

2001 Abstracts / Résumés des exposés 2001

Bateman , Thomas M.J. - The Charter/Federalism Debate Raised to a New Level: Charter Values Versus Federalism as Multi-level Governance

Political scientists in Canada are by now deeply familiar with the complex relationship between two pillars of the Canadian Constitution: the federal-provincial division of powers and the Canadian Charter of Rights and Freedoms. Scholars such as Alan C. Cairns, Guy LaForest, Rainer Knopff, and F.L. Morton have established the manifold ways in which the political and legal logic of the Charter conflicts with that of federalism. Those suspicious of federalism applaud the Charter's universal principles and applaud their rigorous enforcement by the Supreme Court of Canada. Advocates of the federal principles for their part oppose the imposition of homogeneous and homogenizing Charter values on all citizens of Canada. An acceptable balance has been hard to strike.

Many of the insights stemming from this debate have stood the test of time. But events now complicate the picture. Federalism is no longer a purely domestic, two-order constitutional mechanism. Consider, for example, developments in the literature on aboriginal peoples and the Canadian state, and the development of the idea of "treaty-federalism." Consider also how federalism is coming to take on an international, multilevel character, evidenced by claims that wide-ranging international agreements are tantamount to new orders of government binding their signatories. The European Union, NAFTA, and other comprehensive international arrangements begin to blur the distinction between domestic and international politics.

Richard Simeon, addressing these developments has coined a phrase - federalism as multi-level governance - to capture emerging federal realities. Federalism is being lifted from its domestic setting and is acquiring international dimension. Federalism is no longer merely a domestic, two-order proposition. The question for my paper is the relevance, if any, the older Charter-federalism debate has for understanding multi-level federalism. I suggest that it does. The courts have by now rendered decisions in dozens of cases involving the application of Charter standards to personnel and events beyond Canada's borders. Most of these cases involve proceeding pursuant to extradition arrangements between Canada and other countries. Some cases involve Canadian criminal investigations abroad. These cases raise complex questions of whether and to what degree Charter standards should apply extra-territorially. Should 'universal' Charter principles govern the exercise of ministerial discretion in respect to extradition, or should those standards be relaxed in deference to the reality that different governments have different standards of due process? In other words, what sort of balance have the courts struck between these competing principles? What sorts of balance should they strike?

A persuasive case can be made that the same Charter/federalism conflicts plaguing the courts on the domestic front present themselves on the multi-level front. Internecine divisions among members of high court panels in these extra-territorial cases recall

longstanding domestic debates about the degree to which charter values should apply uniformly and stringently across Canada regardless of the principle of diversity which federalism embodies. This paper will review the Charter/federalism literature and then survey the Charter case law on extra-territorial Charter application. From the latter it will become apparent that the Charter/federalism debate can be raised to a new level of complexity and sophistication.

Boswell , Peter G. - Recent Municipal Legislative Reform in Newfoundland

This paper will present an overview of the new Municipalities Act which came into force on January 1, 2000. It will compare various provisions of the new Act with those found in the previous 1979 Act and will assess the strengths and weakness of the new legislation. The paper will also examine the process which led to the new Act being introduced and the early outcomes of the Act's implementation.

Boychuk , Gerard W. - Social Policy Differences in Canada and the United States: The Centrality of Race in US Social Policy Development

Contemporary differences between Canadian and American social policy in areas such as health care, income maintenance and post-secondary education are often explained by reference to differences in political culture or, alternatively, with reference to the institutional differences between the two. This paper argues that historical patterns of development of policies in these three areas are considerably more complex than often portrayed. Neither political cultural or institutional differences adequately explain the complex historical trajectories of policies in these three areas. The paper suggests that an often missing but crucial element in understanding differences between the two countries is the racial cleavage and its effects on the historical development of social policy in the US. Explanations of policy which take into account the dynamics of the racial cleavage provide nuanced explanations of complex patterns of evolving similarities and differences in all three policy fields that cannot be adequately explained simply by reference to political cultural or institutional differences.

Brown , Stephen - On the Endurance of Authoritarian Leaders in Multiparty Democracies. Or, How Does Daniel arap Moi Manage to Stay in Power?"

In spite of the political liberalization that characterized most authoritarian regimes in Africa in the 1990s, a significant number of the former dictators continue to rule their countries. Presidents such Daniel arap Moi of Kenya, Gnassingbe Eyadéma of Togo, Jerry Rawlings of Ghana and Paul Biya of Cameroon and their dominant parties have survived electoral competition and remain in power today. How does one explain this? Few would argue that these leaders are widely popular (except perhaps in the case of Rawlings). More plausible explanations usually cite weaknesses within the newly legalized opposition and/or elections that fall short of international standards of free and fair.

This paper examines these two standard explanations of Moi's and his party's (KANU) re-election in 1992 and 1997, despite widespread opposition to their rule: that the

government used grossly unfair campaign and electoral practices and that the opposition was unable to unite. Both are demonstrated to be only partly satisfactory. I then present an under-examined third component: the international dimension.

The role of donors in Kenya's transition process is almost uniformly presented as a positive one. After all, donor conditionality forced Moi to allow multipartyism in 1991. Donors also provided encouragement for opposition parties and pressed the government to continue to liberalize the political system and respect human rights. Upon closer examination, however, donors played a second, less publicized role. After political liberalization began, donors actually discouraged measures that could have led to a full transition and more comprehensive democratization. This was done by knowingly endorsing unfair elections (including suppressing evidence of their illegitimacy) and subverting domestic efforts to secure comprehensive reforms. Donors proved particularly risk-averse; in the face of anti-regime popular mobilization, their primary concern appeared to be the avoidance of any path that could lead to a breakdown of the political and economic order—for which reason they will probably not take any strong measures to promote further democratization in the future.

This paper is based on material from five months' fieldwork in Kenya, carried out in 1998 as part of research for my Ph.D. dissertation. It uses as key evidence interviews with central players and internal donor documents. It points to a large gap in the democratization literature, which not only tends to overlook the active role of donors in the transition process, at least in Africa, but also ignores the fact that this intervention can have anti-democratic effects.

Brown-John, Lloyd - Municipal Governance and the Cost of Delivering Local Government Services: An Assessment

A comparative examination of service delivery costs in seven amalgamated municipalities in Ontario with the question, do larger municipalities deliver services more cost-effectively?

Brunet-Jailly, Emmanuel –

Cross-border relations have been subject to analysis by international relations specialists and political scientists focusing on the role of states and international organizations for decades. The literature on cross-border relations suggests that cross-border relations may take place because of free trade, because they are in the interest of international organizations, or in the interest of the central state, or because regional governments and/or cities take cross-border initiatives. Some authors also suggest that such relations result from local sociological, economic or cultural elements and geographical proximity. This paper focuses on metropolitan regions, using qualitative analysis of data and information collected through 250 interviews.

The European Union and the North American Free Trade Agreement differ in their institutional structures and opportunities. The metropolitan cross-border regions of Lille (Nord-Pas de Calais, Flemish and Walloon), Barcelona (Franco-Spanish border region), and Enschede/Gronau (Dutch/German border region) are compared with those of Detroit (Ontario-Michigan), Niagara (Ontario-New York), Vancouver (British

Columbia/Washington) and San Diego/ Tijuana (California/Mexico).

This paper shows that local governments are empowered by the European Union regime, while, on the contrary, free trade and local political culture play a central role under the North American Free Trade Agreement. In North America, the scope and policy capacity of central states is reduced by market pressure, without strengthening local authorities, thus leading to competition and fragmentation in principle; in Europe, the intermeshing of all levels of government weakens central state control, and enhances the power of local government and leads to co-operation and the formation of international regional institutions. Economic Integration leads to a transformation of the forms and functions of local governments. Asymmetrical forms of government supersede symmetrical forms. This in turn raises the question of the practical and normative implication of asymmetry, but also questions our capacity to conceptualize these changes.

Burke, Mike - Negotiating Liberal Democracy in Ireland

The thesis of this paper is that the Irish peace process needs to be understood not as an attempt to effect a fair and reasonable compromise between the contending forces of unionism and nationalism, but as an attempt to regulate republicanism. Regulating republicanism involves, first and foremost, silencing the guns of the Irish Republican Army. But it also, and centrally, involves inducing Sinn Fein to accept the limits of liberal democratic social reform, to dilute the radical elements of its political and social programme, to recognize the unionist veto over constitutional change, and to embrace the slightest variation of the constitutional status quo in the north of Ireland. The peace process has largely succeeded in realizing these regulatory objectives.

The Belfast Agreement is, in an important sense, an achievement of republicans. But it is not a republican achievement. The Agreement was made possible by the collapse of fundamental republican positions on the questions of national self-determination, Irish unity, and social transformation. Most analysts have missed either the severity of the republican collapse, and consequently the highly asymmetrical nature of the Belfast Agreement, or the reasons for that collapse. And in missing these elements, they have misunderstood the roles played by both the British state and Sinn Fein in the dynamics of the peace process.

This paper addresses two major questions. The first is: why is liberal democracy on the negotiating table at the peace talks, to be traded back and forth by participants?

Answering this question reveals the sectarian nature of the northern state that Britain has underwritten since 1921 and suggests how reluctantly Britain has come to accept a kind of liberal democracy as a solution to the northern conflict. But it also reveals Britain's regulatory, and manifestly partisan, role in buttressing unionism and containing republicanism. At virtually every decisive step in the peace process, the British state intervened either to marginalize republican demands or shape those demands in ways consistent with liberal democratic initiatives whose form and content would be decided by Britain.

The second question is: why does Sinn Fein now accept the limits of liberal democratic reform within the boundaries of a northern state? Answering this question shows that the party's change in direction during the peace process was incremental rather than strategic. Sinn Fein did not, as some observers suggest, consciously decide in the mid-

1980s to take a different strategic direction in the full knowledge that this “new departure” might fatally compromise essential republican tenets. Rather, in the pressure of peace discussions, the party made a series of small, hesitant, and contradictory changes that eventually culminated in collapse.

This movement towards collapse remained largely hidden, for two reasons. The very slowness, gradualness and incrementalism of the movement obscured the final destination. And the party leadership made serious errors in political analysis that had the effect of misrepresenting the nature of the changes the party was making. In particular, the Sinn Fein leadership mistook demographic change for political change and misunderstood the institutional implications of the Belfast Agreement. As a result, the party leadership signed a peace accord that represents a real obstacle to realizing the dual republican objectives of Irish reunification and profound social change.

Cameron, John D. - Peasant Organizations and Municipal Governments in the Rural Andes: A Political Opportunity for Democratization and Development?

Advocates of municipal decentralization argue that transferring decision-making power to levels of government that are >closer to the people= will strengthen democracy, administrative efficiency and opportunities for development. However, in countries such as Ecuador, there is considerable tension between the proposed benefits of decentralization on the one hand, and on the other hand, patterns of highly unequal socio-economic power relations, a political culture characterized by clientelism, corruption, populism and instability and processes of neoliberal economic restructuring.

Despite what often appear to be unpropitious political contexts, local level peasant and indigenous organizations in Ecuador and other Latin American countries have begun to display a growing interest in municipal politics. Moreover, a small but increasing number of rural municipalities have recently attempted to introduce processes of participatory decision-making. The two key questions which this paper asks are: What are the structural and conjunctural conditions underlying the cases of successful participatory rural municipal government? Do the conditions exist for these successful experiences and the theoretical benefits of decentralization to be replicated on a broad scale?

Local governments have been largely ignored in analyses of democratization and development in Latin America. A small number of studies have sought to explain efforts by local governments to promote processes of participation by analyzing the institutional design of participatory mechanisms and the particular political and administrative strategies pursued by municipal authorities. While not denying the importance of strategy and institutional design, this paper also seeks to identify broader structural conditions, such as patterns of asset and power distribution, based in particular on land ownership, that might condition efforts by peasant organizations to expand their influence in and to reshape municipal politics and institutions.

Drawing on original field research conducted in 1999, the paper examines three rural municipal governments in Ecuador which have been widely recognized for promoting local participation in governance structures, accountability and transparency in decision-making. An analysis of the three cases, in comparison with cases from other Latin American countries, suggests that the primary conditions underlying the relative success of these municipal governments are: 1) a relatively equitable distribution of agricultural

land in the municipality, 2) active peasant organizations with relatively long histories of protest action *and* experience in directing development projects, and 3) high levels of external technical and financial assistance from non-governmental organizations. The combination of these three factors, which are not present in most municipalities in the rural Andes, makes it unlikely that these cases of broad-based participation in municipal government will be widely replicated. Analysis of the cases does, however, point to possible changes in development policy that might lead decentralization to have a greater impact on local democratization and development

The paper presents key arguments from the author's dissertation research on municipal decentralization in Ecuador and Bolivia, conducted during 1999. Feedback on this paper will give the author a valuable opportunity to revise research questions planned for a second research trip to Ecuador and Bolivia in 2001.

Charron, Daniel - Régimes internationaux, risque et indépendantisme libre-échangiste au Québec et en Écosse/ International regimes, risk, and free-trade nationalism in Quebec and in Scotland

L'intégration des espaces économiques en Amérique du Nord et en Europe réduit-elle le risque d'une éventuelle indépendance du Québec et de l'Écosse ?

Parce qu'ils constituent des régimes internationaux, l'ALENA et l'UE réduisent le risque d'une éventuelle indépendance du Québec et de l'Écosse.

Un régime international représente un ensemble de principes (explicites ou implicites), de normes, de règles et de procédures de prises de décision autour desquels convergent les anticipations des acteurs. Le risque est fonction des anticipations. C'est en fixant les paramètres économiques dans lesquels évoluent le Québec et l'Écosse que l'ALENA et l'UE forgent les anticipations des acteurs économiques et ainsi atténuent le risque d'une éventuelle indépendance du Québec et de l'Écosse. Bref, montrer que l'ALENA et l'UE constituent des régimes internationaux, qu'ils répondent à la définition énoncée ci-dessus, équivaut à dire que ceux-ci réduisent le risque car ils forgent les anticipations des acteurs économiques.

Does the integration of the economic spaces in Europe and North America reduce the risk posed by the eventual independence of Scotland and Quebec?

Because they constitute international regimes, the EU and NAFTA reduce the risk posed by the eventual independence of Scotland and Quebec.

