting and Myles (2013) call the 'fading of redistributive politics'. Now there is a return of the understanding in policy communities that change and effective instruments are necessary; the discourse of 'social innovation' is activated and the search for a new social architecture is on. It is in the new context that the learnings about inequality and poverty and about the social investment perspective can be useful to informed public debate in Canada.

Chapter 6

Migration and Citizenship Policies in Canada and Europe

By Oliver Schmidtke

At first sight, comparing the approaches of North American and European countries to governing migration seems difficult, given their very different historic legacies and policies over the past decades. Yet recent developments suggest taking a more thorough look at this comparison: many European countries have adopted immigration policies that—if not in scope then at least in spirit—mimic Canada's expansive approach to recruiting newcomers based mainly on their skills. Similarly, developments in governing access to citizenship, promoting migrants' socio-political integration, and the treatment of refugees also demonstrate comparable developments on both sides of the Atlantic. This chapter highlights whether we have indeed witnessed a form of convergence or whether policy formation and broader socio-political approaches in this field are still fundamentally different in both contexts, following national trajectories in terms of how citizenship regimes and patterns of national identity have evolved over time.23 The chapter will look at five dimensions of governing migration from a comparative European and Canadian perspective: 1) citizenship and inclusion; 2) temporary foreign workers; 3) the labour market inclusion of skilled immigrants; 4) the challenge of refugees; and 5) the multi-level governance of immigration and integration.

Citizenship policies in Canada and Europe: modes in inclusion and exclusion

One of the defining features of the Canadian immigration and integration regime is that it provides new residents with a fast and straightforward access to citizenship. As a result, Canada has one of the highest naturalization rates among recently settled immigrants worldwide. According to Citizenship and Immigration Canada, 85% of all eligible immigrants had opted for naturalization in 2011. These rates are considerably lower for European countries (with Germany and France at around 40% and the United Kingdom and The Netherlands at around 60%).

Access to citizenship is instrumental to Canada's attempt to integrate newcomers swiftly into the county's social fabric. Primarily as a means of addressing shortcomings in providing swift and sustainable forms of social and political inclusion, European countries have introduced more liberal citizenship provisions, gradually replacing blood-based ties with the territorial principle of determining access to membership (Triadafilopoulos & Schönwälder, 2012; Winter 2014b; Winter, Diehl & Patzelt, 2015). The tradition of defining nationhood along ethnic lines is under considerable pressure in many European countries, as these provisions are increasingly at odds

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23 This chapter is primarily based on the scholarly work of experts who have been associated with the Thematic Research Group on Social Policy Migration of the Europe-Canada Transatlantic Dialogue project over the past seven years

with the social reality of enhanced cross-border mobility and transnationalism (Schmidtke, 2013; Winter, 2011). The move towards a territorially based citizenship law and a more liberal approach to dual citizenship is noticeable across Europe. Similarly, with its foundation in political rights rather than ethnic ties, the Canadian citizenship regime can be perceived as a model for an emerging (post-national) European citizenship status (Maas, 2014).

Recent political and scholarly discussions on integration have also highlighted how legal entitlements related to citizenship status are an important, albeit not decisive, factor facilitating the equitable social and political inclusion of migrants. By concentrating on substantive rather than simply formal dimensions of citizenship, current research is focused on what becoming a full and equal citizen means in practice. In this respect, Canada's multiculturalism, with its dual promise of publically endorsing cultural diversity and promoting equitable life chances for newcomers, resonates strongly with Europe's goal to develop an effective integration policy. Recent developments in a range of European countries indicate a selective adoption of key elements of the Canada-style model of multiculturalism (Triadafilopoulos, 2012), in spite of the populist backlash against multiculturalism by segments of Europe's conservative political elite and significant parts of the public at large. This backlash played out prominently in Germany, France, and the United Kingdom and was mainly driven by electoral politics. The political aftermath of the series of terrorist attacks throughout Europe in 2015-2016 is likely to create even more severe challenges to a Canadian form of multiculturalism in most European countries.

Yet as the Canadian model of multicultural citizenship has developed into a possible option for European countries, in recent years Canada has changed its access to citizenship status. Bill C 24, 'Strengthening Canadian Citizenship Act' (2014), has imposed a new set of requirements for obtaining citizenship (language and knowledge tests, residency requirements, etc.), which in their rationale largely follow what we see at work throughout Europe (Winter, 2015, 2014c). The 2015 electoral campaign also shed light on the critical symbolic dimension of citizenship politics. Bill C 24, which allows the revocation of citizenship from those born outside of the country in cases of acts of terrorism and severe crime, has sparked a debate about forms of legitimate belonging and the status of particular religious groups (Gould, 2013). The danger of creating 'second-class citizens' has been a growing concern in the Canadian debate also with a view to how immigrant communities have been marginalized in many European countries. In particular, the securitization of access to citizenship and the entitlements associated with this status have followed a comparable logic on both sides of the Atlantic (Brunet-Jailly, 2012; Geiger, 2013). Under the former conservative government, Canada embarked on a course towards making citizenship less of a fundamental social and political right than a privilege that needs to be earned. The program of the now governing Liberals suggests that a reversal of this trend is likely under the Trudeau government.

Temporary foreign workers: the return of the guest workers?

