

New Modes of Governance and the Climate Change Strategy in the European Union: Implications for Democracy in Regional Integration

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A Short Version

* This is Section 1 of the article.

Comparative regionalism project (CREP) is a challenge for EU political studies. On the one hand, the EU is implicitly regarded as the most advanced project of regional integration, in which a polity has emerged as if it can be compared with other national political systems. On the other hand, the EU is often characterised as a *sui generis* political system, which is neither a federal state nor an international organisation. The former provides a teleological model as if the EU is a goal for other regions (See the insightful criticism by Warleigh 2004). In contrast, the latter prevents comparative studies because it is the features of the EU as an unprecedented political entity that should be explored (See the critical review by Hix 1998). Both understandings cannot be rejected as a myth or an ideology prevailing over EU political studies at a meta theoretical level. In fact, the EU has prompted other regions to launch regional projects, and the characteristics of the EU as a polity have been clarified in qualified empirical studies, and those empirical studies have also illuminated the features of EU governance that should be differentiated from national governance and international governance. In a nutshell, the EU is regarded as a teleological model and at the same time as a *sui generis* model. A puzzle of this sort can be a starting platform of EU political studies scholars in the CREP. How can we overcome a teleological way of thinking and make EU political studies open to comparative regionalism studies in a much more constructive way?

Against this background of concern, this article stresses two research agendas. One is the impact of European governance on democracy (cf. Warleigh 2004) and integration (cf. Kohler-Koch 2005). The other is a relation between the UN system and regionalised responses. An empirical case is the introduction of new modes of governance into EU environmental governance, in particular, the EU climate change strategy. What this article suggests for the CREP is as follows.

1) The evolving EU governance system has raised a question for the democratic legitimacy of integration: the so-called 'democratic deficit'. This problem has required the EU to reform its governance system, and then new modes of governance have been introduced. This 'new' modes implicate, first, the modification of the traditional legal harmonisation approach of the EU and, second, the emphasis of 'democracy based on the nation-state' and 'democracy based on European civil society'.

However, the introduction of this new modes can ironically undermine 'democracy based on the Community method' (the traditional EU governance system), thereby leading to 'democracy without the European Parliament'. These experiences of the EU demonstrate that even the 'most successful project' of regional integration causes problems of democracy. Thus, the appearance of democratic problems can be explored in comparative regionalism project. A focus can be put on the emergence, actual or potential, of problems of democratic legitimacy in each regional project, and types of democracy implied therein.

2) While the EU is, to a large degree, a self-contained regional system in terms of rule-making and conflict settlement, its policy-making is, in some cases, completely embedded into the UN system in terms of the setting of agendas and political goals. The EU climate change strategy is the case. On this view, a focus can be put on the degree of self-containedness within a region and/or the degree of dependence on the UN system, in terms of 'the setting of agendas and political goals', 'the methods of implementing measures', and 'the mechanisms of monitoring/controlling compliance'. What can be assumed at least in the EU climate change strategy is that: the implementation methods and the monitoring/controlling mechanisms are self-contained within the EU governance system; however, the setting of agendas and political goals are dependent on the UN system.

This article gives a specific context to these suggestions for research designs.

Section 2 reviews new modes of governance and traces a trend of moving towards soft governance in environmental issue-areas. In so doing, this article empirically suggests a trend of the modification of the legal harmonisation approach of the EU and, at the same time, theoretically considers the implications of soft governance on democracy in European integration, suggesting contestation between three types of democracy noted above and then stressing the potential risk of democracy without the Parliament and the significance of balancing supranational legal processes and intergovernmental political processes.

Section 3 examines the EU climate change strategy and clarifies that soft governance has become dominant in this wide-ranging, crucial but uncertain issue. In addition, this article indicates that the international climate change regime based on the UNFCCC and the Kyoto protocol contextualises the EU climate change strategy to a large degree, whereas the EU has developed her own monitoring/controlling mechanisms.

On these arguments, this article demonstrates a facet of EU environmental governance: internally soft governance prevails; and the governance is externally embedded into the UN system. This facet should not be regarded as being deviant from the basic structure of the EU. Rather, attention to this facet promotes EU political studies to enter into open communication with other regionalism studies.