An international regime constitutes a set of principles (explicit or implicit), norms, rules and decision-making procedures from which converge the expectations of the actors involved. Risk is a function of these expectations. It is by determining the economic parameters within which Scotland and Quebec are evolving that the EU and NAFTA forge the expectations of the economic actors and thus reduce the risk posed by the eventual independence of Scotland and Quebec. In short, to show that NAFTA and EU constitute international regimes, that it constitute a set of principles (explicit or implicit), norms, rules and decision-making procedures, means that it reduce the risk because it forges the expectations of economic actors.

Chiasson, Christine - Risk rhetoric in biotechnology regulating processes. The case of France and Canada

The market introduction of biotechnology products and processes has posed new challenges for governments of industrialized countries. In adjusting regulatory structures, both France and Canada were constrained to take into consideration an increasingly worried mass public. To regain the confidence of the population, both these countries, in their own way, had to adapt their regulatory processes to be more inclusive of views in civil society. This paper will examine and compare the rhetoric surrounding these changes in both these countries. In this analysis, special attention will be given to risk interpretation as a rhetorical tool. It is hypothesized that the discourse about risk was central to these political developments. In cases when wide public acceptance and support are needed, as in agricultural applications of biotechnology, risk rhetoric is at the centre of a political battle for the control of the meaning and collective representation of technological changes. In this paper, it will be argued that a good part of the challenges facing the states was to control the discourse about risks related to biotechnology. Although the means to control this discourse differ, both countries show similarities in the way they seek to reintroduce rationality (or a certain rationality) into a discourse they perceive as being more and more dominated by irrational fear and anxiety. This analysis will be based on a systematic reading of key policy documents of the respective governments and of positions taken by interested non-governmental organizations in civil society.

Coleman, William D. and Gabler, Melissa J. (McMaster) - The Evolution of Policy Ideas in Agricultural Biotechnology: A Comparative Study

This paper will investigate the evolution of policy ideas in the area of agricultural biotechnology. Our previous research at the international level suggests that policy ideas likely vary depending on positions relating to four core normative concerns: securing a supply of food for the world's population, liberalizing world trade, protecting intellectual property, and conserving and sustaining biodiversity. Working with these normative concerns as our starting point, we propose to trace the evolution of policy ideas on agricultural biotechnology at the nation-state level from the early 1980s to the present. We wish to investigate whether the configuration of ideas has changed over time and whether these changes vary across states. Having outlined the patterns of change, we will assess their implications for possible future international governance of this technology. We will conduct our comparison by focusing on Canada or the United States on the one side and Germany on the other. The United States is the world leader in hectares sown in genetically modified seed, while Canada ranks third in the world. In contrast, despite a strong biotechnology sector, Germany, like most European countries, has been highly cautious in its approach to this technology. The comparative analysis of policy ideas will be carried out using content analysis of core policy documents as they have emerged over time in the two settings.

Côté, Louis - Pour une analyse comparée des modèles nationaux de gouvernance

Au cours des dernières années, la notion de gouvernance a été de plus en plus utilisée, mais selon des acceptions variées et dans des contextes idéologiques parfois relativement

marqués. Sans nier l'intérêt des études qui se penchent sur la gouvernance des entreprises non plus que les homologues potentielles qui peuvent se retrouver dans une même société entre la façon de gouverner les entreprises et la façon de gouverner la société dans son ensemble, la recherche portant sur la gouvernance exercée par l'État est non seulement légitime, mais nécessaire (Peters et Savoie 1995). Ce besoin est d'autant plus important à l'heure où la remise en cause de l'État-providence et de la recherche d'un nouveau positionnement de l'État à l'Ouest ainsi que du passage à la démocratie et à l'économie de marché au Sud et à l'Est se poursuivent alors qu'un seul modèle de gouvernance, le modèle anglo-saxon, semble s'imposer.

À l'encontre de cette vision du « *one best way* » et d'une utilisation du concept de gouvernance qui cherche, en amont, à contester ou à affirmer l'importance du rôle de l'État, il y a place pour une recherche comparative sur la gouvernance. À la suite de Lagroye (1991), nous sommes donc à nous interroger sur l'influence de la modernisation sur les paramètres étatiques et systémiques de la gouvernance. Le panel aura pour objectif la discussion de la problématique et de la méthode d'une telle recherche qui vise à étudier les différents modèles de gouvernance, depuis leurs caractéristiques jusqu'à leurs impacts, en passant par leurs sources, leurs conditions de fonctionnement et leurs évolutions potentielles. Cinq professeurs de l'ÉNAP, membres du Collectif de recherche sur la gouvernance (CRG), participeront au panel.

Un premier intervenant, Louis Côté, présentera les principaux linéaments de l'approche – une approche centrée sur l'action de l'État, comparative, holistique et du temps long – et de la perspective d'étude – définition des idéaux-types (Weber 1965) de gouvernance avant et pour mieux procéder à l'analyse de modèles nationaux – retenues par le CRG. Cette intervention sera suivie de cinq présentations, chacune portant sur une application spécifique de la gouvernance qui pourrait en soi constituer l'un des ces idéaux-types, construits à partir de l'étude de pays qui présentent des profils contrastés. D'abord, Louis Côté et Luc Bernier présenteront les idéaux-types qui se dégagent à partir de l'expérience de deux pays européens, soit la France et la Suède, où le concept d'État (Dyson 1980) a traditionnellement occupé une place centrale dans la gouvernance. À travers l'étude du Royaume-Uni et des États-Unis, Éric Montpetit et Nelson Michaud discuteront ensuite de modèles de gouvernances où l'idée d'État est davantage axée vers des considérations ayant trait au fonctionnement de la mécanique institutionnelle et où l'apport civique est plus marqué (Almond et Verba 1989). Enfin, Christian Rouillard, grâce à une analyse de la situation nipponne, identifiera les distinctions nécessaires entre ces idéaux-types de gouvernance et ceux qui prévalent en Asie.

Deschênes, Dany - Les perspectives théoriques de la démocratisation à l'épreuve: le cas des pays post-communistes.

Depuis la fin de la Seconde Guerre mondiale, les processus de démocratisation ont fait l'objet d'une attention particulière de la part des spécialistes des sciences sociales et humaines et plus particulièrement chez les politistes. À cet égard, la science politique a développé des outils théoriques pour appréhender le passage d'un régime non démocratique à un régime démocratique. Plus précisément, deux approches ont véritablement structuré cet objet pour la science politique. La première approche articulée est celle des conditions préalables à la démocratie (Sorensen, 1993; Dahl, 1998;

Siarrof,1999), c'est-à-dire qu'il faut la présence d'éléments particuliers, particulièrement le niveau de développement économique, pour l'éclosion d'une démocratie viable (Lipset, 1959). Cependant, la recherche des éléments préalables à l'établissement de la démocratie a soulevé plusieurs critiques importantes, dont celles de Rutsow (1970). Toutefois, c'est véritablement à partir du cas espagnol qu'une approche alternative s'est structurée autour de l'idée de la transition démocratique (Bazzana,1999). Celle-ci s'est davantage intéressée aux rôles des acteurs politiques plutôt qu'aux conditions structurelles favorables à la démocratie (O'Donnell et Schmitter, 1986). Ainsi, il n'est pas surprenant que lors de l'effondrement du Bloc de l'Est, la plupart des études portant sur les processus de démocratisation ont été réalisées à partir de l'approche en terme de transition démocratique (Parrot,1997; De Waele,1998; Bazzana,1999). Toutefois, cette approche, souvent identifiée par le néologisme de *transitologie*, a fait l'objet de critiques acerbes qui ont remis en question le bien fondé de celle-ci, ainsi que son utilité pour comprendre les processus transitionnels débutés depuis 1989 (Bunce,1995; Santiso,1996; P.Michel,1997; De Waele,1998; Bazzana,1999). Dans cette perspective, cette communication vise à faire un effort de synthèse des différentes critiques faites à la *transitologie* et de proposer une inflexion à cette approche pour combiner de nouveaux éléments qu'elle a rejetés a priori. Plus précisément, je proposerai de faire une brève présentation de l'approche des conditions préalables à la démocratie, nommément: le niveau de développement économique; la présence d'une culture politique favorable à la démocratie; la structure sociale de la société et la question les facteurs internationaux. En second lieu, je m'attarderai à l'approche en terme de transition et à son modèle d'explication développé par Rustow (1970) et affiné par O'Donnell et Schmitter (1986). Par la suite, je présenterai les principales critiques adressées à la *transitologie*. Enfin, je proposerai un modèle amendé de l'approche en terme de transition, permettant de répondre aux principales critiques dont a fait l'objet cette approche et qui reprend certains éléments de l'approche des conditions préalables.

Ejobowah, John Boye - Constitutionalism and Political Stability in Nigeria

Within the last three decades of the 20th century, Nigeria has produced three constitutions. Each of them, in various degrees, recognized and institutionalized ethnic differences, which have been exacerbated under intermittent military rule. The most path breaking was the "federal character" constitution of 1979 that had several levers for engineering political inclusion and stability. Such was the innovation that the constitution received praises around the world and was later to be used by Donald Horowitz to develop a theory of political accommodation for multiethnic societies. Despite the energies and skills that were invested in producing it, the constitution did not achieve its intended purpose and did not endure. Attempts under military rule in the 1980s and 1990s at identifying and correcting the weaknesses of the federal character constitution were not well intentioned and yielded nothing substantive.

As Nigeria begins the 21st century with democratic governance and a commitment to remaining as one country, this is the time to ponder the constitutional levers that can be used to accommodate its multiple groups equally and to engineer harmony among them. What this paper attempts to do is identify the failures of the 1979 constitutional strategy and to prescribe solutions that also take account of contemporary claims to equality. The

central argument is that there is a structural power imbalance among the diverse groups in the country that cannot be addressed by conventional liberal democratic principles and practices, and that the secularism crisis that threatens stability might not be fully resolved until the power problem is constitutionally addressed.

Enhaili, Aziz et Adda, Oumelkheir - État et islamistes au Maghreb

Depuis la «révolution islamique» en Iran, la scène politique du Maghreb a connu l'apparition au grand jour ou le renforcement de la position politique des islamistes, un acteur jusque-là marginal. Comment chacun des États du Maghreb a réagi à ce nouveau défi à la fois politique, social et idéologique? Et quel est le facteur explicatif de la différence de cette action et de l'ampleur de la réaction de l'autre partie?

Notre hypothèse est la suivante: vu le contexte historique singulier à chacun des États concernés et son degré de profondeur historique d'une part, et le niveau de développement de la société civile dans chacun de ces pays, chaque État a géré le phénomène à sa façon et chaque mouvement y a réagi différemment.

Fernando, Shanti - Political Participation from the Margins in Canada and the United States: Barriers and Avenues

North American society is rapidly changing in terms of ethnic makeup. There is an increasing number of minority groups many of whom are non-white. These changes make the position of these minority groups in North American society of increasing importance. One indicator of their position in the structure of Canadian and American society is the extent to which minorities participate politically. The political participation of members of a minority represents part of a long-term structural adjustment of society to their presence and would seem to me to represent one of the last barriers to integration and acceptance into Canadian and American society.

The Canadian and American literature on political participation has traditionally started from the premise that all citizens had the same basic opportunity to participate. The literature is starting to recognize the barriers experienced by various minority groups and acknowledge their unique experiences. This leads to an overall argument whose premise is that all groups are not able to participate in the same way. The question becomes: How does one participate from the margins?

In my paper I will argue that many minority groups must negotiate structural barriers in order to achieve participation. This negotiation is crucial given the alienation of various groups from the political process and the limits of multiculturalism. In this paper I look at the traditional political participation literature in the United States and Canada and contrast it with the current trend towards participation literature that acknowledges difference. I analyze this through the use of critical race theory and critical multiculturalism theory that concentrates on the unique position of minority groups in the structure of these two societies. This will help to illuminate different group strategies that acknowledge barriers but find avenues for their voices. It will also show the different ways in which this negotiation is achieved in the Canadian and American context. It is through an examination of these differences and similarities that one might be able to gauge the relative positions of minority groups in these two societies and help

to highlight their difficulties and possibilities.

This change in focus from the individual, albeit with the acknowledgement of attitudinal differences, to a research orientation that deals with the collective dimensions of the political and community processes is an important one. It gives rise to more in depth qualitative rather than solely relying upon quantitative analysis. It acknowledges structural barriers. It also acknowledges different forms of participation that in turn helps to access participation that might be invisible using traditional methods.

This strategy can be used as a starting point and theoretical framework through which to study political participation by different minority communities in Canada and the United States. These studies would look at the collective strategies undertaken by different minority groups. This is used as a basis for my study of the political participation of Chinese communities in Los Angeles and Toronto.

Field, Ann-Marie - Hate Crimes Legislation: Unraveling the Myth of a So-Called Progressive Response

There is an obvious convergence in the literature that discusses the issue of responding to hate crimes. Whether in government reports, in the literature produced by anti-racist and human rights organizations, community groups, or academics in various disciplines (criminology, sociology, law, or public policy), most seem to advance the claim that hate crimes legislation is a progressive response to the problem at hand. The convergence between the so-called progressive activists and conservatives in proposing crime control to solve the problem of hate crimes is striking.

My paper will take issue with the general assumption in the scholarship. One of the reasons that the appropriateness of hate crimes legislation has rarely been questioned is because the disciplines from which most of the scholarship emerges has not traditionally discussed the relationship between a given social problem, citizens and the role of the state in responding to that problem. Whereas most have focused on the narrower aspect of law enforcement, political science allows for a broader understanding of the social context in which hate crimes occur. This broader approach enables political scientists to question the appropriateness of crime control as an effective response to what is a deeply rooted social problem.

In the first section, I will present an overview of the scholarship and outline general assumptions. The second section will be used to challenge the appropriateness of hate crimes legislation as a tool to respond to the problem of hatred. It will demonstrate how the discipline of political science contributes to a more profound understanding of the problem of hate crimes. This paper will contribute to furthering the scholarship on this issue by unraveling some of the limitations of common assumptions made in the literature on this topic.

Gélineau, François - Economics and Politics in Newer Democracies: The Institutional Determinants of Economic Voting in Argentina and Brazil

The proposed paper will explore the broader comparative relevance of the literature on economic voting by moving outside of the North Atlantic basin to focus upon newer democracies with relatively less stable institutional settings. Drawing upon aggregate-

level data, the research will test hypotheses about economic voting in Argentina and Brazil at the national level of government. The central working hypothesis is that voters in those countries are sensitive to macroeconomic fluctuations and punish or reward governments accordingly, but that the propensity toward economic voting varies with institutional conditions.