Access to citizenship is also an important issue for the growing number of temporary foreign workers that Canada has accepted in recent years. In 2012 alone, 338,000 individuals came under this category; however, in the wake of a scandal involving temporary foreign unskilled labour in the food industry an overhaul of the temporary foreign worker program has led to considerably lower numbers since 2014. Although this program is currently undergoing substantial changes, it has raised some fundamental ethical, legal and political questions about the status of temporary foreign workers. How compatible is a program that brings workers for up to four years into the country with the traditional promise of Canada's immigration regime to nationalize newcomers swiftly? There is a possibility that the mostly low-skilled foreign workers could apply for permanent residency, yet attaining citizenship status as a temporary worker has remained a rare exception until now. It worth asking whether many temporary foreign workers are employed with a high degree of dependence on one employer, and a minimal degree of legal protection and political representation in line with the inclusionary spirit of Canada's immigration regime. The experience of the European guest worker programs (particularly in Germany) serves as a backdrop for a critical evaluation of the long term implications of temporary workers who have the intention to stay in the country (Ellermann, 2013, 2015). The effects of unwanted settlement would pose a significant challenge to Canada's successful track record of integrating newcomers into society and providing them with equitable opportunities in the educational system and within the labour market.

Refugees: balancing humanitarian and security concerns

Governing migration and recruiting migrants is a challenge in terms of balancing national economic interests (the projected contribution of migrants to the economy), social considerations (the right to sponsor family members) and humanitarian commitments (refugees). In particular, the fate of refugees raises some fundamental ethical issues about the responsibilities of liberal democracies (Carens, 2010, 2013; Ellermann, 2014). As a response to the recent refugee crisis in Europe, a set of restrictive asylum policies has been implemented in many countries on the continent, most notably in Central and Eastern Europe. In contrast, Germany and Sweden have opted for a more liberal approach by opening their borders to Syrian refugees. Chancellor Merkel's leadership and her commitment to take close to one million refugees in 2015 have not led to a pan-European solution. Rather, the task of managing the influx of refugees from Northern Africa and sharing this responsibility across EU member states might develop into a veritable crisis of the European Union itself.

Under the Harper government, Canada adopted very similar policies toward processing asylum claims, which has brought Soennecken to speak about a 'European turn of Canada's refugee policy' (2013c). While Canada has traditionally been a policy innovator and leader at the global level, it adopted the more restrictive 'European model' over the past decade. By the same token, practices of managing asylum claims and organizing deportation have followed similar patterns in

Canada and Europe (Ellermann, 2009; Soennecken, 2013b). However, change may be underway. The European refugee crisis had an indirect impact on the 2015 federal elections. The Liberal Party campaigned with the promise to bring 25,000 refugees to Canada before the end of the year. The new government under Prime Minister Trudeau put a policy in place to meet this overall number as quickly as possible and to support the settlement of Syrian refugees in Canada. At the end of February, the government announced that it had reached the 25,000 resettlement target.[24] This marked an apparent turn away from the more restrictive approach and the relaunch of Canada's previously innovative role, even though lower targets were announced for subsequent years.

Number of (non-EU) asylum seekers in the EU and EFTA Member States, 2015 and 2016

(thousands of first time applicants)
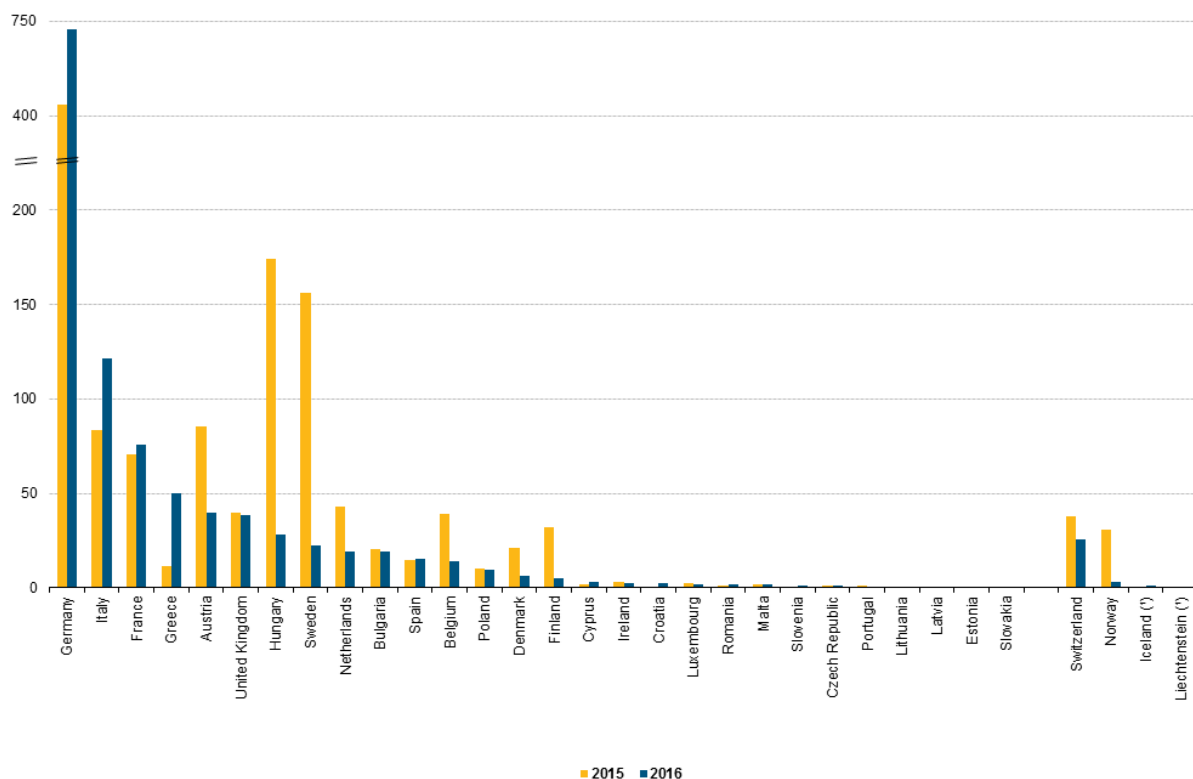
Note: the y-axis is interrupted with a different interval above the interruption from that below it.
(¹) 2015: not available.
Source: Eurostat (online data code: migr_asyappctza)

