

NEWGOV – New Modes of Governance

Consortium Conference

Co-ordinated by the European University Institute
NEWGOV is financially supported by the EU's 6th Framework Programme
www.eu-newgov.org – NEWGOV@eui.eu

Badia Fiesolana – Florence, 31 May–1 June 2007

General Programme

31 May 2007, Thursday, Day 1

- 09:15 – 10:00 Welcome and Opening by **Stefano Bartolini**, NEWGOV co-ordinator and Director of the Robert Schuman Centre, EUI Florence
Presentation of aims and tasks of the Consortium Conference, by **Adrienne Héritier**, NEWGOV Scientific Director
- 10:00 – 11:30 Cluster Workshops (outlines below)
- 11:30 – 12:00 *Coffee break*
- 12:00 – 13:30 Cluster Workshops, cont.
- 13:30 – 15:00 *Lunch*
- 15:00 – 16:30 Cluster Workshops, cont.
- 16:30 – 17:00 *Coffee break*
- 17:00 – 18:30 Key note speech: ***Can the European Union be Legitimized by Governance?***, **Philippe C. Schmitter**, EUI, followed by discussion
- 19:00 – 21:00 *Dinner*

1 June 2007, Friday, Day 2

- 09:15 – 11:00 Panel Discussion: ***Taking stock of the Cluster /Task Force Results and Cross-Cutting Issues – The Research Agenda for the Remaining Project Duration***
- 11:00 – 11:30 *Coffee break*
- 11:30 – 13:00 Key note speech II: ***How the Rule of Law might Survive the European Turn to Governance***, **Christian Joerges**, EUI, followed by discussion
- 13:00 – 14:30 *Lunch*
- 14:30 – 15:30 NEWGOV General Assembly
- 15:30 – 16:00 *Coffee break*
- 16:00 – 17:30 Rounding up-plenary session, comments by the NEWGOV Monitoring Group
- 17:30 – 18:00 Closing remarks ***The Way Ahead***, **Adrienne Héritier**, NEWGOV Scientific Director
- 19:30 – 21:30 *Dinner*

Cluster Workshops Outlines
Cluster 1: Emergence, Evolution & Evaluation
Cluster Meeting

The meeting of Cluster One will focus on the empirical results achieved so far by the participants on the emergence and evolution of governing modes and their streamlining for the purpose of a joint publication. In particular, the key perspectives for research will be discussed and brought together in terms of theoretical approach, methodology and empirical analysis. For that purpose, a number of questions will be answered by all participants serving as a basis for the discussions. These will centre on the theoretical assumptions which have been made, the methods applied and the definitions of new modes of governance in the respective field of research.

- 10:00 – 10.30 Welcome address and Introduction (**Wolfgang Wessels**, University of Cologne)
Presentation and Discussion of the common theoretical background
Based on main points of paper:
Modes of Governance in the Legal and Living Constitution of the EU (**Wolfgang Wessels**, University of Cologne)
Round table
Based on the questionnaire, we will explore the possibilities of aligning the different contributions of the volume to a common research perspective. Where this is not feasible, we will try to make the controversy between the contributors' different viewpoints explicit.
- 10.30 – 11.30 **1st session:**
Theoretical framework of Part I as a point of reference for chapters
Based on main points of papers:
New Modes of Governance viewed from a policy perspective (**Gerda Falkner / Oliver Treib / Holger Bähr**, Institut für Höhere Studien)
New Modes in EU Constitutional Governance (**Thomas Risse**, Freie Universität Berlin)
Round table
- 11.30 – 11.45 *Coffee break*
- 11.45 – 12.30 **2nd session:**
Policy Perspective of Part II
Based on main points of papers:
Social Dialogue and Pensions Reform (**Philippe Pochet / David Natali**, Observatoire social européen)
Research Policy and New Modes of Governance (**Colin Shaw**, University College Dublin)
Round table
- 12.30 – 13.30 ***Policy Perspective of Part II*** (cont.)
Based on main points of papers:
New Modes in Justice and Home Affairs (**Jörg Monar / Anya Dahmani**, Université Robert Schuman)
Cohesion Policy in the enlarged EU: New Modes for New Members? (**Krisztina Vida / Kálmán Dezséri**, Institute for World Economics)
Social Policy and Environmental Policy: Comparing Modes of Governance (**Gerda Falkner / Oliver Treib / Holger Bähr**, Institut für Höhere Studien)
Round table
- 13:30 – 15:00 *Lunch*

