

Opening up Canadian Federalism the European Way
Coordination of Social Policy and Policy Learning
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**Workshop Report by Isaac Alexander Gray and Hadrian Mertins-Kirkwood,
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This workshop engaged with Canadian and European Union (EU) policy experts in order to 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 Canada

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 OMCs 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).

Julie Simmons, Assistant Professor at the University of Guelph, discussed the history of provincial-federal cooperation in the field of social policy. She pointed out that until 2006 the provinces and the federal government had several agreements on how to implement social policy, where the federal government would provide transfer payments and the provinces would write reports to their citizens, summarizing how the funding was utilized. While the reports were helpful, effective policy learning was obstructed by the absence of useful indicators and targets. Policy learning was hindered further by the lack of transparency and an institutionalized form of communication between the provinces. Simmons believes that Canada could learn from the way

the EU has entrenched policy learning, developed common indicators/targets, and included civil society engagement into the OMC. She also pointed out that the provinces are suspicious of the hierarchical attitude of the federal government, and that they could communicate and coordinate more effectively if the federal government was not at the table.

Axel van den Berg, Professor at McGill University argued that the adversarial nature of federal-provincial politics in Canada is, in fact, desirable. He argued that welfare policies in Canada have developed at times when the federal government needed electoral support and to increase their popularity would give in to provincial demands. He also pointed out that social policy is tied to national identity and much of Quebec's social policy was developed to distinguish itself from the rest of Canada. He was also critical of the OMC, saying that since the 1990s, European scholars have become increasingly disappointed in the OMC process, complaining that it produces a lot of rhetoric with very little action. He did agree however, that the decentralized nature of Canadian federalism makes it a logical comparator to the EU. He also differentiated between the two governing structures, referring to Canada as an *inter-state federal* structure, where there are at least two levels of sovereignty. In contrast, the EU is an example of *intra-state federalism*, where the EU is the product of its Member States and gains its legitimacy through their sovereignty.

The discussants also contributed interesting insight. Fred Phelps, Executive Director of the Canadian Association of Social Workers noted the importance of federal involvement in social policy, as they have the deepest capacity and resources of the 14 governments around the table. His organization is working to develop mechanisms for more provincial accountability for the currently unconditional Canada Social Transfer. In that regard, the OMC is of key interest as a potential mechanism. He noted however that the current federal government is completely unwilling to compromise and is even hostile towards civil society. In his view the provinces do not want to have an institutionalized form of reporting and policy learning because it would increase oversight and remove flexibility in how they use their resources. Mr. Phelps also pointed out that there are four levels of government in Canada, the federal, provincial and municipal levels in addition to 253 First Nations governments that function in relation to the Canadian State. In his view the Federation of Canadian Municipalities will be driving the agenda in social policy matters in the future.

In the plenary, there was a lively and productive debate that covered several topics. One of the conclusions of the debate was that there is a need for more information sharing in Canada, and that while both the federal and provincial governments have been resistant to producing such information; they have done so in the past when it has been necessary to do so. However there have been very few instances when the information provided practical opportunities for policy learning. It was also noted that while politicians have been meeting with their counterparts less frequently, senior bureaucrats communicate with one another fairly frequently. However, with the notable exception of healthcare, Canadian civil society has been left out of most policy-making circles. Moreover, the civil society representatives that do come to the table are usually experts and ordinary citizens are still excluded. There was also a lot of discussion of whether the adversarial relationship of the provinces and the federal government was beneficial or harmful for the federation. Likewise, some wondered if giving the European Commission an influential role in European social policy was appropriate.