Figure 8: Number of (non-EU) asylum seekers in the EU and EFTA Member States, 2015 and 2016
(thousands of first time applicants)
Refugee inflows to Europe have differed greatly by country.
Source: Eurostat http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics; original data source
http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=migr_asyappctza&lang=en

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[24] Michelle Zilio, "Liberals reach resettlement goal as 25,000th Syrian refugee arrives in Canada," *The Globe and Mail*, Feb. 27, 2016.

Nonetheless, on both sides of the Atlantic security concerns have dominated public debates on refugees over the last few years, and at the expense of humanitarian commitments to this most vulnerable group of migrants. We can also detect similarities with a view to how refugees and asylum seekers have figured prominently in competitive party politics in European countries and Canada (yet without producing anti-immigrant populist parties which have gained considerable support throughout Europe). The securitization of migration-related issues is a common theme shaping debates and policy formation on both sides of the Atlantic. Whether the terrorist attacks in Europe will reinforce this trend in Canada, or whether the new Liberal government will successfully resist this trajectory is still an open question.

Addressing the 'brain waste': skilled migrants in the labour market

Canada and European countries have to face a comparable paradox with regard to the economic rationale of recruiting the 'best and brightest' migrants in an increasingly globalized and competitive labour market: There is a manifest gap between the rationale for attracting skilled migrants and the degree to which newcomers are able to use their qualifications and skills in their professional careers. While most skilled migrants seem to have internationally transferable qualifications and professional experiences, they often end up in forms of employment for which they are overqualified. In late 2000s, the Canadian public was surprised to find out about a growing and persistent gap between the income levels of recent immigrant cohorts and the Canadian-born population. If we take labour market inclusion as a critical measure for the successful integration of immigrants, then these findings indicate a growing challenge to the idea of providing newcomers with equitable access to professional opportunities (Reitz, Curtis and Elrick, 2013). Yet this growing income differential is considerably more dramatic in Europe. The forms of social exclusion that immigrants face are often reproduced well into the second generation; France and Germany show a particularly grim picture on this front. High unemployment rates and low income levels among migrants are just some of the indicators of a persistent form of social exclusion in the labour market (Nohl, Schittenhelm, Schmidtke & Weiss, 2014; Schittenhelm & Schmidtke, 2011; Triadafilopoulos, 2013).

The key obstacles to equitable inclusion into the labor market on both sides of the Atlantic range from forms of legal exclusion—in particular with respect to the non-recognition of foreign degrees and work experiences—to considerable modes of social and symbolic exclusion (Nohl et al., 2014; Schittenhelm & Schmidtke, 2011; Triadafilopoulos, 2013). During the transition years after immigration, the differences in terms of labour market outcome are less pronounced if comparing national settings, and more prominent when comparing distinct professional groups. In addition, both Canada and Europe have to face dynamically evolving labour markets whose expectations regarding formal education, professional training and skills change rapidly. Similar challenges in the labour market have led to some degree of convergence in policy formation. While Canada has

gradually reduced financial commitments to settlement programs and moved towards employer-driven initiatives, some European states such as Scandinavian countries, France, Germany, and the United Kingdom have moved towards more coherent and long-term integration programs (Ugland, 2014). The Migrant Integration Policy Index provides solid empirical data on how Western European countries in particular have closed the gap with Canada with respect to the most important policy indicators (labour market mobility, education, health, and family reunion).[25]

From a comparative transatlantic perspective, it is worth noting that Europe is gradually adopting Canadian policy models to deal with the challenge of including skilled migrants from outside of the EU within the labour market (by mainstreaming migration in policy terms). Yet, while Canada is widely perceived to provide a blueprint for a successful immigration policy, the Canadian context does not know the far-reaching form of international mobility that EU citizens enjoy as a result of the EU's principle of freedom of movement within its Member States (Maas, 2013). For many professional fields it proves more difficult to transfer degrees, licences, and qualifications from one Canadian province to another than across EU member states. Mainly due to the recent economic crisis on the continent, mobility of people between EU member states has increased considerably. This absence of legal limitations to the cross-border mobility and labour market access of EU citizens is a dimension that is unique to the European context.

Governing migration in systems of multi-level governance

In both Canada and European countries such as Germany, we have witnessed a substantial strengthening of place-based approaches to governing migration and integration at the regional and urban levels. Gradually, the site for developing new initiatives in this field of public policy has shifted from the federal to the sub-national level of governance. Regularly this downloading of responsibility does not come with an appropriate increase in financial resources (settlement services and multiculturalism widely falling into this category). In general terms, this development has been driven by the need to respond to locally specific challenges in regulating migration and, under the auspices of a neoliberal reorganization of public policy, by greater responsibility at lower levels of governance and a more market-based management approach.