Utilizing aggregated public opinion data, the paper will investigate the relationship between presidential popularity and macroeconomic performance on the basis of national time-series analysis. Presidential approval ratings will be collected on a quarterly basis for each country for the 1980-2000 period, together with quarterly measures of inflation, unemployment, and per capita GDP growth, as well as indicators to assess the impact of the effective number of political parties.

Drawing upon the same logic as V.O. Key (1949), the capacity of citizens to hold incumbents responsible for policy performance is expected to increase as the effective number of political parties approximates two and decline with limited competition or high levels of fractionalization. In well-balanced competitive party systems, citizens have a higher probability of deserting the incumbent party for its negative economic performance because there are other viable political options. In contexts of limited competition as well as in highly fractionalized party systems, however, the low level of democratic accountability works against economic voting. The hypothesis will be explored on the basis of a curvilinear statistical specification that draws upon the Laakso and Taagepera (1979) index measuring the effective number of political parties. It is expected that the impact of the macroeconomic variables on political support for incumbents will be least in relatively uncompetitive and highly fractionalized party systems at both the national and sub-national levels of governments.

The proposed paper is designed to enhance our understanding of economic voting by exploring the relationship between politics and economics in contexts characterized by higher political volatility. By exploring economic voting hypotheses in countries that have been undergoing significant political transformations over the past two decades, the research will probe the broader applicability of generalizing about economic voting across changing institutional conditions and in relatively more fragile democratic settings.

This research is part of my dissertation project. I am currently enrolled in the Ph.D. program of political science at the University of New Mexico (USA). My doctoral research explores economic voting in Latin America at the national and sub-national levels of government, using both aggregate and individual-level data. My central working hypothesis is that voters in Latin America are sensitive to macroeconomic fluctuations and punish or reward governmental leaders accordingly, but that the propensity toward economic voting varies with macroeconomic conditions and institutional settings.

Gibbon, Angus - Money Matters and Judicial Capacity

The paper examines the significance of judicial reluctance to consider claims made under the Canadian Charter of Rights and Freedoms for the satisfaction of an economic interest. Such claims appear with regularity under section 7, the right to life, liberty and security of the person, and section 15, the right of equality.

Judicial responses to such claims are not uniform, but a significant line of jurisprudence

has developed around the idea that courts are institutionally incapable of dealing with so called 'money matters'. In a variety of judgments from all levels of the judiciary, one finds striking passages explaining that courts are not capable of second-guessing the budgetary decisions of the elected branches of government. Judicial capacity appears to be foremost in the minds of these judges, and it is worth asking on what basis they make, and act on, this claim.

The paper begins with an examination of these judgments, highlighting the relevant passages and identifying the primary institutional concerns.

It then considers various explanations for the reluctance, on institutional grounds, to consider these claims. Of these, the paper argues that the most satisfying has to do with the fungible quality of money. Since money is not a value or interest in itself, but is instead a proxy for a variety of other values or interests toward which the money can be directed, it is difficult or impossible to balance a claim for money against a competing claim. Therefore, the capacity of the court to engage in adjudicative reasoning is thwarted when a claim for money is made under the Charter. Among other things, this means that courts cannot subject claims for the outlay of financial resources to the proportionality inquiry required by section 1.

This is significant in itself, in that it offers some evidence that judges are aware of the nature of their institutional capacity, and of its limitations. But the paper goes on to discuss possible responses to this concern. Among them are the suggestion that courts should refuse, as they have done in many cases, to recognize claims that section 7 and section 15 give a free-standing right to economic support. As well, it considers the suggestion, by Lamer CJ and others, that courts should recognize certain of such claims under the Charter but not the claims made by governments in their defence under section 1 that they cannot satisfy the right because they have no money to spend. If the problem is institutional in nature, neither of these responses is correct, so long as a means exists of giving 'weight' to claims made by governments and rights claimants, so as to render such claims amenable to an adjudicative inquiry. An attempt is made at the conclusion of the paper to sketch the outlines of such an adjudicative approach, drawing on a recent case from South Africa under similar provisions in the South African Bill of Rights.

The paper is generally consistent with my research, which builds on my degree in Law, into the nature of judicial policy reasoning under rights protecting instruments which contain an explicit justification clause.

Gow, J. Iain and Bourgault, Jacques - The difficult control of police activities and behaviour: the case of the Sûreté du Québec/ Le difficile contrôle des activités et comportements policiers: le cas de la Sûreté du Québec

In Canada, much attention has been devoted to problems of accountability of public servants, particularly with respect to elected officials. However, the responsibility of agents of the state for their actions begins within the organization. This is particularly true of police functions, that are at the heart of the irreducible role of the state. Recent events involving the Sûreté du Québec have shown that agents' and officers' responsibility for honest and competent professional conduct cannot be assumed, whether in the course of normal operations or in their role as ordinary citizens and union

members. Several recent inquiries have cast doubts about the possibility of effectively controlling the S.Q. New legislation in Quebec has created a temporary advisory body to make recommendations to the minister of Public Security. The lessons of recent inquiries, and particularly of the Poitras inquiry, suggest that without a change of organization culture within the SQ, such a council will have little effect on making the agents and officers of the SQ more responsible.

Au Canada, la recherche en administration publique s'est adressée souvent aux problèmes d'imputabilité des fonctionnaires, notamment vis-à-vis des élus. Cependant, la responsabilité des agents de l'Etat commence à l'intérieur de l'organisation. Ceci est encore plus vrai lorsqu'il s'agit de fonctions policières, au coeur même du rôle irréductible de l'Etat. Des événements récents, impliquant la Sûreté du Québec, indiquent qu'on ne peut pas présumer de la responsabilité des agents et des officiers pour une conduite professionnelle honnête et compétente, que ce soit pendant le service ou en tant que citoyens et syndiqués. Plusieurs enquêtes récentes ont semé des doutes quant à la possibilité de contrôler efficacement la SQ. Une nouvelle législation crée un conseil de surveillance des activités de la Sûreté, organisme consultatif temporaire qui fera des recommandations au ministre de la Sécurité publique. Les leçons qu'on peut tirer de plusieurs enquêtes récentes, notamment de l'enquête Poitras, indiquent que sans un changement de culture organisationnelle au sein de la SQ, un tel conseil aura peu d'effet dans la recherche de comportements plus responsables de la part de ses agents et officiers.

Guzina, Dejan - Liberalism and Politics of Ethnicity in the Context of Eastern European Societies

An increasing number of contemporary liberal and communitarian authors (Iris Marion Young, Yael Tamir, Will Kymlicka) have rejected the liberal myth of ethnocultural neutrality in the context of a multination state, because of the danger that it will implicitly justify the ways of a dominant group in a society against those of the minorities. The purpose of this essay is to evaluate current liberal-communitarian debate over the (im)possibility of liberal nationalism from the perspective of the Eastern European politics.

The paper will take issue with the idea that state neutrality could be a viable political option in the context of an ethnicized post-socialist, heterogeneous nation state. Instead, I follow one of the most important insights from the liberal-communitarian debate that (liberal) nationalism need not be inconsistent with respect for individual autonomy and cultural diversity. I argue for a more nuanced understanding of differences between the political recognition of ethnicity and the ethnicization of politics in the context of Eastern European societies. The former is based on acknowledging that ethnicity matters in an ethnically heterogeneous nation state and should be accommodated by providing minority groups with appropriate choices within a broader, ethnically diverse society. The latter, by contrast, reduces politics to a struggle between "us" and "them."

To put it differently, the extent to which a post-socialist society fails to recognize legitimate minority claims to their own language, information and cultural protection is to be understood as the extent to which such societies, despite their liberal rhetoric, are

remaining illiberal.

Hamilton, Paul - Tentative title: Small is Problematic: Democracy and Sub-regional Nationalism

Nationalism has been roundly criticized for its exclusionary and reactionary character. However, the civic variant of nationalism is, theoretically, capable of serving as a glue for collective action without recourse to atavistic bigotry. Moreover, civic nationalists hold that national independence is a prerequisite for the achievement of meaningful democracy. This is especially true of the discourse of the Scottish and Welsh nationalist parties. There is a strain of thought in democratic theory which suggests that smaller polities are more democratic than their larger counterparts. Such small polities are said to much more approximate the democratic ideals of the New England town hall meeting or the Athenian polis where participation is both encouraged and maximized. Smaller polities permits greater deliberative action by active citizens and encourage dialogue and compromise.

Another view, articulated by Eric Hobsbawm, among others, is that a world of mini-states will inevitably serve the interests of trans-national capital and that small states lack the resources to protect their populations from ruthless trans-national capital. The democratic gains obtained by a smaller polity are outweighed by the sovereignty reduction (and hence thwarted popular will) entailed by economic globalization.

My paper is an attempt to evaluate these two broad arguments in the context of European integration and economic globalization. By looking at several West European (and perhaps others) cases I hope to evaluate the merits of the arguments presented above. This paper contributes to ongoing debates about the future of nationalism, sovereignty, globalization and democratic theory. Methodologically, I am using the case study approach to illuminate a much larger and general problem regarding democracy and supranational political and economic phenomena. This paper is an extension of a chapter of my now-completed PhD dissertation on the civic nationalism of the Scottish National Party.

Harrison, Kathryn - Environmental Regulation of the Pulp and Paper Industry in a Global Economy

Recent debates about economic globalization have revealed conflicting views about the implications of free trade for environmental standards. Some fear that individual jurisdictions will engage in a “race to the bottom” by relaxing environmental standards to attract new investment and retain existing industries. Others anticipate a “race to the top” in the global marketplace as governments seek to impress environmentally concerned voters and firms to impress green consumers with more stringent environmental standards than their neighbours. Although scholars have developed formal models to explain these dynamics, there have been few detailed comparative case studies examining the influence of international forces on domestic environmental regulation in practice. This paper begins to fill that gap through detailed examination of the domestic and international determinants of environmental standards for the pulp and paper industry in five countries – Canada, the United States, Sweden, and Indonesia. The pulp and paper

industry provides a valuable lens through which to explore the implications of economic interdependence for environmental standards, both because it is an industry characterized by international trade, with production in both industrialized and developing countries, and because the US EPA's discovery of dioxins in the effluent from pulp mills prompted countries around the world to reconsider their standards for the industry simultaneously. This paper thus focuses on regulation of chlorinated substances discharges from the industry.

The theoretical framework of the paper situates domestic political ideas (including scientific knowledge), institutions, and interest group politics within a trans-national context, with particular attention to the international economic interests of the industry in each country and to the ways in which NGOs draw on international networks to buttress their positions domestically. Although evidence of the influence of both upward and downward pressures is evident, it is nonetheless striking that international standards have not converged at either the top or the bottom, as the unique political and economic context within each country has constrained the potential for intergovernmental competition.

Heinmiller, B.T. (Tim) and Stein, Michael B.

The Relationship between the Ideological Traditions of Federalism, Political Institutions of Federalism, and Federal Policy Processes: A Comparative Case Study of Water Management (Environmental) Policy in the 1990s

We would like to explore the complex relationship between the ideological traditions of federalism, the institutions of federalism, and the policy processes of federal or multilevel polities. We will attempt to do so by conducting a comparative case study of water management (environmental) policy in the 1990s in several polities that reflect broad differences in Anglo-American and Continental European federal traditions. The federal systems and multilevel polities which we have tentatively selected for comparative analysis are: Canada, the United States and Australia among Anglo-American federal systems, and Germany, Switzerland, Belgium and the European Union among Continental European federal/multilevel polities. We will investigate to what extent these two distinctive federal ideological traditions (Burgess and Gagnon 1993; Stein 1994; Burgess 2000) may have shaped the building of federal /multilevel institutions in these polities, and whether these institutions in turn have had clearly identifiable and significant impacts on the policy processes, outputs and outcomes of these polities. We can depict this hypothesized relationship in simple diagrammatic terms as follows:

federal ideological traditions----- institutions of
federalism----- policy processes, outputs and outcomes of
federal/multilevel polities

By "ideological traditions of federalism" we mean (following Burgess and Gagnon 1993:xvi) "consistent clusters of collective peculiarities and persistent patterns of human thought and behaviour [which require] close attention to historical interpretation, the development of philosophical thought in its broadest sense, and the adoption of social science approaches to investigation." The concept of "Anglo-American tradition of federalism" refers to the federal ideas of the American Constitutional Fathers and the authors of *The Federalist* of 1787-1788, which are based on Lockian notions of

individualism, liberalism and checking political tyranny by dividing sovereignty and political authority (Stein 1994, Burgess 2000:9). It focusses on intergovernmental and juridical aspects of federalism and a clearly differentiated and compartmentalized distribution of legislative powers.

The "Continental European tradition of federalism" is identified most closely with the federal ideas of the German Calvinist theologian and political philosopher Althusius (1603) and the French anarchist-socialist thinker Proudhon (1863). It refers to a belief in an organic structure of society organized into a coherent network of associations and the neo-Thomist principle of subsidiarity (Stein 1994:4-5). It emphasizes notions of communitarianism and sharing, an energetic and activist state, and the objective of preserving unity among different groups and communities by recognizing their ethnic-linguistic, cultural and social pluralism. It concentrates on the intra-state and societal aspects of federalism, such as corporatist and consociational policy structures and shared and overlapping jurisdictional and policy responsibilities.

It will not be possible to define the other two basic concepts in our hypothesis, due to space limitations, but their meaning and empirical referents should be obvious. We hypothesize that there is a similar pattern of institutions in each federal or multitiered polity operating within each distinct federal ideological tradition, which we hope to uncover by conducting systematic, empirically-oriented comparative research. To do so, we will draw on theoretical writings on federal ideological traditions and their impact on the institutions of federalism (e.g. Burgess and Gagnon 1993; Stein 1994; Burgess 2000). We will likewise examine the theoretical literature on the relationship between federal political institutions and federal policy processes, outputs and outcomes of the advanced industrial federal states (e.g. Pierson 1995; Leibfried and Pierson 1995; Scharpf 1988, 1994; Banting 1995; and Howlett 1999). In our case study we also plan to provide a general survey of environmental (especially water management) policy structures and outcomes of the federal polities we have tentatively selected for comparative analysis. We will concentrate particularly on the recent period of fiscal retrenchment in the 1990s. Methodologically, we will rely largely on available information from primary and secondary sources (documents, books, journal articles). The paper is designed to contribute to theory and research on comparative federalism and federal policy-making in advanced industrial systems.