- 15:00 – 16.00 **3rd session:**
Cross-cutting Perspective of Part III
Based on main points of papers:
Agencies in the EU: Governance by Delegation (Stefan Griller /
Andreas Orator, Wirtschaftsuniversität Wien)
Soft Law, Hard Law and Governance (Anne Peters / **Egle Svilpaite**,
Universität Basel)
Round table
- 16.00 – 16.30 Conclusions: Similarities and Differences – Aligning the Chapters
for a Draft Structure of the Volume
Publication of NEWGOV results: From the research design towards
a book structure. Results so far and synthesis on theoretical and
horizontal research questions
Preliminary book structure, proposed by the coordinator and to be
discussed
Round table



Cluster Workshops Outlines
Cluster 2: Delegation, Hierarchy and Accountability
Cluster Meeting

New Modes of Governance: A Trade-Off between Efficacy and Legitimacy?

Our meeting during the 3rd NEWGOV Consortium Conference will build on previous research within the cluster which focussed on new modes of governance and policy efficacy. We have notably examined whether new modes of governance as such contribute to the efficacy of policy-making, or whether they need the shadow of hierarchy in order to effectively deal with the problems they are supposed to solve. Expanding the scope of our research questions, we will now consider accountability and legitimacy issues posed by new modes of governance. Specifically, we will question whether there is a potential trade-off between the efficacy of new modes and their legitimacy. Is it possible to improve the policy efficacy of policy-making, whilst at the same time respecting accountability and legitimacy standards? Can the potential dilemma between efficacy on the one hand and legitimacy on the other hand be solved by recurring to government, i.e. the shadow of hierarchy?

Each cluster project will present its research on related topics. In addition, we will receive input for discussion from the NEWGOV Task Forces. The workshop will follow up on discussions during our cluster workshop on 'New Modes of Governance in the Shadow of Hierarchy: Accountability and Legitimacy', which has been held on 30 and 31 March this year.

- 10:00 – 10.30 Welcome address and introduction by cluster leaders
Democratic Accountability and New Modes of Governance
Adrienne Héritier (EUI), **Dirk Lehmkuhl** (University of Zürich)
- 10.30 – 10.50 **Legal Task Force:** New Regulatory modes in Europe.
Proposals for Reform?
Fabrizio Cafaggi (EUI)
- 10.50 – 11.10 **Project 10:** Private Dispute Resolution: Legitimate and Accountable?
Dirk Lehmkuhl (University of Zürich)
- 11.10 – 11.30 **Project 9:** Choice and Combination of Policy Instruments
Patrick Le Galès (Sciences Po Paris / Cevipof-FNSP)
- 11:30 – 12:00 *Coffee break*
- 12:00 – 12.30 Comments on individual contributions by **Mark Thatcher** (LSE)
- 12.30 – 13.30 Discussion of contributions
- 13:30 – 15:00 *Lunch*
- 15.00 – 15.20 **Democracy Task Force:** Guardianship and Democratic Accountability
Dario Castiglione (School of Historical, Political and Sociological Studies at the University of Exeter)
- 15.20 – 15.40 **Project 5:** New Modes of Governance in the Shadow of Hierarchy.
Self-Regulation by Industry in the Energy Sector
Adrienne Héritier (EUI), **Burkhard Eberlein** (York University, Toronto) and **Sandra Eckert** (EUI)
- 15.40 – 16.20 Discussion of contributions
- 16.20 – 16.30 Concluding remarks by cluster leaders

Cluster Workshops Outlines
Cluster 3: Effectiveness, Capacity and Legitimacy
Cluster Meeting

The fourth meeting of Cluster 3 will revisit the research programme of NEWGOV focusing on the 3rd E – Effectiveness. We will systematically discuss the effectiveness of new modes of governance in light of the empirical findings of the projects, given the substantive progress they made over the past 12 months. Moreover, we will guide our attention to the 1st E – Emergence. Some projects had difficulties in finding a sufficient number of New Modes of Governance to evaluate their structural and policy impact. These projects have been confronted with the challenge to explain why, contrary to our expectations, there are so few New Modes of Governance. Thus, they should help shed light on New Modes of Governance as dependent variable offering some explanation for their (non-)emergence.

Each project will submit a short paper summarizing its major findings and addressing the following issues:

1. What kind of new modes of governance do you find in your project?
2. To what extent, and if so, under which conditions have New Modes of Governance helped increase the problem-solving capacity (effectiveness) and social acceptance (legitimacy) of public policy intended to meet EU requirements?
3. Which factors fostered and impaired, respectively, the emergence of New Modes of Governance?
4. To what extent are the findings generalizable?