Over the past twenty years, there has been a persistent trend towards decentralizing policy and administrative competences in Canada's immigration and integration regime. While the federal government still holds the prime authority over recruiting migrants, the provision of services to newcomers and efforts to integrate them into the fabric of society have been transferred decisively to the sub-national level of governance. This trend has been somewhat reversed recently as the chief responsibility for settlement services was relocated to the federal level; yet immigration is still institutionally embedded within Canada's federal system.

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[25] Migration Integration Policy Index: http://www.mipex.eu/ .

The trend in this policy field is more complex in the European context, given the nature of Europe's emerging system of multi-level governance (Arcarazo & Geddes, 2014). On the one hand, the relative lack of a coherent integration policy at the federal level and the highly politicized nature of the issue in national debate have driven subnational actors to develop their own agendas for governing migration at the regional or municipal level (Schmidtke and Zaslove, 2014). On the other hand, the Europeanization of migration, asylum and integration policies in the European Union (Geddes and Scholten, 2015) has led to the growing relevance of an additional, supra-national level of governance. The challenges to develop an effective European response to the refugee crisis as well as the nationalist backlash throughout the continent is likely to raise doubts about how robust this European policy is when it comes to governing migration. Still, policy coordination in this field has already reached a complexity in governance approaches that is absent from the Canadian context.

Conclusion

The multi-level governance of migration also raises a more general question about the nature and viability of distinct national models. How appropriate is it still to refer to distinct and homogenous national models when it comes to regulating migration and diversity? Realizing how approaches to dealing with immigration and integration vary across governance levels in a particular country sheds light on the disproportionate focus on national models in migration research. Both in terms of a more nuanced research agenda and in terms of innovative policy initiatives, a comparative transatlantic research agenda could greatly benefit from paying more attention to how the local, provincial, and federal (and European) levels address migration issues respectively.

If there is indeed a trend towards convergence in the domain of migration policy and politics on both sides of the Atlantic—and there is good evidence to suggest so—it is primarily driven by increasingly similar challenges on the ground. In large part, European countries have become immigrant societies. The current influx of refugees only accentuates an ongoing process of increasing immigration and cultural diversity. As a result, comparable issues related to effective migrant selection and long-term integration processes increasingly shape policy agendas in Canada and Europe, rather than predominantly historic traditions and deeply entrenched policy regimes. This development has opened up new avenues for mutual policy learning.

Chapter 7

Are Canadian and EU Environmental Policies Converging?

By Inger Weibust

Political scientists are interested in policy convergence for its own sake: do countries' policies tend to become more similar over time? If so, why? For environmental policy, particularly on climate, the question has practical urgency. To limit global temperature rise to less than 2°C, it is imperative that governments take action to limit the concentration of Greenhouse Gases (GHGs) in the atmosphere. To date, one can observe global policy convergence of a sort: the majority of jurisdictions have implemented policies that fall far short of achieving this goal.

Comparing Canada and the European Union, at least until recently, there has been significant divergence. Canada has been a laggard, with the exception of some provinces, while the EU has been a leader. The desirable outcome is upward convergence on stringent measures sufficient to limit global climate change.

The urgency of the situation has led to calls for unilateral measures by various jurisdictions. There are calls for international leadership, but also for provinces, municipalities, and other subnational governments to take action. There is an assumption that if a few leaders are brave enough to act, other jurisdictions will follow suit because their anxieties will have been allayed through a demonstration effect. Schreurs and Tiberghien (2007) have argued that multi-level governance systems can provide multiple opportunities for leadership rather than just generating veto players, and that indeed this has happened in the European Union. On climate and energy policy, we see substantial convergence *within* the European Union (EU), because of the strong leadership initiated by some member states (e.g., initially Germany, the United Kingdom and the Netherlands), then supported by the Council and pursued by the European Commission. The EU has constructed a relatively effective system of burden-sharing that recognizes differing circumstances of member states. Nonetheless, significant diversity remains across European member states in terms of how far and how eagerly they are tackling emissions reduction and decarbonisation of their economies.

During the years of the Harper government, EU level climate change leadership contrasted sharply with the Canadian experience; we observed substantial divergence between the Canadian federal government's policies and those of the European Union on climate and energy. While Europe was leading, Canada fell further behind. The phenomenon was not new. Although Liberal Prime Minister Jean Chretien signed the Kyoto Protocol, neither he nor his Liberal successor Paul Martin was able to implement an effective national climate policy, relying only on voluntary measures. Under Conservative Prime Minister Stephen Harper, climate inaction and sometimes outright reversal ruled the day, as when Canada formally withdrew from the Kyoto Protocol. During that

time period, there was also little or no progress in reaching agreement between the provinces and federal government on a national burden-sharing regime in cutting greenhouse gases.

In 2015, the situation altered significantly in the direction of convergence with the EU. At the federal level, the Liberals under Prime Minister Justin Trudeau had a solid majority. At the provincial level, almost all provinces had premiers supporting action on climate change, even Alberta, which historically has not supported national initiatives. In October 2016 both Canada and the EU ratified the Paris Agreement on climate change (COP21).

In December 2016, the federal government and all provinces except Saskatchewan agreed on a carbon pricing framework. Provinces retained the autonomy to choose between cap and trade or a carbon tax but if no carbon pricing is in place by 2018, the federal government will impose a scheme. This agreement was designed to facilitate Canada reaching its Paris Agreement climate change commitment of a reduction of in greenhouse gas emission of 30 per cent or more by 2030, from 2005 levels. While Canada's climate change commitment is still more modest than that of the EU (which has committed to a 40% reduction by 2030 from 1990 levels), these developments represent a clear step in the direction of convergence.