Hennigar, Mathew - Federal Government Decisions to Appeal to the Supreme Court of Canada in Charter Cases, 1982-1999

Horowitz observes "[t]he increasing involvement of the judiciary in bureaucratic work affects the role of government lawyers. As litigation becomes more important, anticipating it and handling it also become more important tasks. The lawyer's overall role may become more significant." (1977: 2) [emphasis added] However, there has been relatively little attention paid to the greatly enhanced role of government lawyers in Canada since the adoption of the Charter and subsequent explosion of rights-based judicial review. Although some recent work casts much-needed light on the way government lawyers anticipate Charter litigation in the policy drafting process, there has been virtually no systematic empirical analysis of how they "handle" Charter litigation. The paper, which is part of a larger research project on Canadian government litigation,

will help fill this gap by investigating federal government decisions to appeal Charter-related losses in lower courts to the Supreme Court of Canada. The proposed paper has two goals. The first is to illuminate the Canadian government's appeal decision process, by comparing it to the U.S. government's process. Initial findings suggest the Canadian process is more decentralized than the American, particularly given the absence of any parallel to the U.S. Solicitor General. The second is to provide original empirical data on the frequency of Canadian government appeal decisions and actual appeals, both in aggregate and disaggregated by year and lower court/jurisdiction. The data will enable calculation of appeal application success rates, trends in government appeal decisions, and whether (and to what degree) the Canadian government parallels the role of the U.S. government as the Supreme Court's gatekeeper.

Johns, Carolyn, Inwood, Greg and O'Reilly, Patricia

Innovations in Intergovernmental Relations and the Administrative State: An Examination of New Arrangements and The Evolving Role of Intergovernmental Officials in Canada

The issues of coordination, duplication and integrated policy making and implementation are enduring challenges in public administration. However, "managing across levels of government" and building "vertical institutional capacity" have become important components of public sector reform with the objectives of improving policy outcomes and the performance of public sector organizations. These dimensions of policy implementation and public service delivery have become particularly important parts of broader public sector reform initiatives in federal countries. The 1990s have seen unprecedented efforts to improve intergovernmental cooperation in order to achieve greater effectiveness and efficiency in the increasing number of policy areas where governments share roles, responsibilities and resources. In Canada, there have been a number of institutional responses resulting from this reform agenda including an increase in the use of bilateral and multilateral intergovernmental agreements (Social Union Framework Agreement, Canada-Wide Accord on Environmental Harmonization) and restructuring of agencies with intergovernmental functions (Canada Customs and Revenue Agency). Although the implementation of these arrangements is unfolding at the administrative level, there has been limited research on the character of these new arrangements, the administrative and accountability implications of these arrangements and the changing role of intergovernmental officials in this evolving intergovernmental context.

This paper will argue that the analysis of intergovernmental innovations in Canada has overlooked the important administrative arrangements and role un-elected intergovernmental officials play in emerging intergovernmental approaches and reforms and that a conceptual distinction between federalism, intergovernmental relations and intergovernmental management is helpful in focusing the level of analysis and distinguishing the various types of actors (elected officials, intergovernmental generalists and IGR policy specialists) and roles in the intergovernmental arena.

Kelly, James - Framers' Intent and the Just Society: In Defense of an Activist Canadian High Court

The purpose of this paper is to challenge the assumption by right-wing Charter critics such as F. L. Morton, Rainer Knopff and Christopher Manfredi that Charter review by the Supreme Court of Canada has facilitated judicial supremacy. Much of the evidence presented by the Canadian interpretivists is through a comparative assessment of the Supreme Court of Canada's approach to two documents - the Canadian Bill of Rights and the Charter of Rights and Freedoms. Specifically, the Supreme Court of Canada approached the Bill of Rights in a deferential manner, whereas the Supreme Court of Canada has approached the Charter of Rights in a more activist way. For Canadian interpretivists, then, what has changed is the Supreme Court of Canada's approach to rights litigation. Implicit in this argument is that framers' intent has remained consistent between the Bill of Rights and the Charter of Rights. As the Court has departed from framers' intent, and thus, rejected its Bill of Rights approach, Canadian interpretivists contend that the Court has become an unaccountable political actor that threatens the functioning of constitutional supremacy in Canada.

This paper rejects such an analysis of Charter review by the Supreme Court of Canada, instead suggesting that judicial activism has been consistent with framers' intent. The central weakness with the right-wing position is the assumption that framers' intent has remained the same between the Bill of Rights and the Charter of Rights. This is problematic for two reasons. First, the framers of the Charter rejected the deferential approach of the Bill of Rights by deeming it necessary to entrench rights and freedoms to ensure greater protections. In essence, the framers of the Charter of Rights rejected the intention of the Bill of Rights, casting doubt on the right-wing assumption that judicial activism is an independent creation of the judiciary and lacks a theoretical link to the wider Charter project.

Secondly, the right-wing approach ignores important differences between the two documents that makes it difficult to accept that the only element of rights litigation that has changed is the Court's approach. Specifically, the Bill of Rights clearly contained the language of frozen rights, signaling to the judiciary that only those right that 'exists and continue to exist' would be protected by the Bill of Rights. In contrast, the Charter of Rights contains more expansive language and stronger protections for rights and freedoms, suggesting that judicial activism is sanctioned by the document and by the framers' of the Charter of Rights. Simply stated, right-wing critics defend a comparative approach to judicial review without first justifying whether the two documents are similar enough to realistically compare the Supreme Court of Canada's evolving approach to judicial review. As right-wing Charter critics never defend the decision to compare the Court's approach to a statutory document with deferential language and an ambiguous status, with an entrenched document where judicial activism is legitimized through section 52 of the Constitution Act, 1982, the conclusion that Charter review has facilitated judicial supremacy is suspect.

This paper will argue that judicial activism is consistent with democratic activism associated with the Charter project began by Pierre Elliot Trudeau and his attempt to create a Just Society. In effect, the Charter of Rights and Freedoms is the constitutional entrenchment of the Trudeau vision of a Just Society, and thus, judicial activism is not a departure from framers' intent but is consistent Trudeau's vision as framers' intent. Through such an approach, this paper will present a defense of judicial activism by the

Supreme Court of Canada in such areas as equality rights as being consistent with framer's intent. The methodology of this study will reconstruct the Charter's intention by reviewing the deliberations of the Joint Committee of the Senate and the House of Commons, and once having reconstructed framers' intent, an analysis of the judicial activism in Charter cases will demonstrate the relationship between Charter review and framers' intent. This will serve to question the conclusion by right-wing critics that judicial activism has advanced judicial supremacy in Canada.

Kite, Cynthia - Understanding support for and opposition to integration: Canada, Norway and Sweden in Comparative Perspective

While historical evidence and political rhetoric often suggest that international integration—the weaving together of states economically, socially and politically—is an inevitable process, the truth is that formal integration often comes about only after a political struggle between those who favor integration and those who oppose it. Thus, understanding the dynamics of integration requires an examination of these struggles. This paper examines aspects of three such cases: Canada's decision on the Canada-US free trade agreement in the 1980s and Norway and Sweden's decisions on EU membership in the 1990s. In particular the paper focuses on political parties' positions with regard to these integration projects as well as the arguments used to motivate these positions. Empirical material on party positions and arguments is drawn from an analysis of parliamentary debates in Canada, Norway and Sweden. An important question to be addressed is the degree to which supporters and opponents in the three countries had similar or different motivations for supporting/rejecting integration. A careful examination of similarities and differences can reveal whether or not position taking is best explained in terms of specific contextual factors in each of the three countries. A second question addressed in the paper is whether parties' positions on integration are best understood as expressions of their positions on the traditional left-right political dimension. In this case, it is not so much national contextual factors as general ideological outlook that predisposes parties to support or reject integration. Empirical material on party positions is drawn from data collected by the Manifesto Research Group chaired by Ian Budge is used to locate groups on the left-right dimension.

Klopp, Jacqueline M. - Land, Violence and Votes: Changing patronage Dynamics in Multiparty Kenya and Zimbabwe

Paradoxically, democratization of despotic regimes can lead to greater violence and repression at a local level. This paper explains the changing patronage dynamics that are unleashed by transitions to competitive multi-party politics in patrimonial regimes. By developing the concept of 'patronage inflation', it argues that these transitions increase the bargaining power of voters, provoking greater demand and hence pledges of patronage resources. This occurs just at a moment when, with democratization, supply tends to decline with the onset of new scrutiny from international and local actors. This gap in supply relative to pressures from below creates an impetus for dominant actors to turn to the local resources in the form of land and a deepening use of violence. This changing dynamic is illustrated through Kenyan and Zimbabwean case studies. The

theory of 'patronage inflation' helps correct for the lack of attention in the current literature to how formal institutional changes interact with the informal politics of patronage. Further, it corrects the assumption in much of the neo-patrimonial literature that changing patronage dynamics are a function of material crisis alone.

Kuye, J.O. - Public Service Reforms in the South African Public Service: The Case of Rewarding Senior Public Servants based on Enhanced Performance Management Contract

Across the South African Public Service, major re-orientation as to the way business in the service is conducted is continuously taking place. The major and practical quagmire is the re-orientation of a mind set from an apartheid structured bureaucracy to one which is driven by Excellence and Best Practices in a democratic state. Also, there are problems managing the effectiveness of Senior Members of the Public Service while at the same time, retaining well skilled individuals. This paper seeks to explore these issues with the provisions as seen from an emerging and fledging democracy"

Lemire, Marc - La participation politique dans le système de santé : le cas des orientations technologiques

Démocratie et technologie sont les deux notions étudiées dans cette communication où l'objectif est d'amorcer une réflexion autour de la problématique de la participation des citoyens aux grandes orientations technologiques dans le système de santé. La démocratie, notion ambiguë il faut en convenir, est envisagée sous l'une des modalités par lesquelles elle est à même de s'exprimer dans un gouvernement effectif : la participation politique des citoyens, ce qui désigne ici une manière d'organiser les relations de pouvoir de façon à favoriser la mobilisation politique des citoyens et leur association plus directe à la maîtrise des changements technologiques majeurs. La question centrale abordée à l'intérieur de cette communication constitue l'une des premières interrogations que nous soulevons dans une thèse de doctorat en cours de réalisation : pourquoi y a-t-il lieu de s'intéresser à l'importance que revêtent les mécanismes de participation politique à l'intérieur du présent virage technologique du milieu sociosanitaire, le virage vers les infirmeries et la télésanté?

Sur la base d'une analyse des caractéristiques génériques de ces technologies d'information et de communication (TIC), on observera d'abord en quoi celles-ci représentent un réel enjeu politique dans le secteur de la santé. Cet exercice conduira notamment à étudier le virage technologique en le positionnant au cœur des transformations engagées dans les services publics de santé sous le thème du virage ambulatoire. On discutera ensuite des pièges que représentent certaines conceptions, largement répandues en science politique, qui ne voient la technologie qu'à travers ses fonctions instrumentales et positives. À l'instar de certains philosophes, sociologues et politologues, la technologie est plutôt envisagée comme un objet polémique, socialement construit, qui révèle à travers les changements qu'il induit dans son environnement les intentions, les idéologies et les rapports de force de ses promoteurs avec les autres membres de la société. En s'inspirant d'une approche conceptuelle énoncée par les chercheurs T. Vedel et A. Vitalis dans laquelle sont reconnus les apports de deux

domaines d'études importants, soit l'étude des politiques publiques et la sociologie de l'innovation, on indiquera, enfin, comment il nous semble possible d'analyser, d'un point de vue sociopolitique, le virage vers les infirmeries et la télésanté qui fut initié au début des années 1990 par le ministère de la Santé et des Services sociaux du Québec.

Cette communication amène donc à resituer la question de la technologie dans une perspective que peu d'études contemporaines réalisées dans le domaine des politiques publiques, notamment en santé, choisissent d'adopter. Or, cette perspective critique nous semble plus à même d'apprécier l'ampleur des enjeux politiques que révèlent les TIC à travers la transformation des services publics et, de ce fait, l'importance de l'ouverture du débat sur les orientations politiques de ce type alors que les autorités gouvernementales québécoises reconnaissent, du moins formellement, le droit aux citoyens de participer à l'orientation du réseau socio-sanitaire.

Lum, Janet M. and Williams, A Paul, et al - From Medicare to Home and Community: Overtaking the Limits of Publicly-funded Health Care In Canada: Implications for Chinese and Caribbean Seniors

All Canadian provinces have been engaged in large-scale restructuring of their health care systems. In large part, health "reform" has involved shifting the locus of care from hospitals to home and community. This policy trend apparent across Canada and internationally clearly has important implications for health care "consumers" (i.e., patients and their families), providers, employers, governments (as payers, regulators, and guardians of the public interest), and the health care system as a whole. For example, there have been debates on a number of grounds including alleged increases in the cost-efficiency of service delivery, improved quality of care if services are given "closer to home" and increased responsiveness to "consumers." As well, there have been grave concerns that care delivered outside hospital walls might escape the established principles and policy frameworks which have governed Canada's publicly funded health care system, leading to the erosion of public coverage -- clandestine privatization or the "Americanization" of Canada's health system. Currently, the Canada Health Act requires provincial plans to cover "medically necessary" services provided by doctors and in hospitals. Services provided in home and community by providers other than physicians may be publicly covered, but there is no requirement to do so. As well as changing the site of care, the shift out of hospitals thus results in an increasing proportion of care moving beyond the "logic" of universal public coverage (access to services based on need) to private markets (access to services based on ability to pay). What are the implications of these changes in health care in light of Canada's increasingly diverse population? Canada's pattern of immigration (most immigrants come from Asia, Africa and Latin America), suggests that this demographic trend will continue.

This paper first elaborates the larger policy context of the shift in the site and logic of care from hospitals to home and communities. It then turns to a more specific analysis of the implications of this shift for a particular sector of the Canadian population, Chinese and Caribbean seniors. While changes in the site of care increase the challenge for most Canadians to access health services, that challenge is particularly compelling for Canadians with multiple jeopardies -- elderly, low income, racial minority, immigrant women. Within this vulnerable population, some, such as low income Chinese seniors,

are better positioned than others, such as low income Caribbean seniors, to access health services that are critical to their capacity for maintaining independent and healthy living. Drawing from a survey of approximately 500 Chinese seniors and 250 Caribbean seniors, in-depth interviews of Chinese and Caribbean seniors and key informant interviews of representatives of community service agencies, it will be argued that factors contributing to the emerging inequality among members of different minority communities depend on a range of "personal characteristics" (language facility, years in Canada, education), and, more importantly, a number of "community characteristics" (relative size and resource base of the respective communities, geographical concentration, community "institutional completeness"). The overall implication of the present direction of health restructuring is to increase inequality among populations in Canada, contrary to the rhetoric of universalism entrenched in the Canada Health Act. More recent, less well-established immigrant communities, in contrast to more established immigrant communities may have fewer resources to respond to the needs of their members as services shift to home and community, raising issues of affordability and accessibility among newer communities. Emerging hierarchies in access to a range of health care services are not issues when services remain in hospitals.

