

Opening up Canadian Federalism the European Way
Coordination of Social Policy and the Involvement of Civil Society
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Workshop Report by Isaac Alexander Gray, Carleton University Student Rapporteur

The purpose of this workshop was to engage with Canadian and European Union (EU) policy experts and create an opportunity for interactive learning and comparative analysis related to intergovernmental relations, policy learning and policy coordination in the EU and in Canada. In the opening address, Professor Amy Verdun from the University of Victoria drew attention to the comparison of the quasi-federal EU structure to the federal structure of Canada, pointing out that the two regions are logical comparators. She argued that the Canadian provinces tend to rely on path dependent solutions to guide policy making, and that there is potential for the provinces to learn from the information sharing practices of the EU Member States and specifically their Open Method of Coordination (OMC). The OMC provides an opportunity for intergovernmental cooperation in EU, something that is noticeably underdeveloped in the Canadian context.

Bart Vanhercke, Director of the European Social Observatory, spoke about the character of the OMC and its potential applicability for Canada. He pointed out that the OMC is a malleable process that can be shaped to meet the needs of a policy area. As such, there is no concrete definition of ‘the OMC’, but it can be generally understood as “a cyclical process of reporting and evaluation of policy, which should facilitate policy learning between the member states and therefore improve social policy.” The OMC takes input from the Member States, EU institutions and civil society, but notably the European Parliament plays a marginal role. Today there are some 12 fully fledged OMCs with 30 different ‘OMC type’ variants, which use some but not all of the OMC tools (indicators, targets, peer review etc.). OMCs are created as they are needed and are given different ‘bite’ according to the needs associated with the policy area in question. OMC instruments range from the ability to establish indicators, to stronger mandates such as the authority to monitor the progress of the Member States and to institutionalize coordination processes. The European Commission plays an important role in the OMC, which is to summarize the progress/regress of the Member States in relation to policy objectives, to point out problems, and to make policy recommendations to the individual Member States. The OMCs have influenced the character of domestic and European policy making by a) establishing a space for civil society to influence public policy b) increasing the statistical capacity, and c) allowing new policy issues to be put onto the policy agenda. It is also noteworthy that OMC tools have been replicated at the subnational level across the EU (e.g. regional peer reviews).

Rachel LaForest, Associate Professor at Queen’s University reviewed the role that civil society has played in policymaking in Canada and the EU. Europe has a long history of civil society involvement in policymaking and has developed institutional tools to include input from civil society in policymaking at all levels of government. The OMC is a transparent example of how the civil society-state relationship is facilitated and maintained. In Canada, both the federal government and the provinces have attempted to engage civil society; however examples of institutionalized mechanisms are few and far between. Those that do exist are usually underdeveloped and/or underutilized. This lack of institutionalized avenues makes it easy for politicians to disengage with civil society when they feel it is beneficial to do so.

Alain Noël, Political Science at the Université de Montréal presented research on how reporting in the OMC has influenced poverty reduction policy in the EU. Initially most were optimistic for the potential of the OMC, but over time that attitude has changed to pessimism. He noted that while the OMC has developed an opportunity for policy learning, it has not really influenced the concrete policies of the Member States. With regards to social rights, the countries with universalist welfare states or with an explicit commitment to reduce poverty mentioned rights, whereas others did not. With regards to labour market policy, nearly all Member States adopted rhetoric informed by the idea of making work pay, but other policy institutions promoted the same language (i.e. the OECD and the World Bank) and it is possible that this learning might have taken place even if the OMC had not existed. The specific type of policies adopted varied with the ideology of the government in question. In Canada, the provinces hardly talk with each other and they do not have a common set of indicators that can be used for comparative purposes. Therefore, it is possible that some aspects of the OMC could present an opportunity for policy learning. Many argue that the Canadian provinces should work more closely together and take advantage of Canada's federal structure; today, however, the federal government relies on bilateral agreements to guide its relationship with the provinces, which seems to work well.

André Juneau, Research Fellow at the Institute of Intergovernmental Relations at Queen's University spoke about the barriers to interprovincial information sharing as well as the lack of well-established institutional mechanisms for civil society involvement. He noted that the provinces have a predisposition to resist attempts by the federal government to involve civil society in federal-provincial relationships. Moreover, the current federal government is ideologically opposed to expanding social policy and working with the provinces. Unless the Council of the Federation chooses to play a much more active role – perhaps using the OMC as one of its approaches – progress will be limited for the time being. Frederic Lalonde, Director General of the Organismes Communautaires pour le Développement de la Main-D'œuvre said that in his experience as a practitioner, the lack of interprovincial data is a significant limitation for guiding policies related to training and skills development in Canada. Information sharing would promote healthy competition between the provinces and put an impetus on developing policy to help vulnerable populations entering the job market. In his view, mechanisms based on the OMC would be useful and would allow the provinces to maintain control of their education/training policy, while providing an opportunity to learn from one another.

In the plenary, it was argued by some that the OMC had been romanticized, that although it had produced plenty of rhetoric, it has led to very little action. Others went further to say that it has given the European Commission a space to influence policy areas that are outside of its competences. Moreover, the OMC does not provide a meaningful space for civil society to participate in policy making, that the civil society organizations that do contribute are strategically selected by the commission to support its political agenda. Some participants pushed back against these criticisms, arguing that although the OMC did not live up to the lofty expectations, it is a useful tool for policy learning/information sharing and that it poses valuable lessons for Canadian policy makers and researchers. The OMC could provide a template which would allow the provinces and the federal government to communicate, share information, and learn from one another, all the while preserving their respective sovereign powers.