The experience of Canada raises questions about the impact of pioneering or laggard jurisdictions in policy arenas like climate change. The European Union, along with some of its member states, took a leading role on climate change by enacting unilateral measures to put a price on carbon, whether through emissions trading or carbon taxes. However, for decades it appeared that leadership was not sufficient to drive upward convergence in policy action in other national jurisdictions. From this experience, an important research question arises: When and why do governments follow the example of those pioneering jurisdictions? A possible regression in the area of climate change policy in the United States under a Trump presidential administration will test the robustness of the new Canadian climate change commitments, due to the perceived competitive disadvantage that they may place before some Canadian businesses in the face of possible US climate inaction. Because unilateral action by member states is the cornerstone of the 2015 Paris agreement under the United Nations Framework Convention on Climate Change (UNFCCC), understanding the conditions that promote the efficacy of policy leadership becomes crucial in the climate change arena.

Policy Learning and Policy Diffusion

The last decade has seen significant advances in scholarship on policy convergence and diffusion, and particularly policy learning as a mechanism. The American political science literature initially framed the spread of policy innovations as policy diffusion. Early American scholars of federalism assumed that, if one state government adopted a policy that was 'the one best way' to address a problem, virtually all fifty states would follow suit in short order. Subsequent scholarship has grown in breadth and theoretical sophistication. While early work (Walker, 1969), treated diffusion as a natural phenomenon like osmosis (Elkins and Simmons, 2005, 36), policy diffusion or

convergence are no longer assumed to be automatic, natural, or inevitable. This is in part because decisions to adopt new approaches are affected by factors such as the assessment of relative costs and benefits, positions and power of vested interests, the strength of lobbying groups and advocacy coalitions (Jegen and Audet, 2011), and availability of capital for innovations.

Although scholars have identified many instances of intra-national or international policy convergence, establishing the underlying mechanism at work has been far more difficult. In many works, a particular mechanism is simply assumed to be the cause. Surveying the policy diffusion literature, Dobbin, Simmons and Garrett (2007, 462) found that "analysts have rarely developed specific tests of the mechanisms their theories point to and have rarely tested all appropriate theories side by side."

When we observe that one jurisdiction has adopted a policy similar to that of other jurisdictions, policy learning is only one possible explanation. In comparative political research, the puzzle of disentangling parallel but independent policy responses from policy choices made in response to the actions of other jurisdictions is known as Galton's problem (Braun and Gilardi, 2006). How can we know whether jurisdictions are acting in response to action by others or whether they are simply adapting to parallel circumstances in the same way?

Looking at a single case of policy adoption, it can be difficult to determine which factor accounts for that change. Policy convergence can be explained by:

- independent responses to similar conditions

- regulatory competition

- learning and imitation/emulation

- deliberately coordinated action (including cooperation as well as coercion)

Examining the spread of anti-smoking laws across large US cities, Shipan and Volden (2008) found evidence for all four mechanisms: cities *learned* from the experiences of other cities that were early adopters, they were *coerced* by state legislation, they blindly *imitated* polices from larger cities and, lastly, proximate cities' policies were influenced by *competition.*

Focusing on *learning* as the mechanism, Volden, Ting and Carpenter (2008) argued that policy learning, far from being an automatic uptake of best practices, is strongly conditioned by a government's ideology. In a formal model, they argued that, when faced with new information about policy effectiveness, politicians' responses to that information will be affected by their prior ideological commitments. The impact of evidence about a measure's practical effectiveness will be reduced if politicians have ideological commitments in opposition to that policy measure.

In studying policy learning, Gilardi (2010) made an important distinction between politicians learning about *policy effects* of a policy measure, in contrast to learning about its *political effects*. In particular, Gilardi found that conservative politicians were more responsive to political effects than left wing politicians who responded more to policy effects. This leads us to expect that the Canadian governments, both provincial and federal, that were Conservative would be unreceptive to policy learning from European experiences in climate change policy, while non-Conservative governments would be more likely to consider them. This prediction is consistent with what was observed: Liberal/left wing provincial governments adopted carbon pricing (Alberta under the New Democratic Party), in the form of carbon taxes (BC, Quebec) or emissions trading (Ontario, Quebec). It is also consistent with the Harper government's lack of action on national measures to reduce emissions and the Trudeau Liberal government's more pro-active approach.

Paterson *et al.* (2014, 441) reject the argument that policy learning by governments or conscious policy emulation explains the diffusion of the concept of emissions trading. On the basis of network analysis, they argue that ideas about emissions trading diffused through interpersonal networks promoting the appropriateness of emissions trading. The authors also reject US-led coercion as an explanation for the diffusion of the concept of emissions trading (Paterson *et al.* 2014, 423). Although carbon emissions trading does not exist at the US federal level, the US was the first major jurisdiction to implement air pollution emissions trading, for sulphur dioxide.

Would current understandings of policy diffusion/convergence expect us to observe the diffusion of environmental policies from the European Union to Canada? Or, alternatively, from Canada to the European Union?[26] One possible conception of environmental policy change is as an inherently progressive undertaking, driven by scientific advances, and spurred by policy pioneers. If we follow this technocratic view, we should not expect to see Europe following Canada because Canada has almost never played a pioneering role in environmental policy. In a large comparative study of international diffusion of environmental policy instruments, Tews (2006, 235) observed that policy adoption in Canada often lagged the US by 20 years, a very substantial gap.