Macdonald, Douglas – Voluntary action or elite lobbying? The Canadian chemical industry and environmental policy

During the 1980s, the Canadian Chemical Producers' Association developed the Responsible Care program, a commitment to voluntary action beyond regulatory requirements which has since been replicated by the chemical industry on a global basis and which heralded the move to voluntary action in a number of other industrial sectors. The implicit promise was that the chemical industry had moved beyond closed-door, lobbying to influence policy and had now embraced self-regulation based in transparency and public access. This was used for the environmentalist-business New Directions program and a number of new policy initiatives in the 1990s. In 1999, however, the industry reverted to old-style, elite-access lobbying as it engaged in a massive effort to influence passage of the new Canadian Environmental Protection Act (CEPA). Why did this change in industry objective and strategy occur? The proposed paper will attempt to answer that question through an examination of the interest pursued by the chemical industry as it participated in the CEPA renewal process from 1995 to 1999. The argument will be made that the industry took pre-emptive, self-regulatory action in the 1980s in response to a diffused external threat from a relatively weak environmental movement. In the case of CEPA, however, the industry faced a very different external threat - a specific recommendation to incorporate toxic use reduction in law made by a Parliamentary Committee, which was more focussed, came from a more powerful policy actor and had the potential to impose much greater cost. The relationship between external threat and industry interest will be explored in relationship to other variables such as corporate culture, the over-all context of ideas and the various strategies used by business to influence environmental policy. Analysis will be done through an examination of relevant primary documents and interviews. It is hoped that the paper will contribute to theoretical understanding of the factors influencing the interests of policy actors, in particular the relationship between

self-interest and the desire to contribute to the larger collective good. My theoretical perspective is the assumption that policy actors in a given network pursue interest within the context of institutions and ideas. The proposed paper grows out of research I am doing into business as an environmental policy actor, which will eventually culminate in a book to be published by Broadview Press.

Macfarlane, Jonathan - Variations on a Theme: A Comparison of the U.S. Bill of Rights and the Canadian Charter of Rights and Freedoms on Due Process and Equal Protection.

The title of the paper I propose for presentation at the Annual General Meeting of the Canadian Political Science Association for 2000 is "Variations on a Theme: A Comparison of the U.S. Bill of Rights and the Canadian Charter of Rights and Freedoms on Due Process and Equal Protection." In it, I undertake a two-pronged comparison of the Charter with the Bill of Rights. I first compare the Charter's legal rights, found in section 7, with the American Constitution's "due process" clause, found both in the Fifth and Fourteenth Amendments. The second comparison concerns the Charter's section 15 equality rights, and the American Constitution's "equal protection" clause, found in the Fourteenth Amendment.

The Charter of Rights and Freedoms reads: "7. Everyone has the right to life, liberty, and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice." The Constitution of the United States, through the Fifth Amendment (applicable to the federal government or Congress) provides that "no person shall . . . be deprived of life, liberty, or property, without due process of law." One is left to wonder why the Canadian framers chose the wording of fundamental justice, rather than "due process of law." I argue that it was in an attempt to avoid the American debate over "substantive versus procedural" interpretations of due process that the authors of the Charter selected the wording "principles of fundamental justice."

Yet the selection of such an ambiguous phrase would seem to leave the Charter open to as much if not more debate than the American phrasing would. Why was the phrase "principles of fundamental justice" selected? I contend that the source of the phrasing is none other than two Supreme Court cases in which procedural interpretation of the due process clause was stressed over substantive interpretation, *Hurtado v. California* and *Palko v. Connecticut*. The use of the phrase in those cases would have led the drafters of the Charter to believe that the phrase "principles of fundamental justice" meant the same thing as the "procedural" interpretation of legal rights.

In section 15, the Canadian Charter again uses different language than the American Constitution's Fourteenth Amendment to avoid difficulties that have been perceived of the American approach to equality rights. There are four notable divergences undertaken for such a purpose. I argue that each divergence from the American text is undertaken for a specific reason, and relates to a specific American case or cases. The first divergence concerns the Charter's inclusive language of "equality" compared to the rather meager language of the Fourteenth Amendment. The second difference is in the Charter's explicit enumeration of grounds on which discrimination is prohibited. The third is the Charter's inclusion of constitutionality of "affirmative action" programs. The fourth divergence is in the Charter's use of the word "individual" whereas the Fourteenth Amendment uses the word "person."

The theoretical significance of the paper I propose lies in the clarification it can offer to the intention of some significant yet vague language used in important sections of Canada's Charter of Rights. The paper grows out of the author's research interests in Canadian politics, constitutional law and American politics.

Essentially, this paper combines some of the author's understanding of Canadian constitutional law with what he is currently researching on American constitutional law.

Magnusson, Warren - On the Right of Local Self-Government

The recent decision of the Supreme Court of Canada on the Alberta School Trustees case highlights a remarkable difference. In relation to Quebec and aboriginal peoples, the Supreme Court has been willing recently to reconsider the implications of nineteenth century doctrines of sovereignty. As a result, it has opened up new political possibilities. By contrast, the Court's treatment of issues of local autonomy is quite backward looking. It seems that as yet there has been no real advance among Canadian jurists on the crude ideological conceptions of the relation between local authorities and "sovereign" governments that were written into nineteenth century jurisprudence.

The purpose of this paper is exploratory. The premise is that the courts are not yet in a position to "find" a right of local self-government, because political theorists have so far failed to articulate such a right intelligibly. Indeed, the issue has scarcely been on the intellectual agenda. The recent "Charter" discussions in Toronto may be a sign of change; however, those discussions also are a sign of the relatively backward state of current thinking on the subject. We still tend to think in nineteenth or early twentieth century terms about this matter.

Using the contrasts between aboriginal and settler communities as a point of departure, I attempt to show that traditional ideas about municipal subordination are in tension with a different set of constitutional understandings, understandings that have been invoked recently to make sense of the ongoing autonomy of aboriginal peoples as a fact consistent with state sovereignty. Re-interpreted as a loose frame for thinking about political relationships, state sovereignty appears quite consistent with principles that affirm various rights. That people might have a right to local self-government in turn seems quite consistent with contemporary (and indeed more traditional) thinking. On the other hand, this right is as yet inchoate. The argument here is that it is a mistake to associate that right with municipalities and school boards. The issue, rather, is the form of *popular* right entailed by this principle, a principle that flows from the ideal of a "free and democratic society". Properly understood, such a right would entail significant claims upon both local authorities and senior governments. The question I seek to explore is how that popular right might be "cashed out" in the form of justiciable principles.

Molchanov, Mikhail A. - National Identity And Foreign Policy In Ukraine

Ukrainian foreign policy is that of oscillation. Sitting uneasily on the porch between East and West, official Kiev makes no commitment to either side. This may reflect a millennial divide between Christian Orthodoxy and Catholicism, a divide, which, as Samuel Huntington noted, cuts the Ukrainian state roughly in two and makes it into a natural arena of the perennial fight of civilizations. It may also speak to the legacy

of statelessness, which profoundly affected Ukrainian elites, leaving political culture of dependency and accommodation in its wake. Finally, the lack of coherence in foreign policy may reflect different perceptions of national identity advanced by the conflicting political communities -- or even, quite simply, a deliberately opportunistic style of participation in international affairs adopted by Kiev.

Ukraine's national identity and foreign policy is centrally determined by Russian influences. When Ukraine unilaterally began to demarcate its boundary with Russia, Moscow responded with a symbolic gesture of pulling out of the border posts between Russia and neighboring Belarus and speeded up ratification of a comprehensive Russia-Belarus Union treaty. When Ukraine's foreign policy took a decisively pro-western turn after the signing of the Charter on Distinctive Partnership between the North Atlantic Treaty Organization and Ukraine on 9 July 1997, Ukrainian president Leonid Kuchma was summoned to Moscow to usher in the Russo-Ukrainian Treaty and the Program of Long-term Economic Cooperation for the period 1998-2007. The September 2000 dismissal of the pro-western Minister of Foreign Affairs Borys Tarasiuk amidst uneasy negotiations with Moscow over Ukraine's gas debt and Russia's further energy deliveries had once again demonstrated Russia's overbearing presence in Ukrainian politics.

While opposing Russia's influences, Ukraine is desperate to become a candidate for the EU membership. Ukrainian fear of becoming "stranded" on the wrong side of the Schengen border has grown worse after the Madrid NATO summit in 1997. Though Ukraine was the first among ex-Soviet states to sign an Agreement on Partnership and Cooperation (PCA) with the European Union (on 14 June 1994), the PCA did not enter into force until 1 March 1998. The current perception of Ukraine in Europe is reflected in an offhand comment by the EU commissar for enlargement that admitting Ukraine to the EU is akin to inviting Mexico to join the United States.

Ukrainians consider themselves Europeans for all practical purposes. They underscore this by distancing themselves from Russia and the Russians. However, neither the state of economy nor political system of the country, still a long way from liberal democracy, permit classifying Ukraine as "fully European" in the West. The country's pro-western orientation remains at risk, while the turn back to Moscow becomes almost inevitable, given Ukraine's energy dependence, \$ 1.4 billion of already accumulated debt, and, perhaps most importantly, essential similarity of the political-economic systems of the two countries, aptly characterized as "bandit capitalist" by the Harvard economists. Will the turn back to Russia portend the loss of a distinctive national identity? Is the government-sponsored anti-Russian nationalism the best way to win a "ticket to Europe"? The paper looks at the identity dimension of foreign policy of a newly independent state, contributing, in this way, to the ongoing debates on, first, the place of culture and identity in IR theory and, second, the role of foreign policy articulation in nation building and political development.

Montpetit, Éric - Assisted Reproductive Technologies: A Public Issue or an Issue for Experts

This paper addresses a central concern of policy studies, namely the capacity of states to use expertise in policy development without compromising their democratic legitimacy.

In the 1970s, an important literature emerged around the concept of technocracy, a literature suggesting that experts had diverted democratic political systems for their benefits. Helped by a problematic fiscal context, this criticism encouraged the retrenchment of government bureaucracies responsible for the provision of policy expertise, thereby shifting governments' focus toward the management of services offered to citizens. In the current environment of balanced budgets, however, policy development is again on the public agenda. But in sectors where the expertise of scientists is necessary, as in the area of assisted reproductive technologies, policy-makers seek to avoid the democratic deficits underlined during the 1970s. With internationalisation, or the displacement of issues at levels where democratic institutions are lacking, the challenge is acute. Through a comparative study of the development of policies for assisted reproductive technologies, the paper will attempt to identify conditions conducive to the establishment of a constructive dialogue between experts and the public.

Moore, Elizabeth and Skogstad Grace - Regulating Biotechnology in North America and the European Union

Controversy over the environmental and human safety risks that attend genetically modified (GM) products has opened up a sharp rift across countries and spilled over into the international trade arena. Without being confined to the world's largest regional trading blocs, this cleavage reveals itself as a North America-Europe divide, with North America being generally pro-GM technology and Europe being considerably more wary. Governments in Canada and the USA have embraced the application of genetic engineering to agriculture. They have put in place regulatory frameworks designed to facilitate the rapid commercialization of GM food crops. While there has been some resistance to government actions, it has not been sufficiently great to cause governments to amend their policies in a way that would significantly slow the pace of commercialization. Across the Atlantic, the EU regulatory framework for GE products is "comprehensive" and imposes "heavy administrative burdens" that inhibit GM products being placed on the market quickly. Even so, mobilized public interest groups, worried about environmental and human safety, have persuaded governments to impose a de facto moratorium on the commercial marketing of GM crops. And, finally, while neither Canada nor the USA requires crops or foods containing or produced from genetically modified organisms (GMOs) to be labeled as such, the European Union has a mandatory labeling system that requires crops and foods containing detectable novel DNA or GM product to be so labeled. These disparate EU-North American regulatory frameworks, in parallel with regulatory differences found across other countries, have important implications for international trade, disrupting trade flows and creating tensions. There are, accordingly, several initiatives underway in the international arena to promote the harmonization of national GM regulatory frameworks and to establish international codes and rules around the regulation of GM products to meet goals of public health and safety, and to address their environmental risks. Appraising the efficacy of any of these efforts rests upon an understanding of not only the similarities and differences that characterize national GM regulatory frameworks, but also the factors that led to their establishment initially as well as those which condition their reform.

This paper first, compares the EU and North American (Canadian and US) frameworks to regulate genetically-engineered plants and foods, examining the three issues of environmental release, food safety, and labeling. The regulatory frameworks are compared with respect to their goals and programmatic ideas, with the latter focusing upon the extent to which the criteria on which GMO regulation is based result in regulation being posed as a scientific/technical matter versus one with socio-economic and ethical considerations as well.

Second, explanations for similarities and differences across the North Atlantic-EU frameworks are presented, with the most weight given to the regulatory culture, policy networks, and policy legacies of the countries. Regionalisation and internationalization, in their economic and political/institutional manifestations, also play a role. Third, the paper weighs the possibility of convergence of regulatory frameworks across the Atlantic, examining efforts underway in the EU to reform GM regulatory policies and pressures for changes in the USA. To the extent that countries face similar imperatives to reconcile multiple goals of efficiency, effectiveness and legitimacy in regulating novel technologies like biotechnology, pressures for regulatory convergence will increase. To the extent that countries' distinctive regulatory cultures, policy networks and policy legacies result in different weightings being attached to goals of efficiency, effectiveness and legitimacy, divergence will continue to characterize GM regulation in the two regional blocs.

Murray, Karen B. - The Third Sector, the State and the Regulation of Single Mothers in Late 20th Century Canada

What is the nature of the relationship between the state and the third sector in the regulation of single mothers? This paper means to explore this relationship by studying the role of the C.D. Howe Institute in shaping policy debates in late 20th century Canada. I will show -- by building on ideas heavily influenced by Nikolas Rose and Mariana Valverde and developed in my dissertation ("Beyond the State: the Third Sector and the Governance of Single Mothers in 20th Century Canada") -- that the conceptual line between the state and civil society is not as clear as conventional theory suggests. The governance of single mothers functions as a "mixed social economy," involving both state and non-state initiatives.