- 10:00 – 10.15 Welcome address and introduction by cluster leader
Tanja A. Börzel (FU Berlin)
- 10.15 – 10.30 **Project 12: New Modes of Governance and Southern Enlargement**
Ana Mar Fernandez (Universita Autonoma Barcelona),
Charalampos Koutalakis (University of Athens)
- 10.30 – 10.45 **Project 12: New Modes of Governance and Eastern Enlargement**
Aron Buzogany (FU Berlin), **Sonja Guttenbrunner** (FU Berlin)
- 10.45 – 11.00 **Project 17: Democratisation, Capture of the State and New Forms of Governance in CEE countries**
Tomasz Grosse (Institute of Public Affairs)
- 11.00 – 11.30 Discussion of project presentations
- 11:30 - 12:00 *Coffee break*
- 12.00 - 12.15 **Project 14: Smoothing Eastern Enlargement: Independent Regulatory Agencies and Non-Hierarchical Steering**
Charalampos Koutalakis (University of Athens)
- 12.15 – 12.30 **Project 15: Evolving Regional Governance Regimes: Challenges for Institution Building in the CEE Countries**
Laszlo Bruszt (EUI)
- 12.30 – 12.45 **Project 13: The Domestic Impact of European Law**
Susanne Schmidt (University of Bremen)
- 12.45 – 13.30 Discussion of project presentations
- 13:30 – 15:00 *Lunch*
- 15.00 – 15.15 **Project 16: Inside-Out: New Modes of Governance in Relations with Non-Member States**
Sandra Lavenex (University of Luzern), **Dirk Lehmkuhl** (University of Zürich)
- 15.15 – 15.30 **Project 16: Extension to Russia**
Elena Belokurova / Maria Nozhenko / Maria Safonova (University of St. Petersburg)
- 15:30 – 16.15 Discussion of project presentations
- 16.15 – 16.30 Conclusions and practical remarks by cluster leader.

Cluster Workshops Outlines

Cluster 4: Learning, Experimental Governance and Participation Cluster Meeting

The aim of this workshop will be to explore the connections between the different projects of the cluster more completely than has been attempted in the past. It will focus on the principle conceptual and theoretical innovations and contributions – in terms of NEWGOV's 4 E's or other frameworks – of the attending projects. During the meeting we should also attempt to identify common conceptual and theoretical threads running through these projects.

10.00 – 10.05 Welcome, **Martin Rhodes** (EUI / University of Denver)

10.05 – 11.30 **Project 18a:** 'Distributive Politics, Learning and Reform: National Social Pacts', **Martin Rhodes** (EUI / University of Denver)

Project 18b: 'Distributive Politics, Learning and Reform: Local Partnerships', **Maurizio Fererra, Ida Regalia, Paolo Graziano** and **Patrick Vesan** (Università Bocconi, Università di Milano)

In this session we should have a full discussion of the 'national social pacts' project (18a) and the 'local partnership' project (18b). If necessary, the discussion about conceptual and theoretical issues can extend into the session after the coffee break to project 24, part of which focuses on social pacts and partnerships in Central and Eastern Europe.

11.30 – 12.00 *Coffee break*

12.00 – 13.30 **Project 24:** 'Democratisation/Participation of Civil Society in New Modes of Governance', **Daniela Obradovic** (Universiteit van Amsterdam), **David Lane** (University of Cambridge), **Heiko Pleines** (Forschungsstelle Osteuropa an der Universität Bremen)

In this session we will continue with the discussion begun session 1, and focus on the conditions and limits of 'democratization' of governance in different circumstances (European, national or local; east or west etc).

13.30 – 15.00 *Lunch*

15.00 – 16.20 **Project 19b:** 'Central Bank Governance', **Nicolas Jabko** (Fondation Nationale des Sciences Politiques)

Project 22: 'Tax Competition and Regulation', **Claudio Radaelli** (University of Exeter)

In this session we clearly move to a different set of concerns – from 'participatory governance' to delegation to monetary and tax authorities and the governance of the 'macro-level' of European governance – and in the case of Project 19b, a comparison with the United States. We will be interested in key conceptual and theoretical innovations in addition to empirical findings.

16.20 – 16.30 Concluding remarks by **Martin Rhodes** (EUI / University of Denver)