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[26] For discussion of European and Canadian policies in relation to climate change and renewable energy see Canada-Europe Transatlantic Dialogue (CETD) *Climate Change and Renewable Energy Workshop Report Carleton University October 1-2, 2015* (2015) http://carleton.ca/ces/energy-policy-workshop/ .
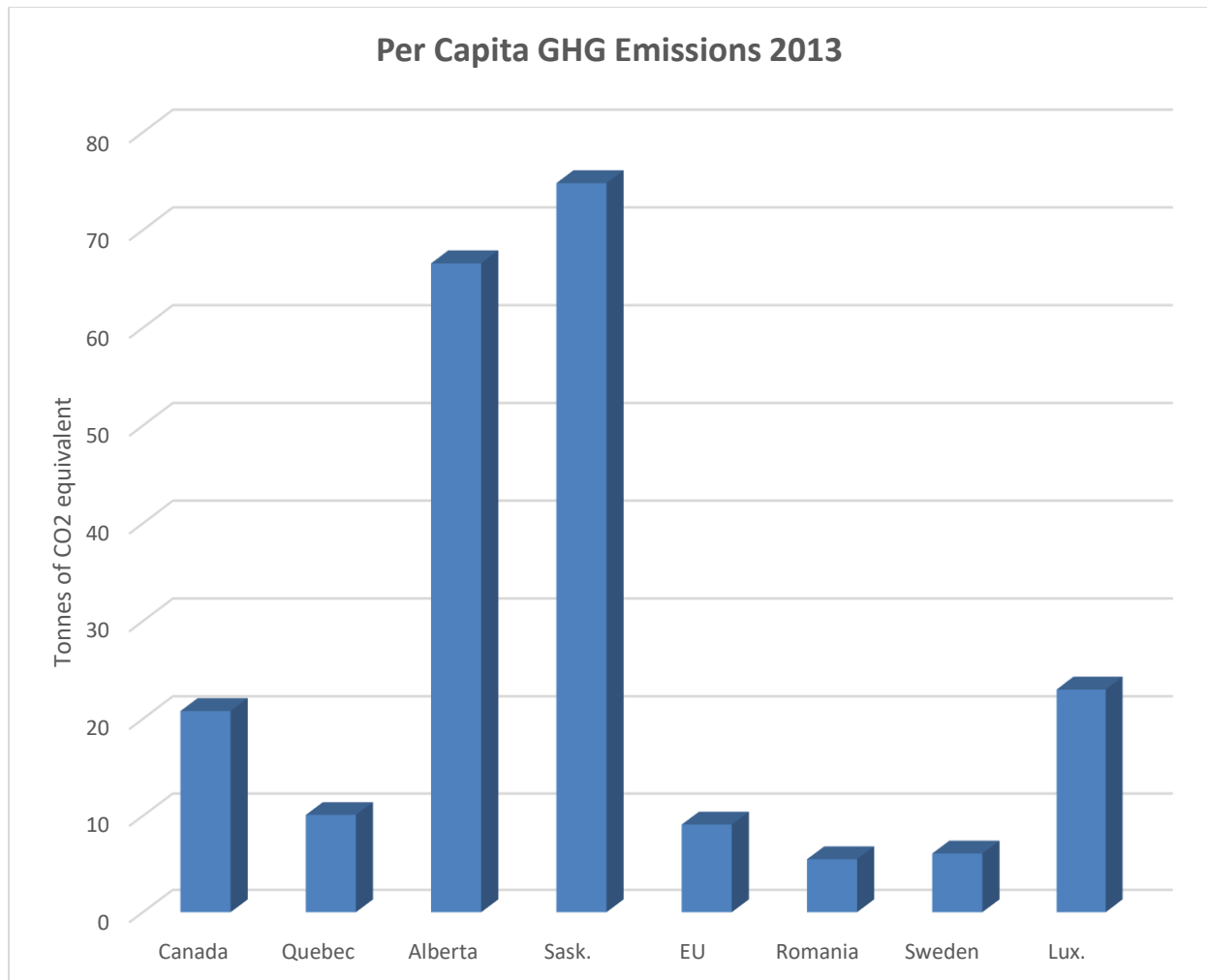
Per Capita GHG Emissions 2013

Figure 9. Per Capita Greenhouse Gas Emissions for Canada, the European Union and High and Low Per Capita Emission Provinces/Member States (2013)
In terms of per capita greenhouse gas emissions, Canada has exceeded EU levels, with substantial differences between provinces and some variation among EU member states.
Data Sources: Eurostat,
http://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=t2020_rd300&plugin=1 ;
Environment Canada, https://www.ec.gc.ca/indicateurs-indicators/default.asp?lang=en&n=79BA5699-1

Climate policy diffusion and leadership

The European Union and many of its member states have clearly been pioneers in climate policy. While not perfect, the European Union's climate policy has incorporated EU wide emissions trading. Emissions trading is considered far more economically efficient than the regulatory approach that successive Canadian governments, including Stephen Harper's, proposed, although never put into practice.

Kathryn Harrison (2010)27 has written extensively on the comparative politics of carbon taxation. Examining economists' debates over carbon taxation versus cap and trade, Harrison argues that carbon taxation is superior because of its ease of implementation and transparency. She notes that while transparency is preferable for policy design, it also serves to galvanize political opposition more than cap and trade, which is typically only applied to large polluters, not to all fossil fuel consumers (508). Furthermore, in application, cap and trade falls far from the economist's ideal because initial permits are always given away, rather than auctioned off. Giving away permits creates a windfall for existing polluters. This is how the European Union Emissions Trading Scheme was launched, although it has since introduced auctioning for the power sector (European Commission, 2014).