The notion of the mixed social economy draws attention to linkages between the third sector and the state. They are tied together by: 1) funding and regulatory structures; 2) information sharing; 3) and their claims to expertise about how, by whom, and to what ends government is to be exercised. This study focusses on the third of these aspects. In doing so, it explores how the governance of single mothers shapes, and is shaped by, race, gender, and class.

Orsini, Michael and Scala, Francesca - From Baby Steps to Giant Leaps: Early Childhood Intervention Policy as a Strategy of Governance

A growing body of research in Canada suggests that preventative intervention in the early years of a child's life may help to stem social problems later in life. Dr. Fraser Mustard, a noted Canadian neurologist of the Canadian Institutes of Health Research, has been one

of the most vocal proponents of such initiatives. In 1999, he met with Ontario Premier Mike Harris to discuss some of these issues. What emerged from these meetings may have surprised even the most cynical observer of Canadian politics. Within days of the meeting, the Harris government announced that it would launch a major initiative to fund early childhood intervention programs.

While there is a growing body of evidence to suggest that events in early childhood and in a pregnant woman's life may be important in unlocking the mysteries surrounding a panoply of social problems (criminality, drug and alcohol abuse, violence) the suggestion that the die is cast, so to speak, has provoked controversy and, in some cases, condemnation of such research. If a person's lot in life is so determined by events in the first five years of life – which is the substance of the claims of such advocates -- what then of the influence of parents, families, and peers? Are children who are born into dysfunctional families condemned to a life of crime, drug and alcohol abuse, and low-paying jobs?

This article steps back from some of these controversies to consider the implications of such a dramatic shift in the politics of child care. Specifically, we examine early childhood intervention as a strategy of 'governance'. We locate our analysis within the broader scope of the welfare state's apparent "hollowing out", and shift from delivering social service supports to offloading these responsibilities onto civil society. If our analysis is indeed correct, what we are witnessing is not a devolution of state responsibility but instead a heightened concentration of state power. That this is occurring against the backdrop of recent court decisions in favour of children's rights over parent's rights, should not be overlooked. The first section of this paper briefly reviews some of the literature on early childhood intervention. The second section fleshes out the theoretical issues around governance (Foucault), situating these issues within the broader framework of recent scholarship on the ever-shrinking welfare state. This article does not attempt to fully assess the merit or claims of early childhood intervention. Clearly, investing in children is a worthwhile endeavour. Rather, it seeks to illuminate the potential ramifications, for the state and citizens alike, of such a policy reversal.

Page, Christopher - Do Polls Determine Government Positions?: The Case of Constitutional Politics, 1980-1981

This paper will examine the role of public opinion research - polling and focus groups - in the policy process, focussing on the heavy use of these techniques during Pierre Trudeau's pursuit of a package of constitutional changes in 1980-1981.

The limited literature on the impact of opinion research generally assumes that polling influences the content of the policies that governments propose or carry out - that it promotes responsiveness to public preferences. Using the constitutional issue as a case study, this paper will challenge that claim, and argue that instead opinion research had a far greater role in enhancing leadership, particularly by helping the government communicate its positions. This was unusually important to the government because the constitutional file was among its highest priorities and because it faced active opposition to its plans from eight premiers.

Rather than guiding policy positions, the impact of opinion research took two main forms. First, polls were used to demonstrate public support for the policy. Specifically,

polling data showing the popularity of the proposal for a Charter of Rights was used to try to bolster the political position of the federal government and strengthen its hand in the first ministers' negotiations. This involved selective releases of polling information to the media and to officials with provincial governments.

Second, in the eighteen months before an agreement was reached, the opinion research had an impact on communications to the public. This was evident in the way the federal government articulated its proposals for constitutional change, especially the creation and definition of, and emphasis on, the "people's package." Extensive opinion research also affected strategic and tactical decisions in the federal government's advertising campaign. This research not only influenced the government's strategy; it evaluated ads both before and after they were aired, helped determine how communications campaigns would vary in each region, and examined the legitimacy of government advertising.

The research served, then, not to guide the policy positions adopted by the federal government but to help it to persuade the public to support those positions - if possible, to lead public opinion.

It will be appropriate to conclude by considering three questions. First, what explains the findings? Second, is there cause for concern about the use of opinion research in government, particularly its role in marketing or "selling" policy? Third, based on what polls showed about the public's understanding of the constitutional debates, would greater input of public opinion into policy making have been desirable?

The paper will be based on research already completed for my PhD thesis, a broader study of the role of public opinion in government. Specifically, I will draw on personal interviews with key participants in the patriation initiative and reports of opinion research that were commissioned or referred to by government officials.

Paquet, Jacques - Régionalisme et norme démocratique dans les Amériques: démocratisation et consolidation de la démocratie au Paraguay et au Mexique.

Au cours années 1990, de nombreux auteurs ont fait état de la résurgence de la démocratie et de sa consolidation dans le monde en développement (Huntington 1991; O'Donnell 1992; Pinkney 1994; Schedler 1998). Cette résurgence serait due, en partie, à la diffusion à l'échelle mondiale de la norme démocratique (Diamond et al. 1995:49). Ceci rappelle un important courant théorique en relations internationales, issu du constructivisme, traitant de la construction et de la transmission des normes internationales (Ruggie 1998; Wendt 1987 et 1994; Finnemore 1996; Checkel 1997). Le comportement des États serait conditionné par un système de normes et de règles internationales, formalisées ou non au sein d'institutions ou de régimes. Toutefois, selon Legro (1997:32), les analyses actuelles accordent trop d'importance aux prescriptions internationales, négligeant des normes pouvant être ancrées dans d'autres types d'entités sociales comme la région. Afin de combler cette lacune, cette étude s'intéresse à la diffusion de la norme démocratique dans un contexte régional.

L'un des objectifs du projet d'intégration hémisphérique dans les Amériques est la préservation et le renforcement des démocraties dans l'hémisphère. L'OÉA est naturellement appelée à jouer un rôle à cet effet (Muñoz 1998). Toutefois, il serait pertinent d'identifier le rôle qu'occupent les groupes sous-régionaux à l'égard de la norme démocratique, car ces derniers peuvent jouer un rôle dans la promotion de la

démocratie (Hakim 1993:44). Nous retenons ainsi les deux plus importants modèles d'intégration sous-régionaux: le Mercosur et l'ALÉNA. Selon Roy et Bernier (1998:2), le sort du projet hémisphérique sera déterminé par le résultat de la négociation entre ces deux blocs. En consultant les études comparatives sur le Mercosur et l'ALÉNA, nous constatons certaines carences dans l'analyse du phénomène : la littérature sur le sujet ignore presque complètement la question démocratique au profit d'études économiques et juridiques. Cette recherche a pour objet de contribuer au développement d'un autre axe analytique en examinant si et comment les deux processus d'intégration sous-régionaux ont conduit à la diffusion de la norme démocratique. Le caractère novateur de notre étude est de démontrer dans quelle mesure des sous-régions peuvent être considérées comme des espaces de socialisation jugés significatifs et d'apporter des réflexions sur l'avenir du projet hémisphérique.

Cette recherche fera appel à une étude comparative entre les deux modèles d'intégration et limitera la comparaison entre le Paraguay (Mercosur) et le Mexique (ALÉNA), deux États susceptibles de connaître des transformations politiques. Ainsi, nous présenterons comment le Mercosur et l'ALÉNA ont intériorisé la norme démocratique et chercherons à démontrer si l'adhésion du Paraguay et du Mexique à leur groupe d'intégration (v.indépendante) a conduit à une plus grande démocratisation de leur régime politique (v.dépendante). Le concept de démocratie sera construit autour des neuf critères de Diamond (1996). La méthode de cueillette de l'information sera basée sur la recherche documentaire et l'entrevue sur le terrain.

Piecowye, James - The Illusion of Public Policy: Does the Public Really Matter?

Public policy is what the government chooses to do, or not do, with respect to any particular issue. Public policy can be a very formal articulation of conscious choice, claims and action, as is often seen through documents such as White Papers, or it can be informal and articulated by the governments lack of comment on particular issues. The point that is common to all forms of public policy, is the fact that it is constructed out of competing interests and values. Public policy has and continues to increase in its complexity in two ways, in part due to the amount of information, and consequently interests, that are being assimilated into the policy process. Secondly due to the growing ambiguity as to the boundaries between public and private action in an increasingly commercially bounded society.

While there is no debate that Canada does indeed have a mixed economy, a blend of market and state influences, there are questions about how much influence, by each of the participants in this mixed economy, is healthy and where the line between the two should be drawn?

When the issue of culture is added to public policy analysis the limitations of the traditional policy perspectives become very apparent. As Stuart Cunningham has suggested, the role of public policy, specifically that policy which is concerned with culture, is in a state of transition. The problem that besieges our cognizance of public policy, and cultural policy specifically, as Vincent Lemieux points out, is that governance, and more specifically policy making, is a complex process that demands more than adherence to linear theory, $a+b=c$. Lemieux goes onto suggest that regulation, which I translate to mean public policy, consists of fashioning solutions to problems

through the structure and function of the system. The problem that is being realized, according to Evert Lindquist, is how to link creative and analytical elements within policy itself. Due to the trend of social actors in policy formation being the most funded and best organized, what is coming about is a situation where the public is almost completely absent from the vetting process of public policy.

Justin Lewis suggests that the hyper-rapid state of change, in cultural policy, and the state's ineffective action in dealing with this change are both born of the fact that the objects of these policies have tended to be misvalued and replaced by market interests which can be tangibly defined. In essence, culture has come to be regarded as existing in a free market zone and consequently accorded the same status as any other industry in a capitalist free market economy. The market economy is supposed to work for the good of society but this only happens in theory. In reality, a tension exists between culture, imagination, creativity, democracy, business and state intervention which all need to be accounted for in the public policy formation process.

I am suggesting that if a critical methodological approach is applied to policy formation in general, and cultural policy formation specifically, it is possible to create policy which simultaneously considers economic, industrial and cultural agendas, which are always present but seldomly considered together.

Rasumussen, Ken - Performance Management and Cabinet Government: The Threat of Network Governance

This paper will argue that despite the reservations voiced by many scholars over the ability of performance management and cabinet government to coexist, the record of the federal government and a number of provincial governments appear to support the view that the two can successfully coexist. In fact it is the ability of performance management to enhance political control, help contain cost and improve service delivery to citizens that is its greatest virtue. The ultimate promise of performance management is that it will improve the quality of information in both bureaucratic and political allocation of resources. The fact that existing political institutions, most notably cabinet, may occasionally prefer to have vague goals, obscure outcomes, and diffuse measures is in no way an argument for not moving forward with important new tools in the development of the profession of public administration.

Yet curiously it is regarding its ability to strengthen accountability that some of the most sustained criticism of performance management has emerged. Some very influential critics, reflecting the dominant normative concerns of political scientists who study public administration in Canada, have argued that the move to accountability for results associated with performance management is fundamentally different than the traditional accountability for process that has dominated institutional accountability in the past. This challenge to existing accountability practices therefore is seen to doom performance management as another fad.

This paper disagrees and argues, based on the accumulated evidence to date, that performance management appears entirely compatible with existing formal lines of accountability linking public servants to cabinet and legislatures. Indeed as performance management regimes are being implemented such traditional links appear crucial in their success. The promises of performance management to bring about results reporting,

organisational learning, and evidenced-based decision making are seen to cohabit alongside existing compliance-based management systems. Performance management accepts that openness and transparency, citizen participation and consultation, and the integration of financial and performance information are key tools underpinning the capacity for government organisations to report on performance. But these are also the elements in the creation of enhanced accountability. As one senior Canadian official has noted, "The tools of performance management can provide an additional occasion for governments to explain what government is aiming to achieve, measure what is being achieved and provide regular reporting on progress." (Winberg, 1997).

In the final analysis, performance management is not seen as a threat to accountability, but both are themselves endangered by additional developments. The greater danger to both comes from the movement towards increasingly complex network structures of "governance" that make it very difficult to measure, test and predict the effects of the performance of public agencies and managers. The increased use of networks means an increase in uncertainty that will inevitably follow from less clearly demarcated, monitored and decomposable inter-organizational structures. Indeed within network settings there are more opportunities to free-riding as well as freewheeling, fewer reliable reporting mechanisms for political overseers, and less overall clarity regarding expectations. Performance management is not a threat to accountability, but both are threatened by the recent challenges associated with network government. Thus moves towards networks, partnerships, and collaborate relationships need to recognized the importance of the moves towards performance management if accountability within these structures is to be realized.

Rayner, Jeremy - Ideas In Action: Brokers, Entrepreneurs and Mediators in Two Internationalized Forest Policy Environments

In spite of an impressive amount of empirical work based on the policy community/policy networks concept, there remains a good deal of resistance to the claim that communities and networks are anything more than suggestive metaphors. This paper begins by arguing that much of this resistance is based on a misunderstanding of or on hostility towards the tight integration between ideas and action that the community/network approach relies on in order to explain both network structure and policy outcomes. The integrative role of shared ideas in the special form of bridging concepts, frames or a référential is built into the community/network approach and provides much of its explanatory force.

Potentially one of the most important uses of the community/network idea, thus understood, is to explain the relative efficacy of particular policy communities as horizontal coordinating mechanisms across different policy arenas depending on the particular type of policy network in each community. Nowhere is the need for such coordinating mechanisms more evident than in those internationalized policy environments where decision-making transcends the nation state. Here, William Coleman and Anthony Perl and Arthur Benz, apparently independently, have identified the role of "policy mediators" as crucial in the boundary spanning efforts that horizontal coordination requires. The paper looks at the evidence for the work of such boundary spanners in two internationalized but distinct forest policy environments, North America

and the European Union. In particular, it takes up Coleman and Perl's challenge to trace the impact of the core variables of community/network analysis-the degree of integration in a policy community and the type of policy network in place-on patterns of mediation. Once again, the role of ideas is critical and the paper concludes by proposing a typology of boundary spanning using existing distinctions in the literature-mediators, brokers, and entrepreneurs-and a research program that would extend our understanding of how each functions in different internationalized policy environments

Reddick, Chris - The New Challenge of Explaining Budgetary Surpluses: The Cases of Canada, Great Britain and the United States

A new challenge and opportunity national government's face in the 21st century is budgetary surpluses. This is not an isolated phenomenon since the national government's of Canada, Great Britain and the United States all face this issue of what to do with the newly found money. Additionally, governments are being continually constrained in their policy initiatives with increasing pressure by the public for tax relief. Is there a decision-making theory that explains why budgeting has moved from surplus to deficit to surplus over the past 30 years in the three countries? This paper addresses the new environment governments must face in the 21st century in public budgeting by providing a theory which helps to explain the process over a long-term. This is in contrast to traditional theories such as budgetary incrementalism, which examines marginal change over the short-term.