Examining policy adoption, Harrison (2015) cautions against superficial comparisons between Canada and the European Union. A combination of industrial structure, energy profiles and their geographic distribution creates unique challenges for making climate policy in Canada. Comparing Canada, nationally, to the European Union or its member states can be particularly misleading given the exceptional diversity of energy profiles across the Canadian provinces (Harrison, 2015). Harrison notes that, because of its hydroelectric resources, Quebec's per capita emissions are similar to those of Sweden. However, because of the oil and gas industry—particularly bitumen extraction—Alberta and Saskatchewan have very high per capita emissions, similar to those of an oil producing country like Qatar. (Saskatchewan's per capita GHG emissions are more than 7 times those of Quebec; Alberta's are more than 6 times.)

These per capita emissions are far higher than those in the European Union, even of the highest per capita emitter, Luxembourg. Furthermore, there is far less variation across EU member states in per capita GHG emissions than the stark disparity between Alberta/Saskatchewan and the remaining provinces. Furthermore, bitumen extraction is the fastest growing source of Canada's emissions. Rapid growth in total emissions from Alberta and Saskatchewan has cancelled out *all emissions reductions achieved by other provinces*. There is no comparable pattern within the European Union.

Harrison (2015) is skeptical of the ability of pioneering jurisdictions to drive wider changes. Subnational and local governments have taken the initiative in North America; in Canada, Quebec and British Columbia imposed carbon taxes first. Both Quebec and Ontario have agreed to implement cap and trade, integrated into the California-led Western Climate initiative. The Western Climate Initiative is based on auctioning permits for a cap and trade system (MacNeil and Paterson, 2012). Harrison points out that pioneering jurisdictions already had lower per capital emissions than the average. Furthermore, these measures do not diffuse spontaneously. Harrison

27 Kathryn Harrison was a contributor to a major CETD conference on Climate Change and Renewable Energy Policy in the EU and Canada, October 1-2, 2015, Ottawa. For details of the event and additional materials generated by the conference see http://carleton.ca/ces/energy-policy-workshop .

argues that we wouldn't expect Qatar to emulate Sweden, so why would we expect Alberta to copy Quebec? Thus there is little prospect that, by demonstration effect alone, these actions will result in cuts by the highest emitting jurisdictions.

Great hopes have also been pinned on cities acting as climate policy leaders. Beth Schwartz (2015) has scrutinized the content of municipal level actions. She distinguishes between cities seeking to regulate GHG emissions of their own municipal institutions versus those that set targets for their city as a whole. Municipal actions to reduce the emissions of city vehicle fleets, for example, will have limited impact even if effective. Although city governments could, in theory, affect local emissions through zoning and land use policies, these more intrusive local measures are relatively rare. Schwartz finds aspirational targets for cities to be more common. These are less likely to produce significant emissions reductions.

Going even further away from top down policy making, Harriet Bulkeley, Matthew Paterson and Johannes Stripple (2016, 3) argue in favour of climate policy as cultural contestation, against "dominant accounts of climate politics as taking place in the corridors of power – in international negotiations, corporations, and government bureaucracies." They argue that an emphasis on "the right price signals, the right institutions, or the right information" is misplaced. To quote:

> we should not think of decarbonization governance as government over disciplined and enclosed low carbon spaces but government 'that requires the opening up and release of low carbon spaces, to enable circulation and passage'. Low carbon government is centrifugal, incorporative, and distributive. Making climate policy is thus about the making of climate publics through which new affiliations of the social and material are woven together to make space for intervention (Bulkeley *et al,* 2016, 197).

Climate policy convergence in multi-level systems: Coercion and the shadow of hierarchy

The American literature on diffusion has tended to focus on horizontal mechanisms of diffusion, with less attention paid to the influence of multilevel dynamics and institutions. This is partly because national level US policy tends to be imposed by federal legislation, rather than emerging from horizontal cooperation as might occur in Canada. Unlike EU environmental directives, US federal environmental legislation greatly limits state level discretion in implementation. States generally must adhere to minimum federal standards and are required to report to the US federal government on implementation. In contrast, EU Member States retain discretion in policy implementation and are only monitored and sanctioned for proper transposition of EU directives into national legislation.

There is a potential pitfall with examining diffusion in multilevel systems. There is a tendency to assume that horizontal diffusion is the result of choices at the level where policy diffusion is

observed. However, in multilevel systems, the presence and potential impact of other levels cannot be ignored. Scholarship on multilevel environmental governance has examined how the dynamics of those multiple levels affects policy outputs. Higher levels can seek to block, compel, or incentivize action at lower levels of government. Such efforts may not succeed but they are potential causes of what is observed at lower levels. Even if higher levels of government appear inert, their presence can still have an impact. The existence of a higher level of authority creates the possibility for that higher level to intervene in the future, even if it is currently inactive. Fritz Scharpf (1993) called this *the shadow of hierarchy*. In the presence of hierarchy, the potential for higher levels of government to act has an impact. For instance, it may lead to pre-emptive action by subnational jurisdictions.