The theme of this paper address the new era of budgetary surpluses many governments face. We use a budgetary decision making theory to explain this movement from surplus to deficit to surplus in the public budget over the past 30 years. The audience for the paper would ideally be composed of academics and practitioners in public administration with an interest in public budgeting and public policy analysis. Every effort will be made in both the presentation and paper to simplify the analysis (especially the statistical methods) and demonstrate its broader significance to public administration.

Ritchie-Dawson, Laura - The Role of the Bureaucrat in Trade Policy Creation

Studies of international policy tend to treat the policy development process as the product of relations among states. Analysts occasionally acknowledge sub-state level actors but their roles and behaviors are understood as more or less static reflections of their individual positions. According to this view, the actions of individuals in the policy process can largely be explained by Miles' Law which states "where you sit is where you stand". Nowhere is this more apparent than in discussions of bureaucratic influence on the policy process. Where the actions of public officials are considered at all, they are frequently accounted for as the product of generalized bureaucratic or organizational culture.

This project seeks to understand the ways in which the actions of individual public officials influence policy and what contextual factors constrain or enhance the Canadian trade bureaucrat's ability to influence policy. This involves developing a thorough understanding of the interests and activities of the bureaucrat and situating these interests and activities within a framework of political and institutional constraints and

opportunities. Trade policy creation is particularly well suited to this type of investigation because it provides an excellent example of a technically-oriented environment where politicians must rely on more technically-experienced public officials to select and evaluate feasible policy options.

The research program will use case-based empirical analysis, focused on Canadian trade negotiator, Simon Reisman, and his role in the creation of the 1965 Canada-US Automotive Products Agreement (the Autopact), and the 1988 Canada-US Free Trade Agreement. Extensive interviews with Mr. Reisman are supplemented by archival material and interviews with trade officials from Canada and the United States.

Rouillard, Christian and Lemire, Louise - Changement planifié, décroissance organisationnelle et dérive biomédicale : le cas de la fonction publique fédérale du Canada.

Phénomène organisationnel d'intérêt pour les universitaires et praticiens soucieux de mieux comprendre le changement managériel planifié dans les organisations complexes, le syndrome du survivant est couramment compris comme le principal effet pervers de la réduction des effectifs et de la décroissance organisationnelle qui, par-delà les multiples symptômes socio-psychologiques qui lui sont associés, constitue un facteur potentiel d'amenuisement significatif de l'efficacité recherchée par ladite réduction des effectifs. Par-delà les thèmes récurrents, pour mieux décrire l'expérience commune des survivants, de la peur, de l'insécurité, de l'injustice, de la colère, de l'incompréhension, de la frustration, de la méfiance, de la culpabilité, du stress et de la dépression, se développent donc des attitudes et comportements individuels quasi-pathologiques qui, invariablement, se traduisent pour le management par autant de problèmes à solutionner, autant de défis à relever, afin que l'exercice de réduction des effectifs ne débouche pas sur l'atteinte du contraire à l'objectif poursuivi, soit un accroissement de l'efficacité et de l'efficacité. Succinctement dit, l'objectif de cette communication est de présenter les résultats d'une recherche sur les variations du syndrome du survivant dans vingt-trois (23) ministères et agences du secteur public fédéral du Canada selon les caractéristiques organisationnelles, notamment les pratiques de gestion des ressources humaines (GRH) en période de décroissance organisationnelle. Le devis de recherche retenu est de type quasi-expérimental, l'ampleur du syndrome chez les survivants qui ont bénéficié des pratiques de GRH suggérées pour en amoindrir les effets étant comparée à l'ampleur du syndrome chez les survivants qui n'ont pas bénéficié de ces mêmes pratiques. Évidemment, les caractéristiques individuelles qui risquent de renforcer ou d'affaiblir la relation causale sont également prises en compte et analysées.

Plus spécifiquement, cette communication présente et interprète les résultats d'une analyse de régression hiérarchique des données construites avec un questionnaire codé et complété par 3 307 fonctionnaires (survivants) dans vingt-trois (23) ministères et agences du secteur public fédéral au Québec. Soucieux d'inscrire la discussion sur le syndrome du survivant dans un contexte qui dépasse celui de la fonction publique fédérale du Canada, celle-ci propose par la suite une critique théorique et conceptuelle de la compréhension courante de ce syndrome dans la littérature spécialisée qui insiste plus particulièrement sur sa dérive biomédicale et son caractère apolitique. Afin de ne toutefois pas non plus souscrire à la banalisation implicite des effets pervers découlant de la décroissance

organisationnelle en tant que changement planifié, cette communication se termine par une discussion théorique et conceptuelle de l'idée de culture organisationnelle de désabusement, distincte de celles d'aliénation et de cynisme organisationnels, en tant que principal effet pervers de la décroissance organisationnelle.

La relation entre cette proposition de communication et les intérêts de recherche des auteurs est on ne peut plus directe. En effet, les thèmes du changement managériel planifié, de la décroissance organisationnelle et du syndrome du survivant s'inscrivent en parfaite continuité avec la recherche effectuée dans le cadre de la thèse de doctorat de Christian Rouillard, soutenue l'automne dernier, qui a permis de développer une expertise sur la réduction des effectifs et la décroissance organisationnelle, plus particulièrement sur le syndrome du survivant et la dérive biomédicale à laquelle celui-ci se conjugue. D'une manière plus synoptique, cette recherche doctorale s'est aussi traduite par une expertise sur le changement dans les organisations publiques complexes, de même que sur les réformes managérielles qui en tracent les contextes discursifs et organisationnels. Enfin, l'expertise développée dans le cadre de cette recherche doctorale a servi de base à un projet de recherche de longue haleine mené conjointement avec la co-auteure de la proposition de communication, Louise Lemire, sur le changement dans les organisations publiques complexes et le nouveau contrat psychologique.

Saint-Martin, Denis - When Industrial Policy Shapes Public Sector Reform: The Case of Total Quality Management in Britain and France

This paper seeks to offer an alternative interpretation to account for the rise of the New Public Management (NPM) and of the new "entrepreneurial" culture in government by studying and comparing the adoption of Total Quality Management reforms in the British and French public sectors in the mid-1980s.

Existing approaches seeking to explain the development of the NPM or the new "entrepreneurialism" in government are very much "business-centric". Both the entry of NPM ideas in government and of the private sector consultants who acted - to use Max Weber's term - as the "social bearers" of these ideas, are generally seen as an extension of developments that took place independently of the state and that have their origins in the more innovative and dynamic private sector. Because NPM ideas come from commerce and industry; and because these ideas have entered the state on the "shoulders" of management consulting interests who also come from the business sector, the process by which government is supposedly becoming more "entrepreneurial" is primarily seen as a private sector-driven phenomenon.

Of course, it is certainly not false to argue that the NPM reflects the perceived superiority of business management methods and values. It is true that the NPM "emanates from sources external to public management *per se*, namely the literature on private sector or business administration" (Aucoin, 1990: 117). And the "latest wave of business managerialism", as two senior consultants in the London office of what is now PriceCoopers themselves recognize, has indeed been "mainly brought into the public sector by management consultants" (Foster and Plowden, 1996: 1). But this almost exclusive focus on the business sector as the sole source of administrative innovation and change, has eclipsed the more active role played by the state in the promotion and diffusion of new management ideas and practices. It is true that new management ideas

such as those related to TQM were imported in government once consultants had popularized them in the business sector and once they had penetrated private industries. It is one thing to say that, in reforming its administration, the state imported management ideas from the private sector. But this says nothing about how these ideas got in the private sector in the first place.

During the 1980s businesses increasingly incorporated TQM ideas into their management practices but as we shall see, they did so partly because of state policies. During the 1980s, under the right-wing governments of Prime Minister Thatcher and Chirac, the British and French central state played a key role in influencing both the diffusion and penetration of TQM ideas in private industry, especially in the sector of Small and Medium Enterprises (SMEs). The central argument developed here is that in reforming the public sector, policy-makers in government did not simply follow the private sector because many of the new management ideas and practices that businesses adopted during the 1980s were actively sponsored by the state. In the context of the formation of the European Union, both Britain and France launched in the mid-1980s industrial policies and nation-wide “quality initiatives” that sought to create a new “enterprise culture” by providing to SMEs money to buy management consulting services as a way to modernize their administrative practices and increase their efficiency and competitiveness. These policies not only contributed to the growth and to the social legitimation of management consultancy. Through their implementation, they also built channels of communication and networks of expertise with the state, which subsequently created opportunities for management consultants to participate in the process of public sector reform and apply to government the same “entrepreneurial” approach that the state was at the same time actively sponsoring in private industry.

Building on the theoretical insights developed by historical-institutionalists (Thelen and Steinmo, 1992), the approach I take in this paper gives a more state-centred account of the rise of the new “entrepreneurial culture” in the 1980s. To do so, the paper stresses the “permeability” of policy sectors (Weir, 1992) as it seeks to understand the direct antecedents of TQM innovations in the field of public sector reform by studying initiatives formally classified in the industrial policy arena. This permeability is partly based on the fact that policy-makers in both the industrial and bureaucratic reform policy sectors share a relatively similar concern with management and organizational issues. And for civil service reformers in Britain and France, this concern became especially important following the election of New Right leaders in the 1980s, who believed that private business management was superior to its public sector counterpart and who sought to improve government by borrowing its management techniques.

Siaroff, Alan - Parliamentary Democracy: Aspects and Subtypes

Jean Chrétien’s calling of an early election raises the issue of this particular prime ministerial power in our parliamentary system. However, not all prime ministers have such a power; for example, a Norwegian prime minister must live with fixed parliamentary terms. This paper will thus outline what is meant by parliamentary government and analyze how these regimes vary. Perhaps the most common analysis of political, and by extension parliamentary systems, is that of Arend Lijphart in *Democracies* and *Patterns of Democracy*, where he distinguishes between majoritarian

and consensus democracies. However, his focus is more on the nature and duration of cabinets rather than institutional patterns per se. Consequently, this paper will look at the literature on comparative parliamentary institutions, such as Bergman (1993) on negative and positive parliamentarianism, Döring et al. (1995) on executive-legislative relations and on parliamentary organization, and Döring himself (1996) on the notion of “rationalized” parliamentary control. The various factors listed in such analyses will be measured for all postwar industrial democracies, noting each time there is a change on a given factor. Each consequent national pattern will then be treated as a distinct case of parliamentarianism. Certainly some of this work has already been done by Döring et al., but their study is limited to Western Europe.

The paper will then use correlations and factor analysis to note which factors “belong” together, producing probably three different aspects of parliamentary systems. Each nation / case will then be placed on these aspects, and then common clusters of parliamentary systems will be identified and explained.

Smith, Charles - What Happened to the People's Package Anyway? Judicial Review and the Federal Appointments Process

Corresponding with the liberal theory of democracy and judicial action both in Canada and the United States, this paper will explore how judicial review in Canada has evolved since the introduction of the Charter. Through this analysis, I intend to show that the closed aspect of judicial decision making as it has evolved since 1982 has not corresponded with an increase in democratic principles. This is most evident in the selection process of judicial actors. While the Charter transferred decision making authority regarding the politics of human rights to the courts, the selection process is still dominated by an elite process of selection. Judges are selected from a small pool of legal candidates at the discretion of the Prime Minister or the Minister of Justice. While recent literature (Ziegel 1999) has called for parliamentary selection hearings, I argue that this will not solve the process of elite dominated politics which has followed in the wake of aggressive judicial decisions.

As a result, this paper will argue for a new style of judicial selection which more broadly respects democratic decision making. Using a theoretical model designed around the literature of democratic administration, I will argue for a citizens judicial selection committee. This citizen committee will be a mechanism designed to redistribute power away from traditional elite legal politics.

Sokolon, Marlene K. - Human Organ Transplantation: An Evaluation of the Initiatives, Legislation and Regulation in Canada, the United Kingdom and the United States

Medical innovations in transplantation and drug therapies have increased vastly the success rate of organ transplantation. In addition, transplantation procedures in advanced western countries have become a widely accepted, and often expected, medical procedure (Blumstein, 1989). Yet, while the demand for this procedure increases, the availability of organs for transplantation in many countries have not grown in proportion to this demand. The consequence of this organ gap is that many patients eligible for transplantation die while waiting for an available organ (Thurkral and Cummings, 1990).

The high rate of these deaths has put pressure on governments to find new ways to procure more organs. This paper examines the extent to which the political culture of a country limits the full range of alternative legislative solutions that are logically possible. The paper employs a qualitative comparative case study of three common-law countries: Canada, the United Kingdom, and the United States. These three countries were chosen because all three have similar common law, medical technology and organ gaps (Roberts, 95). Furthermore, all three countries initially introduced legislation that relied on voluntary informed consent. Yet, the three countries differ in their political institutions and medical systems, which could limit their ability to implement diverse policy options. In order to evaluate the explanatory power of political culture in organ procurement, the paper appraises whether these structural and institutional explanations can be eliminated as insufficient explanatory variables (Elkins and Simeon, 79).

The paper is divided into three parts. First, it examines the specific legislation and policies that each country developed in response to initial organ transplantation procedures. The historical foundation is necessary to provide a context for the perimeters of each country's response to new initiatives or policy (Cooper, 87). This section also provides a brief overview of how the current procurement procedure of each country operates. Second, the paper examines the contemporary situation of scarce organ resources and provides an overview of the proposals suggested to increase available organs (Mill, 85, Freedman, 82, Rettig, 89). The three main proposals are mandated choice (Overcast, 87), presumed consent (Spipes, 91), and monetary incentives (Holloway, 96). The paper evaluates each of these proposals to determine whether they could be potential options in each country. Third, the paper argues that although some options are consistent with institutional practices, there is a lack of political will to alter the existing model of altruistic donation. Thus, in spite of different political institutions and medical systems, the research indicates that each country routinely considers individual choice and respect for family decisions, even when such respect is not a legal obligation. The overall importance of this finding is that any changes to organ donation policy ultimately must be reconciled with the predominate cultural values of society; governments do not have a free hand, even when this hand would save lives.

Stan, Lavinia - Social Capital and Ethnic Tension

Both social capital and ethnic conflict have been widely researched during the last years. Researchers have sought to define these concepts, to highlight their theoretical importance for understanding established and incipient democracies, and to come up with the most suitable indicators to operationalize them. But only a handful of studies have tried to connect these two strands of literature in a meaningful way. The oversight seems to have originated with Robert Putnam's Making Democracy Work (Princeton: Princeton University Press, 1993), which brought the concept of social capital to the forefront of political inquiry. Working on the ethnically homogeneous case of Italy, Putnam did not dwell on the interplay between civicness and ethnic acrimony, and neither did more recent research, despite the fact that most polities of this world are multiethnic, and not few of them are rift with ethnic conflicts.

This study seeks to uncover the relationship between social capital and ethnic tension in an emerging Eastern European democracy. More specifically, it examines inter-personal

and inter-ethnic relationships between Romanians and Hungarians of the central Transylvanian Mures county in an effort to discern if and how civicness and ethnicity interact. Traditionally, three ethnic groups have claimed Transylvania: the Romanians, the Hungarians and the Germans. Relations among these groups were always tense to a degree. While part of the Austro-Hungarian Empire, the Hungarians (including their close relatives the Szecklers) and the Germans enjoyed the status of recognized "nations," while the Romanian majority was deprived of any political rights. Once Transylvania reverted to the Romanian kingdom in 1918, the tables turned in favor of the Romanians, who adopted strict centralization in an effort to counteract the demands for local autonomy put forth by ethnic Hungarians. While all Transylvanian counties are multiethnic, only in Mures Romanians and Hungarians each account for roughly half of the population.

Using a combination of interviews with local political leaders, opinion polls and archival research undertaken in early 1999, this paper shows that the Romanian and the Hungarian communities of Mures each enjoy levels of civicness that are relatively high compared to the rest of Romania. But while within each ethnic group members trust and cooperate for solving problems of common interest, the two groups remain deeply divided, suspicious of each other, and unable to come together in voluntary networks. In other words, the sentiments of solidarity binding members of the same ethnic group together do not cross the ethnic divide. Beginning with this observation, this paper argues that in multiethnic communities not all kinds of inter-personal networks/relations are able to foster a civic spirit, but only those bridging the ethnic divide in a meaningful way. The paper, therefore, supports arguments that ethnically circumscribed networks and associations more often than not are an impediment to social capital. The paper summarizes part of my doctoral research.

Sutcliffe, John B. - Intergovernmental Relations in Canada and the European Union: The Place of Local Government in Policy-Making

This paper compares the involvement of British local governments in European Union (EU) policy-making with the involvement of Canadian local governments in intergovernmental relations in Canada. It notes that in both cases local governments are located within constitutional structures that leave them very much dependent on decisions taken at a higher level of government: the central government in Britain and the provincial governments in Canada. The paper, however, examines the proposition that the local governments are experiencing different development paths.

Within the context of the European Union, recent studies have argued that local governments are increasingly important in policy-making and have, to different degrees at different times, the capacity to influence the policy-making process. This is not, however, a universally accepted perspective. Intergovernmental analyses assert that central government actors continue to dominate policy-making in the European Union and that local governments are at best marginal to this process. This is particularly the case where local governments have limited constitutional, economic and political power within their domestic state. This paper examines this debate by studying the role of British local governments in the European Union. It examines the extent to which these local authorities have organised to participate in European Union policy-making, and whether this has enabled them to influence policy outcomes at that level.

This analysis is then compared to the Canadian situation and the capacity of Canadian local governments to influence policy outcomes at the federal level. Within Canadian intergovernmental relations, existing literature emphasises the extent to which local governments are controlled by the provincial governments. As a result, it is widely suggested that local authorities play only a very minor role in intergovernmental relations in Canada. The conclusions reached in this paper are that British local governments have become more actively involved in the EU policy-making process. This involvement has created new policy networks and has offered local actors some opportunities to influence the policy-making process. On the other hand, Canadian local authorities have not increased their role within intergovernmental relations, and indeed recent provincial government decisions have further reduced the local governments' scope for political action. In spite of this, it is a mistake to exaggerate the differences between these two cases. British local governments remain dependent on the British central government and are by no means dominant actors in EU policy-making. Their capacity to influence policy decisions is small and is largely restricted to the implementation stage of the policy cycle. This is similar to the limited number of occasions on which Canadian local governments have exercised influence over intergovernmental relations.

Vassallo, Francesca - Individual Vs. Collective Political Participation: The French Choice

Research on political participation in the past three decades has confirmed a steady increase in the rate of individuals' activism, through different forms, styles and levels of action (Dalton, 1988, 1994): citizen participation has gone from well-structured organizations to less formal types of associationism. The change has also corresponded to a new style of involvement: non-conventional, alias protest, behavior complemented the already available conventional means of participation in politics. A final innovation that took place with the "Participatory Revolution" (Kaase, 1984) was the choice of a level of engagement: individual and collective levels of activism started competing/collaborating for a higher political participation rate among citizens.

In regards to this last element of increased political participation, a close analysis of the French case might reveal whether it is indeed a political involvement at the individual level, more than at the collective one, that drives French strong political activism. The research objective is to establish whether the already assessed increased active political participation in France (Boy and Mayer, 1990; Mayer and Perrineau, 1992; Perrineau, 1994; Bréchon, 1994; Dalton, 1994) is the product of a stronger activism at the individual level more than through collective forms of involvement, testing whether it is the individual decision to act that is responsible for the high, non-conventional political action in France, more than any organization's possible strategy for mobilization.

The testing of this political behavior paradigm will provide important conclusions on the validity of the literature on social capital and social integration (from Tocqueville to Putnam, to New Social Movements scholarship), questioning the positive correlation between high levels of political activism, whether conventional or non-conventional, and high levels of associationism and collective activity in social and political organizations. The French case, interpreted in a comparative perspective, will show evidence on a case with a strong political activism variable, but rather weak levels of social capital,

measured using individuals' integration into politically-based associations/organizations, and activity in those same collective groups.

The project will use French databases (1978 to 1997), as well as the World Values Surveys (1981, 1990), to create a political participation index to measure style and level of political action, and perform statistical analyses, using a comparative, longitudinal approach, to position France within the European context of political activism. The research results will challenge the so-far unquestioned position of social capital studies and of the effectiveness of resource mobilization theory in explaining the French situation. French citizens confirm to have a strong political activism, but they do not abide by the pattern of an equally strong social integration element, they reject collective levels of involvement, without rejecting political participation.

White, Linda A. - The Right is Right for the Wrong Reasons: Understanding Family Policies in Liberal Welfare States

Many researchers of comparative family policy argue that US family policy does not support female employment (see, for example, Hofferth and Deich 1994). They argue that the lack of support for female and, in particular, maternal employment, is in part because of the state's unwillingness to intervene to provide social policies, and in part because of the influence of social and religious conservatives in the United States that discourage women's labour market participation. These same researchers look with envy at family policies in Europe, which, they argue, "promote maternal employment by assisting mothers in balancing work and family life" (Hofferth and Deich 1994: 425). This portrayal of family policy, I argue, misdescribes the US case. Rather, family policies in the United States are remarkable to the extent that they encourage women's labour market participation by design or effect. Many family policies are in the form of tax breaks for working parents. Child care, while not of the best quality, is relatively cheap and plentiful, in part because the state refuses to intervene to strictly regulate child care provision. The very short period of job protection mandated in federal parental leave laws, and the absence of federal maternity benefits means that most women must return to the workforce soon after giving birth. Recent changes to AFDC, the introduction of mandatory workfare, and the cutting off of entitlements after a maximum of five years, again encourage women with children into the labour market.

Indeed, the comparable lack of policies to enable women to exit the labour market contrast with the breadth of workplace equity policies in the United States: affirmative action in education and the workplace, policies to prevent and prosecute sexual harassment in the workplace, and reproductive rights, to name a few. In contrast, family policies in many European countries encourage parents, primarily women, to exit the labour market, often for long periods, after the birth of a child. Very long maternity leave programs and high levels of maternity and parental benefits aid enormously in the decision to exit the labour market. Other family supports are often not dependent on women's participation in the labour market but rather family income or numbers of children.

All of this is ironic since many on the Right in the United States, such as Phyllis Schlafly, vigorously opposed policies such as paid parental leave in the late 1980s (in Winston and Bane 1993). In effect, what the Right has done is ensure women will remain in the

labour force whether they desire to or not. Thus, the economic conservative agenda, marked by an unwillingness to pay for social supports, in fact undermines the social conservative agenda. The United States has not learned what many countries in Europe have: in order to encourage women to stay home and have babies, governments need to provide social supports to do so. If the Right truly wanted to reinforce a gendered division of labour, it would demand policies akin to those in European countries. The first goal of this paper, then, is to set the record straight re: the motivations/outcomes of American family policy. It thus provides a critique of family policy literature that misinterprets the effects of public policies currently in place in the United States. It does so through comparison of the effects of family policy on women's labour market participation in the United States and European countries such as France, Germany, and Sweden.

The second goal of the paper is to examine the question, to what extent are these trends toward the encouragement of women's labour market participation applicable to other liberal welfare states, such as Canada and Britain? Is the encouragement of women's labour market participation by policy design or effect indicative of regime type or is the United States exceptional? If the US case is exceptional, what factors explain this exceptionalism?

Methodology:

The paper will provide an intensive case study of policy trends within the United States and situate the case within the context of two other illustrative liberal welfare states - Britain and Canada. It will examine trends in all three countries through legislation and other government documents, newspaper articles, and secondary literature. It will also compare each of these cases to trends observed in European welfare states.

This research follows from but expands on my earlier comparative work on child care policy.

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Wu, Der-yuan Maxwell - *President Out of Making: A Case of Taiwan's 2000 Presidential Elections*

The final victory of the Democratic Progressive Party pro-independence candidate, Chen Shui-bian, in Taiwan's 2000 Presidential Elections not only constitutes a remarkable achievement of Taiwanese democratization but more importantly is instructive for comparative political scientists especially on election studies. While strategic calculation by candidates or parties and how they forged or broadened electorate basis were often the major concerns in election studies, many of them tended to assume the prevalence of rational engineering based on the calculation of "objective interest". This might well be

inadequate in explaining some cases typically in 3-person closely-tied race where none of candidates were sure of eventual victory.

It will be argued in the proposed paper that the social constructivist perspective is insightful in analyzing such cases as the Taiwan's 2000 Presidential Elections. The social constructivist perspective, while taking into account the issue of "unintended consequence", stressed the role of ideas in constructing reality in an initially fluid condition with competing views or interpretations. What was concerned in the perspective is not which view is "genuinely true", but how a particular view comes to dominate the definition of situation and be taken for granted as "given truth". It will be argued that the relationship between Lee Teng-hui, the outgoing KMT president who was popular yet controversial, and two of the candidates was one of the major factors leading to the election result. It will be demonstrated, drawing from various data including public opinion polls, that the widespread belief that Lee "actually" supported the DPP's Chen Shui-bian, rather than his hand-picked pro-China KMT candidate, Lien Chan, to defeat the other promising candidate was crucial in the campaigns. Once the belief and view gained collective acceptance, it had real consequences. The case then exemplifies the validity of Thomas Theorem on the definition of situations (Thomas 1918)

The proposed paper, falling within my research interests of comparative politics and China/Taiwan studies, will adopt the social constructivist perspective which was also instrumental in my nearly completed thesis, entitled "Institutional Development and Adaptability: Canada, Taiwan and the Social Construction of 'One China'" and supervised by Prof Jeremy Paltiel.

Reference:

Thomas, William I 1918 THE POLISH PEASANT IN EUROPE AND AMERICA

Y-chong, Xu – Power Sector Reform: Organizing for Competition

Restructuring the electric power industry has become the last triumph of the wave of privatization and deregulation which has been sweeping the world in the past two decades. Historically, reliable supplies of basic infrastructure services – electricity, water, telecommunication, transportation – play a crucial role in supporting economic growth and development and have also justified state-owned monopolies. Since the power industry was privatized and deregulated in England and Wales in April 1990, the pressure to privatize and *unbundle* the vertically-integrated monopoly among generation, transmission and distribution has been growing. Though for different reasons, many developing countries are adopting and implementing or contemplating major infrastructure sector reform programs. In many cases, the reform of privatization and restructuring has gone further than that in many developed countries. Reforms have also been adopted in the transition economies of central and Eastern Europe and China.

Ironically, the very factor which drove many developed countries to nationalize the electric power sector in the early 20th century – the industry's central or infrastructural role in the country's economy and economic development – is used as a mandate for many developing countries to privatize and restructure the power sector. Reforming the

industry is no longer a social option for these countries; it is argued to be an economic imperative. Reforming a state-owned monopolized industry, however, requires an active role for the state in creating an economic and legal framework within which a peaceful transition can be conducted. This is necessary in order to prevent a new monopoly, ensure a stable and reliable supply of power and guarantee universal access to electricity at a 'reasonable' price. In consequence, the progress in the economic reform of the electricity industry in developed and developing countries provides an interesting comparative study of national political economies as well as the economies of utility reform.

This paper is divided into three sections. The first is an overview of the fundamental issues involved in reforming the power industry, especially the physical attributes of the industry which have been the main reason for both public ownership everywhere in the world (with the single exception of the United States) and universal vertically integrated monopolies. As MIT professor Paul L. Joskow points out, electricity "follows the laws of physics, not the laws of financial contracting." The second section provides an overview of reform models adopted by various countries to demonstrate why it is argued in this paper that reforms have gone further in many developing and transition economies than in many developed countries. The last section will examine the problems emerging in the reform and the role of the state in creating an adequate regulatory regime to ensure the achievement of both economic and political goals. Economic goals are driven by the process of liberalization whereas political goals are set to guarantee the traditional public tasks of the electricity industry. Having realized that each country has its unique political and economic system, and therefore sweeping comparison may not reflect these unique characteristics, this study will focus on general and common issues which are most pertinent to the reform in China, which is both developing and transitional and which has adopted reforms in the power sector that follow the model developed in the US, Canada, Australia and Britain.