Miranda Schreurs *et al* (2009) argued that state level climate action filled a vacuum left by US inaction at the federal level since the late 1990s, pointing to examples such as the state-level Regional Greenhouse Gas Initiative (RGGI), created in New England. In examining state level climate leadership, Barry Rabe (2014) concluded that anticipation of US federal action spurred both unilateral state activity and also horizontal cooperation among states. There was great optimism about interstate initiatives such as the Western Climate Initiative (WCI)—an emissions trading scheme led by California—and the Regional Greenhouse Gas Initiative (RGGI), in which several states and provinces agreed to limit emissions from electricity generation. As of 2008, six US states and four provinces had signed on to the WCI. However, by 2010 California was the only US state attempting to implement the WCI. Four Canadian provinces continued as partners but so far, only Ontario and Quebec will participate in trading. The withdrawal of all the other US states in the WCI is consistent with a first mover advantage explanation. If American states acted in anticipation of a US federal cap and trade scheme, they had an advantage getting in on the ground floor of a cooperative state scheme. Once it became clear that no US federal emissions trading plan was going to emerge, state government support withered.

Robert MacNeil and Matthew Paterson (2012, 1) focus on these strategies of commodification of the atmosphere: "because neoliberal states must nevertheless intervene to promote accumulation, and because system-wide regulation of greenhouse gases has been impossible to achieve, the United States has developed a range of alternative means by which to pursue emissions reductions." Cap and trade schemes arise out of the ideological logic of neoliberalism: the fetishizing of markets as forms of social organization (232). Although all neoliberal states must promote accumulation, all neoliberalisms are distinct. Macneil and Paterson attribute the shift in locus of action to the American state level to path dependent factors unique to the United States (ibid, 231).

In Canada, until recently, successive federal governments have chosen not to enact national climate policy, with or without the agreement of the provinces. Only when the Trudeau Liberal government threatened to unilaterally impose carbon pricing, if there was no agreement with the provinces, did the 'shadow of hierarchy' seem to enter the Canadian landscape of climate change

policy. Enormous discrepancies in energy and emissions across provinces have limited past Canadian efforts to reach an interprovincial consensus. The December 2016 agreement did not achieve unanimous consent, but was notable in having only one holdout province. This was perhaps surprising, since, as Weibust (2014b) has noted, this type of decision-making process reproduces the collective action problem that limits action at the international level, giving each province an incentive to exit the agreement. Prime Minister Trudeau's unprecedented willingness to threaten federal imposition may have served to break the historic pattern of federal provincial deadlock.

Doug Macdonald[28] (2014, 2015) has examined the European Union's success in meeting its GHG emissions goals. He argues that explicit burden sharing across member states with different economies and emissions profiles have been essential to this effort. Germany has shouldered much of the burden of emissions cuts, enabling poorer member states to increase their emissions. Combined with leadership by Germany, the presence of politically-integrated European-level institutions for climate policy has made ambitious policies possible. Integrated European level institutions rule out the exit strategy that a purely cooperative Canadian approach makes possible.

Examples of horizontal cooperation or efforts to spur horizontal policy diffusion also include municipal governments. Some mayors have signed onto a Covenant of Mayors committed to climate change. Kristine Kern (2014) found that these prototypically 'bottom up' initiatives were, within Europe, heavily supported by the European Commission. She observed that, while municipal actions might be taken as evidence of bottom up climate governance, many were mandated by national governments or were heavily promoted by the European Union: "EU funding has become an important driver for bottom up Europeanization." Thus these initiatives don't necessarily represent an instance of lower level governments filling a void left by higher orders of government. Kern also noted that, even within a single EU Member State, there were substantial differences between those cities that were climate leaders and the rest of the pack.

Implications for the future

At the national or federal level in Canada, we see some evidence for convergence with the European Union in climate policy. In other environmental policy arenas, there is less evidence for convergence. For example, Canadian federal water policy has nothing resembling the integrated

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28 Douglas MacDonald was a contributor to a major CETD conference on Climate Change and Renewable Energy Policy in the EU and Canada, October 1-2, 2015, Ottawa. For additional materials see http://carleton.ca/ces/energy-policy-workshop/ .

water management approach found in the EU's Water Framework Directive.29 The contrast with the depth and ambitiousness of European water governance cannot be overstated.

What is past is not necessarily prologue here. Several factors have recently combined to produce the possibility of a sharp turn in Canadian policy and greater convergence with European policy. First, the changes of government in the province of Alberta and at the federal level in Ottawa have created far more favourable conditions for policy learning from Europe. Leaders of these two governments are no longer quasi-climate change deniers, and 2016 witnessed substantial advances in Canadian climate policy.

Second, the international game has changed. President Obama made climate change a priority in his second term, by using his executive powers domestically and also by brokering several bilateral deals with major emitting countries, including China. If President Obama's commitments are reversed by the Trump administration, this could impose costs on smaller countries, like Canada, because these countries perceive a competitive business disadvantage in pricing carbon. In this context, future Canadian climate policy may provide a test of the relative impact of domestic institutions versus international pressures in determining Canadian policy. If Prime Minister Justin Trudeau succeeds in achieving implementation of the December 2016 climate policy, he will have reversed previous deadlock and inaction on the Canadian domestic level. In the international sphere, the Trump administration is poised to undo Obama's climate leadership. The demonstration effect of the EU's leadership may become an important buttress for Ottawa's efforts to advance Canadian climate policy in a multilevel context.

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29 For discussion of water policy and multilevel governance in the EU and Canada, see Weibust and Meadowcroft (2014), Part II.

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